



DEBATES

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

HANSARD

24 May 1989

Wednesday, 24 May 1989

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Wednesday, 24 May 1989

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

VOTING - STATEMENT BY SPEAKER

MR SPEAKER: I wish to make a short statement to the Assembly concerning the voting rights and responsibilities of members. Standing order 160 provides:

When Members are in their places, the Speaker shall state the question and then direct the Clerk to call the Assembly. The Clerk shall then call the names of the Members in alphabetical order and each Member on being called shall signify "Aye" or "No" accordingly.

There is no provision in the standing orders for a member to abstain from voting once the question has been stated and the Clerk has begun to call the Assembly. Therefore, I would like to give a ruling that if a member chooses not to vote on a particular question that member must leave the chamber before the vote is begun. In this circumstance we would ask that the member move just to the visitors gallery and he may then return to his seat after the vote has been declared.

I would also like to draw members' attention to standing order 153 which provides:

When the Speaker states, on putting a question, that the "Ayes" or the "Noes" (as the case may be) have it, that opinion may be challenged by a Member requesting a call of the Assembly.

It is open to any member to challenge the opinion of the Chair on a vote by requesting a call of the Assembly at that time. I am asking that that be done as soon as possible after the call.

MOTION WITHOUT NOTICE

MR WHALAN (Deputy Chief Minister): Mr Speaker, I seek to move a motion to alter the routine of business so that questions without notice may be called on at 2.30 pm today.

MR SPEAKER: Is leave granted? Leave is not granted.

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Suspension of Standing Orders

Motion by **Mr Whalan** proposed:

That so much of the standing orders be suspended as would prevent the Deputy Chief Minister from moving a motion to alter the routine of business so that questions without notice may be called on at 2.30 pm today.

MR JENSEN: Mr Speaker, I move that the resumption of the debate be made an order of the day for the next day of sitting.

MR SPEAKER: The question that the standing orders be suspended is to be put forthwith without debate. The question is that the standing orders be suspended.

Question agreed to, with the concurrence of an absolute majority.

ROUTINE OF BUSINESS - QUESTIONS WITHOUT NOTICE

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

That, at this sitting, the routine of business as set out in standing order 74 be varied so that questions without notice can be called on at 2.30 pm by the Speaker interrupting the business then before the Assembly:

Provided that:

- (a) if a vote is in progress at the time fixed for interruption, that vote, and any vote consequent upon that vote, shall be completed and the result announced; and
- (b) the Speaker shall fix the time for the resumption of the debate on any business under discussion and not disposed of at the time of interruption.

MR COLLAERY: We are seeing not an erosion of the freedom of speech in this Assembly; we are just seeing an absolute collapse of established tenets of conducting debate in a democratic chamber. I shall not go back over past events, Mr Speaker, but it is clear to the Residents Rally that this move to put question time on at the same time as the question time is on across the lake creates problems for the media. That is one issue. The second thing is that this is political gamesmanship to defeat access early in the day by the media - and publicity, of course, as we all know in this Western democratic system, is the soul of justice. This is a tactical move to deflect business of this Assembly that will be uncomfortable to this Government, this minority Government, throughout this present sitting.

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The view of the Rally is that question time is one of the more essential democratic processes of an assembly. I would remind the Assembly of the comments made by the Federal Minister in introducing the self-government legislation to the House of Representatives, when he said that the proposed legislation creates a system in the ACT that "ensures that the residents of the Territory will be properly and effectively represented in the management of their affairs".

The Minister also referred to the creation of this chamber as a milestone in the democratic processes of this country. He said in his second reading speech on the Australian Capital Territory (Self-Government) Bill 1988 that this chamber will be unique to Australia, but this Territory - a city state - is also unique to Australia. The objective of any electoral system for a people's house is twofold - to accurately reflect the electoral wishes of the people in the composition of their government and, of great importance, to provide for stable government.

Mr Speaker, the Rally knows which way the vote will go again in this chamber. The Rally wishes to make clear to the members of the press and to the community at large in Australia that this landslide against community involvement stems from a misconception totally by the traditional parties in this chamber which believe that having government means that they can alter democratic processes.

The Rally entirely rejects a proposal to put this matter over until the afternoon if it gets on the paper. As the motion says, "provided that a vote is in progress" means that it is not necessarily to come on at 2.30; it could come on at any subsequent time subject to the business of the Assembly.

MR KAINE (Leader of the Opposition): Mr Speaker, I had understood that the intent of this motion was to set a fixed time of the day at which questions would normally be dealt with, which would allow the media to be here so that the matters raised could be reported to the community. I did not see behind it the kind of subterfuge that Mr Collaery is implying, but I am perfectly happy, and perhaps the mover of this motion is perfectly happy, that we define another time of the day - perhaps 11.30 in the morning or some other specific time - so that the media knows when question time will be conducted and so that they can be here if they so wish and can report the proceedings of those matters to the public.

So, if suspension of standing orders is agreed to and if we proceed to discuss the matter, I foreshadow that I will move an amendment that sets a different time of the day that will allow the media to be here.

Mr Moore: We are moving a substantive motion now.

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MR KAINE: I propose the following amendment:

Omit "2.30 pm", substitute "11.30 am".

MS FOLLETT: I would just like to speak briefly on this motion, if I may, and to make it quite clear that the intention of the Deputy Chief Minister's motion is merely in order to institute a regular time for question time to occur. With respect to the Leader of the Opposition's amendment, that cannot occur if we make the time 11.30 am because that would not be suitable on the day when we do not meet in the morning.

So, it is merely an attempt to try to regularise question time. I believe it can accommodate the requirements of the media and really it is an attempt to impose some certainty on to the proceedings of the Assembly. It is certainly in no way meant as a disruption of the democratic process. I think it is anything but that, and I find it quite an insult to this whole Assembly that it should be portrayed as such. It is merely an attempt to regularise the business, to impose some certainty on when question time is held, so that members can be ready with their questions and hopefully will be able to fill up a whole half hour of question time which they were not able to do yesterday.

MR KAINE: Mr Speaker, in view of the uncertainty of the intent and purpose of my amendment, I seek leave to withdraw it and leave it to somebody else to make a more suitable proposal.

