



**DEBATES**

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

**HANSARD**

11 May 1995

**Thursday, 11 May 1995**

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

**ANNIVERSARY OF FIRST ASSEMBLY SITTING**

**MR SPEAKER:** Members, I remind you all that today is the sixth anniversary of the first sitting of this Legislative Assembly back in 1989.

**Mr Kaine:** And some of us are still surviving.

**MR SPEAKER:** Indeed, Mr Kaine.

**Mr Moore:** There is just a small handful of us who were there on that day.

**MR SPEAKER:** Thank you.

**DIRECTOR OF PUBLIC PROSECUTIONS (AMENDMENT) BILL 1995**

**MR HUMPHRIES** (Attorney-General) (10.31): Mr Speaker, I present the Director of Public Prosecutions (Amendment) Bill 1995, together with its explanatory memorandum.

Title read by Clerk.

**MR HUMPHRIES:** I move:

That this Bill be agreed to in principle.

The purpose of this Bill is to amend the Director of Public Prosecutions Act 1990 to provide legal protection for the Director of Public Prosecutions in certain circumstances. From time to time, the Director of Public Prosecutions has to make decisions that arouse public debate. For example, there may be a public controversy about a decision to give undertakings not to prosecute, to discontinue criminal prosecutions or to refuse to appeal against the leniency of sentences imposed by the courts. It is in the public interest that the director be able to publicly state the reasons for doing so. In stating reasons for a decision, the director may have to refer to the evidence against an accused person and, in particular, cast doubt on the credibility of particular witnesses. This may leave the director open to defamation or other proceedings which would be difficult or impossible to defend without revealing sensitive information.

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This Bill amends the Director of Public Prosecutions Act to recognise that the director's functions include making statements with respect to criminal investigations, criminal proceedings or other matters relevant to the functions of the director. The Act is also amended to provide that legal proceedings do not lie against the director or officers of the director's office for anything said or done in good faith in carrying out the functions of the office. Provisions already appear in a number of Territory Acts giving protection to statutory office-holders for things said or done in carrying out their functions. Those officers include officers under the Ombudsman Act and the Community Advocate Act. I might add that the former Director of Public Prosecutions, Mr Ken Crispin, initiated this proposal, and the new incumbent of the position, Mr Terry Buddin, agrees with it.

Mr Speaker, it is a matter of difficulty to discern how far any government should go in granting immunity from suit to public servants for statements they make in the course of their position. One might argue, as a matter of principle, that they should all be entitled to protection of this kind. It is not a position, I think, that we should readily agree to and we should reach. It is a matter of examination by the Government at the present time as to how far this protection ought to extend to public servants of the ACT. I commend the Bill to the Assembly.

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

### **CRIMES (AMENDMENT) BILL 1995**

**MR HUMPHRIES** (Attorney-General) (10.34): Mr Speaker, I present the Crimes (Amendment) Bill 1995, together with its explanatory memorandum.

Title read by Clerk.

**MR HUMPHRIES:** I move:

That this Bill be agreed to in principle.

The purpose of this Bill is to amend the Crimes Act 1900 to remove potential loopholes in various criminal laws, including ones dealing with sexual assault offences against children. The first amendment relates to a section of the Act which currently provides that Territory courts can convict a person of a murder only if the prosecution can prove that death or the act causing death occurred within the Territory's borders. Even though there is clear evidence that the accused committed the murder, it may be very difficult to obtain a conviction, for example, where the body is found on or near the Territory border but there is no evidence as to which jurisdiction the relevant act or death occurred in. Similar issues may arise in relation to offences other than murder. The Standing Committee of Attorneys-General agreed, I think last year, to a model Bill to remedy this problem, and a number of jurisdictions have implemented it. This Bill remedies the problem by making possible a conviction for an offence in cases where it can be proved on the balance of probabilities that either an element of the offence occurred in the jurisdiction or the perpetrator was in the jurisdiction at the time of the act.

The second amendment abolishes what is called the “year and a day” rule. At present a person cannot be convicted of murder in the Territory if the victim dies more than a year and a day after the infliction of the injury which caused the death. This common-law rule dates back to mediaeval times, when limited medical knowledge made it difficult to trace the cause of death to an injury inflicted some time before. The subsequent rapid advance of medical science has rendered the rule obsolete. Furthermore, the development of increasingly effective life support systems has had the effect of prolonging the life of victims to an extent not envisaged when the rule evolved. The rule might also prevent a conviction for murder where a person deliberately infects another person with a disease which has long-term life threatening consequences. Members will be aware of a number of hold-ups which have occurred in recent times with allegedly blood-filled syringes. Clearly, concern about HIV is an issue there. I am proposing that the Territory follow the lead of New South Wales and Victoria, which have both abolished this rule.

The third main amendment relates to certain sexual assault matters. The Crimes Act contains a number of sexual offences against children - in particular, sexual intercourse, acts of indecency and incest. There are separate offences where the child is under 10 years of age and where the child is between 10 and 16 years of age, and those offences relating to the younger age group carry more severe penalties, obviously. Occasionally, however, there may be doubt over a child's age at the time of an offence, particularly if the offence is not reported for a number of years. Consequently, where a jury is convinced about all other elements of the offence but cannot be sure as to whether the child was under or over 10 years of age, it must acquit. This rigid distinction could cause substantial injustice. This amendment, Mr Speaker, removes the lower age limit for offences against children under 16 years, so that there will be two categories of offences - offences against children under 10 and offences against children under 16. Where, in a trial for a sexual offence against a child under 10, a jury is not satisfied that the child was under that age but is satisfied that the child was under 16, the jury would be entitled to find the accused person guilty of the appropriate offence against a child under 16. A similar scheme of alternative verdicts for sexual offences against children has been in place in New South Wales for a number of years. I commend the Bill to the Assembly.

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

### **PERIODIC DETENTION BILL 1995**

**MR HUMPHRIES** (Attorney-General) (10.38): Mr Speaker, I present the Periodic Detention Bill 1995, together with its explanatory memorandum.

Title read by Clerk.

**MR HUMPHRIES:** I move:

That this Bill be agreed to in principle.

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Mr Speaker, in December 1991, the ACT Corrections Review Committee published a report following its review of adult correctional and juvenile justice services in the Australian Capital Territory. This report, entitled *Paying the Price*, contained some 88 recommendations intended to enhance justice services in the Territory. Agencies, and indeed the former Government, can be commended that a significant number of recommendations made by the committee have now been introduced. These include the establishment of the Corrections Liaison Committee; the construction of new remand and committal facilities for juveniles; the introduction of amendments to the Children's Services Act 1986, to allow ACT juveniles who commit offences in New South Wales to serve their sentences in the ACT; and the renegotiation of the agreement between the ACT and New South Wales governments for the custody of ACT prisoners in New South Wales gaols.

However, there is still some way to go before other key recommendations of the report, particularly those relating to the expansion of community-based orders and the development of appropriate custodial facilities, are implemented. The Government is committed to taking action in these areas. New sentencing and prisoner release options are being examined in the context of the comprehensive review of relevant legislation that will be available for consultation with affected agencies later this year. The introduction of periodic detention as a sentencing option represents an important first step in the review and expansion of existing options available to the courts. The present Bill will also bring the ACT into line with New South Wales, which operates 11 periodic detention centres at the present time. Periodic detention will involve convicted offenders attending at the detention centre from 7.00 pm on Fridays until 4.30 pm on Sundays, for 12 to 104 consecutive periods, as determined by the court - a period being two days. This means that the obligation of the offender to the court can vary from three months up to two years. Detainees will have been determined by the court to be suitable for participation in the program.

In making this or any other order, the court is obliged to have regard to some 22 matters as set out in section 429A of the Crimes Act 1900. Some of these matters include the nature and the circumstances of the offence; the probable effect that any sentence or order under consideration would have on any of the person's family or dependents; the prospect of rehabilitation of the person; and the deterrent effect that any sentence or order under consideration may have on any person. Whilst in periodic detention, under the supervision of Corrective Services officers, it is intended that detainees will undertake unpaid work for the community. This work will allow offenders to make a positive contribution to the community affected by their offences. It is also intended that detainees on periodic detention orders will participate in educational programs designed to address the causes of their offending behaviour.

I might mention, Mr Speaker, that the Government will also be putting forward an amendment to this legislation - which is not presently available in the Bill but will be introduced during the detail stage - which will have the effect of allowing a court to suspend all or part of a sentence of a person coming back before it in the case where a periodic detention order is cancelled by virtue of, for example, a failure to turn up at the centre. It is the Government's view that that option needs to be provided to ensure that people are going to have longer sentences of imprisonment imposed on them than would otherwise be the case.

There are also potential savings in providing this sentencing option to the court where suitable offenders may have otherwise been sent to gaol for their offences. The cost per bed per year in the periodic detention centre, if its 30 beds are fully occupied, will be around \$9,500 per detainee. As a comparison, in 1993-94 it cost the ACT around \$50,000 per year to house each prisoner in New South Wales gaols. The program will create eight new positions - three full-time and five part-time - in the ACT. Apart from these potential savings, it is widely accepted that prison has detrimental effects not only on offenders but also on their families and employment, and in some cases increases the social problems that contributed to their offending behaviour. Periodic detention allows suitable offenders to maintain their family, community and employment links whilst receiving a significant punishment for their offences. It also provides participants with the opportunity to access agencies which may assist them in their rehabilitation needs during the week. Whilst rehabilitation is a key component of the sentence, periodic detention is not a soft option. It is imposed in substitution for a prison sentence, and a breach of the conditions will, in most cases, mean that the offender will serve the balance of the sentence in prison, subject to any parole conditions imposed by the court.

Members might be aware that the old Quamby Youth Centre has been converted to accommodate the periodic detention centre. The refurbishment of this centre has been completed on budget. Recurrent funds to operate the centre in 1995-96 will be \$285,000. Substantial liaison has been undertaken with representatives from the Aboriginal and Torres Strait Islander community to ensure that the overall refurbishment addresses their concerns and accords with the recommendations of the Royal Commission into Aboriginal Deaths in Custody. As well, Mr Speaker, specific units have been modified in accordance with this consultation and the recommendations.

The introduction of periodic detention is the first step in increasing the range of sentencing options available to magistrates and judges in this Territory to enable them to deal more appropriately with those who have committed offences in the Territory. Mr Speaker, I consider that the introduction of periodic detention will be an important initiative that increasingly allows the ACT to take responsibility for the punishment and rehabilitation of its offenders. It is, however, only the first of many steps that I believe we need to take as a community. I commend the Bill to the Assembly. It is one that I believe deserves the support of all members.

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

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## ELECTORAL (AMENDMENT) BILL 1995

**MR HUMPHRIES** (Attorney-General) (10.45): Mr Speaker, I present the Electoral (Amendment) Bill 1995, together with its explanatory memorandum.

Title read by Clerk.

**MR HUMPHRIES:** I move:

That this Bill be agreed to in principle.

Mr Speaker, this is a very important piece of legislation which I believe will properly bring our ACT electoral system into line with the model on which it is based. The Electoral (Amendment) Bill provides for the prohibition of canvassing for votes and dissemination of electoral matter within 100 metres of a polling place during polling times. As members will be aware, the ACT's Hare-Clark electoral system, including the Robson rotation method of printing candidates' names, is modelled on the Tasmanian system. In Tasmania, canvassing for votes is prohibited within 100 metres of polling places. This, in addition to the use of Robson rotation, is implemented with the intention of reducing the influence of party machines on election and referendum outcomes.

The proposed amendments to the current ACT electoral legislation aim similarly to transfer from party machines to the voters, where it properly belongs, the power to select candidates. Additional advantages to flow from these amendments would include a reduction in wastage of paper used in how-to-vote cards. It has been estimated, for example, that the ACT printed something in the order of one million how-to-vote cards in the early part of this year for the ACT and Federal elections. I would suggest, Mr Speaker, that that was a great waste of valuable resources. Advantages also include a possible reduction in campaign costs for parties and candidates, a reduction in the incidence of complaints lodged about campaign literature, removing the advantage currently enjoyed by those parties and candidates with the resources to print and distribute material widely on polling day, and removing a source of irritation to voters entering polling places. These proposed amendments will ensure that the ACT's Hare-Clark electoral system will achieve its full potential as a system intended to put power in the hands of voters, not party machines. Mr Speaker, I commend this Bill to the Assembly.

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

**TRUSTEE (AMENDMENT) BILL 1995**

**MR HUMPHRIES** (Attorney-General) (10.49): Mr Speaker, I present the Trustee (Amendment) Bill 1995, together with its explanatory memorandum.

Title read by Clerk.

**MR HUMPHRIES:** I move:

That this Bill be agreed to in principle.

The Bill presented today honours a commitment made during the ACT election campaign concerning the position of credit unions in the ACT. It is a commitment that, I think, was made by both the Opposition and the Government at the time. I hope, therefore, that the Bill will receive support across the chamber.

The Bill has two purposes. Its main purpose is to add ACT credit unions to the list of investments in which a trustee may invest trust moneys. The opportunity has also been taken to rationalise and update the law dealing with investment of trust moneys by way of deposit with building societies. A trustee with trust moneys to invest may invest only in one of the investments authorised under or listed in section 14 of the Trustee Act, unless the trust instrument gives the trustee wider powers of investment. The list in the Act is known as the statutory list. At present, banks are included in the list, but not credit unions. I am informed by the Credit Union Services Corporation (Australia) Ltd, which is the peak organisation of credit unions in Australia, that there are five credit unions in the ACT, with about 68,000 members and total assets of about \$250m. In New South Wales, on 3 March 1995 a regulation was published in the *Gazette* of that State which has the effect of prescribing as authorised trustee investments deposits with credit unions that are registered and authorised to operate under the Financial Institutions (NSW) Code. This Bill will bring the ACT law into line with New South Wales law.

While section 14 of the Trustee Act is being amended, it is also a good time to rationalise the provisions dealing with investment of trust moneys with building societies. The existing law in the ACT is that a local building society must have \$50m in withdrawable funds, a record of compliance with building societies law for five years, and 10 years' presence in the ACT. A "foreign" - meaning interstate - building society is subject to similar requirements. A building society that meets these criteria can be considered for approval. These provisions were made to meet circumstances which no longer exist. At present there are no "local" building societies, and no interstate building society has applied for inclusion in the statutory list. In view of the changes in the supervision of building societies and credit unions that have taken place since July 1992, there is no good reason why they should not be treated in the same way as banks for the purpose of investment of trust moneys. The Bill provides that trustee investment status in the ACT will be granted to ACT credit unions and building societies only. A trustee will not be able to select a credit union or building society in another State or Territory which might result in an outflow of money from the Territory - unless, of course, the trust instrument actually permits that to occur.

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I have had discussions with the Credit Union Services Corporation (Australia) Ltd about the terms of this Bill. It may be that a further amendment to the Bill will be required. I am happy to inform members of those discussions as they occur. I commend this Bill to the Assembly.

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

**PUBLIC ACCOUNTS - STANDING COMMITTEE**  
**Taxi Industry Inquiry**

**MR MOORE** (10.52): I move:

That the Standing Committee on Public Accounts inquire into and report on the Canberra taxi industry with particular reference to:

- (1) the efficiency of the industry within a sensibly regulated environment;
- (2) the role of taxis in enhancing the public transport system, and possible forms of integration between other forms of public transport and the taxi industry;
- (3) the setting of fares;
- (4) the system by which new taxi plates are calculated and allocated and the impact on the revenue of the Territory;
- (5) the adequacy of remuneration for taxi drivers; and
- (6) any other matter that the Committee considers relevant.

Mr Speaker, on 17 December 1993, Mr Tom Connors, writing in the *Canberra Times*, reported as follows on a report from the Trade Practices Commission:

The Australian taxi industry is taking its passengers for a ride, according to the Trade Practices Commission.

The industry was being run for the benefit of taxi operators rather than taxi users, who were being charged too much and getting little choice about service.

The TPC chairman, Allan Fels, says the industry is plagued by excessive regulation and there is an overwhelming case for an injection of more competition.

...                    ...                    ...

Excessive regulation set up a vicious cycle with higher fares the direct result of the controls on the number of taxi plates issued. Higher prices were paid for plates, creating a need for higher fares to ensure reasonable return on investment. Research indicated that every taxi ride cost \$2 more merely to pay for the taxi plate.

A similar report in the *Financial Review* stated:

The Trade Practices Commission has condemned the close regulation of the taxi industry for quashing competition, holding prices too high and inhibiting the development of new and profitable types of taxi services.

During the election campaign, Mr Speaker, when my policies were launched, we had a single-line policy - it might have been a two-line policy - which said that we believed that it would be appropriate that the taxi industry be deregulated. During the election campaign there was quite considerable debate over that, with Aerial Taxis and its chief executive, John Muir, and others taking out large advertisements about the issue of deregulation of the taxi industry. Certainly, at that time, I indicated that when I used the term "deregulation" I had been intending to use it in the terms of the Trade Practices Commission rather than the notion that we allow a simple free-for-all. Indeed, to emphasise that, Mr Speaker, I published at the time the very terms of reference that you have before you now, to indicate to the industry that I was not seeking a free-for-all but looking for sensible deregulation, in the same sense as the Trade Practices Commission used the term.

The reaction that I got from the management of Aerial, rather than encouraging me to back off, did exactly the opposite. It seemed to me that there was incredible overreaction at that time. I had a number of discussions with the ACT Taxi Drivers Association Inc. I will quote a comment from a statement that they put out at about that time. In respect of deregulation, they said:

The industry had greatly overreacted to the proposal to deregulate the taxi industry.

Then they talked about the irresponsible way in which a range of people were encouraged to phone my office at the time. In fact, Mr Speaker, it was very interesting, because, whilst a number of the phone calls that came into my office did indeed oppose what I had suggested, there was a whole range of new issues raised by people phoning my office and saying that this was a good thing. The people who phoned were almost invariably taxi drivers, but there was also just a small number of taxi owners. I do not pretend that that means that all taxi owners felt that it was a good idea. On the contrary, there were letters to the editor and quite a number of objections from some taxi owners.

One issue that people raised at the time and which concerns me greatly is the issue of black money being used in terms of taxis. If that is the case, Mr Speaker, then it is something that ought to be looked at with a great deal of concern. Where people in any industry are not paying tax, it really means that the burden lies on the rest of society to pay more tax in order to compensate for their failure to pay their fair share.

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Mr Speaker, there was quite a bit of heat in the debate at the time. There was an editorial in the *Canberra Times* on 4 February 1995 which really summed up a range of things that needed to be looked into. It said, in part:

Independent MLA Michael Moore has been attacked by both the Labor Party and the monopoly taxi provider in Canberra over his policy to deregulate the taxi industry.

The aim of his policy is sound; the way he proposed it should be implemented needs further thought. The ACT has 202 taxis and the price of a plate is \$241,000. In total, it is \$48 million "worth" of taxi plates. That "worth", however, is not value in the sense that a tangible resource is valuable. The value of taxi plates is a purely artificial creation of Government. The Government limits the number of taxis on the road by law and therefore the value of having a part of this artificial monopoly is extremely high -

about a quarter of a million dollars -

\$241,000 to be precise. This cost, of course, is passed on to the consumer in the form of higher taxi fares. True, the fares are regulated but when fares are set the cost of the plate is taken into account.

In effect, the \$241,000 is a Government revenue-raising exercise and one that results in higher fares and fewer taxis on the road for the convenience of Canberrans.

The only requirement for a taxi plate should be that the car is safe and clearly marked and that the driver is suitably qualified as a driver and navigator.

Suggestions by the taxi industry that financial deregulation of the industry necessarily means lowering of safety standards is self-serving nonsense. Mr Moore did not suggest abandoning reasonable safety requirements on cars and drivers.

That said, it would be manifestly unfair to deregulate overnight. Present owners have a legitimate expectation that their artificial \$241,000 worth of plate will not be discounted overnight.

The solution has to be long-term. Mr Moore proposes that the Government buy back the \$48 million worth of licences. That would be far too disruptive of both the industry and the ACT Budget.

I accept that criticism as being appropriate, Mr Speaker. The editorial continued:

A better solution has been suggested by the Industry Commission and elsewhere. The Government should announce a long-term aim of financial deregulation. It should start auctioning a lot more licences.

The plate value would then fall. The money raised would be paid as compensation to existing plate-holders. More auctions would be held over time with ever decreasing plate values. Until the time would come when anyone who satisfied strict safety requirements could ply the streets.

The three essential points are: gradual moving to financial deregulation; fair compensation to existing plate-holders; strict safety requirements for the financially deregulated industry.

The present system imposes a large tax on taxi users.

Mr Speaker, the taxi industry is an integral part of the public transport system. Indeed, only yesterday we heard people arguing about the Nightrider service that has been disbanded and the fact that a taxi service would be cheaper under those circumstances. With current technology it is possible to integrate a taxi service with our current public transport service. It seems to me that that sort of issue is really worth exploring, not only from an economic point of view for the people of Canberra, not only from a social justice point of view for the people of Canberra, but also from an environmental point of view. For example, where somebody goes to a bus stop late at night and is able to use an electronic device to indicate that they are at the bus stop, it may be more appropriate to send a taxi along the bus route than to take a bus out and have it constantly running along that bus route.

There is no doubt in my mind, Mr Speaker, having raised this issue during the election campaign, that there is pressure on drivers not to speak up about the problems within the taxi industry. I think there will be a great challenge for a committee of this Assembly to pursue this issue further. I do not pretend that I have all the answers to this particular issue. That is why I was happy to concede that one of the suggestions I had made, which was improved upon in that editorial in the *Canberra Times*, was certainly acceptable to me.

The reason I would like to see this issue come before the Public Accounts Committee is that it fits appropriately into the terms of reference of that committee, although I understand that there is a possibility that there will be an amendment moved to send it to the Planning and Environment Committee, which includes in its terms of reference economic development. I think that is a matter that we could well debate, Mr Speaker, probably at the time when we debate Assembly business notice No. 2 standing on the notice paper in my name. I am happy for that debate to occur. The issue has now been raised in the Assembly, and I believe that the appropriate course of action is for an Assembly committee - whichever committee it is - to explore this issue carefully, with an open mind, and to determine whether or not it is appropriate for far less regulation. The term I still use is the "deregulation" of the taxi industry, in the way we normally mean it and in the way that was meant by the Trade Practices Commission. With those challenges, I believe that an Assembly committee will actually find that there are a number of things that they will be able to achieve in improving our taxi industry.

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I would also point out to you, Mr Speaker, that at the COAG meeting only a few weeks ago, as part of the agreement with the Prime Minister, the Premiers and Chief Ministers of all jurisdictions in Australia agreed, amongst other things, that the deregulation of the taxi industry was one of the things that they would work towards over, as I recall, the next nine years. The Chief Minister might indicate to me whether it is the next nine years, but certainly it is over the next decade or so. So, Mr Speaker, I think it is an appropriate opportunity for this Assembly to take such an agreement seriously, but to do the exploration of the issue very carefully. There is no doubt that it does require a very careful understanding to ensure, for example, that we do not have a situation where the losers in this system will be the taxi drivers themselves. I do not think that any of us would advocate a system which would mean that people are working long hours and getting minimal remuneration. That certainly has been the result of some forms of deregulation in some countries. That is certainly not the intention.

As the *Canberra Times* pointed out and as I have raised, when we are talking about an investment of a quarter of a million dollars in a taxi plate - when there is \$48m- or \$50m-odd invested in this Territory in what is basically a false investment, in the sense that it is an unproductive investment - then we ought to be looking at how that money could be used more productively and provide people with more appropriate opportunities. Mr Speaker, I still think the most appropriate committee is the Public Accounts Committee; but on that issue, too, I am open-minded and am happy to negotiate with members to ensure that we get the most appropriate consideration of this issue.

**MS FOLLETT** (Leader of the Opposition) (11.06): Mr Speaker, I move the following amendment to Mr Moore's motion:

Omit the words "Public Accounts", substitute the words "Planning and Environment".

The amendment is very straightforward. It has the effect of altering the motion so that this reference on the taxi industry would be examined by the Standing Committee on Planning and Environment rather than the Standing Committee on Public Accounts. Mr Speaker, I would ask members to have a look at the terms of reference of those two standing committees as they were recorded in the minutes of the Assembly's meeting of 9 March 1995. I think that, if they do examine the matter, they will see that the Planning and Environment Committee is by far the more relevant place for this matter to be examined.

The Standing Committee on Public Accounts has been appointed to examine the accounts of the receipts and expenditure of the Australian Capital Territory; the financial affairs of authorities of the Australian Capital Territory; and all reports of the Auditor-General which have been laid before the Assembly. The taxi industry does not fall into any of those categories. The committee is also asked to report to the Assembly, with such comment as it thinks fit, on any items or matters in those accounts, statements and reports, or any circumstances connected with them, to which the committee is of the opinion that the attention of the Assembly should be directed; to inquire into any question in connection with the public accounts which is referred to it by the Assembly and to report to the Assembly on that question; and to inquire into and report on the implementation of the Public Sector Management Act 1994, and so on.

Mr Speaker, I find Mr Moore's motion of no real relevance to the charter of that committee. I would ask you to compare it with the charter of the Planning and Environment Committee, which has been asked, by this Assembly, to examine matters related to planning, land management, transport, economic development, commercial development, industrial and residential development, and so on. It seems to me that, as the committees currently stand, the matter which Mr Moore has raised can be interpreted only as being a matter fit for examination by Mr Moore's own committee. Mr Speaker, I find it extraordinary that Mr Moore would seek to flick-pass the matter in the way that he has.

The fact is that Mr Moore himself raised this as an issue during the election campaign, as he has told us, and he came off somewhat the worse for wear on it. I think Mr Moore started off talking about deregulation of the taxi industry, seemingly unaware that it was already subject to the Trade Practices Act in the ACT. He ran off at the mouth and got trapped in his own rhetoric, and ended up being forced to say that he thought the Government should buy back all the taxi plates at a cost of some \$48m. That is, I believe, one of the silliest ideas that came out of the election period. Mr Speaker, the cost to the Government of buying back those plates - \$48m - is entirely unproductive. Why on earth would any government want to do that? The fact of the matter is that it has been done - in Tasmania, where the Government has bought back the taxi plates. If Mr Moore were to do as I have done - go down and talk to these taxi people in Tasmania - he would find that it did not work too well. Both the industry and the drivers themselves are still at a high degree of disadvantage, having followed that course of action.

Mr Speaker, the danger to the individual taxi operators that Mr Moore has raised is the devaluation of their investment. It is a very substantial investment. In many cases, it is people's lifetime investment - their superannuation, their life savings and so on. They are small business people who are making a living out of these taxis. I am not saying that the system is perfect, by any means. There are, clearly, problems with having only one operator, just as there are problems with having only one daily newspaper. There are, clearly, problems with some of the employment conditions of people who are hired by those owner-operators to work in taxis. But, Mr Speaker, I would put it to you that those are not the issues that Mr Moore has expressed his principal concern with. His principal concern was with deregulation. I think the fact that he is now trying to fob this matter off onto another committee, of which he is not a member, really does indicate that he is looking for a way out. He is trying to wriggle out of this issue by handing it over to somebody else. I, for one - and I am speaking as the chair of the Public Accounts Committee - believe that it is Mr Moore's issue and that Mr Moore's committee is the committee, as decided by this Assembly, which ought to be looking at the issue.

I am also aware that, at the time that the Assembly decided on the make-up and the charters of the different committees, we also had in mind that there would be a review of the operation of committees in three months' time. Mr Moore has talked about manipulating some other committees to make it more appropriate that his motion today goes again to a committee other than the Planning and Environment Committee.

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That may well be the case, and that may well be the wish of this Assembly; but we are not at that point yet. In fact, we are still quite some time away from that point. If it is the wish of the Assembly to change the committees around, then so be it, and Mr Moore's motion can again be put to the vote on the floor of the Assembly. But, for the moment, as I said, the Public Accounts Committee is not the appropriate committee to be looking at this matter; Mr Moore's committee is, and Mr Moore is the person who has raised this matter, who took the running on it and who did not come out of it too well. I know that Mr Moore has quoted the Labor Party as having been critical of his stance. As I recall it, my only criticism was to point out that the taxi industry was already subject to the Trade Practices Act and that I was not about to spend \$48m on a useless exercise of buying back all the taxi plates. I commend my amendment to the Assembly because I think it is the more appropriate way for us to proceed if it is the view of the Assembly that this matter does warrant the kind of attention that Mr Moore, and only Mr Moore, suggests is needed.

**MR DE DOMENICO** (Minister for Urban Services and Minister for Business, Employment and Tourism) (11.14): Mr Speaker, I have been very interested in the debate so far. It is ironic that there have been more flick passes in it than at the Melbourne Cricket Ground on a Saturday afternoon. It seems that everybody is using the terms "flick pass" and "passing it from one to the other". Let us have a look at the situation. There is no doubt that we need to do something about the taxi industry in the ACT. We keep talking about it. Successive governments have said, "Yes, we need to look at it", and all sorts of things; but no-one has been prepared to make a decision yet, which is a bit of a worry, I have to say.

It is true that there are 202 taxi plates and that the current going price is about \$240,000 each, or a total of \$48m worth. There is no reason to believe, though, that there is any inclination for there to be higher taxi fares in the ACT than in any other part of the country. Neither Mr Moore nor anybody else is suggesting that we are going to do things overnight. No-one has a chainsaw in each hand, ready to change things for the sake of changing. Obviously, any service that is out there will change. We need to look at the situation of making it better for the community that it is there to serve and what effect, if any, the change, if it occurs, will have on the investors in the industry. It seems to me very appropriate that, as we reach the year 2000 and we are talking about the positioning that Canberra will have in terms of the Sydney Olympics, one of those industries that become very important in that sort of situation is the taxi industry.

I have listened to the debate about which committee is the appropriate one for it to go to. To be very honest, I do not care which committee it goes to at this stage, as long as we do something about it. But it seems to me that I am also hearing whispers about negotiations for changing the terms of reference of another committee that this Assembly has approved - the Tourism and ACT Promotion Committee - to make it the Tourism and Economic Development Committee. I have to say that that makes a lot of sense. As a former member of the Planning Committee, I would be very concerned if this Assembly were to lump onto that committee right now this very important inquiry. At last count, that committee had met about 137 times on the very important issue of planning - - -

**Mr Wood:** It will meet more often now.

**MR DE DOMENICO:** To lumber that committee with something else, to me, is not the way to go.

**Mr Wood:** That is the charter you gave it. You endorsed that charter.

**Mr Whitecross:** You gave it environment.

**MR SPEAKER:** Order!

**MR DE DOMENICO:** I have taken all those comments on board, and let me tell you another thing: We can, from time to time, change our mind.

**Mr Berry:** If I had a mind like yours, I would change it, too.

**MR DE DOMENICO:** Choice and flexibility, Mr Berry.

**Mr Berry:** Mr De Domenico, if I had a mind like yours, I would change it, too.

**MR SPEAKER:** Order! Mr De Domenico has the floor.

**MR DE DOMENICO:** We will change our mind time and time again, I am suggesting to you, Mr Speaker, when we find better ways of doing things and when it makes good sense. You will find that this Government, from time to time, will say, "Hey, listen; if we said something before and we realise that we were wrong or we have thought of a better way of doing it, we will admit that and we will fix it".

So, what I am saying, Mr Speaker, is that the Liberal Party and the Government are prepared to suggest that this should go to the Public Accounts Committee - and that committee is under the chairmanship of Ms Follett, not under the chairmanship of Mr Moore. If, however, this Assembly decides to change the terms of reference of the Tourism Committee, the Government is quite happy for this matter to be referred to that committee, which is, by the way, chaired by Mr Kaine, one of our members. In other words, we are saying that we are prepared to take the pass on the chest and go for goal with it. So, we cannot be accused of saying, "It has been flick-passed from one committee to another". Let us look at this in a commonsense way.

I believe that, in the interim, the Assembly ought to refer this inquiry to the Public Accounts Committee. Then, if the Assembly agrees to the change of terms of reference of the Tourism and ACT Promotion Committee and to give it the responsibility for economic development, I think it would perhaps make a lot of sense if the reference went to that committee, because it fits right into tourism and it fits right into economic development.

**Ms Follett:** This is silly.

**MR DE DOMENICO:** I hear the former Chief Minister say that this is silly. It is not silly.

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**Ms Follett:** It is just churlish. You know that I am not going to do anything with it.

**MR DE DOMENICO:** It is not churlish, either. I will be very interested to see what the Assembly thinks of that comment when we vote on this amendment.

**MR BERRY (11.19):** Mr Speaker, this is amazing. Not long ago there was an extensive debate about the formation of the committees which were going to work for the people of the ACT. We heard all the talk about commitment to the committee system, how it was an important part of representative democracy, and so on.

**Mr Moore:** And you wanted to review it, so we agreed to review it.

**MR BERRY:** I can do without your interjection, Mr Moore. I can handle it by myself. I am quite capable of doing it by myself.

**MR SPEAKER:** Please continue, Mr Berry.

**Mr Moore:** I just wanted you not to mislead people as you were talking.

**MR SPEAKER:** Order!

**MR BERRY:** Again, Mr Moore, I can cope. I will be right. Thanks, mate!

We had an extensive debate about what the committees would do, and there was some objection to the course that was taken eventually. That has been resolved, and we have moved on. There was a review process talked about - I think it was agreed to by the majority in this place - which would look at the terms of reference for the various committees. But it seems that the agreement to those terms of reference by the majority in this Assembly should have had the caveat "unless Michael changes his mind" - or the Liberals. There is a process for changing your mind on these scores. You move to amend the standing orders - - -

**Mr De Domenico:** Which is exactly what we are doing.

**MR BERRY:** Hang on a minute. No, that is not exactly what you are doing, Mr De Domenico. The process is to move a motion to amend the terms of reference of the various committees to cope with your frame of mind. That has not occurred. What is happening is that the promised review process is being undermined by this piecemeal approach because it suits the mind of people at a given point in time to take this course. I do not mind waiting till the review process gets here and we work through it again cooperatively - or perhaps with a lack of cooperation, but we work through the process - and get to an end point where we move on. But I do object to this piecemeal undermining of the process. We really have to keep faith with some of the decisions we make in here, without seeking to pull them apart as we go.

It may be that the review process that was promised will be dumped on the way if a majority of members change their mind. I can feel that in the wind. So, what we are looking for is a genuine review process, which I think was promised, for the standing orders and the terms of reference for the various committees. We do not want to see it undermined by these petty changes of mind about individual issues because individuals within this place do not want to deal with the issue. They want to see the issue dealt with, but they want to flick-pass it to somebody else. I am surprised that, on the one hand, the Liberals would say one thing and, a little while later, demonstrate that what they really meant was something else. I should not say that I am surprised. They are in a bit of a predicament, I can tell; but the issue is whether or not we should undermine the process which is in place. It is in place. It should stay there. This amendment ought to be carried. It ought to go to the appropriate committee. Then we can get on with the job and, in three months' time, sort out the terms of reference, as this Assembly again may decide.

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

### **EXECUTIVE BUSINESS - PRECEDENCE**

**MR BERRY** (11.24): Mr Speaker, I move:

That Executive business be called on.

We have run out of Assembly business.

Question resolved in the affirmative.

### **LOCAL HERITAGE Ministerial Statement**

Debate resumed from 3 May 1995, on motion by **Mr Humphries**:

That the Assembly takes note of the paper.

**MR WOOD** (11.24): Mr Speaker, this ministerial statement entitled "Raising the Profile of our Local Heritage" was a fairly strange statement, I thought. It was a very modest statement. It was strange because I would have thought that it might have made some reference to what this new Government is going to be doing. It makes a few brief references, but in general it is nothing more than an account of who is out there doing something in the area of heritage. I suppose that statements like this are not an unusual procedure when the business before the house is just a little bit short. I was disappointed that, when talking about raising the profile, there was no statement on the most obvious matter that could have been dealt with, and that is a progress report on the cultural and heritage centre on the other side of the fountain from us. That is, I would think, one of the most significant things happening at the moment in terms of heritage in the ACT,

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and it seems to be missing from this rather slight statement. When Mr Humphries responds he might have a progress report on what is happening across the way. I guess that by this time Mr Humphries has met the committee that was established to provide the guidance for that cultural and heritage centre. I had some consultation with the now Chief Minister on the composition of that committee. I think it is an excellent committee and the Government will, I am sure, benefit from the advice it gives.

I want to take the opportunity of this debate to make some mention of the cultural diversity of the ACT. I am sure that we would all agree that our cultural institutions should reflect that diversity. I am not sure whether that is yet the case across Australia. I am confident, however, that the importance of that is recognised and that governments and institutions, here as elsewhere, will take steps to recognise that diversity. Not surprisingly, it is obvious, as I have moved around, that museums and galleries have an emphasis on the English-speaking part of our culture. That acknowledges, I suppose, the weight of the earlier influences in Australia; but, certainly, we are a bit slower than we ought to be - I say this for my term as Minister - in picking up the great rate of change, particularly since the end of the war. For example, let me mention a point that has been raised with me. We know something about Miles Franklin and her connection with Brindabella. That is well known. In fact, she lived there until the age of 10, then moved further afield and wrote about it many years later. Is that more important, more noteworthy, than the fact that Larry Sitsky has been living in the ACT for 30 years and has been writing world-class music in the ACT? Which is more recognised as a matter of heritage? Which should be more properly recognised as a matter of heritage? I think that simple little story emphasises the point I make about giving due weight to our cultural diversity.

Obviously, in doing this we should look at those groups which are under-represented in our institutions. I think our Aboriginal and Islander culture is still under-represented, even though there have been very strong moves over recent years to change that. The Aboriginal gallery on Acton Peninsula will be part of that. This diversity is no less significant in the ACT than elsewhere because we have slightly more people who were born overseas than the Australian average. When I established that committee I referred to a little while ago I paid very careful attention to the balance of that committee and acted to ensure that there was a very good representation of people who had a non-English-speaking background. It is important to use that expertise that is available in the ACT, and there is much of it. A lot of it is hidden. I have seen, in recent years, quite a range of home crafts, the soft crafts and other work, some of it historic, some of it carried on from traditional backgrounds. It is there. It is not always easy to locate, so we have to make special efforts to do that. There is a UNESCO convention safeguarding traditional culture and folklore. That, I am sure, is in the mind of the committee that has been established for our own cultural and heritage centre, and I am sure that it provides a good blueprint from which to work as we take, I think, positive measures, strong measures, to see that our cultural diversity is acknowledged.

One other matter I will refer to in Mr Humphries's statement is that of oral history. He made passing reference to it. I think we need to do more than that. I would encourage Mr Humphries to provide the resources to the competent historians in our community who are able to go out and collect that oral history. I found from time to time that people seemed to think that it was easily collected; that all you needed was a person

with a tape recorder. You do need skilled people to be able to use the material; to draw out the right sort of material; to know what needs to be gathered. It has been said before that oral history is not something you can put aside as being of low priority and you can gather in due course. Oral history inevitably comes from the older generations - although not totally, because young people still have much that can be said about current events that ought to be reported. I think it is a matter that cannot be delayed. It is one that needs constant activity. I know that in the Labor Party policy that I put out we provided some funds - never quite enough, I suppose - to carry on some of that work. Since Mr Humphries raised this in his ministerial statement, I would encourage him to work further on that. It is important and there is much that needs to be done.

**MR HUMPHRIES** (Attorney-General and Minister for Arts and Heritage) (11.33), in reply: Mr Speaker, I thank Mr Wood for his comments on this paper, which I hope will provide some stimulus to the issues that have been raised in it, and perhaps some of the issues that Mr Wood has raised as well. One of the things that I discerned from the comments Mr Wood made was the difficulty in working out how you integrate heritage considerations and the preservation of heritage assets within other processes of government - things like planning decisions, decisions about major public infrastructure like the culture and heritage centre, and so on. The answer is not very clear to any of us. For example, in the space of this week alone I have had representations from individuals suggesting that we should fully integrate the heritage assessment process within our planning process, so that it is not a reference to an outside body but is built into the ACT planning process system, and, alternatively, the view that we should be completely divorced from that; that there should be an independent statutory body with the capacity to do its work without direction from government and to make appropriate recommendations. The answer is not entirely clear. Possibly the answer is to give the ACT Planning Authority statutory independence and build heritage considerations very firmly into that process. Perhaps that is the answer; but we will have more to say on that subject, I am sure, in the coming months.

Mr Wood posed the question of whether I have met with the steering committee for the culture and heritage centre. The answer is no, I have not, as yet. I believe that the chair of that committee is coming to see me some time in the next couple of weeks. That will happen quite soon. I think Mr Wood is arranging to be briefed on the situation with the culture and heritage centre at some stage soon.

**Mr Wood:** I thought you might do it now. If you send a briefing, that will be fine.

**MR HUMPHRIES:** Yes. The issue is a complex one, as Mr Wood no doubt knows, and I am sure that he will appreciate having a briefing from officers at the time.

Mr Speaker, Mr Wood made reference to some issues to do with the overemphasis on English-speaking heritage to the detriment, possibly, of indigenous people's heritage and that of immigrants to this country. I think I would have to agree with him that there is a problem with that. Certainly, to some extent, our funding system is based on the applications that are made, obviously, and that benefits those people who are able to use the system effectively and to frame, to be frank, successful and succinct applications for funding. I was appalled to learn that funding under the heritage grants programs can apparently entail application forms running to well over 100 pages. That is an appalling

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situation to put someone to, particularly, as Mr Wood suggests, if that person is from a non-English-speaking background. I think we are almost condemning that person or that organisation to failure in those circumstances. We do need to develop a way of making it easier, not just for such people but for anybody, to get to the point of what they want money for and to be able to account for it properly. There is also a problem in those circumstances of creating categories of funding, with gaps between those categories down which particular individuals might fall.