MR SPEAKER: Leave is granted.

MR MOORE: Mr Speaker, we have consulted the media to try to get their opinion. It seems that they are actually quite capable of writing in their diaries the times of 2.30 on a Tuesday and 10.30 on a Wednesday and a Thursday. I do not perceive that the members to whom I spoke will have any difficulty with that and I think there is quite a reasonable certainty about having question time directly after prayers. I see no reason whatsoever for the sorts of arguments that the Chief Minister and the Deputy Chief Minister put forward. We attempted to use the appropriate method set out in the standing orders to give us a little more time to discuss it by adjournment, but this Assembly decided not to do that. I really believe that the way standing orders stand at the moment, with question time following prayers, is quite suitable for us and the media and that we ought to have no change.

Mr Kaine: You will have to put a motion forward to that effect.

MR MOORE: No. If we vote against this motion that achieves that.

MR WOOD: Mr Speaker, I do not think there is anything unusual or threatening about changing the standing orders.

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They have been drawn up in anticipation of events that could unfold in this chamber. They have been drawn up, I believe, very well by public officials but with the certainty that this Assembly will modify them. Yesterday, we established a committee which will, among other things, look at the standing orders of the Assembly. I expect that in a very short time that committee will be assessing the work, the benefit, of all our standing orders. I think we need to understand that in the first days of the Assembly, while we are getting matters established, the sorts of events that we have today will not need to occur. We will not need to have huddles here while we sit and wonder what will happen. The committee can do that, but we need to take some steps. We want a question time, and we need to take some steps now to see that the proper processes of the Assembly carry on while these procedures are being established.

MR JENSEN: I propose the following amendment:

That all words after "standing order 74" be omitted with a view to substituting the following words: "be retained until the matter is considered by the Standing Committee on Administration and Procedures".

MR WHALAN (Deputy Chief Minister): I wish to exercise the right of reply. I respond to both the amendment and the earlier discussion. Mr Speaker, it is absolutely outrageous for the Residents Rally people to suggest that this proposal does anything other than try to have consistency in the Assembly's deliberations. The purpose of setting the time at 2.30 was to give a certain consistency to the proceedings. To suggest that it was set in the afternoon to coincide, in some way, with the House of Representatives and Senate question times is quite extraordinary. To find some sinister motive there is quite extraordinary, and it is fairly typical of the paranoia that we have come to expect of these people over here.

Mr Collaery: On a point of order, Mr Speaker, I would very much like this type of language to leave the chamber. Yesterday we heard words such as "clown", "mania" and "paranoia". Clearly there is a tactic to attack me as Leader of the Rally. In being forthright, Mr Speaker, I do not believe that it is appropriate for my Christian name to be used in this chamber the way it was yesterday constantly by the Deputy Chief Minister and for him to use this expression "paranoia" this morning. The Rally has made a businesslike observation. The Rally is very, very defensive in this chamber at the moment, Mr Speaker - - -

MR SPEAKER: Mr Collaery, please make your point of order.

Mr Collaery: The point of order is that the member should be asked to withdraw the word "paranoia".

MR SPEAKER: I would ask that the language be civil. Deputy Chief Minister, would you withdraw the comment, please.

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MR WHALAN: I withdraw the reference to paranoia. I do not believe it is unparliamentary, quite frankly. I think it is quite an accurate medical description, but I withdraw it.

Mr Jensen: On a point of order, Mr Speaker, I would suggest that the member is making a qualified withdrawal and in fact is impinging on your authority as the Speaker in this place.

MR SPEAKER: Objection overruled.

MR WHALAN: Thank you, Mr Speaker. We would like to persevere with the motion that we have before the chamber at the moment, that we have question time at 2.30 this afternoon. At the same time, we undertake to discuss today with all the party leaders the question of an appropriate regular pattern of question time, with a view to trying to reach agreement on that. At this stage, we believe that it is best that today we go to that. The motion that I have moved relates only to today's proceedings. In that case, we would seek, during the day, to discuss it with the other parties and agree on a time that is acceptable to everybody. We would further amend the standing orders on that basis.

DR KINLOCH: Mr Speaker, I welcome that comment from the Deputy Chief Minister. I urge that in future there be consultation between the parties on matters like this before they get to the chamber. Clearly we want the very best arrangements. I can see the point in doing it today - that might solve the problem - and I would like to follow up on the thought that we now put it to a procedures committee to look at this matter.

Mr Whalan: On a point of order, Mr Speaker, and a point of clarification, I attempted, for three-quarters of an hour, to contact Mr Collaery. I asked one of his staff members to contact me. He declined to contact me. Eventually I contacted another member of the Rally and it was discussed. It was discussed with all the parties this morning, so I should like to make that quite clear.

Mr Jensen: Mr Speaker, I would like to give an explanation in relation to that. Yes, Mr Whalan did contact the Rally, but he did it 10 minutes before this Assembly was due to sit. Admittedly, he said he tried to contact us prior to that, but still to discuss it 10 minutes - even three-quarters of an hour - before the Assembly was due to sit, I suggest is inappropriate for a matter like this.

Mr Collaery: Mr Speaker, the reason that I was unable to respond to Mr Whalan's call is that the Rally is still running its business from two offices, having been denied proper facilities to date. Last night, Mr Speaker, I was on the - - -

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MR SPEAKER: Mr Collaery, I object to that.

Mr Collaery: Mr Speaker, I seek a point of clarification from the Deputy Chief Minister. Do the words "at this sitting" mean today or at the sitting of this Assembly?

MR SPEAKER: Today.

Mr Berry: I rise on a point of order, Mr Speaker. My understanding of the rules of debate in this place is that the right of reply closes off debate on the issue. Mr Whalan has exercised his right of reply and I believe that therefore the debate has been closed off.

MR SPEAKER: Your point is correct.

Mr Stevenson: On a point of order, Mr Speaker, would you please clarify whether there was another motion before the Assembly that was being spoken to by Mr Jensen?

MR SPEAKER: The ruling on the closure of debate is that we were debating the amendment, and the closure therefore would come from Mr Jensen, not from the Deputy Chief Minister.