Mr Wood made reference to oral history, for example. I have had contact with one organisation which is interested in developing oral history, not just for the ACT but on a broader basis. The oral history of Polish immigrants to this country and their experiences are obviously very relevant to Canberra, which was home for many Polish immigrants, as my colleague Mr Stefaniak would testify. So, Mr Speaker, there is the question of how we make sure that applications like that for those sorts of projects do not disappear down those cracks. At the moment they do disappear down those cracks. I think it is true to say that there are no mechanisms there to pick up those sorts of things which have a partly local and partly national dimension. I think that is an issue we have to face up to, and I hope to do just that. On the subject of oral history, recently I had a letter from someone who was stimulated by the Chief Minister's announcement on the Kingston development. She told me about her project to record oral history experiences of early settlers or early occupants of Kingston. She has a very rich set of experiences already recorded, without any public funding - she has done this purely off her own back - of people who have lived in Kingston and who knew the powerhouse when it operated as a powerhouse. They had experiences of that part of Canberra before the lake went in. I think that those experiences, as Mr Wood indicates, are valuable assets, and they ought to be recorded and preserved.

Mr Speaker, I welcome the Opposition's comments supporting this statement, and I hope that it will be the springboard for some successful improvements in this area. There are a number of exciting developments happening in this area; but, of course, it will depend on the old chestnut - resources. It will also depend, I think, on the willingness of us here in this place to give it some attention and some focus.

Question resolved in the affirmative.

## **HOUSING**

### **Ministerial Statement**

Debate resumed from 4 May 1995, on motion by **Mr Stefaniak**:

That the Assembly takes note of the paper.

**MS McRAE** (11.39): Mr Speaker, I would like to thank Mr Stefaniak for reporting to the Assembly on his attendance at the Ministerial Council on Housing. It is useful for us all to know that the current agreement is to expire in 1996 and that some changes are being negotiated in line with key recommendations of the Industry Commission.

The Ministers, we hear, were keen to have endorsed a proposal that a future agreement will be outcome based, with the States and Territories having much greater flexibility about how we will meet the outcomes, and this, of course, will also be good for us. I am pleased to hear that the Minister will be fighting for us to retain our per capita funding for housing and that he will be formulating a strategic plan for housing for the Territory by the end of the year.

What I would like to raise today as a matter of concern is that the Minister gives no indication as to how the strategic plan for housing will be formulated. He said:

The strategy will be developed through consultation mechanisms that allow all those interested in strategic outcomes for housing provision and housing assistance to have their say.

What does this mean? Whom is he going to consult? Who is going to consult with whom? I am very interested in the strategic outcomes. Am I going to be consulted? Who is? Will they all be part of a stable committee? How often will they be talked to? Will there be opportunities for the general public to participate? Will all Assembly members have an opportunity to have their say?

In my opinion, and I suppose in the opinion of most of the people of the ACT, the management of housing and, in particular, the provision of Housing Trust accommodation in the ACT have defined this city for what it is. There are no ghettos, no slums, and equal opportunities are provided for all of us to be close to facilities and services. Anything that may change this requires wide-ranging community debate. If the development of a new strategic plan is to be finalised in seven months' time, I am very concerned that public debate has not begun. I seek your assurance, Mr Stefaniak, that there will be every opportunity for a wide range of input on this issue.

I note that, in formulating the housing strategy, the Government will review the role that community and public housing can play and that the role of government housing will be examined closely. Mr Stefaniak says that this Government believes that there are a few issues that require attention. Waiting lists, we are told by him, Mr Speaker, must contain people who are genuinely in need of housing and not those who have sought to be put on the list on the basis that they may need some other form of assistance or might be looking for some assistance in the future. Again, Mr Speaker, what I would like to know, and what I think we all need to know, is: What does this mean? Who will decide who is not genuine? How are people going to be questioned? How frequently will they be requizzed? It all seems a bit vague to me.

Next we come to a direction to allow tenants to buy their houses after five years of occupancy. That is a noble sentiment, it seems; but is it not a little early? First, we have a call for a major review of housing policy to be ready in seven months' time; but, in the meanwhile, we implement a very wide-ranging and definitive decision. How will these sales, if we do go ahead with that, affect the lower priced end of the housing market which is currently depressed? How is the housing cost going to be determined in these depressed markets? Is market value going to be raised on Housing Trust homes because suddenly they are all coming on the market, so that the Housing Trust can get maximum benefit, or are they going to be in line with these now very depressed market prices

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and going to further depress the market prices by the swamping of a whole lot of extra accommodation on the market? These questions have to be addressed. How many houses are likely to be sold? What is the Housing Trust's capacity to replace them? This is a major shift in policy and we are entitled to have some vigorous analysis before us before these decisions are glibly made.

Similarly, we heard the Minister say:

I have been concerned with the amount of money that is outstanding to the Government from its tenants, either through rent arrears or through damage or unpaid tenant maintenance.

**Mr Humphries:** That is his voice exactly.

**MS McRAE:** I am doing well, am I not? You never know; I might be Minister next. This sort of sentiment casts a pall, unfortunately, over all Housing Trust residents. We need to know what proportion of the overall budget is lost in this way. Of course we do not want any money to be owing to the Territory, but the Minister's loosely worded statements do not develop a healthy community attitude to their Housing Trust neighbours. The Minister repeated his sentiments later in his statement when he said:

All too often tenants have regarded their occupation of public housing as a right without any responsibilities being attached.

What lovely New Right rhetoric! What does it mean? How many is too many? What about all the people whom the Minister has identified as being eager to buy their properties quickly? Are they the ones who are running around trashing their houses? How many people are we talking about? It is an extraordinary generalisation which means that everybody starts to look at Housing Trust tenants in a different light and starts to worry about their potential capacity to smash their own homes and everybody else's homes as well. In this city, which has prided itself on putting Housing Trust tenants throughout the city, on not marginalising them, on not creating ghettos, here we have a Minister who is starting to point the finger at people and to say, "Look out for Housing Trust tenants". We have all seen the results of that stigma. Anybody who grew up in Melbourne or Sydney knew all about the Housing Commission kids. We knew the stigma that was attached to them. We have managed to avoid it thus far in Canberra. I call on the Minister to consider his words carefully and not breed an atmosphere of contempt for people in Housing Trust houses.

Finally, I would like to comment on the Minister's thoughts on housing redevelopment. He indicates that joint venture work may yield better quality accommodation for tenants. That is true, and we have seen it over and over again. I have no problem at all with that. What I am concerned about, and what I would like to hear more about, is what he does not say and what is of greater importance here. What I would like to hear about is what guarantee the Minister can give in regard to the location of any newly developed houses, and whether tenants will have some guarantee that they can remain in the same streets

that they have enjoyed for years. Quality of life for a lot of people comes from their neighbourhood, from whom they live near, the shops that they regularly go to, and the people that they know. When proposals for joint venture development go ahead - I am all for that because the Minister is quite right; the stock is old and a lot of it does need to be redeveloped - is it going to be redevelopment at a price, which may be the moving out of people from their familiar environment into perhaps other less desirable places? This is what I would like to know about. Minister, we all await developments on all fronts with interest.

**MR MOORE (11.47):** Mr Speaker, I think the issue of public housing is always going to be particularly interesting in this Assembly, and I think it is always important in our discussions to distinguish between what we mean by public housing and what we mean by welfare housing. It seems to me, Mr Speaker, that Canberra is very well placed because it has a system of public housing as opposed to a system of welfare housing. We have a system where the assets of the Territory return a profit to the Territory. Where people can meet the appropriate costs of their rent, that in turn subsidises the welfare housing. Indeed, Mr Speaker, because we have public housing, there is no stigma associated with people being in public housing.

One of the most interesting meetings that I have had since I have been a member of the Assembly was a meeting with Lee Brown, who is often referred to as the drug tsar. He is in Bill Clinton's Administration and his responsibility is the American drug laws. In discussing those issues with him I must say that I did not get a long way in terms of the views that I was expressing. Nevertheless, it was an interesting discussion, and I must say that he was very receptive. We agreed that the laws that he was dealing with were dependent to a great extent on the way our societies worked and social differences. I explained to him that one of the most significant differences between Canberra and what he had to deal with in places like New York and Chicago was the fact that our public housing is distributed throughout our city. I described the fact that only three of our suburbs - I think that is correct - do not have public housing, and that in the other suburbs there might be a privately owned house worth \$400,000 next-door to publicly owned housing rented to tenants. It might be welfare housing or it might not be; that we simply do not know whether our neighbours are in welfare housing or not, and nor is it of any concern to us.

His response to that was that if he could have a situation like that his problems would be minuscule compared to what they are. I think it is a very important lesson to us, Mr Speaker. It is quite clear that the way we deal with social problems in Australia is very different, fortunately, from the way they deal with them in the United States. It is a warning to us that, if we do water down our systems in terms of public housing, for example, and wind up with just welfare housing, we can expect an increase in social problems which may be much more expensive to deal with than the extra investment that we have in terms of our public housing. One of the things that I have always been very proud of in Canberra is that, through our public housing system, we have what I believe is a much more socially just society than you will find in almost any other place in the world.

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There are a number of issues that were raised by the Minister in his speech that I think it is important to take up. The Minister gave me the impression that he is very keen to be what he termed a fair but firm landlord. I think that is perfectly reasonable. However, I think it is important for us to remember that the Housing Trust, like any other landlord, has certain responsibilities in certain ways, but does not have responsibilities in other ways. I refer to page 7, for example, where the Minister stated:

It is ... unacceptable for tenants to damage public housing -

I think that is a perfectly reasonable statement -

or to act in a way that causes a nuisance to their neighbours.

Mr Speaker, it is unacceptable for any person in Canberra to act in a way that causes a nuisance to their neighbours. When we are talking about somebody's home, it is not my role as a private landlord - I am not now, but I have been - to deal with the nuisance that somebody causes their neighbours. It is the role of society in general. It is probably the responsibility of the Minister sitting next to Mr Stefaniak to ensure that, in a range of ways, people do not cause nuisance to their neighbours. Whether it be through the police or whether it be through, for example, the noise or environmental legislation that Mr Humphries is responsible for, he has that general responsibility. It is not a specific responsibility, and we must be careful that the Housing Minister does not take on paternalistic responsibility that is inappropriate. The difficulty with taking on an inappropriate paternalistic role is that there will be overinterference with people who are normally living very well. I think Mr Stefaniak would agree with me, and I am sure that the previous Housing Ministers would agree with me - Mr Connolly was one of those - that the vast majority of tenants in our public housing system are very good tenants. We have to be careful that we do not move towards a draconian system - I am not suggesting that that is what it is - which puts an impost on the 98 per cent of our public housing tenants who are very good tenants who look after their houses.

Mr Speaker, when a public house has been damaged severely it is a matter of great concern. I understand how the Minister must feel and how the rest of the community feels. As a landlord, one house that I had let out was trashed. It is most disconcerting when it costs us thousands and thousands of dollars. I recently assisted somebody else to repair a house that went through exactly the same situation. It is unacceptable and it has to be dealt with appropriately. Perhaps it has been dealt with too softly in the past. If the Minister takes this on and wishes to deal with specific situations where people have damaged housing, that is entirely appropriate; but do not put an impost on everybody else because a few people are abusing the system.

Mr Speaker, there are a series of other issues about the reviews going on that Ms McRae responded to, and I must say that I endorse her comments. They are particularly sensible comments about that. I think there is no point in my reiterating those comments that I endorse. I will say that encouragement for people to take up home ownership is also a very important part of what should be achieved by the Minister. I encourage him to continue with that, but also to remember the caveat that I referred to in those discussions with that person in America - that we have to be very careful to ensure that our public housing stock does remain fairly evenly distributed throughout all of our suburbs.

There are times when it is impossible to allow people to buy their public housing, particularly when allowing them to do so would mean the loss of public housing in inner city areas. It is important in Canberra that we have an integrated public housing approach throughout all of our suburbs; that we have people living in private housing and people living in public housing. I would encourage the Minister to ensure that safeguards are in place and that there is an appropriate distribution of stock, as well as encouraging people to buy their own homes.

Mr Speaker, I know that you have taken a particular interest in housing over the last three or four years. In concluding, I think it is very important to recognise that when we are talking about public housing we are talking about people's homes. The vast majority of people in our public housing system see those public houses as their homes. As long as we remember that we are talking about people's homes, and we respect their homes in the same way that we would expect to be treated in our homes, I think we will find the appropriate balance. When people abuse that it is appropriate to take action, but let us make sure that that action is specific.

**MR HUMPHRIES** (Attorney-General) (11.57): Mr Speaker, I want to pick up a comment made by Ms McRae in her remarks about consultation surrounding the housing strategy in the ACT. Ms McRae asked who would be consulted, when, how and so on, and those are reasonably good questions.

**Ms McRae:** You are going to do it for me, are you?

**MR HUMPHRIES:** I do not know. My colleague Mr Stefaniak would be responsible for doing it and I am sure that, when he speaks in a moment, he will give you a satisfactory answer as to what sort of processes are being considered by the Government for that. Ms McRae particularly asked whether she would be invited to be involved in that process, and I think that is a reasonable question for any member of the Assembly to ask. Mr Speaker, when members call for that level of consultation on particular matters, I ask them to consider whether, in doing so, they are not merely exploiting a stated commitment on the part of the Government to have a high level of consultation, but whether they are actually also committing themselves, in the case of the Labor Party, as potential future Ministers, to that level of consultation which they now demand for themselves.

That is a very good question, because we have seen in the past the trading of insults about who is more consultative. Unfortunately, on occasions, our level of consultation across the chamber has slipped back into a non-consultative mode when it suited the government of the day to do that. I would hope that members opposite, if they receive a level of consultation as a result of a change in policy - they demand it, indeed, on the floor of this house, as Ms McRae did a moment ago - are prepared to reciprocate. I do not pretend that we are going to be in government forever. I am sure that no government in the ACT, after the experience of recent years, should make that assumption. I hope that in offering consultation with the Labor Party that they - - -

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**Ms McRae:** Vote for my motion and it is there forever, Mr Humphries.

**MR HUMPHRIES:** Ms McRae is talking about legislation. I am talking about consultation on all sorts of things, and there are many other things that it covers. I can recall, for example, briefing Mr Berry about health matters when I was Minister for Health. When Mrs Carnell became shadow Minister for Health after the then change of government she received almost nothing in the way of briefings from the Department of Health. I would hope that we are overcoming those dark days.

**Mr Berry:** She did not need them.

**Mr Connolly:** She never asked for them. Whenever she asked for a briefing she got it.

**MR HUMPHRIES:** I did not say “Mr Connolly”; I said “Mr Berry” - and I do not want to make an issue of it now. I simply want to say that I hope that we do not demand a higher level of consultation than we ourselves are prepared to give.

**MR STEFANIAK** (Minister for Education and Training and Minister for Housing and Family Services) (12.00), in reply: I thank members for their comments in the debate, which on the whole, I think, were very positive. Ms McRae, of course I would like to get your input and to consult you. Indeed, I would value input on these matters from any member of the Assembly. Please feel free to consult with me at any time. I am pleased to say, in terms of public debate, that the officers in the Housing Trust are particularly good at getting a wide range of community views and are very keen on input and consultation. In terms of any decisions, the more input you have from as wide a range of people as possible, the better. I am very keen to encourage public debate and maximum consultation with as many people as possible. Might I say that in the short time I have been Housing Minister I have been particularly impressed with the calibre of the officials I have come in contact with.

Ms McRae made a number of other points. In relation to people buying their own home, I note that she seems to differ with Mr Moore. I cannot give you figures on how many people are keen to take that up at this stage, Ms McRae. I do not suspect that it will be an absolute glut. I think it is terribly important for people who wish to buy their own home to be given that opportunity. I think people in Housing Trust homes like to have that opportunity. I doubt, however, that there would be a swamping of the market. From what I have seen to date, the prices being offered are market value and they reflect the very low market value we have, sadly, in Canberra today as a result of the recession we find ourselves in and the glut of properties generally on the market.

Ms McRae raised a number of other issues, including moneys outstanding. I was concerned last year, as I think you were, Mr Speaker, as the then shadow Housing Minister, at the then Minister's wiping of outstanding moneys. There are a number of procedures in place - very reasonable ones too - whereby people who get themselves into trouble can slowly pay back the moneys that are outstanding. There is direct debit. I am also keen to assist tenants who tend to get themselves into trouble to nip that in the bud early on, rather than let it get out of hand. When you are on a very low income and you get \$400 or \$500 in arrears, it is “throw up the hands”  
time.

If people can be spoken to when they are \$150 or \$200 in arrears, something can be done; they can be assisted in overcoming their difficulties. That is something that the Housing Trust officials are now keen to do and which I think will be of great benefit for some people who tend to get themselves into arrears but who have the goodwill and desire to do their bit and make amends for that. Of course, if some people simply refuse to pay their rent, action will be taken, and I do not think anyone really can quibble with that. Things have to be taken on a case-by-case basis.

I think Ms McRae is drawing a bit of a longbow when she suggests that my comment about the Government being a fair but firm landlord casts a pall over all tenants. That really is rubbish. I think Mr Moore gave a fairly good figure. You must remember that 12 per cent of all ACT housing stock is public housing. The vast majority of tenants, 98 per cent - I would not quibble with Mr Moore; I think he is pretty accurate - live up to their obligations, just as the vast majority of tenants in private housing live up to their expectations. Mr Moore has indicated that he is a private landlord.

**Mr Moore:** I have been.

**MR STEFANIAK:** He has been. I have been too. Whilst I have not had my place trashed, I have certainly had the experience of a tenant not paying rent - in fact, a tenant I knew fairly well. Those things happen. They happen in the private market and they happen in the public market. I think that when one looks at percentages they are very similar. You would certainly have just as many bad tenants in private housing as you would in public housing. However, the Government is a landlord and the Government has to have its standards, and this Government will have them. When someone does something wrong they should pay for it, and the community should ensure that that occurs.

I am not going to announce a new initiative today, but I will have some good news in relation to all those very good tenants. This Government will implement very shortly, I think as early as next week, a new scheme for those tenants at the best end of the scale and give them due recognition for the excellent efforts they make and the pride they have in their houses.

**Mr Moore:** Hear, hear! What are you going to do?

**MR STEFANIAK:** I will let you know next week, Michael.

**Mr Moore:** Come on; tell us.

**MR STEFANIAK:** No; it is a good media opportunity. I am not going to spoil that. It is a nice little scheme to give due recognition to those excellent tenants who take care of their houses over and above what would normally be expected of people generally.

Mr Moore, and I think Ms McRae also, spoke about tenants who were a nuisance to neighbours and asked whether the normal laws should apply. Of course they should. I have advised my housing officers that the normal rule of law applies.

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Obviously, if something is a police matter, the police should be called. In some instances, however, it is quite relevant because there is a bit of a difference in flats where there are a number of tenants. Quite often I find one Housing Trust tenant complaining about the activities of another Housing Trust tenant next-door. The trust, I believe, has always had some responsibility there and has attempted to help out in situations like that. I certainly do not see anything wrong in officers of the trust going around and trying to sort out the situation. They represent the Territory as landlord and, if two tenants are involved in a dispute, quite clearly that is something that should be investigated. I do not see any reason for that not to continue. Obviously, there are other situations in which other agencies should be involved, and the basic rule of law, be it civil or criminal, would naturally apply.

Generally, I am heartened by most of the comments made by members. Our housing stock is a significant investment for the Territory. There are about 12,000 properties worth, I think, about \$1.4 billion. Another point of concern to Ms McRae related to when properties were sold and where properties were built. I am pleased to advise her that, from what I have seen so far of some of these new joint developments, as far afield as Dunlop, and one in Braddon, there will be both public and private housing in the same area, and joint developments where Housing Trust tenants will benefit. These new joint developments are right across the Territory, in all suburbs. I appreciate, having been born in Canberra, having grown up in Canberra, and having lived for the first four years of my life in public housing, that one of the beauties of Canberra is that virtually every suburb does have a level of public housing. I think that has assisted the social homogeneity of Canberra very much indeed, and that is something that we are very mindful of.

There are a lot of potentially exciting developments in housing. As I indicated earlier, there are always measures by other governments which might affect this Territory adversely and which this Government will fight against. I am pleased to see that many other State and Territory Ministers share the concerns which would affect us as well, so I am hopeful of some success in terms of a couple of measures I highlighted in my paper which would impact adversely on the Territory. I look forward to the input of all members during the course of this Assembly in terms of housing matters. I would value the input. I might not necessarily always agree with it, but I would welcome it. The department, from what I can gather, always has been very keen to ensure that there is maximum community input as well. I thank members for their comments.

Question resolved in the affirmative.

**Sitting suspended from 12.09 to 2.30 pm**

## QUESTIONS WITHOUT NOTICE

### ACTEW - Corporatisation

**MS FOLLETT:** I address a question to the Chief Minister in her capacity as Minister with responsibility for public service matters. I ask Mrs Carnell: Will the corporatisation of ACTEW involve removing ACTEW employees from Public Sector Management Act coverage? If so, what conditions of employment will ACTEW employees lose as the result of this change?

**MRS CARNELL:** Thank you very much for that question. The Government has already made it very clear that, as part of the corporatisation of ACTEW, conditions and pay rates will be mirrored in the new corporatisation approach of this Government. Also, there is no intention for there to be job losses.

**MS FOLLETT:** I ask a supplementary question. I take that as a yes, and I ask: What will happen if, as a result of consultation with the unions, if and when you do undertake that consultation, the union members do not want to be employed outside the Public Sector Management Act? Will you in fact drop that proposal from your changes to ACTEW?

**MRS CARNELL:** That would appear to me to be a hypothetical question.

### Community Councils

**MS TUCKER:** I direct a question to the Chief Minister in relation to her proposal to expand and formalise the role of community councils. Chief Minister, what model or processes does the Government plan to use for consultation between community councils and the Government and between community councils and the wider community? How does the Government propose to broaden the representation on these councils? What specific resourcing measures does the Government have in mind? How does this relate to local area planning? There are a few parts to the question.

**MRS CARNELL:** It certainly has a lot of parts. Thank you for the question, because it is something that was very much part of our election promises. As you would know, we do have a policy in this area. We believe that community councils must start having a very real role in how consultation occurs in the Territory and also in how this Assembly works. We have already announced a number of things that we will be working towards. One is, of course, making sure that community councils are adequately resourced. That will obviously be determined in budget Cabinet; but the sorts of things we are looking at include how we can make sure that they have adequate secretarial resources so that, when we ask them to consult or when they determine that they want to input back into the Assembly, they can do so with adequate resourcing. At the moment it is very difficult for them, because most of them have jobs during the day and are trying to do it

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all at night. We have already announced that we would like community councils to be able to address the Assembly directly at regular intervals so that they can tell us exactly what they are thinking. We think that is an appropriate approach and something that will make sure that this Assembly is better informed about what the community is actually thinking.

There are a number of ways in which we can make sure that the community councils are representative of their communities, and we are currently discussing those with the community councils themselves. There is everything from using a precinct approach to having half of the community council elected and half come from a ballot-type form on which people in the various areas can indicate that they would like to be part of a community council. One of the ideas that we have already floated is having on rate notices a little box saying, "Would you like to be on your community council? Please tick the box". There are a number of options available. We will obviously determine which ones are appropriate by talking to the community councils themselves and to the community generally.

**MS TUCKER:** I ask a supplementary question. How does the Government propose to resolve conflicting demands within the community and the Government's own policy direction?

**MRS CARNELL:** Obviously, there will always be conflicting demands on governments, no matter who they are and no matter what they represent. The whole point of community consultation is to make sure that this Assembly is aware of what the community think. Our view on community councils is that they are there at the grassroots level. They have grown from the grassroots up. Therefore, they are a very important part of community consultation and our knowing what communities think; but they are not the only one, by any stretch of the imagination. We believe that community councils need to have a more solid base from which to work. The absolute answer to your question is that obviously the real issue is to make sure that this Assembly knows what the community is thinking.

### **ACTEW - Corporatisation**

**MR WHITECROSS:** My question is addressed to Mr De Domenico in his capacity as Minister for Urban Services. Mr De Domenico, what community service obligations does the Government intend to impose on ACTEW as part of its corporatisation proposal?

**MR DE DOMENICO:** I thank Mr Whitecross for his question. Mr Whitecross would be aware that the corporatisation of ACTEW will mean that ACTEW itself will be in a better position to provide a better service to the people of the ACT. I will go as far as suggesting, as I have suggested to ACTEW, that they should take into account a community contract-type scenario. ACTEW will take that on board, and I think that when the time comes for ACTEW to be corporatised, as it will, you will find that the community service aspects of ACTEW will improve. This Assembly will make sure that that is transparent.

**MR WHITECROSS:** I ask a supplementary question. Noting Mr De Domenico's answer, I ask: Whom is the Government consulting or whom will ACTEW be consulting about these community service obligations?

**MR DE DOMENICO:** I do not know the answer to that question.

### **Woden Valley Hospital - Neonatal Intensive Care Unit**

**MR KAINÉ:** I address a question to the Chief Minister and Minister for Health and Community Care. Chief Minister, can you tell the Assembly why the neonatal intensive care unit has been closed and what action has been taken as a result of this closure to make sure that people's needs are taken care of?

**MRS CARNELL:** Rotavirus - that is something that Mr Connolly knows something about - which is an infectious viral disease causing severe gastroenteritis in infants and young children, has been isolated in a new baby in the neonatal intensive care unit at Woden Valley Hospital. Rotavirus is certainly not uncommon during the winter months, although this is somewhat early. There has been a cross-infection to two other newly born babies. These three infants have been isolated and moved out of the unit. To protect the eight babies remaining in the unit, access by siblings has ceased and other staff and visitors with symptoms of respiratory or gastrointestinal illness have been asked not to visit. Until all babies in the unit are cleared of possible infection, the unit will be unable to admit any neonate requiring ventilation. These babies will be stabilised, where necessary and when necessary, and transferred to an appropriate centre through the neonatal emergency transport system. An alternative area to cater for babies who do not require ventilation but need intensive care has already been established in the maternity building.

### **ACTEW - Corporatisation**

**MR CONNOLLY:** I would have deferred to the member who never misses a question time, but I see that he is not here again today. My question is addressed to Mr De Domenico as Minister for Urban Services. Is the Minister aware that charges for water do not currently cover, and indeed for many years have not covered, the cost of providing that service? Since company directors in a corporate form are required to act in the best commercial interests of a company, does this mean that a corporatised ACTEW will increase the cost of water to Canberra ratepayers?

**MR DE DOMENICO:** I thank the member for the question. The answer is "Not necessarily".

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**MR CONNOLLY:** I ask a supplementary question. I thank the Minister for his absolute assurance that the price of water to Canberra ratepayers may not necessarily rise. What level of increase may or may not necessarily occur to Canberra ratepayers in order to bring water rates into line with profitable operations?

**MR DE DOMENICO:** The answer to the supplementary question is that, like the former Government on the other side of the chamber, we also support the concept of the user-pay principle.

### **Scarab Grubs**

**MR SPEAKER:** I call Mr Hird.

*Opposition members interjecting -*

**MR HIRD:** Mr Speaker, did you call me for a question, sir?

**MR SPEAKER:** Yes, I did.

**MR HIRD:** I am being rudely interrupted by that rabble across the way. I direct a question to the Minister for Sport and Recreation. The question concerns problems that certain constituents have raised with me. Can the Minister inform the Assembly of the effect that the current infestation of Argentinian scarab grubs is having on Canberra sportsgrounds?

**Ms McRae:** They are eating them.

**MR STEFANIAK:** Thank you, Mr Hird. Ms McRae, you are quite right. They are indeed eating them. It has been suggested that I should sheet this problem home to the former Government. How these grubs got into the country is probably an immigration matter that lies fairly and squarely at the feet of the Keating Government.

**Ms McRae:** It sounds like a grubby story to me.

**MR STEFANIAK:** It is a grubby story; absolutely.

**Mr Humphries:** We are talking about the grassroots here, unlike you.

**MR STEFANIAK:** We are talking about the grassroots, but it is a quite serious problem.

**MR SPEAKER:** Order! One comedian at a time, please.

**MR STEFANIAK:** Mr Speaker, in the past month the Bureau of Sport, Recreation and Racing has become aware of a very significant infestation of scarab grubs on a number of sportsgrounds, including some heavily used grounds. Kambah 1 and 2, the Phillip District Oval, the Phillip Athletics Oval, the Phillip Oval and even Kippax have been affected by these grubs. Whilst some of the birds, including ibis and magpies, love to eat them, that does not particularly help, because of the nature of this particular grub, which damages the grass by eating away the roots, killing the grass and making the surface poor in quality. The problem has become very serious this year and maintenance staff are doing all they can to combat it.

Attempts to eradicate these grubs were made last summer, but the measures taken were not effective. CSIRO advice has been sought, as have a number of other expert opinions, on using materials that can actually kill these grubs. I am advised that there is little that can be done during winter, as reseeded is not very effective in Canberra's cold climate, especially as the grounds are in constant use. Technical staff in the Government Service are currently developing a comprehensive control program to be implemented next December to February, when the grubs are the most vulnerable to chemical control and, of course, the grounds are likely to regenerate very quickly. It is an ideal time to sow grass.

The effect of the scarabs is to kill off large areas of grass, and as soon as the grounds are used the dead grass in the sand just disintegrates. What the department is currently doing, along with Urban Services, is spreading soil so that the playing fields are in fact level and games can continue during the winter months. I would not underestimate the seriousness of the problem. A number of ovals are affected, and significant work will have to be done both during the winter season and during summer, when hopefully the grubs will all be eradicated, to overcome this quite serious problem.

### **ACTEW - Corporatisation**

**MR WOOD:** I direct a question to Mr De Domenico in his capacity as Minister for Business, Employment and Tourism. Can Mr De Domenico confirm the Chief Minister's public statement on 15 April that, as a result of the adoption of the Hilmer report by COAG, electricity prices in the ACT will rise?

**MR DE DOMENICO:** The question of price rises for electricity is something that the Government is yet to consider. Once the Government considers any such thing, of course the Assembly will be the first people to know.

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**MR WOOD:** I ask a supplementary question. Why did we not get a “not necessarily a rise” answer? The Minister seems committed to price rises.

**MR SPEAKER:** That is hardly a supplementary question. I leave to you whether you wish to answer that or not, Mr De Domenico.

**MR DE DOMENICO:** The answer to the second question is the same as that to the first question. The Government is yet to consider any price rise for anything, and once it does consider it and makes up its mind the Assembly will know.

### **ACTEW - Corporatisation**

**MR BERRY:** Shocked by the Government now conceding that there will be price rises for electricity and water, we would like to note that maximising returns to a corporatised ACTEW basically means selling as much electricity as possible.

**Mr Humphries:** Mr Speaker, I rise on a point of order. It is a little difficult to know exactly whom the question is being directed to. I would ask Mr Berry to indicate at the outset, not just now but also on other occasions on which he asks questions, whom he is asking the question of.

**MR SPEAKER:** I uphold the point of order. Could you please state which Minister you are addressing.

**MR BERRY:** I can tell by the look in Mr De Domenico's eyes that he knew exactly whom it was intended for. It is for the Minister for falling business confidence, employment and tourism.

**MR SPEAKER:** If you people want to gaze into each other's eyes across the chamber, that is entirely up to you; but I still want to know what Minister you are addressing the questions to.

**MR BERRY:** It is that one I just mentioned - the Minister for falling business confidence, well known, employment and tourism - - -

**MR SPEAKER:** Order! Please address the Minister by his correct title.

**MR BERRY:** Mr De Domenico, sir, noting that the Government has conceded that prices for electricity and water will rise and that the Government will be considering them in the future, and noting the Government's commitment to user pays, as they mentioned earlier, and the maximisation of returns to a corporatised ACTEW, I ask whether that means selling as much electricity as possible. What direction does the Government intend to give ACTEW to ensure that they promote energy conservation rather than energy consumption?

**MR DE DOMENICO:** I thank Mr Berry very much for his question. Had Mr Berry been reading his newspapers, watching television and listening to the radio, he would have realised that some two or three weeks ago ACTEW opened three or four energy efficient houses at Nicholls. ACTEW, instead of actually promoting the sale of electricity, was in fact doing the exact opposite. As it was under the previous Government, under this Government ACTEW will be directed to make sure that energy conservation is one of its prime *raison d'être*. There is no change in that, except that this Government will be more forceful than the previous Government in making sure that energy conservation - and water conservation, by the way - are essential elements in any future role that ACTEW has in this Territory.

### **Commercial Waste Recycling**

**MS HORODNY:** My question is addressed to the Minister for Urban Services. While there has been some success in reducing the level of household waste following the introduction of domestic kerbside recycling collection, there are still substantial amounts of recyclable waste which goes straight to landfill. A lot of this comes from businesses, from commercial areas. Prior to the introduction of kerbside collection, businesses had access to the recycling collection points in local commercial centres. These have now been removed since kerbside collections started. What, if anything, does the Government intend to do to ensure that businesses in the commercial centres are provided with, and have an incentive to use, recycling facilities? Mr De Domenico was given notice of this some hours ago.

**MR DE DOMENICO:** I thank Ms Horodny for giving me prior notice of her intention to ask this question. Under the Building and Services Act 1924, the ACT Government is charged with the responsibility for the collection of household garbage. Responsibility for the collection of waste from commercial properties became the sole responsibility of private operators following the sale of the Government's trade waste collection service in 1991. This sale was undertaken as a result of trade waste becoming increasingly uncompetitive in the marketplace.

Recycling collections from commercial premises, as well as waste collection services, are the responsibility of the commercial operators. Canberra Paper and Cardboard provides a paper collection service for government and commercial properties. A range of drop-off facilities are also provided throughout Canberra for paper, glass, plastic and metals. Totalcare provides a collection service for used motor oil, and a commercial service, Vatman, is also available for the recycling of cooking oils.

In addition to the provision of drop-off facilities throughout Canberra, the Government's charging policies for the disposal of commercial waste at landfills are a direct incentive for waste minimisation and recycling. Browning-Ferris Industries, BFI, the domestic recycling contractor, have indicated that they are evaluating the establishment of a recycling collection service for commercial properties, and my department is actively encouraging the establishment of such a service.

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### **Public Swimming Pools**

**MS McRAE:** My question is directed to Mr Stefaniak in his capacity as Minister for Sport. Mr Stefaniak, my question relates to the management of swimming pools in the ACT. Minister, can you assure me that there is no proposal to shift the management of public pools to the private sector?

**MR STEFANIAK:** I thank the member for the question. Of course, this question will be looked at in the context of the budget and the best way of operating our swimming pools, so I can say that it is a question that we are considering. Rest assured, though, that, whatever decision we make, we are absolutely determined to ensure that the community has full and proper access at proper and reasonable rates and prices to swimming facilities and sporting facilities in the ACT.

**MS McRAE:** I ask a supplementary question. Could you further assure me, Minister, that any change to private sector control will occur only after a completely open and competitive tendering process?

**MR STEFANIAK:** I cannot see any reason why that would not be the case, Ms McRae. That would be normal procedure.

### **Residential Leases - Operation of Businesses**

**MR MOORE:** My question is addressed to Mr Humphries as Minister for the Environment and Planning. Mr Humphries, by now, I understand, you will have received some correspondence from representatives of RORE - Restoring Our Residential Environment - regarding trash pack businesses operating from residential leases. I do not think I need to actually name the particular spot in Tuggeranong. Can you please inform the Assembly what action you intend to take to ensure that disruptive and environmentally questionable businesses do not operate in residential areas, contrary to their lease purpose clauses?

**MR HUMPHRIES:** Mr Speaker, I can recall receiving a letter from RORE. It may be that I have received more than one letter from RORE, in fact. I recall a number of issues being raised either in one letter or in a number of letters from that organisation. Having looked at the concerns that they raised, I have asked my department to provide advice to me on that subject. Either that has not yet occurred or it has not yet reached the top of my in-tray. Either way, I am very happy to action that matter quickly if Mr Moore has a particular concern about it and, since we are now about to rise for a two-week break, to give him advice about that matter in the coming few days.

### Emergency Ambulance Service

**MR KAINE:** I direct a question to Mr Humphries as the Minister for Emergency Services. Minister, can you explain to the Assembly why a Gordon resident, dialling the 000 emergency number, was unable to reach the Ambulance Service for some considerable time after his first call?

**MR HUMPHRIES:** Thank you, Mr Kaine. I think this is a fairly important issue which was originally raised by Mr Whitecross earlier today. Mr Speaker, by way of background, I inform members that telephone calls for emergency ambulance responses can normally be made in one of two ways. Obviously, one can dial 000 in order to get an emergency response. That call is answered by a Telecom operator and then redirected to the appropriate emergency operator, in this case the Ambulance Service. Alternatively, a person can dial 207 9900, which is a direct emergency telephone number answered by an ambulance call taker within the communications centre at North Curtin.

A call made to the 000 number is answered by the Telecom operator. If the first operator is not able to answer the call within four rings, the call transfers to a second operator. If the second operator is unable to answer the call, it is placed in a queue for a short period, and if it remains unanswered it is transferred to the AFP communications centre. Members should be aware that the 000 call is a community service operated by Telecom. The ACT Government has little control over that service.

I am advised that the supervisor in the Telecom 000 service in the ACT has advised us that there are no records of a 000 call being received by the 000 service in relation to this particular emergency. I understand that the date of that emergency was 7 May, although it was not indicated in Mr Whitecross's press release. On the basis that it was 7 May - I do not have any indication from Mr Whitecross, so I assume that that was the date - there was no record of a call being made to that number at that time.

On Sunday, 7 May, a call was received by the Ambulance Service on a non-000 line at 5.54 am, from Mr Gration of Gordon, requesting an emergency ambulance response to his pregnant wife. The Ambulance Service immediately responded to the request and arrived at the scene at 6.02 am - eight minutes after the initial call and within the response time which is the standard to which the service aims. That is a laudable response time. I think the service is to be congratulated on that response. No further information is presently available which would indicate the exact circumstances of this particular matter. My officers have been trying to call Mr Gration or Mrs Gration to find out exactly what the background to this matter was.

I was advised by the deputy commissioner of the Australian Federal Police this afternoon that the AFP have exhaustively checked their tapes and can categorically assure me, and have done so, that there was no call received by any police officer in the ACT in relation to this matter. That is a matter of some concern, given the comments made by Mr Whitecross in his press release in which he has a go at me - which is fair enough because I am paid to take that. But he ends by saying:

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The responsible Minister, Police and Emergency Services Minister Gary Humphries, has a lot to explain. He should also give his police officers some instruction in basic community relations - either that or lessons in how to transfer telephone calls.

Mr Speaker, I am paid to take that kind of rubbish; but these people are not, particularly in circumstances where at this stage there is no evidence that any police officer actually fielded a call and treated it in the way described by Mr Whitecross in his press release. When we have contact with Mr Gration we might find otherwise, but I would hope that Mr Whitecross has the self-respect to be prepared to offer an apology to officers of the Australian Federal Police, if indeed my advice from the deputy commissioner that there was no call put through to any of those officers in this matter is confirmed.

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

**Mr Berry:** I raise a point of order, Mr Speaker. I was clearly intending to ask a further question. The point of order that I raise is about fair treatment in this chamber. Mr Kaine has had a couple of questions. I think the Opposition parties ought to be given the same opportunity as backbenchers from the Liberal side of the house. I think it is grossly unfair for you, Mr Speaker, not to take note of rising members from the Opposition parties and instead to respond in favour of the Leader of the Government. Mr Speaker, I draw that matter to your attention. I think it is going to fall on deaf ears, but it is a protest that I intend to make. It seems as though the convention of fair play that has been observed in this place in relation to question time is going to go out the window if the Liberals have their way.

**Mr De Domenico:** Mr Speaker, Mr Berry is clearly reflecting on the Chair, and I think he should be asked to withdraw those comments.

**Mr Kaine:** Mr Speaker - - -

**Mr Berry:** I will make it clear whom I am reflecting on. I am reflecting on the Liberals. Mr Speaker, all I am saying to you is that I want the convention of fair play observed.

**Mr Kaine:** Mr Speaker, I think I was on my feet before Mr Berry.

**MR SPEAKER:** I call Mr Kaine on a point of order.

**Mr Kaine:** If I may, without his interrupting and cutting across me, I would like to address the point of order that he raised. Mr Speaker, I got to my feet to ask a second question only after I waited to see whether anybody else in this place had a question to ask. I did not spring to my feet instantaneously. I waited to see whether anybody else had a question to ask. Nobody did. There is nothing in our standing orders, that I know of, that allows the Opposition to become incensed at a question that is asked and then demand to have a right to ask another question. If it is in the standing orders, I would like Mr Berry to explain where it is.

**Mr Berry:** If I may address the point of order further, Mr Speaker, I am quite happy for Mr Kaine to have two or three or four questions, and I was pleased to see him rise to his feet and ask a further question. All I ask of the Liberals is that they give us the same opportunity.

**Mr Humphries:** Mr Speaker, on that same point of order, I should make one point about it. I as Whip in the previous Assembly kept records of questions taken by the previous Chief Minister, and I can assure the house that there were many occasions - if you like, I will bring the evidence down for the adjournment debate - when members who were not members of the Opposition received more questions than did members of the Opposition. It occurred on many occasions that more Government members got second questions than did members of the Opposition.

**Mr Berry:** Mr Humphries, if you cannot prove that members of the Opposition got two questions, will you resign? No fear, because you cannot.

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

**Mr Connolly:** Further to the point of order and the research that is being done into question time: Someone may research how often the former Government shut question time down before 3 o'clock, as has happened today.

**MR SPEAKER:** A number of issues have arisen, but before I deal with them I call Mr Osborne.

**Mr Osborne:** I raise a point of order, Mr Speaker. Under standing order 113A, I seek leave to ask a question. I apologise for being so slow to rise, but I have a bung knee.

**MR SPEAKER:** I uphold Mr Osborne's point of order under standing order 113A. Members may like to read it. Please continue, Mr Osborne. You are allowed to sit if you so wish.