MR MOORE: It seems, Mr Speaker, that we are prepared to allow this to go ahead just for today. I think the point that we are making most importantly is that we have standing orders with which we can work. Having these impromptu changes to standing orders is rather ludicrous. This sort of discussion could well go on in the appropriate committee, and should not have to be dealt with on the floor. That is really what this debate is about, and I believe that is what we should have in future. We have a set of standing orders with which we can operate until then. However, since this has been put, we ought to go ahead.

MR SPEAKER: Mr Jensen, would you repeat your amendment, please?

MR JENSEN: Mr Speaker, in view of the fact that it is proposed that this change be for today only and not for future sittings of this Assembly, in the interest of good government and getting on with the business of the day, I seek leave to withdraw my amendment.

MR SPEAKER: Leave is granted. The question is that the original motion be agreed to.

Question resolved in the affirmative.

ADJOURNMENT AND BUSINESS OF THE ASSEMBLY **Temporary Orders**

Debate resumed from 23 May, on motion by **Mr Whalan:**

That unless otherwise ordered, the following amendments to the standing orders be adopted for the remainder of this Assembly:

Standing order 34

Omit the standing order, insert the following standing order:

"Adjournment and next meeting

34. At 9.30 pm on each Tuesday and at 4 pm on each other sitting day, the Speaker shall propose the question - That the Assembly do now adjourn - which question shall be open to debate. No amendment may be moved to this question:

Provided that:

- (a) if a vote is in progress at the time fixed for interruption, that vote, and any vote consequent upon that vote, shall be completed and the result announced;
- (b) if, on the question - That the Assembly do now adjourn - being proposed, a Minister requires the question to be put forthwith without debate, the Speaker shall forthwith put the question;
- (c) a motion for the adjournment of the Assembly may be moved by a Minister at an earlier hour;
- (d) any business under discussion and not disposed of at the time of the adjournment shall be set down on the Notice Paper for the next sitting; and
- (e) if the question - That the Assembly do now adjourn - is negatived, the Assembly shall resume the proceedings at the point at which they had been interrupted:

Provided further that, if at 10 pm on each Tuesday, or at 4.30 pm on each other sitting day, the question before the Assembly is - That the Assembly do now adjourn - the Speaker shall interrupt the debate, at which time:

Minister may extend debate

- (f) a Minister may require that the debate be extended until 10.10 pm or 4.40 pm, as appropriate, to enable Ministers to speak in reply to matters raised in the preceding adjournment debate; at 10.10 pm or 4.40 pm, as appropriate, or upon the earlier cessation of the debate, the Speaker shall forthwith adjourn the Assembly until the time of its next meeting; or
- (g) if no action is taken by a Minister under paragraph (f), the Speaker shall forthwith adjourn the Assembly until the time of its next meeting."

Standing order 69(b)

After "terminating sitting" insert

"Whole debate 30 minutes".

Standing order 74

Add at the end thereof the following:

":Provided that at 2.30 pm on each Wednesday and Thursday the Speaker shall interrupt the business before the Assembly in order that questions without notice can be called on; and

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- (a) if a vote is in progress at the time fixed for interruption, that vote, and any vote consequent upon that vote, shall be completed and the result announced; and
- (b) the Speaker shall fix the time for the resumption of the debate on any business under discussion and not disposed of at the time of interruption."

Standing order 77

Omit "4.30 pm" substitute "2 hours after the time fixed for the meeting of the Assembly."

MR KAINE (Leader of the Opposition) (10.52): Mr Speaker, I moved yesterday that this matter be adjourned until today, simply because there appeared to be some complexities in the motion that was put forward and because it was clear that some people in the Assembly did not quite understand what was intended by it. It seems to me, having looked at it overnight, that it is a fairly straightforward amendment in that it would set specific times of each sitting day on which the Assembly would normally automatically adjourn unless otherwise moved. It seems to me to be a sensible provision that at a certain time of the day the Speaker should propose the adjournment motion. If the Assembly does not agree with it, it can vote accordingly and the proceedings can continue for another half hour, as I understand these proposals. Even then, at the end of that extended period, if a Minister has cause to seek further debate he may seek it. It seems to me, Mr Speaker, to be a sensible amendment, which I support.

MR COLLAERY (10.53): We agree with Mr Kaine, and we think the amendment is suitable for the Assembly as it now stands.

Question resolved in the affirmative.

EXECUTIVE'S OBJECTIVES AND PROGRAM **Ministerial Statement**

Debate resumed from 11 May, on motion by **Mr Whalan**:

That the Assembly takes note of the following paper:

Executive's objectives and program -
Ministerial statement, 11 May 1989

MR KAINE (Leader of the Opposition) (10.54): Mr Speaker, in the address of the Chief Minister on 11 May 1989, she outlined the objectives of the Labor-No Self Government Party coalition Government. There is much in that statement of objectives with which the ACT Liberal Party in opposition can agree in principle. Concepts of justice and economic security for all; individual liberty in terms of freedom of speech, education, assembly, organisation and religion; and compassion and tolerance amongst members of

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the community are fundamental to liberalism. The Labor Party does not have exclusive ownership of such ideals.

We support unreservedly the proposition that the disadvantaged in our community must receive our support and assistance, whether that disability arises from age, economic circumstance, race, sex or physical or mental disability.

We are agreed that environmental issues should be at the top of the Government's priority list rather than at the bottom. Pollution and degradation of our world from whatever source must be vigorously resisted, and wilful assaults on the environment must be dealt with quickly and efficiently. Appropriate legislation must be enacted without delay.

Education must be maintained at the present level of excellence. The Government must build on the good foundations of our education system to create an environment where high standards and excellence are the primary objectives.

The Opposition in particular will be pressing to ensure that tertiary education in the ACT is maintained at its present high standard. The amalgamation of the ANU and CCAE is the biggest issue in that regard, and the Government should be aware that the Opposition will need considerably more evidence than has hitherto been available to persuade it that the amalgamation should proceed.

This Assembly will need to devote urgent attention to the crisis in our health system. There are problems in almost every area from a top-heavy bureaucracy, to poor industrial relations, to inefficient organisation of health resources and facilities. The cost of health care in Canberra is unacceptably high; it is a priority of the Liberal Opposition to ensure that this does not remain the case. There is no doubt that Mr Berry has one of the most pressing tasks on his hands, because an improved health delivery system is probably the most urgent current need for this community.