### **Primary Schools - Bullying**

**MR OSBORNE:** Perhaps Mr Berry should listen to this question. My question is addressed to the Minister for Education, Mr Stefaniak. Recently the Richardson Primary School won an Australian violence protection award for its efforts to stamp out school bullying. This was a recognition of the program that the school has introduced over the past two years, including peer support groups, class activities and discussions on - I hope that you are listening, Wayne - bullying, verbal abuse, and sexist and racist language, although I am not implying that Wayne uses that - - -

**Ms Follett:** Mr Speaker, I take a point of order. I know that Mr Osborne may have meant that in a jocular fashion; but it is a clear reflection on my colleague Mr Berry, and I ask that that imputation be withdrawn.

**MR OSBORNE:** I withdraw that, Mr Speaker.

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**MR SPEAKER:** The entire implication.

**MR OSBORNE:** I withdraw.

**MR SPEAKER:** Thank you.

**MR OSBORNE:** Minister, the school has also introduced the buddy system for playground areas. This program is obviously working, as the incidence of bullying in the school has been greatly reduced. My question, Minister, is: Are the Richardson Primary School programs for dealing with the incidence of school bullying a model which you and your department are or will be encouraging other primary schools in Canberra to introduce?

**MR STEFANIAK:** I thank Mr Osborne for the question. It is a very good one. It is not a dorothy dixer. I do not even have it in here. Congratulations to the Richardson Primary School on their excellent efforts. I note that my colleague the Chief Minister went there about 10 days ago and presented a cheque for \$5,000, which was an award for their excellent system. Their buddy system, which has been so effective in reducing school bullying, is indeed a model that all schools can, and I will make sure do, look at. The Government is working very closely with schools and the community to maintain and promote a safe environment in which effective learning and teaching can take place. Strategies such as that will be very important in reviewing behaviour and various strategies that have been used in the past and adopting sensible initiatives to eliminate the violence and bullying that occurs within our schools.

I reiterate my congratulations to the Richardson Primary School on its excellent effort. It certainly is a model. The Government is putting a lot of effort into enhancing the work which was started by Mr Wood when he was Minister. He established a committee which I have continued to a certain extent but which I have also put different people on to further improve responses to problems of bullying in schools. I certainly give credit to Mr Wood for starting that initiative at Richardson last year. We will seek to improve the situation. Efforts such as those at Richardson bear testimony to what can be done.

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

**MR SPEAKER:** I would like to make three points. The first is in relation to Mr Osborne and his knee. If you wish to speak at all during the afternoon, Mr Osborne, just raise your hand and I will be able to recognise you. The second point relates to the matters raised by Mr Berry. I would refer him to standing order 113A, which appears under the heading "Questions without notice - number of questions" and which reads:

Questions without notice shall not be concluded until all non-Executive Members rising have asked at least one question.

We have been through this before. I repeat “at least one question”. That has been recognised by the Chair at all times. The fact that some members may ask two questions is still within the scope of standing orders. The standing order also refers to “Members rising”. I have noticed a certain tardiness on the part of members in getting to their feet. Whether there is a game being played I know not and frankly I do not care, but the fact is that all non-Executive members rising have asked at least one question. I have respected that.

It is equally true to say, however, that, once that has occurred, if the Chief Minister rises and asks that further questions be placed on notice, or with the intention of doing so, then the Chief Minister shall be recognised. This was the case, members of the Opposition, you might remember, in the previous Assembly and it will be the case in this Assembly. When the Chief Minister rises in her place, she will be recognised. I also draw attention to *House of Representatives Practice*, page 509, which states:

In order to bring Question Time to a conclusion the Prime Minister or the senior Minister present may, at any time, rise and ask that further questions be placed on notice, even if a Member has already received the call.

I think we are a little more liberal in this Assembly. Nevertheless, the situation is quite clear that the Prime Minister or a senior Minister, or in this case the Chief Minister, is regarded as paramount within the chamber if they rise to their feet.

**Ms McRae:** With the greatest of respect, Mr Speaker, our standing orders are quite different to those of the House of Representatives. Our standing orders require at least one question from each member, which the House of Representatives standing orders do not, and that comparison cannot be drawn. May I further state by way of a point of order that my understanding of the convention is such that when a government or an opposition member sought a second question I as Speaker always endeavoured to balance that question. With the greatest of respect, Mr Speaker, of course the Chief Minister can terminate question time; but, as far as possible, if a member of the Opposition, an Independent or anyone else asked a second question, I endeavoured to allow the other side of the house to ask a second question.

**MR SPEAKER:** As far as I am concerned, the discussion is concluded. I have made my position clear.

**Mr Hird:** What happens if they do not rise?

**Ms McRae:** Order yourself, Mr Hird!

**Mr Kaine:** On a point of order, Mr Speaker: Who is the Speaker in this house?

**MR SPEAKER:** Order! Please continue, Ms McRae.

**Ms McRae:** I think I have finished. That was the convention as I understood it, and I do believe that Mr Berry's point of order held a lot of merit.

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**Mr Berry:** May I add further to the debate. Mr Speaker, I believe that your ruling on my right to a question was out of order. Standing order 113A, which you raised here in the chamber, reads:

Questions without notice shall not be concluded until all non-Executive Members rising have asked at least one question.

Mr Osborne was very slow in getting to his feet. In the meantime I leapt to my feet with the view to balancing the questions which had been asked by the other side of the chamber. I do not know why it is that there is such a fear of questions in this place. Just balancing the books to be fair would not have hurt.

### **Acton Peninsula**

**MRS CARNELL:** I would like to give more information on a question that was asked in the house earlier this week with regard to lease documents for Acton Peninsula tenants. The Government would like to be able today to table all relevant documents. However, I am advised that, to cover the possibility that these documents contain information that is confidential, it is advisable to seek consent from each tenant individually before tabling each individual lease or agreement document. Officers of my department are currently arranging for this to occur; but this already has occurred with regard to the hospice, so I would like to table today the lease for the hospice on Acton Peninsula.

### **Gungahlin - Road Links**

**MR DE DOMENICO:** Mr Speaker, I would also like to give some more information on a question asked of me yesterday by either Ms Horodny or Ms Tucker in relation to the linking of Gungahlin. I think it was you, Ms Horodny. Mr Speaker, the Department of Urban Services has prepared a 10-year transport plan which aims at maximising public transport patronage utilising the current road network to its limits and protecting the amenity of North Canberra residents by providing sufficient additional arterial road capacity and other measures where necessary to ensure that commuters do not infiltrate residential streets.

The transport plan is based on the findings of the Gungahlin external travel study, the Northbourne Avenue study and the future public transport options study, and assumes that public transport use in the ACT will increase by about 9 to 15 per cent for work trips. The construction of John Dedman Parkway, the duplication of William Slim Drive and the upgrading of Majura Road are some of the main priorities in the transport plan. However, the timing of any work will be dependent on the rate of development in Gungahlin and the level of funding available.

Other important aspects of the plan include measures to improve bus operations on the existing network such as bus priority measures at signalised intersections. At present the commuter express bus service operates between Gungahlin and the city. This will be upgraded as demand increases. Similarly, local bus services will be expanded with the further development of Gungahlin. Services similar to the 333 express will provide access to town centres, and the provision of a bus interchange will be integrated with the overall development of a town centre. Planning has also been completed for future provision of bike paths between Gungahlin, Mitchell, Lyneham and the city.

Studies examining future public transport options for Canberra have been undertaken and have identified improved bus or light rail services as possible future developments. The Government is giving further consideration to the need to extend these studies to prepare public transport strategies and assess funding options. The success of these public transport strategies will reduce or defer the projected capital expenditure of more than \$90m in the first 10 years.

### **ROLE OF SPEAKER** **Statement by Speaker**

**MR SPEAKER:** I mentioned to members earlier that I had three matters to discuss. The one I now mention is the third. Members may recall that in the Assembly on Tuesday Mr Berry drew my attention to an article in the *Canberra Times* of Saturday, 6 May, which in referring to the Government used the words "It owns the umpire". It can be assumed that the words referred to the Speaker. Mr Berry queried whether the reference was something worth responding to. I wish to assure the Assembly that the Government does not own this Speaker; the Assembly does. I intend to undertake my duties as Speaker in an impartial manner and ensure that, within the framework of the standing orders, all members have adequate opportunities to participate in the deliberations of the Assembly.

### **HOME HOSPITAL ARRANGEMENTS** **Ministerial Statement**

**MRS CARNELL** (Chief Minister and Minister for Health and Community Care): I ask for leave of the Assembly to make a ministerial statement on home hospital arrangements.

Leave granted.

**MRS CARNELL:** Mr Speaker, as I noted in a ministerial statement earlier this week, this Government is committed to increasing throughput of patients in ACT public hospitals, thereby reducing waiting lists for admission. To achieve our goal, we need to look at a wide range of strategies. Early discharge programs and hospital-in-the-home schemes are examples of strategies that have been operating in other countries for many years and, more recently, in Australia. Most of these have been funded through the Commonwealth's Medicare incentive program.

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Put simply, hospital-in-the-home programs allow for the early discharge of a patient from hospital. The patient continues to receive nursing care in the familiarity of their home environment when there is no perceived clinical risk to their health. The program also allows the hospital to admit as early as possible another patient for treatment. The Canadian hospital-in-the-home scheme was established in 1981 and is a very early and very good example. The scheme is a government-funded multidisciplinary project that services clients at many hospitals. The project has demonstrated long-term benefits which have resulted in the reduction of the number of hospital beds needed to service patients while, importantly, still providing safe discharge.

As I noted earlier, in Australia several innovative programs have been established. Here in the ACT a variety of programs have been established to reduce the length of hospital stay and provide support following discharge. These have included midwifery programs such as midcall and the neonatal support outreach program from the neonatal intensive care nursery. In 1993 the Community Nursing Service received short-term funding of \$61,000 from the Commonwealth to establish an early discharge program in cooperation with Calvary Hospital. The program is known as homecall. In August 1994 the program was extended to Woden Valley Hospital and resulted in nursing support being given to orthopaedic early discharge patients.

The homecall program provides support for a two-week period following discharge. There is a strong focus on rehabilitation and client independence in the program. The 12-month evaluation report found that 104 patients were admitted to the program - 63 from Calvary Hospital and 41 from Woden Valley Hospital. Analysis of the savings was based upon the number of bed days saved, benchmarked against national average length of stay figures. Overall there was a saving, on average, of 2.02 bed days for the 104 clients referred to the program. There was also more than \$88,000 in total hospital cost savings for these patients.

The program not only achieved considerable savings but was effective in achieving successful outcomes. About 77 per cent of patients were discharged to self-care and only 15 per cent referred to ongoing community nursing care. Just one per cent of patients were readmitted to Calvary Hospital and about 7 per cent from the orthopaedic early discharge program due to surgical complications. I am also advised that the number of referrals has increased since January this year. It is worth noting, however, that the homecall program is limited by its size and, therefore, there is a need for clinicians to develop strategies to manage the early discharge of patients more effectively. The program can and will be improved, with more patient referrals and more effective use of discharge planning mechanisms. There is also a need to ensure that other community support services are available through existing funding mechanisms such as the HACC program.

The Community Nursing Service can provide an increased level of service in acute and post-acute care. The service has standardised care plans to ensure the continuity of care for its patients. The service also places considerable emphasis on enhancing the skills of its staff to meet changing needs and technologies. For example, the Community Nursing Service now manages many different procedures, including IV therapy. It can provide an alternative to hospitalisation for patients having IV antibiotic therapy.

The evaluation of the homecall program has demonstrated the potential for productivity increases and possibilities for further expansion of early discharge programs. The program is currently funded until June 1995. Under this Government it will have a high priority in future years. I consider that homecall will build upon the success of the midcall program - the early discharge program for mothers and babies in the ACT.

The Council of Australian Governments, in its recently released paper "Meeting People's Needs Better", highlighted that improved service coordination and continuity of care should be national goals. The ACT Government is committed to ensuring continuity of care for patients. However, we will have to ensure that appropriate discharge planning mechanisms and support services are in place for each and every patient. We are also seeking ways of involving other professionals and general practitioners in this type of program, wherever it is possible. It is not our intention to promote shorter length of hospital stay without ensuring that home-based services are better resourced to enable such policies to be supported. This Government's support of the homecall program will be part of our commitment to ensuring that full resources are provided to support clients on early discharge. I commend the homecall program to the Assembly as an example of an initiative that is worthy of all our support. I present a copy of this statement, and I move:

That the Assembly takes note of the paper.

**MR CONNOLLY (3.20):** Mr Speaker, whenever the Government finds itself short of business and wants to come into this place and make a ministerial statement extolling the virtues of Labor Government health programs, we are happy to give it the time, and that is what Mrs Carnell has just done. I must say that I was looking forward to some new announcement - that perhaps Mrs Carnell, after all the rhetoric of three years, would actually get around to saying something about what she is going to do to solve what are given and accepted as some very long-term problems in the ACT health system.

There are three former Health Ministers in this chamber, and we all know that it is not an easy area. We had been rather looking forward to something new being said. I had heard, as one does hear in the winds, that something was going to be announced about the hospital-in-the-home program. I was wondering what this initiative would be. I must say, somewhat cynically, that I wondered whether Mrs Carnell would say, "There are 100,000 homes or thereabouts in the ACT; so, we have 100,000 beds. We have suddenly created 100,000 beds in seven weeks in government. There are about 4,500 people on the waiting list, but we have 100,000 beds; so, we have in fact reduced the waiting list from plus 4,500 to minus 95,500". Perhaps that is just a little bit of cynicism creeping in there. I must say that I am disappointed - not that Mrs Carnell did not announce that every home is a hospital, therefore we have 100,000 beds - that there was nothing new in this statement.

This statement is an appropriate recognition of a very good program, a program whose genesis dates back to 1989, when the first Labor Government came in and the midcall program was established. From chatting with Mr Berry a few minutes ago, I would say that it was a bit risky at the time; it was a bit novel; and people were a bit

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concerned about it. But it was something that was persevered with under that first Labor Government, and it has been extended since - in 1993, as one of the Commonwealth's initiatives, with a pilot program at Calvary; in 1994, with an extension to Woden. It has been a very successful program.

I could unkindly make the comment that during the period that I was Health Minister, and I think Mr Berry would endorse this, and during the period that he was Health Minister, whenever a Labor Health Minister would mention that we had early discharge programs and would point to the fact that we had a fall in length of stay, Mrs Carnell would bob up and would be carrying on, saying, "You are throwing sick people out of hospital early. It is this hopeless Third World health system". Shock, horror; scuttle for a front page. Of course, we will not carry on in such an irresponsible fashion. This is a commendable program. It is a program that goes back for some years. It is a program entirely of the Labor Government.

It is striking that there is absolutely nothing new in this statement. There is a statement that it is funded through to June of this year. One wonders where that funding came from. Mrs Carnell said, "We will continue our commitment to this". Again, we do not know whether the ACT Government will continue its commitment to this, because the budget has been pushed back until September. We still have Mrs Carnell's rhetoric about slashing \$30m from the health budget. We again look forward to seeing whether the rhetoric is matched by reality. As I say, whenever you are short of business, which is obviously going to be fairly often, and you want to come into this place and make a ministerial statement extolling the virtues of Labor Government programs, we will be happy to accommodate you.

I endorse all the good things that you say about these programs because they are good programs. Innovative and committed health professionals have been behind these programs. They are health professionals with a certain degree of courage, because it is difficult, when you first introduce these programs, to get across to people that you are trying to act in their interests and that when you suggest that they go home you are not trying to throw them out of hospital early. It must have been hard for people managing these programs, when Mrs Carnell as opposition health spokesperson was constantly screaming about the Government throwing sick people out of hospital early, when, in fact, what they were doing, as Mrs Carnell very properly acknowledges here, was running very innovative and sensible programs to ensure continuity between hospital and home; to look quite properly and legitimately at saving dollars; and to look quite properly and legitimately at ensuring that our acute health care facilities in our public hospitals were utilised as effectively as possible and ensuring that they were available for those who needed them most. It is a very good program - a program of two Labor governments, in fact - and Mr Kaine might reflect on Mrs Carnell's fine statement in his upcoming remarks.

Question resolved in the affirmative.

**PLANNING AND HERITAGE MINISTERS COUNCIL  
MEETINGS - BRISBANE  
Ministerial Statement**

**MR HUMPHRIES** (Attorney-General, Minister for Arts and Heritage and Minister for the Environment, Land and Planning): Mr Speaker, I ask for leave of the Assembly to make a ministerial statement on the Planning and Heritage Ministers council meeting held in Brisbane on 11 April this year.

Leave granted.

**MR HUMPHRIES:** I thank members. I do not think any Labor members from the ACT were present at this meeting; so, they should not really attempt to take any credit for the success of that meeting. Just before Easter a series of ministerial council meetings were held in Brisbane. The meetings included the ministerial council on housing; planning; heritage; and local government; and the meeting of the Ministers for Construction. I would like to inform members of the Assembly of the outcome of the considerations of the two ministerial councils that relate to the responsibilities of my portfolio; that is, the council meetings on planning and on heritage.

These meetings of relevant Ministers from the Commonwealth, States and Territories are, of course, held annually in one of the capital cities and provide the opportunity to discuss matters of mutual concern. Until a few years ago, those meetings were held almost at random; but, as a result of an initiative of the Council of Australian Governments, they were consolidated into a more structured system, where ministerial council meetings were grouped into a few megameetings that allowed discussion of related matters. The recent group of meetings was those related to planning, development and construction. The ACT was represented at these and other meetings held as a part of the same exercise by my colleague Mr Stefaniak. Mr Stefaniak was advised by the Chief Planner and the senior officer of the Office of Culture and Heritage in the Department of the Environment, Land and Planning.

The agendas for those meetings consist of items nominated by the participants, and papers are prepared by the sponsoring Ministers. Most meetings deal with about a dozen matters, and this meeting was no different. The agenda for the Planning Ministers Council meeting covered items as diverse as native title, contaminated land and compliance by Commonwealth bodies with State, Territory and local planning, heritage and environment legislation. The agenda for consideration by the Heritage Ministers covered items such as a report on the taxation incentive scheme for heritage conservation introduced last year; the strategy for identifying and conserving significant Federation sites, leading up to Australia's centenary; and the economic effects of heritage listing.

I would now like to comment briefly on the significant matters raised at the planning and heritage meetings and to advise members of the details of the resolutions that were agreed. High on the agenda for the Planning Ministers was the item "Cooperative Arrangements for Planning and Investment: Commonwealth-State Cooperation in Planning and Development of Nationally Significant Urban Corridors or Regions". It was noted that the Commonwealth and Queensland governments have commenced preliminary discussions on the options for formalising cooperative

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arrangements for regional planning and development and that the Commonwealth intends to engage in bilateral discussions with other interested States and Territories along similar lines. There may be some scope under this framework for the ACT to develop agreements relating to cross-border issues.

The next item was a proposal from South Australia to support the establishment of a benchmarking project covering the planning and development system. Such a program would allow the various bodies to learn from the experience of parallel bodies elsewhere in Australia. With Victoria dissenting, the meeting supported the development of a benchmarking system and agreed that the Australian Housing and Urban Research Institute should submit a proposal to develop the program.

Item 4 on the agenda was of particular concern to the ACT. It dealt with compliance by Commonwealth bodies with State legislation. The issue was raised by Western Australia, which has had some unhappy experiences with proposals from the Federal Airports Corporation to redevelop an airfield site. The ACT was interested because of its experience with the erection of masts for mobile telephones and similar telecommunications facilities, where Commonwealth legislation provides that such developments are not subject to local control. The matter generated considerable debate, and the meeting requested the Commonwealth Government to convene, as a matter of urgency, a working group of officials to determine how the issue of compliance with State planning, environment and heritage laws by Commonwealth-related businesses could be progressed, and to report to Ministers within six months. The State and Territory Ministers also resolved to support the concept that upon privatisation of airports owned by the Federal Airports Corporation - do not panic; that is the Federal Government's privatisation program, not ours - operations must be required to comply with relevant State legislation.

The next item related to the relationship between Federal and State legislation on the processes of assessment of environmental impact. Debate on this matter was inconclusive, primarily because the Commonwealth regarded this as a matter for Environment Ministers rather than Planning Ministers and was not willing to endorse environmental impact assessment processes of the States and Territories. This matter clearly needs to be taken further. It has particular significance for the ACT, where both the Commonwealth and the Territory have legislation covering environmental impact assessments and related matters.

Of the other items, most were reporting on action that is currently taking place or which has recently been concluded. A draft report on the OECD conference on cities and the new global economy was circulated, and Ministers noted the work undertaken by the Australian urban and regional development review. The Commonwealth tabled two further discussion papers prepared by the review. Entitled "Financing the Fringe" and "Smart Planning Not Sprawl", both papers dealt with aspects of providing infrastructure at the edges of growing cities.

Also noted were the progress in the development of a comprehensive response to the recommendations of the report by the Prime Minister's urban design task force and the work by the Australian Building Codes Board leading to improvements to the Building Code of Australia. Other resolutions related to the evaluation of the better cities program, a report from New South Wales on its approach to post-remediation of contaminated sites and a report from the Indicative Planning Council for the Housing Industry on the likely demand for housing.