But merely to say that such objectives have the support of the Liberal Party in opposition is inadequate. We have an agenda too, and we will work diligently towards the achievement of our objectives whether in opposition or, later, in government.

One of the first objectives of the parliament clearly must be to establish a sound economic and financial base. This is a difficult task given our lack of natural resources. It has been exacerbated by the Commonwealth Government's renegeing already on previously unequivocal commitments to our funding. This, presumably, will be the case during the following three years, in respect of which Commonwealth guarantees were given but which we should now expect will not be honoured.

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We must achieve growth in the private sector as the only source of increasing revenues and increasing job opportunities. A major contribution by government to this required economic growth can and must be to provide a stable economic and financial climate, to permit the making of business and investment decisions with some degree of certainty in terms of the intentions of government. Negative incentives such as threats of increasing tax revenues from the existing business base are counter-productive and will inevitably lead to decisions not to expand on the part of existing businesses, and will dissuade new businesses from setting up in Canberra.

Tourism, of course, will play a major role in this economic development. The Canberra region must compete with other tourist destinations and it can only do so with the support of government through the revitalised Tourism Commission.

Proposals to set up publicly funded enterprises in competition with the private sector will also need to be reconsidered by the Government. There is no lack of evidence to show that publicly funded enterprises do not compete effectively and result in an increased cost burden to taxpayers - that is, tax increases will result in the longer term to prop them up.

Similarly, whilst occupational health and safety legislation is needed, it must be balanced and relate to purely health and safety issues. Legislation that unreasonably increases union power in the Territory relative to employers will be a further disincentive to business, both large and small, and will have an adverse effect on Canberra's economy.

The outcome of the ACT election and strong public sentiment generally show that the Government must place environmental issues high on the priority list. Maintenance, and even enhancement, of our habitat is demanded. Action must be taken to provide adequate legislation to ensure the preservation and regeneration of our forests, the maintenance of the general amenity of Canberra deriving from our open-space planning, the preservation of our heritage assets, the transportation, use and disposal of hazardous and toxic materials, and disposal, generally, and recycling where possible, of all waste products. It is clear that no time must be lost in addressing these and other associated matters, and I note that Mr Wood raised this question in question time yesterday.

Closely associated with these environmental issues is that of the continuing growth of the City of Canberra and the problems that flow from that growth - such matters as the proper and controlled planning of the city centre, the dispersal of business and commercial activity across the regions of Belconnen, North and South Canberra, Woden, Weston and Tuggeranong, the construction of supporting road networks, urban redevelopment and further expansion into

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Gungahlin. All of these must be addressed, and the city plan must be developed quickly.

I know there are those who do not wish to see Canberra grow. Unfortunately, Canberra could not be retained as it was in 1969 or 1979, nor can it be frozen as it is in 1989, much as we may wish it to be so. Our task is to ensure that the future growth of Canberra is properly planned, as past growth generally has been, and that development is controlled, orderly and acceptable. We have a responsibility not only to ourselves but also to the entire Australian community to retain standards appropriate to the national capital and seat of government. We must balance the needs and aspirations of this community with those of the wider one.

The ACT Liberals are sensitive to these requirements and will work for beneficial growth. The ACT Liberals are also mindful of the ever-increasing level of crime in Canberra. Legislation is needed to increase police powers in certain areas to enable police to do their job effectively. The rights of victims need to be considered and the effect of crimes on victims should be brought to the notice of the courts. The question of adequacy of sentencing needs review, as does the question of the physical staffing requirements of the ACT Supreme Court and the Magistrates Court.

In short, the Liberals in opposition will work assiduously for the maintenance and enhancement of the physical, economic and social well-being of this community.

The minority Labor-No Self Government Party coalition Government will find us to be an aggressive opposition. We will use question time fully to ensure that Ministers are accountable through this Assembly to the people. We will debate and question all legislation brought to the Assembly by the Government and will permit no excessive measures to pass. Legislation favouring any one sectional interest at the expense of another can be expected to have a difficult passage. Moderation must be the Government's guide. We will seek, while in opposition, to sponsor those parts of our policy agenda which we would expect a reasonable government to accept.

As with any opposition in any parliament, we will seek to secure the government benches. To achieve this, over time, we will seek to discuss, despite yesterday's events, with other opposition parties those differences of policy and philosophy which currently separate us. Our aim will be to replace this minority Labor Government with a strong majority government welding together the strengths and talents of all the parties represented here who are willing to participate. When that is achieved we will invite Labor in opposition to join with us in an all-party cooperative type of government, as I have previously advocated, appropriate to the special circumstances of Canberra and the ACT.

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These are our aims, and we will pursue them with vigour and determination.

MR BERRY: Mr Speaker ---

MR SPEAKER: Mr Collaery has the call.

MR COLLAERY (11.03): I respect Mr Berry's keenness to be on call at the shortest possible notice, but he is not fighting a fire today.

The purpose, as I see it, of my response to this Assembly and to the people of Canberra is to look at the historic opening address that Chief Minister Rosemary Follett gave to the people of Canberra on 11 May and to comment on that address. The Rally does not propose to run through its policies and its agenda, in theory.

What the Rally proposes to do is to see how it can work in a stable Assembly with this minority Government. The first statements of the Chief Minister were that the principles of her Government were:

to develop a community based on social justice and economic security, a community which provides for the broadest possible individual liberty in terms of freedom of speech, education, assembly, organisation and religion; a compassionate, tolerant community which recognises and rejoices in our diversity.

The Rally joins with the Chief Minister in aspiring to achieve those goals in this Assembly. The Rally also endorses the call by the Chief Minister to operate her party in this Assembly and in its government of this Territory on an open and accountable basis responsive to community priorities and accessible to the people.

The Rally trusts that the Chief Minister will establish new consultative mechanisms and reinforce existing mechanisms. The Rally acknowledges that the Chief Minister has a heavy burden and an equally heavy custodianship in this historic Assembly in ensuring that the Government starts off as stable, honest, with a great deal of integrity among those who govern from this chamber, those who serve government and the community groups who will contribute to this community accountable Government.