I now turn to the key issues from the Heritage Ministers conference, including a review of Commonwealth-owned heritage properties, a Federation sites strategy and issues relating to the National Estate grants program. The States and Territories were briefed by the Commonwealth on the taxation incentive scheme for heritage conservation introduced in 1994. There are no successful ACT applications under that scheme in this current financial year. Following concerns raised previously about the management and maintenance of Commonwealth properties, the meeting endorsed the Commonwealth undertaking a review of its own heritage properties. This may have some implications for the ACT. Also endorsed was a policy of ongoing liaison with the Building Owners and Managers Association on achieving an agreed policy on heritage conservation and a joint, staged project to develop a strategy to identify and conserve sites that were significant in the history of the Federation of Australia. This will be an important task in the lead-up to the centenary of Federation in five years' time.

The meeting also agreed to a working party review of the Australian Heritage Commission procedures and for each jurisdiction to consider a program similar to the Victorian heritage official buildings restoration program. Victoria has appropriated \$7m towards the restoration of historic buildings over the next two years. The Commonwealth has been encouraged to amend legislation to allow places on State and Territory heritage registers to be eligible for funding under the National Estate grants program.

A related item saw agreement to further work on national coordination of heritage assessments and listing procedures. This is a matter of particular interest to the ACT as we are now one of the first States or Territories to be discussing a bilateral agreement with the Commonwealth which will see principles established to minimise administrative duplication, improve decision-making and provide more certainty for affected property owners. Recognising the impact that heritage listing has on landowners, the meeting also agreed to further work on the economic effects of heritage listing. This work will be useful in informing the ACT Heritage Council in its work on potential incentive programs for the ACT.

The attendance by an ACT Minister at these meetings has given us a useful opportunity to consult with our fellow Ministers on these matters of mutual interest. I believe that our presence is appreciated and our contributions are valued. The papers prepared for and arising from these council meetings are confidential; but, if anyone has any particular questions, they can raise them with me privately. I am very happy to help. I present a copy of this statement, and I move:

That the Assembly takes note of the paper.

**MR WOOD (3.34):** Mr Speaker, Mr Humphries has pointed out that this ministerial meeting was a useful opportunity to consult with his colleagues, and I would certainly endorse that from my experience of ministerial council meetings. I would reinforce something that Rosemary Follett said yesterday, and that is that the rhetoric of the Liberal Government - and it is still only rhetoric - should do nothing to damage the

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ACT's ability to attend these ministerial conferences, such as the Premiers Conference, Loan Council and so on. Mr Humphries would concur that these conferences are of major importance to the ACT. While Mrs Carnell insists on talking - and I think it is only talking - about local government or municipal government, if she were to take that further and actually do something about it, the ACT's ability to attend such meetings may quickly vanish. That would be quite undesirable.

Mr Humphries concluded by saying that he found the meeting very useful. I am sure that he did. I am sure that he was intrigued by the debate that he indicated had occurred on planning in relation to contaminated sites. He probably caught up with the fact that his Chief Minister never knew, or seemed not to know, that the States had been trying for quite some time to convince the Commonwealth to accept its responsibility in respect of clearing contaminated sites on its property. Mr Humphries might now go to his Chief Minister and say that, although it is now too late, it certainly would have been appropriate to argue with the Commonwealth that it should clear up its part of the Kingston site before handing it over to the ACT. He would find his colleagues from the Liberal States pushing very hard that that is exactly what the Commonwealth should do. But, of course, there is no such pressure from the ACT, to the detriment of this Territory.

That shot apart, I would be interested if Mr Humphries reported back at some stage on the debate, if it got to that level of detail, about the communications towers that are proliferating around Australia. I found great support from across the continent on this issue. Local shires were wanting to know how it was that the ACT Government - the Follett Government - could act to put a control on it. Unfortunately, the provisions that apply here do not apply in the States. Certainly, they were very keen to see that they had the same measure of control as we had. Subsequently, of course, Mr Lee, the Communications Minister, brought down some new, although I do not think quite comprehensive enough, guidelines to handle that. But I would be interested if Mr Humphries would at some stage, perhaps informally, indicate to me what the States and local authorities have been able to do to contain that problem.

**MR HUMPHRIES** (Attorney-General, Minister for Arts and Heritage and Minister for the Environment, Land and Planning) (3.38), in reply: In concluding this debate, Mr Speaker, I will respond to a couple of issues raised by Mr Wood. Certainly, I think the issue of the telecommunications towers was one of the important issues dealt with at this meeting, in an in-principle way at least; and I am looking forward to being able to press home the partial resolution of that matter, which I think Mr Wood was partly responsible for, which is for the carriers who are responsible for building these towers at least to have regard to Territory or State planning laws when they are building these towers, even if they are not actually technically bound by these laws. At least that would be an improvement on the situation that existed at the time that those towers first started to be built.

I do not think it is too late to raise with the Commonwealth the questions about contaminated sites. Certainly, for example, we have an issue to raise with the Commonwealth about funding of contaminated sites inherited by the ACT, represented by those sites associated with former sheep dips. So, there are a number of issues yet to be worked out with the Commonwealth. I would not quite write off the Commonwealth, notwithstanding the budget delivered this week.

I reiterate that the ACT Government is most intent on retaining its membership of all those bodies which it is currently a member of. We have no intention of sacrificing that as some way of getting to a different model of self-government. However, I think you should credit us with a little bit of innovation and intelligence as we approach this task. I am sure that it would be quite possible to talk to bodies like the Commonwealth about how a change in the status or the description of those who govern the ACT might affect membership of those councils. I have no doubt at all that the name we call ourselves is immaterial to the way in which we are treated at those meetings. Ms Follett should be aware that even bodies like COAG and other bodies below COAG have representation from local government on them. Obviously, it is not confined to individual organisations or individual local governments. Those people ought to be aware that we have no intention of sacrificing the ACT's membership of those bodies merely because we believe, and I think the people of the Territory are able to believe, that there is a better way of structuring self-government in this Territory.

Question resolved in the affirmative.

## **ECONOMY**

### **Discussion of Matter of Public Importance**

**MR SPEAKER:** I have received a letter from Mr Kaine proposing that a matter of public importance be submitted to the Assembly for discussion, namely:

How two Labor Governments contrived to destroy the ACT economy.

**MR Kaine (3.40):** Mr Speaker, there is an old saying about getting two birds with one stone. Interestingly enough, seldom in real life is it possible to achieve that; but, in terms of the performance of two Labor governments in recent years and the ramifications of those performances on the ACT public, it is true to say that today we have the opportunity literally to get two birds with one stone. Why it is that two governments have worked so assiduously to bring the ACT to its present state in terms of its economy and its financial strength, or weakness, is beyond me. It may be due to lack of care, it may be due to lack of knowledge, or it may be due simply to indifference. Whatever the reason, the performances of the two governments have brought us to a situation where the economic and financial wellbeing of every citizen of the ACT, of every small business in the ACT and, indeed, of the Government itself is placed in severe jeopardy.

The former Chief Minister, the Leader of the Opposition, will get up, I am sure, and she will talk about balanced budgets, AAA ratings and financial management as though she actually practised some of those things. Looking exclusively for the moment at the ACT performance, that is what she has been saying for the last four years. In fact, it is a myth. I will demonstrate how and in what respects it is a myth. We have had three years of Labor Party budgets. I will come to the reason why there have been only three in a little while. The three Labor budgets were in 1992-93, 1993-94 and 1994-95. What have we seen in these three Labor budgets? We have seen an absolute failure to confront any of the major issues that confronted the Territory in 1989, some of which the

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Alliance Government attempted to deal with. We began to restructure the public service. We began to dispose of assets that we did not need and could not afford, and the like. When the Labor Government took office again that all stopped. There has been no move since to confront any of the major issues of restructuring that is necessary.

Today, after three years of Labor budgets, we have a health system that is in absolute disarray. We have a public sector that, six years after self-government, has not been restructured to the slightest degree. We have had a series of budgetary management exercises year after year where revenues have been up against estimates, except for the last year of the three, and expenditures have been down against estimates. The Chief Minister, every year, has chortled and claimed, "This is good management. We brought our budget in with a surplus". In fact, that is equally a myth which I will come to in a minute. We have seen three years of exhausting every dollar's worth of reserves that the Territory had accumulated, some of which came to us from the Commonwealth after self-government. Today those reserves have been reduced virtually to zero.

We have had a claim of no borrowing. The former Chief Minister made a great virtue out of the fact that we did not borrow anything. That is a myth too. We did borrow. Not only did we borrow; but, as I have said before, we consumed every dollar of reserve funds that existed when we took self-government and have accumulated since. In terms of the reserve situation, even the Auditor-General of the Australian Capital Territory has commented, in one of his recent reports, upon the fact that the Government has stripped the cupboard bare and we have used up all our reserve moneys. So, it is not only me saying this; there are some very eminent authorities saying this as well.

Let us focus for a moment, Mr Speaker, on the 1994-95 budget, the third of the Follett budgets. What have we seen in 1994-95? I mentioned that for the two preceding budgets revenue was fortuitously up and expenditure was fortuitously down. The Chief Minister of the day claimed, "This is good management". In 1994-95, suddenly it reversed. Revenue was way down and expenditure was way up. Is she standing up now and saying that this was good management? What we have had, Mr Speaker, for three years, is an economy and a budget that managed itself. There was no management. It has been out of control. It was out of control in 1992-93. It was out of control in 1993-94. It sure as heck is out of control in 1994-95. I wonder whether the former Chief Minister is going to claim now that this is good management.

We had budgetary situations where there was simply no provision for all kinds of expenditure that occurred. We have now discovered that there was \$257,000 overexpended in her own Executive budget. We discovered that there was \$500,000 spent on a clean up Canberra campaign in the weeks leading up to the election campaign, obviously intended to buy a few votes. It was never budgeted for. In fact, I understand that it was taken out of the Urban Services vote. How can you mysteriously conjure up \$500,000 out of an Urban Services vote? You do it deliberately to buy votes. That is not good management; it is opportunism. The estimated cost of the Eastman trial is \$3.5m. Not a single cent was put into the budget for it. The Eastman trial has been going on for years. This Government did not put one cent in its budget to cover the cost.

We have large sums of money which the former Government intended to spend, and, in fact, in some cases has spent, without it being in the budget. One must ask: What is the function of the appropriation business of this Assembly? We appropriate money; but the Government seeks to spend it any way it likes, regardless of whether it has been appropriated or not.

I go back to the borrowing. The former Chief Minister, as I said, made a great song and dance about not borrowing. In 1994-95 she budgeted to borrow \$36.3m. The evidence, even the quarterly report from the Treasurer, now suggests that that is more likely to be \$100m to \$107m, not \$36m. Borrowing of \$100m to \$107m is necessary to cover the ineptitude of the former Government in this current fiscal year that is not over yet. So, where is the good management? I do not see any good management. There is the further exhaustion of reserves that I spoke about. This budget, when brought down last year, spoke about using \$28m, in round figures, of reserve money. In fact, as of the end of March, the projection was \$80m of reserve funds. While the former Chief Minister and Treasurer was able to keep things under wraps and present it all as good budgeting, in this current year, the third year of her reign, it has all fallen apart. The wheels have fallen off. We now see just how good a management job the Follett Government did. They stuffed it up, Mr Speaker, and now somebody has to fix it. In all of that, of course, they did nothing to restructure the public service, as I have mentioned. They did nothing at all that would result in the saving of money being expended by the Government.

I talked about the budget surpluses and deficits. The former Chief Minister consistently spoke about bringing in surpluses on her budgets. If you look at a table in her own budget papers last year there are a couple of interesting charts which show just what, in fact, the surpluses were. It is very interesting. They show that in the two budgets that I was responsible for, in 1990-91 and 1991-92 - she inherited my budget in 1991-92 - we generated very large surpluses. From the day that Ms Follett developed her first budget in 1992-93, in that year alone, the surplus completely disappeared, and in the years 1993-94 and 1994-95 we were, in fact, in deficit. That shows up in her own budget papers of last year, at pages 34 and 35. Yet this ex-Treasurer used to boast about how she brought in her budgets, saying that they were always balanced or they were always surplus budgets. It is a myth, and her own budget papers prove it to be so.

I turn to the forward estimates for 1995-96 and beyond. This is the work of this good economic manager that we have been hearing so much about for the last three years. Her own economic forecasts, produced only in June last year, turned out by December to be totally wrong in projecting employment rates, CPI indicators and the like. By the middle of the fiscal year those had gone right out of the window and the Treasury had come in with factors that were about half what the former Government was predicting six months ago. We know that Commonwealth inputs have been going down. The Government should have been taking action to offset that. We have known for years that the Commonwealth inputs were going to continue to reduce; but no, we did nothing whatsoever to adjust for that.

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I have mentioned the failure to budget for necessary expenditures. The Clinical School at the Woden Valley Hospital has not been funded. It was established by the former Government, but it has not been funded. There is no financial provision in the forward estimates. There are no funds for the fit-out of the Civic Police Station. Here we have a record of failure to properly budget in the first place, a record of mismanagement of the budget after the money has been appropriated, and a record of recklessness or lack of knowledge or indifference - I know not what - that has put us in the situation that we are in today.

As to the deficit budgeting and the public debt, I go no further than an article in the *Canberra Times* of 9 May this year in which a report published by Bankers Trust says that the gross debt level will rise from \$570m now to about \$750m in 1997-98. The former Treasurer boasted about not borrowing and not creating any public debt. Her policies have led to that situation. Even in the forward estimates they overstated their expected revenues. Even in this current year we are down \$18m. That flows from a couple of major items, like lease sales being down, which one might have predicted, and the ACTEW dividend being down, because they just cannot afford to pay the dividend that the Government established. The net effect, Mr Speaker, is to show that all of these claims about good management, AAA ratings and balanced budgets is pure myth. We have created a situation now where an enormous amount of effort and an enormous amount of pain is required to retrieve the situation.

I mentioned also that the Federal Government could take some blame. They have just produced their budget. Just look at that briefly. Public sector jobs are going to go. I know that everybody, including the Leader of the Opposition, has been saying that they are not going to go; but Gary Johns today, in the *Canberra Times*, says that they are going to go, and the trade unions are putting a figure of about 4,000 on it. Most of those will fall on the ACT because that is where the bulk of the public service is. Superannuation is going to be felt significantly because the ACT's population is predominantly public service, and they are the ones who are going to feel the burden of the extra superannuation. The Medicare levy goes up and there is a 10 per cent increase on tobacco products. There is constant impact on the individual. At the business level there is an increase in the fringe benefits tax, an increase in company tax and the tax on motor vehicles, and building materials are to be taxed. Mr Speaker, David Chessell, from Access Economics, yesterday morning described this as a shoddy budget. He was right. The Business Council of the ACT has also given it a pretty poor assessment.

Mr Speaker, I do not know whether the community of the ACT can stand the combined impact of what these two governments have done - whether business can stand it and whether the private individual can stand it. I do know that the financial situation of the ACT Government is in such a parlous state that it is going to take years for us to pull out. We are in the same situation that Victoria was in, that Western Australia was in, and that South Australia was in, and whom do we thank for that? We have an economy that could well be stalled. There has been no effective government action to stimulate it. There is no effective action to relieve the afflicted, such as the unemployed and the disadvantaged youth in our community. Where has the Government done anything for them? The answer is that they have not.

Mr Speaker, we have a great deal of public antipathy against these governments. The ACT Government has already changed as a result of it. That reflects the strength of public opinion out there about Labor at this level. There is no doubt that, before this year is out, it is also going to reflect at the Federal level. That leaves the Liberals to rebuild this Territory and it leaves the Liberals to rebuild the national economy. It is not going to be an easy job, but we will take it on because we have to.

**MS FOLLETT** (Leader of the Opposition) (3.56): Mr Speaker, this MPI brought on by Mr Kaine really is a sign of the desperation, I believe, of the Government to fill the notice paper and hence take up the time of this Assembly to something like a respectable level.

**Mrs Carnell**: Excuse me; MPIs are usually brought up by the Opposition.

**Mr De Domenico**: Where was your MPI? You have had six days. You have not had one yet.

**Mr Stefaniak**: You have not had any this week. Where is yours? You are so concerned. You have had seven weeks, too.

**MR SPEAKER**: Order! The Leader of the Opposition has the floor.

**MS FOLLETT**: Thank you, Mr Speaker. I will respond to the caterwauling opposite. Mr Kaine is trying to shore up support so that he can grasp the next available ministerial vacancy in the Carnell Government.

**Mr Hird**: No; we work as a team, not like the way you blokes work.

**MR SPEAKER**: Order!

**MS FOLLETT**: Mr Speaker, the proposal of Mr Kaine suggests that two Labor governments have together conspired - what nonsense! - to destroy the ACT economy. Nothing could be further from the truth. Over the three years of the previous Assembly all members of the Labor Government worked assiduously to improve the ACT economy and the future of Canberra. Our success is clearly shown by the economic statistics of that three-year period. Mr Kaine, surprisingly, as a former Treasurer, seems totally confused about the ACT budget and the ACT economy. His motion refers to the economy; his speech referred exclusively to the budget. I will not be so confused, Mr Speaker.

I would like to draw your attention to some of the economic indicators. In the period from December 1991 to December 1994 the ACT gross state product grew by over 16 per cent. This growth was exceeded only by the mineral rich States of Queensland and Western Australia, and fractionally by Victoria. Could I have a bit of shush, please?

**MR SPEAKER**: Yes, please.

**Ms McRae**: My apologies, Rosemary.

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**MR SPEAKER:** If people wish to have conversations there are lobbies provided for them in which to conduct those conversations. Please continue, Leader of the Opposition.

**MS FOLLETT:** Thank you, Mr Speaker.

**Mr Moore:** Not for Independents.

**MR SPEAKER:** Both sides. Please continue, Ms Follett.

**MS FOLLETT:** Mr Speaker, I was referring to the conversation behind me.

**MR SPEAKER:** Interjections are out of order.

**MS FOLLETT:** If I have to talk over noise I will lose my voice extremely rapidly. There is no doubt about that.

**MR SPEAKER:** Interjections are out of order. They are even more out of order when you are out of your seat, Mr Moore.

**MS FOLLETT:** Thank you, Mr Speaker. I am going to need an extension of time, I think.

The gross state product growth in the ACT was exceeded only by that in Queensland and Western Australia, and very fractionally by that in Victoria, which started from an extremely low base; and that could hardly be referred to as the destruction of the economy. Indeed, the ACT economy over that period grew to equal that of Tasmania. We both had a gross state product in December 1994 of \$2,380m. Mr Speaker, even more important than the gross state product is an examination of what underlies that GSP growth. The gross operating surplus - that is the measure of company profitability - rose by about 22 per cent, compared to the national average of less than 19 per cent. What this means, of course, is greater profitability for Canberra firms over that period. In fact, Mr Speaker, one particular ACT firm was so profitable that its owner deserted the Liberal Party in this Assembly to return to running his business. I will come back to that later.

Probably the most important indicator for the Canberra community, Mr Speaker, is the issue of job growth. The economy is not some abstract entity. It is the measure of many of the factors which impact on people's lives. Nothing affects people in our community directly as much as their employment. Between December 1991 and December 1994 the Labor Government which I had the privilege to lead saw the creation of 11,300 new jobs - a growth of 7.9 per cent over the three years. During that same period national job growth was only 5.6 per cent. That means, Mr Speaker, that 11,300 Canberrans have the ACT Labor Government to thank for the fact that, today, they have a job. It will be very interesting, I believe, to compare the performance of this Government in three years' time on its success in job creation. Given the track record of the Liberal Party in Canberra, I believe that there is no cause for optimism.

When I took action to expand the horizon of local businesses, by leading a business delegation to Japan, the Liberal Party carped long and loud. They complained about the cost, about the people involved, and about the idea. In fact, they complained about anything that came into their heads. Some business leaders eventually tired of their constant complaints. The president of the Canberra Chamber of Commerce, a former president of the ACT Liberal Party, Mr John Louttit, spoke out in support of the business delegation. For his trouble, he was sacked by the Liberal member of the Assembly who owned the firm that employed him.

Mr Speaker, what about the other initiatives over those years? The casino was one example - a great job creation and revenue earning scheme for this Territory. I did not hear Mr Kaine mention that. There was the establishment of the Canberra and Region Advanced Technology Manufacturing Association. These companies are at the world's leading edge in technology manufacturing. Some manufacture for the US National Aeronautics and Space Administration. When they came to the Government and said that they needed a manufacturing estate to meet their specific needs, my Government responded by developing the Symonston advanced technology manufacturing estate. What did those members opposite do? They complained about the cost and they complained about the likely success. They bleated long and loud, as we have come to expect from them. There was never a word of support for the innovation of the Government, which was interested in building jobs for Canberra's future. As the figures clearly show, we were successful in doing so. Now that they are in government, nothing has changed. All we get is the doom and gloom; no solutions, just problems; no ideas, just complaints. As demonstrated by this matter of public importance today, the Liberals always believe that it is someone else's fault.

Mr Speaker, I would like to return to the facts relating to the budget situation during the three years of the ACT's Labor Government. I have already outlined the record of the performance of the Government in relation to the economic statistics. For Mr Kaine's benefit, I will deal separately with the budget and the economy. The management of the ACT budget during that period was an extraordinarily difficult task. The ACT, in the transition to State-type funding, experienced funding reductions from the Commonwealth that were never previously endured by any State or Territory. Nevertheless, the ACT Labor Government was equal to that challenge.

As I said in June 1992 in my three-year budget strategy, we set objectives of a balanced recurrent budget, a taxing regime that did not impact unfairly on any one segment of the community, and low borrowings restricted to purposes that showed a benefit to future budgets. Unlike what Mr Kaine asserted, I have never said that we did not borrow, Mr Speaker; but we certainly did restrict our borrowings to purposes that showed some future benefit. I would like to quote briefly from the magazine *Trends* in relation to the ACT's budgetary situation. This is the *Trends* magazine of July 1993. It says:

There is a legitimate case for funding part of capital spending programs through debt and to fund some of the adjustment to lower Commonwealth funding as a transitional measure in order to promote equity between different generations of taxpayers. The trap to avoid is funding current spending through debt.

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That trap was avoided, Mr Speaker, and our overall debt position was kept very low.

I would also like to refer to a briefing document. This is not one of my documents. This is a briefing dated 21 April 1995 from the ACT Treasury to the current Chief Minister and Treasurer.

**Mrs Carnell:** You mean the ones that we distribute because we are an open government.

**MS FOLLETT:** The second page of that document, Mr Speaker, as I struggle to speak over Mrs Carnell, shows very clearly that over the past four years the ACT budget has shown a surplus of \$88m. That gives the lie to much that Mr Kaine said. Mr Speaker, our management of the budget was so successful that during the term the Territory's credit rating by Standard and Poor's was upgraded - I repeat, for those opposite, that it was upgraded - to AAA, the highest available rating. That budget position has not yet changed, despite Mrs Carnell's doom and gloom. I want to quote from Tuesday's Commonwealth Budget Paper No. 3. It says:

The Australian Capital Territory is in a sound financial position with a very small level of public sector debt ...

It goes on:

... since self-government the Australian Capital Territory's budget has remained fairly close to balance. In the medium term, the Australian Capital Territory will need to maintain its record of budgetary discipline in order to accommodate a decline in Commonwealth funding to State-type levels.

Indeed, it will. That is absolutely true. Mr Speaker, the record of the ACT Labor Government is clear, and it has been independently assessed, unless those opposite really believe that it is possible to somehow fool an international rating agency like Standard and Poor's.

Mr Kaine, reduced for the first time to the back bench, as he told ABC radio this morning, has also attempted to accuse the Federal Labor Government of destroying the ACT economy. Mr Kaine - through you, Mr Speaker - perhaps we should consider the last time there was a Federal Liberal Treasurer - not you, Mr Kaine, but Mr Howard. Mr John Howard again leads the Liberal Party, so we have a bit to go on, and it also is a sign for Mr Kaine not to give up just yet. Reruns do occur. Mr Speaker, when John Howard was last Treasurer, when the Liberals lost office in 1983, there was just one Commonwealth building under construction in Canberra. That was Malcolm Fraser's new home for the Federal politicians, the house on the hill. What the Labor Party, both federally and locally, has sought to do is to establish a constant and regular capital works construction program in this Territory. That is what the Canberra construction industry wanted. In previous years we had many complaints, quite legitimate complaints, about the peaks and troughs in this important industry, and, both locally and federally, governments have sought to even out those peaks and troughs. What we have seen federally is a plan for new buildings and refurbishment of Commonwealth buildings in the ACT that maintains jobs now and well into the future.

The Commonwealth budget handed down on Tuesday night outlines the new programs for the coming year and the plans for the future. This gives the Canberra construction industry certainty for years ahead. The capital outlays in the ACT for 1995-96 include the following: The redevelopment of Defence at Russell will cost \$56m; \$13m will be spent on the refurbishment of Old Parliament House; and the same amount will be spent on the second stage of the Duntroon redevelopment. The NCPA will spend \$12.6m over the next three years on the redevelopment of Department of Defence facilities, and the restoration and maintenance of public facilities within the parliamentary zone. East Block will be upgraded, starting with an expenditure of \$3.5m in the coming year. Importantly, Mr Speaker, expenditure will also include plans for the future. Over \$1.5m will be spent on the design and documentation for the refurbishment of the Administrative Building in Parkes; \$700,000 will be spent to analyse the options for the future upgrade of Benjamin and Cameron Offices in Belconnen; and over \$3m will be spent on the plans for new offices in Barton for the Australian Federal Police and the Department of the Environment, Sport and Territories. So, the Federal Labor Government also delivers jobs for Canberra.

Some opposite may be quite cynical about this claim; but, again, Mr Speaker, I would refer members, including members of the Government, to the briefing that was provided to all MLAs by the current ACT Treasurer. This is Mrs Carnell's own document. It says:

In addition, there are a number of other minor capital works, bringing the total capital works for 1995-96 -

this is from the Commonwealth budget -

to \$106.7m, with a direct employment impact of over one thousand jobs.

That is not my analysis, Mr Speaker, but that of Mrs Carnell's own Treasury. That takes no account of the flow-on impact of those jobs directly in the construction industry.

If we are really concerned, Mr Speaker, about the ACT economy, what is clearly more important than the past is the future. Those opposite really do have far less to fear from the Labor Party than from their so-called allies. It is the Liberal Party who should give them the most cause for concern. I would ask them to recall the recent actions of their Liberal colleague Mr Kennett. Mr Kennett has taken the formula one grand prix from South Australia, the motorcycle grand prix from New South Wales, and Thomson Radar from the ACT. If you members opposite are concerned about jobs for our young people, I suggest that you be very wary of Liberal Party advisers who fly into town to help you and leave with the jobs that rightly belong to young people of the ACT.

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**Mr Connolly:** They will be after the Raiders next.

**MS FOLLETT:** As Mr Connolly rightly comments, they will be after the Raiders next, and who could blame them? What a prize! Mr Kennett cannot have laid eyes on them yet, or he would have put them alongside the formula one grand prix from South Australia and the motorcycle grand prix from New South Wales. I hope that he is not listening to my speech. Mr Speaker, as far as the Government's Liberal colleagues go, the best help I can give them is to repeat the advice that Mr Berry has previously given them - that is, as they leave the ACT, for heaven's sake, frisk them at the border.

**MRS CARNELL** (Chief Minister and Treasurer) (4.10): I rise to address the house on this matter of public importance very much aware of the job that my colleagues and I have in cleaning up the financial mess left by the previous Government.

**Ms Follett:** Get away - \$88m.

**MRS CARNELL:** We do not shirk that job. It is very unfortunate that Ms Follett cannot read documents; but anyway, that is, I suppose, just one of those things. Nor do we accept the blame for the legacy of the previous Government that claimed to be financially responsible and at the same time presided over what was a dramatic downturn in the local economy.

**Ms Follett:** Get away; that is untrue.

**MRS CARNELL:** We do know the difference, Ms Follett. More people now are moving out of the ACT than are moving in. Key industries are in a slump and government revenue is down, all because of the short-sighted and irresponsible policies of the previous Labor Government. That would be bad enough. On top of that, as my colleague Mr Kaine has pointed out, the previous Government could not even control its own budget - typified by the massive blow-out in Executive salaries and perks enjoyed by the former Ministers and their staff. With the sort of blow-out that we saw in the Executive budget, they certainly should be ashamed of themselves.

Thankfully, the people of Canberra were not fooled by the political and financial duplicity of the previous Government - a government that claimed to be good managers while they did nothing to reform the ACT public sector or attract to Canberra the businesses that are vital for the creation of new jobs. It is that short-sightedness that has now left the ACT Government facing not an \$80m surplus, Mr Speaker, but a \$275m increase in debt over the next four years if the previous Government's policies were to continue.

Mr Speaker, on Tuesday night we witnessed the Federal Labor Government bring down a budget that showed an artificial surplus of \$700m. That shows that it is not only Ms Follett who has artificial surpluses. How did they do it? They did it by selling off the farm. They have done a quick fix to cover up an \$8 billion hole in their budget.

That is what the underlying deficit is - more than \$8 billion once asset sales and increased debt repayment from the States are taken out. It is a cosmetic approach, highlighted by the fact that, despite expectations of a turnaround in the nation's trade performance, from a deficit to a surplus, and a budget supposedly targeted at improving the level of national savings, the Labor Party has still forecast an unchanged current account deficit of \$27 billion.

It is important to note, Mr Speaker, that the \$5.3 billion in asset sales is not in itself some windfall gain. It is false accounting to count the proceeds of sales without bringing to account at the same time the loss of future dividends and the increased leasing costs, which the budget papers, at least on the surface, fail to do. This is headline accounting and it is not good business sense. It is a fire sale to cover up a failure to address fundamental economic problems. That is not to say, Mr Speaker, that there are not some goodies in the Federal budget which, of course, my Government welcomes. It is good to see the maintenance of a healthy capital works program in Canberra.

But offsetting that positive stimulus to the ACT economy are measures that inevitably will hamper key industries. New revenue measures in the Federal budget are estimated at \$2.4 billion. These include a 3 per cent increase in the company tax rate from 33 per cent to 36 per cent. This increase is of concern as it will affect the profitability and capacity of ACT businesses to invest and to employ staff. This is at a time when job opportunities in the private sector are sorely needed, not just in the ACT but nationally. The sales tax applying to non-luxury motor vehicles has been raised from 16 per cent to 21 per cent. Mr Speaker, that will mean that the ordinary, everyday family car bought by Canberrans every day will go up by \$1,000. Home buyers and renovators will be slugged by a 12 per cent sales tax increase on building materials. This will raise the cost of building an average home by more than \$2,000, and the cost of something as simple as a kitchen renovation by some \$1,200. This is a major disincentive for home renovations, which really have been what has been keeping the Canberra building industry in business over the last few months. Mr Speaker, this comes at a particularly bad time for the ACT building industry, given the current slump in new housing developments and the trend towards renovations of existing properties.

We then come to the Medicare levy, which has been increased from 1.4 per cent to 1.5 per cent, raising \$230m. This will reduce disposable income and affect the consumption of goods and services. The Commonwealth has recognised the increasing cost of health services in their decision to raise the Medicare levy. However, no additional funding has been provided to States and Territories under the Medicare agreement, to improve hospital services or to reduce waiting lists. A mooted review of the Medicare arrangements may provide the ACT with increased certainty in funding, but no more than a possible marginal increase in funding is foreshadowed in the budget. The overall effect of these revenue measures, Mr Speaker, will simply be to reduce the capacity for investment and growth in jobs at a time when the ACT's biggest challenge is to attract more private business.

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Let me now discuss the outlays measures announced in the Federal budget. The total net outlays, offset by asset sales, are expected to increase by an estimated \$1.3 billion, which represents a real decline of 2.5 per cent over 1994-95. This includes a number of expenditure initiatives with a net cost of \$700m. The expenditure savings include a change in indexation arrangements for specific purpose payments to the States and Territories. This will definitely affect the ACT and it will come into effect on 1 July 1995, thereby saving the Commonwealth \$350m. This is a unilateral reduction of Commonwealth funding to States and Territories. It means, Mr Speaker, that the ACT, along with other State governments, will be forced to help fund the Labor Government's Federal budget. This decision is typical of the Commonwealth's heavy-handed approach to the States and Territories. It simply exacerbates the current problems that occur in the States and the Territories. In the ACT's case the net reduction in the total level of SPPs is estimated to be \$200,000 in 1995-96, rising to \$3.4m in 1998-99.

The Commonwealth Government has stuck by the old Labor stand-by, an efficiency dividend. Mr Kaine has spoken about this already. A 1.4 per cent efficiency dividend has been stripped from almost all Federal departments' running costs. This sort of across-the-board reduction has no regard for responsible budgeting and inevitably will cause, as I read this morning in the *Canberra Times*, quite dramatic job reductions. If you do not make sure that these sorts of reductions are focused in areas where efficiencies can be achieved, all you end up with is job reductions. It was interesting to note that the previous Chief Minister, Ms Follett, suggested yesterday that there would not be job reductions. She seems to be at odds with Mr Johns on this.

Mr Speaker, I noted during question time the Leader of the Opposition's interest in the corporatisation of ACTEW. There seems to be a bit of irony in this. The blinkered left-wing ideology of the ACT Labor Party has trenchantly opposed the corporatisation of ACTEW, despite the very clear benefits demonstrated right across Australia where government business enterprises have been corporatised. Corporatisation has allowed these enterprises to focus on customer service rather than bureaucratic processes. The Federal Government, a Labor government, has been corporatising government enterprises for 10 years. Indeed, as I mentioned earlier, this week's budget saw the Federal Labor Government not just corporatise but privatise important government assets, including selling off one of the Labor Party's great icons, the Commonwealth Bank. While the Labor Opposition, the people opposite, have been quick to condemn my Government for relatively minor plans to corporatise ACTEW, there has been a deafening silence on the plans of their Federal Labor colleagues to sell off \$5 billion worth of public assets. Where are the protests? Where is the outrage, Mr Speaker? I think it really says everything about this Labor Opposition. They simply have double standards.

**MR BERRY (4.21):** What it truly says, Mr Speaker, is that we were elected in the ACT and we focus on the Australian Capital Territory. We are focused on ensuring that a Liberal government does as little damage as is possible to the Australian Capital Territory. My colleague the Leader of the Opposition has outlined the great success story in the Federal Government, in particular in relation to the creation of jobs, the great success story in the ACT in relation to management of the economy, and the

great success story of the creation of jobs in the ACT. As a result of today's jobs figures, more good news flows to the Keating Government. They have demonstrated that, continually, unemployment is falling and, continually, employment figures are going up. This is all good news for the people of Australia under a Labor government.

**Mr Kaine:** That is why you are out, and that is why they will be out.

**MR BERRY:** These people opposite are not even good at picking the timing for this motion. What a day to pick - a day when the employment figures come out and they show employment going up and unemployment coming down.

**Mrs Carnell:** Where? Not in the ACT.

**Mr De Domenico:** Not in the ACT.

**MR BERRY:** Right across Australia. I thank the Liberal members opposite for interjecting and saying, "Not in the ACT". The situation in the ACT, Mr Speaker, is stable, except that it all stopped last February. Since February, Mr Speaker, the job ads in the ACT have fallen by 18 per cent. Since a Liberal government came to office job ads have fallen by 18 per cent. What we have to worry about is the outmonths. It is stable now, but down she goes while ever this Liberal Government opposite is involved in the sort of inactivity which has given rise to the plummeting business confidence out there in the community.

What business would not lack confidence when you have a look at the great achievements of this Government! What a great job they did at COAG! What a great job Mrs Carnell did at COAG! She got half the amount of support for the Territory that we got last year and, as well, she had to throw away some very important public land. Not only that; she threw away control over public land and at the same time guaranteed that we would bring it up to scratch for the Commonwealth. Take the Acton Peninsula. How much is it going - - -

**Mr Connolly:** That is what Mrs Carnell said: "Take the Acton Peninsula. Here you are".

**MR BERRY:** "Here you are". How much is it going to cost to clear the site? Nobody knows. How much is it going to cost to relocate all of the people on that site who now have to be relocated? Nobody knows. All of the unknowns.

Let us take a little tootle around the lake over to Kingston. What do we find there? We find a contaminated site. That is what we find. But how contaminated? We do not know. What we do know is that we have to fix it. How much is it going to cost? We do not know. All of these are unknowns. It is no wonder that business out there is becoming a little bit quiet on its development programs in the Territory. It is no wonder that business is not keen to advertise to employ, because we have a government that not only has absolutely botched the negotiations at COAG and cost this Territory millions; it also gave the Commonwealth, in weak negotiations, access to Territory funds because we are going to have to clean up the mess on both the Acton site and the Kingston site.

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The icing on the cake for the Liberals is the business sector out there waiting to see what the Liberals are going to do with their first budget. "Sorry; it is too hard; we cannot do it yet; we are going to have to wait a while." What are the local business men and women going to do in the face of that? Of course, they are going to sit pat and say, "We are not going to advertise to employ people, because we do not know what the future holds". They know that we have a government here with all sorts of rhetoric, very little noticeable substance, lots of question marks, and a few cover-ups; but they do not know what the outcomes are going to be. The end result is that the jobless here in the ACT are in more trouble. Job advertisements across this Territory have fallen 18 per cent, and the Liberals have the hide to call this a matter of public importance - "How two Labor Governments contrived to destroy the ACT economy". What that should read is, "How the Liberal Government, inside three months, has been able to frighten off business in the Territory and lead to a position where, in the outmonths from here on in, there are big questions about the employment opportunities in the Territory".

I repeat myself in relation to the Federal Government's performance. On any measure in terms of the performance on jobs we have this decline in unemployment and, of course, there is increasing employment.

**Mr De Domenico:** Tell us about the sale of the Commonwealth Bank.

**MR BERRY:** Mr De Domenico asked me what I thought about the Commonwealth Bank. I do not know whether he has noticed or not, but he has been there for a few months. The ACT Government does not own it. I am focused on what is going on in the ACT. I was elected in the ACT to represent ACT people. We are going to make sure that we continue to be focused on that issue.

I will go over those issues again. The first is the failed negotiations with the Commonwealth at COAG. It is no wonder that there are some dispirited business people out there, because they know that under a Labor government we were able to secure \$30m worth of assistance. Now there is only \$15m worth of assistance. They know that the money is going to have to come from somewhere. They would be saying to themselves, "Is it going to come from us by way of extra taxes?". In relation to Acton Peninsula, they know that Mrs Carnell has committed the ACT Government to millions of dollars to clear the site. They also know that all of the people who now occupy places on that site are going to have to find other spots. The ACT Government ought to pay for it, but we are not quite clear on whether they will or not. Nobody quite knows that. Nobody has balanced the books; so there is a big question mark in relation to that.

Again, let us go around to Kingston. What is going to happen to the relocated Commonwealth instrumentalities that are there now? Take the Government Printing Office. One assumes that in the scheme of things it will have to go somewhere else. We cannot hang their building on a skyhook. There has to be a space made available to them, and I bet the Commonwealth thinks that we will provide it. How much is that going to cost? Again I ask: How much is the clean-up going to cost? How much is the international competition going to cost? That is what business is saying.

We have a Liberal government which ought to be philosophically committed to building business confidence. But they are not. Since the Liberals have been elected there has been no sign of anything from this Government which would engender business confidence. I think it has shown up clearly in that one set of figures. The ANZ Bank figures show the plummeting of job opportunities in the ACT and the plummeting of business confidence. That is the natural constituency of the Liberal Party; but many of them would be shaking, for good reason.

**Mr Humphries:** Shaking with mirth.

**MR BERRY:** Mr Humphries interjects, "Shaking with mirth". Who would be laughing at an 18 per cent fall in job opportunities? Mr Humphries may well laugh at that; but I do not think any of his business constituents would, because they want to get on with the job. What they want to have in front of them is a government with strong leadership qualities, a government that is prepared to do - - -

**Mr Kaine:** They have it.

**Mr Hird:** That is what they have.

**MR BERRY:** They want a government that does not make mistake after mistake, because that is what has occurred in this case. Just look at the list of them that run along the beautiful foreshores of the lake - Acton Peninsula, Kingston, and every time Mrs Carnell goes anywhere near the Federal Government they snow her and she walks away with less than nothing. That, in fact, is what will occur. The \$15m worth of assistance that has been given to the Territory is quite likely to be soaked up by the commitments to clear up the sites which she has given control over to the Commonwealth.

**MR SPEAKER:** Order! The member's time has expired.

**MR BERRY:** This matter of public importance is merely a joke.

**MR HIRD (4.31):** The guru, the guru of business, has never been in, or has never had any involvement with, business, as I understand it; and he knows it all! He knows the magic and how business is going to operate. He has never been in business. Mr Speaker, I have in front of me the three wise monkeys. What we have had for 4½ years is the four non-productive monkeys.

**MR SPEAKER:** You certainly cannot incorporate them in *Hansard*.

**MR HIRD:** I will not try to, Mr Speaker; but let us go through this gobbledegook nonsense that we have just heard from Mr Berry and his colleague the former Chief Minister. The best Treasurer we have had so far is my colleague Mr Kaine. There is no doubt about that, because the record shows that we were in the black.

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Those opposite do not like it. We were in the black. The socialist people over there were running a red budget. It is their colour, and that was what they were running - a red budget. Let us go to an article in the *Canberra Times* on 9 May. The *Canberra Times* told them this: "Adding to Public Debt", "Overstated revenues - own sources", "Treasury estimates revenue shortfall of \$18m, most in own-source revenues. (Lease sales down \$6m. ACTEW dividend down \$5m)".

Let us talk about the you-beaut businesses that they were going to bring to the Territory; and we will talk about only the last 12 months. They have lost between \$70m and \$100m in business opportunities. They have had business opportunities and have turned their backs on them. Business enterprises have tried to come to this Territory, and those opposite have turned their backs on them. I will tell you something about Thomson Radar. Someone referred to Jeff Kennett "stealing the silver". Thomson Radar left us because that crew over there could not persuade themselves to make up their minds. Thomson Radar went to a progressive State government which gave them an indication that it would make a decision. This group sat on their hands, spent money and did absolutely nothing; and the Carnell Government has to clean it up. I tell you, Mr Speaker, that we will put it right.