The Chief Minister went on to state that she will abide by her election commitment to extend the openness of government and that this will be achieved through a broad community involvement. The Rally is pleased to note from discussions with the Minister for other matters, including housing, last night that the Rally will be involved at a close level in the urgently required housing review matters of this Territory.

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Those housing review matters must extend from public to private housing issues, from interest rates to the subsidies and the emergency housing routines of this Territory. That inquiry is a matter of priority, and the Rally is pleased to note that Mrs Grassby has already set a consultative mechanism afoot in that area.

The Rally is here in government because it rejects power and ideology as the basis for governments of any democratic body. The Rally, for example, rejects tedious arguments about occupational health legislation as relating to ideological issues to do with trade unionism on one hand and the preservation of capital on the other.

The Rally sees that legislation, which is lacking in this Territory and which is present throughout the rest of Australia, as a priority in government. The Rally also acknowledges the reasonable concerns of small business with respect to the impact of the occupational health and safety legislation which the Chief Minister has indicated is a priority. The Rally is consulting with small business and, as the election process showed, has considerable support within the retailing sector of this city.

Moving to economic issues alluded to in the Chief Minister's speech, the Rally believes that Canberra cannot continue to be a concession city. It is not a preferential place to live and the poor press which this Assembly, this electoral process, found nationally must be dispensed with by active, cooperative work of the kind mentioned by the Liberal leader, Mr Kaine, in his address.

The Rally endorses calls for the properly planned development of the Australian Capital Territory. The Rally was one of the first political parties in this Territory to endorse the very fast train project, as it does at this time as well. The Rally endorses full and active review of the Canberra tourist bureau's activities and wishes to see tourism made a major, clean industry of the Territory.

The Rally has no objection to the development of high technology industries in this Territory. It believes, contrary to some expressions, that there may well be the capacity to make direct grants to high technology industry based groups that wish to come to this Territory and that if we can avoid the smokestacking of this Territory we will be doing a single practical service to environmental issues that affect us all. We heard that the inversion problem in this Territory is becoming serious and that there will be continuing issues to do with the climate of the ACT. The Rally looks to an innovative and active allocation of funds for research and development in the environmental area of the ACT to ensure, for example, that catalytic conversion of smoke flue wastes in this Territory, which are largely unattended to, scandalously unattended to, are attended to as a matter of priority with the assistance of groups from possibly the United Kingdom and Scandinavia.

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The Rally is very concerned about the problems of housing and, in particular, homeless youth. We welcome the reprioritisation of funding within the ACT Housing Trust to ensure that homeless youth are not out on the streets in this city at 1.00, 2.00 and 3.00 am and then double-bunking at the Ainslie Hostel and other areas whilst rather prissy amendments and conversions are going on to existing government housing projects.

The Rally believes that justice must direct the Chief Minister in all that she does in this Territory. The Rally believes and supports the call for equal opportunity legislation for women in particular in this Territory. There are profound problems for women in the Territory, stemming from the Y-plan, meaning that many women who are house-bound, particularly in Tuggeranong and the outer reaches of Belconnen, are unable to find part-time work in this city. Planning is directly related to the position of women in this Territory, and planning must reflect this. The Rally has considerable compunctions about the Gungahlin proposal on that basis alone, of the position of women in this Territory.

The Rally, as I said again, Mr Speaker, wishes to retain the leasehold system in the Territory and is devoted to ensuring that there is, to the extent that it can be achieved, an accountable government, a government that allows accountability in all of its modes, including the criminal law. The criminal law, as my colleague and, hopefully I will be able to say in future, my friend, the Liberal leader Mr Kaine has said, needs amendment. The Magistrates Court is scandalously overworked. Urgent attention needs to be given by this Government to the staffing and facilities of the Canberra Magistrates Court.

The Rally is concerned about a number of prime issues in this Territory. It is concerned to see that we do not have in this Territory organised crime at a national level, and it will work, as one of its planks, to oppose the introduction of a casino in this Territory until problems relating to organised crime are fully investigated and resolved to the satisfaction of the majority of the people of the ACT, expressed hopefully through a referendum.

The Rally looks to the continuing comfort and security of the people of the ACT from our economic base. It looks to a very strong performance from the Chief Minister in financial negotiations with the Commonwealth, particularly to do with issues affecting the interest and economic consumer price index base of this Territory.

The Rally is well aware that retailing in the ACT is reaching a crisis point. One strong reason that retailing is in crisis in this Territory, Mr Speaker, is the rental base in this Territory. In this chamber, at another time, the Rally will be making considered suggestions for protection for commercial tenants in this Territory. The Chief Minister alluded in her address to protection for

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tenants. The Rally simply wishes to give a mild rebuke there and point out that tenants needing protection are not simply those in residential cottages; they are the people who work extremely long hours in retailing in this Territory, who at the moment are being strangled to a great extent by very high rents.

Finally, Mr Speaker, the proposals by the Rally in this Assembly will always be directed towards the community voice. The Rally undertakes to come to this Assembly to reflect what the community is saying to it, and it will spend its days when it is not in this Assembly with community groups, working to reflect their aspirations.

MR DUBY (11.13): Before I comment, I must address the remarks made by Mr Kaine regarding a supposed Labor-No Self Government coalition, which is clearly incorrect. I remind him that it was the No Self Government Party that participated in voting him to be the Leader of the Opposition to this Government. I would like him to remember that in future.

Mr Speaker, I take this opportunity to congratulate formally Ms Follett on her elevation to the position of Chief Minister of the Australian Capital Territory. I think it is especially fitting that, given the pioneering nature of the type of government that this Territory is about to receive, taking into account the political make-up of this Assembly, new ground has been broken here in Canberra with the election of a woman Chief Minister. It is a good thing for this Territory in particular and the Australian political scene in general. I wish her well.

I and the other members of my party are members of this Assembly today because we represent a large proportion of the electors of Canberra who hold grave doubts as to the necessity at all for this chamber. Many, many people in the community have said that self-government, as set up under our enacting legislation, is simply not necessary.