Corporatisation is something that they seemed to turn their back on. If you are in the Federal Parliament you have a licence to do just that. What is corporatisation? Business continues to be owned by government but is run along commercial lines. They do not like things to be run along commercial lines; that is pretty evident. Because the business remains in government ownership, profits are paid to government in the form of dividends. Billions of taxpayers' dollars are invested in government enterprises. ACTEW's asset base is \$1,454m of taxpayers' money.

**Mr Kaine:** They would rather sell it off.

**MR HIRD:** They would rather sell it off. Taxpayers deserve a commercial return on this investment, and that can best be achieved by allowing the business to operate on commercial lines. That was one of the Carnell Government's promises. They go on with this nonsense - and I notice that, with the exception of Mr Connolly, all of them have left the chamber - - -

**Mr Connolly:** Someone has to sit through this nonsense.

**MR HIRD:** I know. Exposing the business to competition - which is a word that they do not know anything about or have not looked up in the dictionary - forces it to focus on the needs of the customer. A corporatised enterprise remains fully accountable to government - the shareholders - via a board.

What is the track record of corporatisation? I would draw your attention, Mr Speaker, to the track record of corporatisation in the Federal arena. It began in 1983. There is a myriad of organisations that the Federal Government moved to corporatise and has gone even further on. This Federal Government is a socialist Labor government.

**Mr Kaine:** Now they are flogging them off.

**MR HIRD:** Now they are flogging them off. But I will say this: Corporatisation does not mean, as has been said by those people across there, that the current employment arrangements for the staff will be denied and there will be unemployment. I know from my own employment past, when I worked in a statutory authority - the Canberra Commercial Development Authority, which was sold off promptly by the Labor Government in 1986 - that all staff currently employed by an enterprise will automatically be transferred to the corporatised business, with no reduction in pay or conditions. Corporatisation allows managers to manage. It provides the business with more flexibility in terms of pursuing new opportunities which generate more jobs, not fewer. It is quite clear that they do not understand that.

Let us talk about the Federal Government's budget last evening. They talk about spending on the Russell Offices, \$56m; the National Film and Sound Archive, \$11.6m; the Old Parliament House, \$5.2m; the AFP building, \$1.7m; and so on. They do not talk about spending anything on the Museum of Australia. They have been talking about it for a long time; but I notice that, once again, they have pushed it aside. They cannot bite the bullet at the Federal level and make a decision.

On that matter of expenditure, you will recall, Mr Speaker, the big hoo-ha from the national Government about the Foreign Affairs building - how it was going to create jobs and give employment for the unemployed in the ACT. This statement was made by the former Minister, Mrs Kelly, who is not well spoken of at the moment in the Labor camp, as I understand it. Mrs Kelly said that there would be a generous amount of employment.

**Mr Kaine:** Twelve hundred jobs.

**MR HIRD:** Yes; 1,200 jobs. In fact, most of the jobs went to people from interstate; they did not come from the ACT. I know that Margaret Reid will soon be Deputy President of the Senate. Congratulations. She will make history, I think, after the next Federal election. She will be the first female president of that chamber; and I congratulate her for that.

**Mr Kaine:** She will.

**MR HIRD:** Yes; I know that we are going to win. I heard someone - it may have been Mr Berry - say that employment levels were up as a result of this Commonwealth budget. It is not true. I have in my hand the ACT Treasury's Federal budget notes. Let us look at this. The budget papers indicate that the Commonwealth plans to reduce - guess what - staffing levels by 1,800 positions, or 1.4 per cent, in 1995-96. In particular - Mr Berry, I know that you are interested in these little matters - the Department of Employment, Education and Training will lose 700 positions.

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**Mr Berry:** Who will give me \$5? \$5? \$5? I have \$10 over here.

**MR HIRD:** I know that you are interested; I can hear you. Mr Speaker, I can hear him. The Department of Social Security will lose 900 positions. Every time that you get rid of one of these people, we in the private sector suffer. Well may you laugh about that; but we are concerned about the small operators. The Community and Public Sector Union bosses also predict 4,000 job losses. That is in the *Canberra Times* of today. It has just been brought to my attention by my good friend. This is an indication of how the Federal Government bags the ACT public service and the ACT.

I heard Mr Berry talk about enthusiasm. I have to put that to bed because there was no enthusiasm for the Commonwealth's budget. There has been enthusiasm from the business sector since the Carnell Government took the treasury bench. I know, as you know, Mr Speaker, that the Salvation Army appeal day is coming up very shortly. They say, "Thank God for the Salvos". Private enterprise is saying, "Thank God for the Liberal Government".

**MR SPEAKER:** Order! The time for the discussion has expired.

### **CHILDREN'S AND YOUTH SERVICES BUREAU - ESTABLISHMENT Ministerial Statement**

Debate resumed from 3 May 1995, on motion by **Mr Stefaniak:**

That the Assembly takes note of the paper.

**MS McRAE (4.41):** Thank you, Mr Speaker, for the opportunity to speak to Mr Stefaniak's statement on the creation of the Children's and Youth Services Bureau. This, Mr Stefaniak claims, is the fulfilment of an election promise; but all it serves to do is demonstrate how half-baked the promises were. He said that, in this new arrangement, the important relationship between services for children and young people and the Government's responsibility for education and families is given special recognition. On the face of it, that is just fine. But what about family services? What about the people who deal day to day with families and children in crisis situations; who deal with carers, foster parents and children who are wards of the state? We look at the administrative arrangements orders, and where are they? Not in the Children's and Youth Services Bureau, where they care about children and families; no, not at all. Where are they? They are with Housing.

Perhaps we can applaud the bringing together of eight different service organisations within government. It looks good until you look and see that there is no clear and definitive policy about the relationship to family services. The Minister says that having all services integrated in the new bureau will do away with overlapping and duplication but makes no mention of how the Children's and Youth Services Bureau will interact with and respond to the Housing and Family Services Bureau. There is no notion at all of how that duplication and overlapping are going to occur or not occur.

The Minister, in pointing out the ways that the new bureau will be able to deal with the issues affecting young people, mentions in passing his concern with the way that the previous Government dealt with youth services. I think the Minister should spell out just what he means here. He claims, by inference, that young people need services and programs which provide more opportunities for young people to be involved in sporting activities, including improved access by community groups to school facilities. That is fine; but what is the basis of this claim? What about the many young people who, for a range of reasons, cannot participate in sport? Are not their needs important? Is the Minister suggesting that only sport is a problem? What about drama, motor maintenance, chess playing, gardening, farming or debating? Are there really sufficient funds for these programs? What evidence can the Minister produce that sport is the only area that needs attention?

The Minister continues with this concern in regard to sport in schools, and again the same question must be asked: Why? Why sport above everything else that people love to spend their leisure time on? Maybe the Minister is justifiably proud of his notion of bringing together many previously separated services; but, in seeming to solve these problems, he has created new ones. Many of the points that I have touched on today illustrate the lack of analysis and thought that has gone into the changes being sought by the new Minister. I trust that some of my anxieties can be addressed and remain just anxieties, but I will not be satisfied by some vague generalisations. I would like to be assured that all the decisions that are made are soundly based on good analysis, evidence and research; not just personal experience and whims.

**MS TUCKER (4.45):** Mr Speaker, in discussing the new Children's and Youth Services Bureau, Mr Stefaniak repeatedly referred to the potential for better integration and coordination of services in the area of children's and youth policy. It is true that there could be better coordination of services in some areas, but it is difficult to see how simply restructuring the department will have this effect. No matter how government departments are structured, there will never be full integration unless there is the political and bureaucratic will to develop effective communication processes and a commitment to intersectoral action. The primary goal must be that service providers are assisted to do their job more effectively and consumers receive better services. It is about processes as much as structures. Regarding the new administrative arrangements more generally, it is important that an overall policy perspective is maintained on social policy issues. We will watch with interest the new Community Relations Branch in the Chief Minister's Department, to see how well it fulfils this role under its new brief.

The Minister's speech raised some interesting issues more generally on this Government's approach to policy development and consultation. Even though we keep hearing that the Government is committed to open and participative processes, people are concerned because of the radical changes in and restructuring of government departments that have taken place in the early days of this Government, with little or no consultation. The brief of the new bureau to create clear strategic directions for services, young people and their families raises questions about how the service providers and consumers will be involved in developing these strategies. Any decisions about strategic directions must be based on the needs of the target group.

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The children and youth of the ACT have a diverse range of needs. Government policy must be about not only maintaining services in existing areas but also identifying emerging areas of need. With the growth of the North Canberra area, there is a need for a youth centre of some sort in Gungahlin, particularly with recreation and sport facilities. There is also a real gap in service provision in programs for young people, over 12 years of age, with disabilities.

In the school system, there are identifiable needs in many areas, and quite urgent needs in counselling and student support and learning assistance. Many counsellors are already stretched to the limit, and many schools have a counsellor for only half a day a week. I presume that, when the Minister speaks of enhancing the role of counsellors, what he is talking about is increasing the funding to allow employment of more counsellors. There are also gaps in the learning recovery programs at schools. Self-esteem suffers in the long term if learning assistance services are not delivered early.

It is also the case that, for many young people at risk, their support networks are not based at school, and this must be considered when developing policy in this area. For example, there is a shortage in the crisis and medium-term accommodation for young people aged between 16 and 25. There may well be potential for removing inefficiencies and duplication of services and programs, particularly administrative duplications; but this cannot be at the expense of removing essential regional services, particularly in a city as spread out as Canberra. Many similar services do need to be duplicated in different areas to meet local demand. There is potential for innovation in the provision of services and the sharing of administrative burdens, but this cannot take place without extensive consultation with the service providers.

Housing is often a problem for young people in Canberra, and I am pleased that the Minister is undertaking to look at the long waiting lists for Housing Trust properties; but, like Ms McRae, I would like to know how he classifies the genuinely needy. I support many of the sentiments in Ms McRae's speech this morning on that issue. On the issue of housing more generally, the Greens hope that there is a broad range of input into the housing strategy and that it considers the impact of transport and the broad social implications of the built environment.

It is also essential that any redevelopment seek to make the Government housing stock as energy and water efficient as possible, for both environmental and social equity reasons. It is also an exciting opportunity to explore different types of housing that are focused on community development and are culturally appropriate to the needs of different groups in our society, involving them in the development process. The Community Housing Advisory Service of the ACT has provided an excellent contact point for people wishing to develop their own style of appropriate housing, and there are already some interesting examples.

I would like to take this opportunity to add my concern to that expressed by Ms McRae and Mr Moore about the autocratic tone of the Minister's speech on housing. This was also evident in the media coverage of a recently trashed house. Most tenants of Housing Trust properties do look after their properties well, and many people wait for long periods for essential maintenance. This sort of beat-up places a black mark against all tenants and feeds the public perception that people deliberately rip off the system. Also painfully lacking in the coverage was any compassion for the tenant.

**MR MOORE (4.50):** Mr Speaker, one of the reasons why I welcome most warmly the establishment of this bureau and congratulate its new director is that it seems to me that over the last four or five years that I have been a member of the Assembly one thing that has been apparent is that the youth services area is fragmented. I do not put that down to a deliberate action on the part of the previous Government. Perhaps there was a failure to try to get them together. There is a great challenge ahead to try to pull the youth sector together. In my dealings with this sector, it seems to me that there have always been areas of conflict. There has been a range of situations where the different parts of the youth sector often seem to be working at odds with each other, when really what was needed was to have them working together.

That applies particularly to the relationship between the youth sector, in general, and the schools, and how we operate the schools. So, it pleases me that the new bureau will come under the control of the Department of Education and Training. The Minister's speech has indicated that there will be a clear, strong relationship with the Education Department. For example, throughout his speech there are references to counsellors in school, youth counsellors and working together. It is that coordinated approach, that working together, that will help us to resolve some of those problems. It will also highlight some of the inadequacies in our schools. The particular area which is our biggest area of concern in our schooling system, I think most members would agree, is our high school system. It usually comes to light through the failure of people to cope. We tend then to put resources into dealing with the problems, instead of putting our resources into preventing the problems. That is a theme that I intend to pursue further, so that we can try to look at ensuring that we avoid the problems. When we avoid the problems, not only does it cost us a lot less but also it means that the emotional and personal costs to the individuals involved are much less. I must say that that would be my personal higher priority.

The Minister referred to the adolescent day unit; school systems for adolescents in crisis, such as the Dairy Flat program; and a range of other programs for what we commonly now refer to as children at risk. It seems to me that, if we put our efforts into ensuring in the very early stages - first, at primary school - that these children not only are coping but also are finding school interesting and that we have adequate resources to allow that, then we really do have the opportunity to try to resolve these problems before they occur.

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With those few words, I keenly welcome this ministerial statement on the establishment of the Children's and Youth Services Bureau. I hope that it will deliver what I think it has the potential to achieve. There are no short, quick-fix answers to this problem. I know that various Ministers, who were dealing with it previously, explored a range of different options in trying to resolve the problems. This is yet another way of exploring a series of options. I hope that this will be successful. I think it is important to recognise that there has not been ill will on anybody's part in this area; it is really now a matter of trying something fresh, trying something new; seeing whether it works; and, if it is working, then being prepared to take the next steps on some of the issues that were raised by Ms McRae in terms of what is not actually included, rather than letting it go.

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

## ADJOURNMENT

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

That the Assembly do now adjourn.

## Families

**MR OSBORNE** (4.56): Mr Speaker, I quote from the Federal Government's *An agenda for families*, which was released recently:

Families are the basic building blocks of our national life. They provide care like no government or any other agency ever can. They are the most important providers of education, health, welfare and personal development. Families nourish our potential, and nurture our individual and collective aspirations. They shape our character and pass on our values. They create a sense of belonging and continuity. They tell us who we are and what we might be. They teach us how to live with one another ...

The most important job of families is to care: to care for children, for spouses and partners, for siblings, parents, grandparents, grandchildren, for family members who are sick or who have a disability, and for family members who are aged and infirm.

I further quote:

Caring for family members is not only about their physical needs. It is also about their emotional and psychological needs. Caring includes handing on values and beliefs, family cultures and family histories including, in many cases, a sense of religious and ethnic identity. It is care and nurturing which ensures that society has citizens growing up to carry forward the social and moral responsibilities that come with our human dignity ...

While families vary in composition and characteristics, the essential tasks of families have not changed ... Our most basic values, beliefs and traditions are taught within the family from one generation to the next. This is why families are the fundamental building block of our society. We know that healthy families make a strong society.

I would like to commend these extracts from *An agenda for families* to members of the Legislative Assembly and to the people of Canberra.

I would like to add that an integral part of family caring is for members to honour one another. The opportunity is there for each of us in the ACT this coming Sunday, being Mother's Day, to give honour to all mothers. For the vast majority of us, our mothers have nurtured us since conception; and they continue to do so in many ways. I believe that it was well said by the noted writer Ellen Key that, "The mother is the most precious possession of the nation". I encourage all members of the Assembly and all people in the ACT to honour and love, and to give the honour and love due to, our mothers and wives this coming Sunday.

### **Families**

**MR MOORE** (4.58): Mr Speaker, I think Mr Osborne has very neatly set the tone of the adjournment debate, particularly as we approach Mother's Day. Certainly, most of us would like to share some of the sentiments that he has raised. He painted a very rosy picture of families and one to which no doubt we would aspire. I must say that my own experience of family life is that it goes up and down a great deal. Whilst we all aspire to and hope to achieve the sorts of things that Mr Osborne has raised, one of the things that have actually been helpful to me over the last few years is that somebody once gave me the definition of the normal family, and that definition is: Someone else's.

Sometimes it does help us to remember that life, by its nature, goes up and down. We are all aware of some of the social problems that come out of families that are not working in the way that we would like to see them work. I think it is appropriate for us to recall also that there are always situations which we have to take responsibility for where families are not working. What Mr Osborne raises is an ideal; it is an ideal for which we should strive. It has been an important issue to raise in this Assembly and an ideal one to raise just before Mother's Day. I would like to join with him in celebrating the joy of having our mothers as part and parcel of forming the way that we think and the way that we live.

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### **Families : Anniversary of First Assembly Sitting**

**MR HIRD** (5.00): I join with the two previous speakers in paying a tribute to families, and I also commend Mr Osborne for raising this matter.

The first matter that I wish to draw to the house's attention is the matter that you, Mr Speaker, raised at the start of today's proceedings: This is the sixth anniversary of the first sitting of the Legislative Assembly after self-government was granted in 1989.

Today is also a very joyous occasion for Fred and Bertha Hardy, who moved from Young to live in the village of Hall in 1960; and from there they moved to their current residence in Hackett. They had six children; they now have 11 grandchildren and six great grandchildren. Today is their sixtieth wedding anniversary. That needed to be said. Congratulations have already gone to them, but I think it should be recorded in *Hansard*. The family is a very important part of society, as my two learned colleagues indicated. Families are the backbone of society. We must take our place and be responsible for the actions not only of ourselves but also of families in society in general.

### **Emergency Ambulance Service**

**MR WHITECROSS** (5.02): Mr Speaker, I wanted to rise in the adjournment debate to allude to some matters that were raised earlier in the day's proceedings, in question time, when Mr Humphries, in answer to a question from Mr Kaine, alluded to an issue that I had raised with Mr Humphries of how 000 emergency calls were being handled. In the course of Mr Humphries's answer he indicated that the standard procedure in relation to a 000 call was that it would ring four times; then, if the first operator did not answer, it would ring another four times; and, if the second operator did not answer, it would be answered by the police. Mr Humphries went on to note that the police were unable to find a record of a call having been handled by the police along the lines that my constituent had indicated to me. I accept that the police may not be able to find a record of the call. I do not want to die in the ditch over whether or not the police have a record of the call, but the truth of the matter is that my constituent made the call. His story matches up exactly with the outline of the normal procedure which Mr Humphries explained to us earlier, that is, that the phone rang eight times and was answered by a police officer.

Mr Humphries then went on in the manner that Mr Connolly alluded to earlier in the week, in that he set up the proverbial straw person; that is, my raising of this issue was entirely an attack on the police force, and I should go down on my knees and apologise for having slurred them. In the process, he implied that my constituent had made up the story and had not been telling the truth. I think my constituent's story is very well borne out by what Mr Humphries has had to say. I am not interested in getting into a slanging match with Mr Humphries over the police records. The issue that I raised is that, if the police do answer a call after eight rings, they should have procedures in place to handle the call. Mr Humphries has not been able to explain those procedures to date in the house. The actual experience of my constituent was that he was simply told to phone again and try his luck a second time.

I feel that Mr Humphries needs to get beyond the business of whose version of the story you should believe and get to the substantive issue, which is that on this occasion, for whatever reason, this person got through to the police on a 000 call and was told, simply, to call again. A procedure should be there for handling these calls in a way which is more sympathetic to the emergency nature of the call and which is more efficient, by diverting the call through to either the ambulance number or somewhere else. That was my sole concern in relation to this issue. I encourage Mr Humphries now, as I encouraged him in the letter that I wrote to him earlier today, to take up that issue and to address those questions, rather than imply that my constituent, who had nothing to gain from this personally, made up the story.

**MR SPEAKER:** Mr Whitecross, I might make mention of *House of Representatives Practice*, page 554, under the heading "Debate". However, I will leave that to you. You might like to have a look at it.

### **Australia Remembers**

**MR STEFANIAK** (Minister for Education and Training) (5.06), in reply: I want to talk very briefly on the Australia Remembers proceedings over the last few weeks and commend all the people associated with them. It has been particularly effective and a lot of people have done a lot of work to make sure that we have had some very good spectacles and celebrations. The time tunnel which the Chief Minister recently opened has proved a huge success in terms of depicting what life was like back in the 1940s. I am delighted that, after I spoke to Con Sciacca at a function last Saturday, he agreed to keep it going for another week. It is particularly important that our young people, especially, can see what happened some 50 years ago.

One of the whole purposes of Australia Remembers is to commemorate the end of the worst conflict in world history in which some 55 million people lost their lives. Some time last week, Canberra commemorated the end of the war in Europe in which many Australians fought and died. It is very appropriate that we do not lose track of what Australia Remembers is all about; that is, to commemorate those Australians who lost their lives in defence of their homeland and in defence of freedom from two very great tyrannies - the Axis powers of Nazi Germany and fascist Italy. In our own theatre of war some 50 years ago, despite peace in Europe, we were still engaged in a life and death struggle with the Japanese empire, the very nasty regime of then imperialist Japan. I do not think we should lose track of what our people went through and the sacrifices made by previous generations of Australians during World War II. It is terribly appropriate that we, as Canberrans, remember that.

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I am delighted to see the response that Canberrans have given to the Australia Remembers commemorations. It has been an absolutely fantastic response at all the events. I am pleased to see posters up in so many institutions. I was at the CIT last night, and there were posters all over the student notice board and elsewhere. It was a truly great response from the people of Canberra, which I hope continues during this year, the fiftieth anniversary of the end of the war not only in Europe but later against Japan.

Question resolved in the affirmative.

**Assembly adjourned at 5.08 pm until Tuesday, 30 May 1995, at 10.30 am**

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