When one looks at the lifestyle enjoyed by Canberrans today, it is not hard to understand why this feeling should be so prevalent. After 75 years of administration by the Commonwealth Government, Canberra is the showplace of the nation. Its citizens enjoy the highest standards of living in Australia. By all measures of social well-being, the Australian Capital Territory excels.

My party campaigned vigorously throughout the election on these incontrovertible facts. We felt that the old Australian adage "When you're on a good thing stick to it" particularly applied here, and we feel that, had the majority of Canberrans voted as their hearts dictated, we would now be in the position of negotiating with the Commonwealth Government over the repeal of the self-government legislation.

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Such, however, was not the case. More electors voted in favour of candidates who supported the concept of self-government than those who did not. We accept that. Nevertheless, this does not mean that we can wash our hands of the matter. We have been charged by that large slice of the electorate that supported us to ensure now that the Canberra way of life does not deteriorate. Put simply as a rule of thumb, we are here to ensure that Canberrans do not end up paying more for less.

With this in mind, the statement made by the Chief Minister regarding the nature of her Government and its objectives is reassuring in that it would appear that her Government also shares these concerns. I do not intend to comment on the Government's policy directions. My party has no mandate from its supporters either to support or oppose this Government in those matters.

I can state, however, that my party has been charged to work to provide stable, responsible and responsive government in the best interests of the people of the ACT. I here give my assurance to all members of this Assembly that we will not falter from this course. Our primary concern is that of the interests of the citizens of the Australian Capital Territory. I can only hope that this concern is shared by all members of this Assembly.

Accordingly, I say to the Chief Minister and other members of the Government: legislate, decide, but do not forget your obligation, not only to those members of the community who supported you but also to all members of the community, and that is to consult and advise. I dare say that, given the political make-up of this Assembly, you will have little opportunity to do otherwise.

MRS GRASSBY (Minister for Housing and Urban Services) (11.17): I rise to speak on my portfolio, Housing and Urban Affairs. I am pleased to have the opportunity to outline the Government's intentions within my area of responsibility.

This Government is committed to maintaining and improving the quality of life that we enjoy. We will pay particular attention to the links between people and their physical and social environment. There will be a focus on such areas as housing, parks, conservation, pollution control, waste management, animal welfare, cultural events and facilities, public transport and parking, and road safety.

Housing is a top priority for this Government. The Chief Minister has already announced that there will be a broad-ranging review of ACT housing policy. The terms of reference will be announced shortly. I thank Mr Collaery and Mr Jensen who talked to us about it last night, and I understand I am talking to the Liberal Party and the No Self Government Party on housing today. I thank them for their input into this.

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I must however, at this time, emphasise our commitment to public housing, which in the ACT has traditionally played a very important role in the development of Canberra and in the housing of much of its population. Under this Government, public housing will continue to play such a role. I am very keen to ensure that the substantial development in the areas of public housing arising from talks on the Commonwealth-State Housing Agreement is to continue and that the ACT remains at the forefront of public housing delivery in Australia.

In the development of new or expanded housing services there must be consultative arrangements to ensure that residents have a proper input into decisions of this Government.

These - there are other issues - will be covered in the review. Delays in the approval of the building plans and the inspection of work can add to the housing costs and we have an obligation to ensure that the Government's necessary role in the supervision of building is handled efficiently.

The Building Section recently adopted a new procedure to reduce the time taken to approve plans for houses. This was very welcome, but it is also important that delays in inspections be reduced. I have asked that priority be given to a review of inspection procedures, which will be carried out in consultation with the industry.

Conservation of our wonderful parks system is also an important priority of this Government, and we will make sure that urban open space is protected and that the system of national parks and nature reserves in the ACT is enhanced. The policy plans prepared by the NCDC still provide some protection for open space, but these areas also need to be protected through the National Capital Plan and the complementary Territory Plan.

The ACT Parks and Conservation Service will continue to prepare management plans for open space areas in rural and urban parts of the ACT. These will define management objectives, priorities and standards and also outline the proposals for preservation of areas. They will be prepared with extensive community participation.

We will also adopt proposals for the gazettal of additional areas under the Nature Conservation Act. At present, statutory protection under the Nature Conservation Act is provided only to Namadgi National Park. Proposals for four significant new nature reserves in the Murrumbidgee River corridor and at Jerrabomberra wetlands are being finalised following community consultation. The Tidbinbilla Nature Reserve is also to be re-gazetted under the Act because of its great value to conservation and environment education.

Proposals to reserve parts of Canberra Nature Park will be the subject of extensive community talks later this year as

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part of the management planning process. We will consider proposals for the possible extension of Namadgi National Park to the north. Any additions will need to be consistent with the National Capital Plan. The aim would be to provide increased protection to the significant environments in the northern Cotter catchment, the Gibraltar Range and the Blue Gum Creek-Mount Tennant areas.

No native forests will be cleared for establishment of pine plantations in the ACT. Any new plantations to be developed will be in marginal farmlands and other areas already cleared of forests. Strong action is needed to ensure that the quality of the environment for our residents and visitors is maintained and improved. Our waterways, particularly the Murrumbidgee River, can be polluted by urban run-off. Good work has already been done in controlling run-off at the subdivision stage, but it is also necessary to control the soil loss from individual building sites. This is being pursued.

I noted yesterday my intention to bring forward legislation to control pesticides and other hazardous chemicals and to ensure their safe disposal. The ACT is the only place in Australia without these controls. These chemicals can pose serious risks to the health of workers who handle them and members of the general community who may be exposed to them.

The effective disposal of clinical waste from hospitals and doctors and veterinary surgeries has been a problem for some time. We cannot have a situation where potentially dangerous materials, including needles, end up on public tips.

The risks to the public and workers are simply unacceptable, and I will be pressing ahead with legislation to control the disposal of such waste, with severe penalties for breaches.

The new legislation, allied to the existing Dangerous Goods Act, will ensure that dangerous materials are labelled, handled, stored, transported and disposed of properly. Air and water pollution legislation has been in place for some time now and, while the legislation has generally been effective, experience has shown that it can be improved. I will be bringing forward proposals to make the Water Pollution Act more efficient and to provide for the issue of pollution abatement notices under both Acts.

On the other hand, the Noise Control Act has been in place for less than a year, and it will be reviewed after 12 months of operation. The recycling of materials is particularly important for maintaining our environmental standards. There is considerable scope for recycling paper, glass, metal and oil, and I will be examining ways of increasing the proportion of these materials which are recycled. I should also remind members of the Chief Minister's commitment to investigate the use by the ACT Administration of recycled and unbleached paper products.

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Floriade will become an annual event and be enlarged as a focus for a spring festival in Canberra. Private sponsorship is being sought to stage this horticultural, entertainment and cultural event in Commonwealth Park. Last year Floriade attracted more than 100,000 people, and it is expected to be an even greater drawcard for both residents and tourists this year.

We will begin immediately to formulate an integrated transport strategy which will assess the ACT's future needs. This will be done with full public consultation. My department will be reviewing arrangements for traffic and public transport access to ensure that Civic can play its proper role as the main centre for business, retailing, culture and recreation so that its full potential is realised. We will examine ways to encourage car pooling and environmentally clean forms of public transport.

A good public transport system is important, and we are committed to the continued operation of ACTION. Bus services to new suburbs, especially into the Tuggeranong Valley, will be provided as needed. On Monday of this week new services commenced into the suburb of Theodore, and others will follow. The opening of stage 1 of the Tuggeranong bus depot in August, plus stage 2 of the depot and the town centre bus station in the middle of next year, will allow ACTION to support better all proposed developments in Tuggeranong. There is a need for services to operate on an express basis from the suburbs to Civic, and city express services will commence in the first half of next year.

Canberra has a relatively good road safety record. This is due in part to our road system. However, the attitudes of the users of our roads play a very important role. I will be giving particular emphasis to road safety education in our schools. I have asked my department to ensure that students from kindergarten to year 10 are included in road safety programs. Bicycle and rider training is important for younger children, and I have asked that the possibility of running courses on driving for students in year 10 be examined.

I also intend to look at ways of improving the skill of drivers and motorcycle riders, and I have asked for proposals for motorcycle rider training courses which would be compulsory before learners received permits. We will consider a new system of graduated licensing for drivers and riders along the lines adopted in some States, with the aim of providing our young people with more experience under the supervision of older drivers.

Good access to and from the ACT is important to the development of our tourism industry and for the convenience and safety of our residents. We will initiate early discussions with the NSW Government about the condition of access roads to the ACT, particularly the King's Highway to the coast.

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The proposals which I have outlined are aimed at protecting the quality of life that we enjoy and providing in a better way for those in need. We will work to ensure that Canberra remains a wonderful and healthy place in which to live. We are a caring government committed to consultation with the community. Accordingly I will give high priority to involving the public in the development of proposals for change. Also I will be asking the people on the other benches for their opinion before any of these decisions are made.

MR HUMPHRIES (11.27): I will try to make my speech a little more measured and slower than the Minister's speech, but I have more time for that, I think. I have not given as much care to the preparation as she obviously has. I thank you, Mr Speaker, first of all for designating these speeches in reply to the Chief Minister's address as being in the nature of maiden speeches. We have heard a lot in the last 24 hours about parliamentary traditions, and this of course is one of the more important traditions in British parliamentary democracies.

It is an opportunity for new members to state their personal approach to the task of government or opposition, depending on where they find themselves, and also to put on record their thanks to those who have contributed to their election. I intend to employ those traditions in that fashion. There are other traditions, of course, surrounding the making of maiden speeches. One is that it is the first speech that one makes in the parliament. That of course is a tradition that has gone by the board since, for reasons of administration, we have all had to make speeches of one kind or another so far. It is also principally a speech which is heard without interruption, and I hope I do not give any cause for interruption in the course of this address, but if I do I hope members will restrain themselves.

I am not sure how old the particular tradition is that members be heard without interruption during their maiden speeches. I recall that Benjamin Disraeli made his main speech in the first half of the last century and was greeted, at that time, by sustained interjections and even derision on the part of the other members of the House of Commons. The story, as I am sure members have probably heard before, was that he waited quite some time before making his next speech in the House of Commons. When he chose to make that next speech it was on an extremely dry topic and he was heard - surprise, surprise - in complete reverential silence. I think that politicians with a sense of shame are a dead race. I cannot imagine anything similar to that happening in any of today's parliaments.

I want to outline, Mr Speaker, what I see as the task ahead, not just for me, but also for all the members of this Assembly, and that is, first of all, to be salesmen and saleswomen for our parties and their philosophies. It

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is a very real exercise. We forget the importance of that at our peril. I have come to the conclusion - it was not my original conclusion, but certainly it is now - that pragmatism in politics is not the prescription for long life. We are all missionaries for our vision of society, but something more than just being that is required.

We, in this Assembly, have a need to justify our existence here. The two smaller parties in this Assembly, I am sure, would agree volubly and probably members of the other parties here would agree privately - some more reluctantly - that the people of Canberra are far from convinced at this stage that self-government is necessary for the ACT. That, above all, defines our task in the coming three years. We are, in many people's eyes, not welcome to the privileges and the status of office that we occupy because the benefits to Canberra and Canberrans have not yet been well demonstrated and, at least to the satisfaction of most, that remains to happen.

So we are missionaries, not just for our political philosophies but also very much as advocates for the case for self-government. I believe there are benefits for self-rule. It is up to all of us to demonstrate clearly, articulately and frequently that it is the case. There is some hope in the address from the Chief Minister that it will be possible, that the Government's approach is one that will attempt at least to do that. But I think that the Government will need to go further than merely implementing Labor Party programs.

All Canberrans, including those who voted for anti-self-government parties, will need to feel that they are gaining some benefits from the new arrangements. All parties during the recent - or not so recent - campaign demonstrated certain ideas and presented certain policies and programs in which people in the ACT saw benefit. There is no doubt in my mind that many people voted for pro-self-government parties as opposed to anti-self-government parties because they liked some of the things that they heard and they shared some of the vision that was presented to them. I believe that the Government would do well to implement as many as possible of those good ideas rather than just its own program.

I am a typical Canberran, Mr Speaker. I was not born in Canberra. I think only one of us here was born in Canberra and he sits behind me to my right. I may be mistaken, but I will stand corrected if I am. I came to Canberra 11 years ago to study at the ANU. I was impressed with this city, but I did not immediately take it into my heart as my home. On completion of university, I obtained a job here as a solicitor and I decided to settle down. I found I was becoming bewitched by Canberra's many charms, the first and foremost of which is its magnificent planning, a planning which has left it with a totally unique environment. I am now proud to call myself a citizen of this city.

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Having worked as a government lawyer in the ACT Administration, not only did I obtain an insight into the workings of the ACT Administration - ideas and insights that I hope to put to good use in the course of these meetings - but also it gave rise to the belief, in my mind, that government is not the best vehicle to realise the dreams of its citizens. They are best placed to do that. That may seem a trite statement but I firmly believe it is true.

I have seen first-hand in my travels - in Eastern Europe, in particular, some years ago - the effect of overactive, overinterfering government. The effect, I can assure members, is devastating. I hope that my contribution to this Assembly will be to keep in some small way the spirit of human endeavour and enterprise alive in this Territory.

I finish by thanking a few people to whom not only I but also those others who sit with me on the Liberal benches owe a great debt of gratitude. They are people who contributed so much to the recent campaign. Of course, there were the candidates, not only those here today but also those who were unsuccessful. Many office and party workers contributed an enormous amount to that campaign and had much less to gain from it than any of the candidates. I should mention just four people - Mr Keith Old, Mrs Danielle Hynes, Mrs Kathy Casey and Mr Stephen Forshaw - who all made enormous contributions. There are many other party workers but there is not time to mention their names. They know their contribution, and I acknowledge it now.

I want to mention the effort of two special friends of mine, Mrs Jennifer Bright and Mr Rohan Greenland, whose contribution and assistance in the dark days of the campaign - there were some dark days - was absolutely enormous. I and the others here owe them a great debt of gratitude. Finally, I want to pay tribute to all those members of the Liberal Party, be they big contributors or small ones, who shared the vision that we presented in the campaign and who put so much effort into the campaign and made it what we feel was such a success in terms of articulating our vision before the people of Canberra.

MR MOORE (11.36): I notice there is some provision in the standing orders for people who have difficulty standing to remain sitting for their speech. There is just no provision for people who are getting a sore throat, so I hope you will excuse me taking water occasionally. The address by the Chief Minister of the Capital Territory gives us some heart and I presume that in some ways we can take it as a Labor-No Self Government-Liberal speech, but, of course, that is only said in jest.

My theme today is that the Residents Rally is concerned with development in Canberra and development with openness. Over the past few years - and this was one of the major forces that put the Rally together - planning decisions have been made without consultation. It is that

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consultation process that we would presume should continue through the auspices of this chamber.

The Chief Minister has certainly given strong indications that that will be the case and we have heard them again today from the Minister for Housing and Urban Services, Mrs Grassby. We do have some concerns - and I refer to the article by Fia Cumming in this morning's paper - and we have indications that that sort of openness and that consultation process will not go on in the way it ought. That it is of great concern to the Rally and we will be intending to make it part of our position that we ensure that that openness will go on.

We believe that the three committees that have been proposed and railroaded through by the combination of Labor-Liberal-No Self Government are in fact unsatisfactory and will not provide for an appropriate forum for people to present their opinions to this parliament so that people can actually be heard.

With reference to heritage, let me say that our concerns are even more strongly presented following the demolition of the house at Barton. Heritage protection not only relates to the preservation and retention of sites as static displays, but also the establishment and retention of working examples of our past history. Proposals for the development of working sites, like the concept suggested in the Limestone Plains historical park and Gold Creek tourist development, should be examined.

Concepts also exist in suburban landscapes, streetscapes and communities which should be retained. In some ways in heritage matters there seems to be difficulty in understanding exactly what is involved in a living piece of heritage. The heritage committees over the past few years have had great difficulty coming to grips with that. It would appear that the Chief Minister also has some difficulty, judging by her decision to allow the Barton house to be demolished when she had the power to preserve that house, at least for enough time to allow appropriate consultation to take place.

With reference to the environment, I am greatly heartened by the approach of all parties in their concern on the environment, and would emphasise that the Rally also has a great concern on environmental issues. Part of the grouping of the Rally in the early stages was certainly a grouping with the Conservation Council. We intend to work closely with the Conservation Council in putting together our ideas and making sure that their consultation processes are used by this Assembly.

With reference to education, I noticed in the Chief Minister's address that the paragraph preceding the penultimate paragraph refers to education in two sentences. That item is probably one of the highest budgetary considerations throughout the Government, and it is of

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great concern that it was dealt with at that particular point in the Chief Minister's address.

It is heartening to see the preschool fee abolished, but there is still some concern that preschools and colleges, which represent the area of non-compulsory education, could well be under attack. It certainly appears to be the case, judging by my discussions with people throughout the Schools Authority and throughout Canberra, that there is an attitude that non-compulsory education ought not be free education. We would hope that the education throughout the ACT, both in the public sector and in the private sector, is such that our children - our future - can be given the very best chance and can provide the very best for this Territory.

One of the first things to achieve that - and this is one of the great challenges that faces the Minister for Industry, Employment and Education, Mr Whalan - is to raise the morale of the teaching service. I hope that if there is any way that we can assist in that area we will be able to do so. Perhaps one way of re-establishing that morale and the involvement of the community in education is by re-establishing the Schools Authority or its equivalent. At present the Chief Education Officer is also basically the Schools Authority. We consider this totally inadequate for a government that considers that it is an open and consultative government.

With reference to health and community services - and in this case my speech precedes that of the Minister for Community Services and Health - let me just emphasise that we would like to see an emphasis on community health. The Minister obviously has a great challenge in front of him in terms of the hospitals. I hope that we can assist him there in consultation on retaining, as is our policy, the Royal Canberra Hospital in the best way, but at the same time in seeking to find a way to have a principal hospital concept which is appropriate to Canberra and which will provide the best possible medical services for Canberra.

We will seek with him to register practitioners of alternative medicine, and will pay particular attention to hospice and palliative care which obviously needs a great deal of time and effort. At this point I will pass to the Clerks a motion that I have for tomorrow, which I hope will require very little discussion in this Assembly, and the Assembly will formally know that it is Schizophrenia Week in the ACT. It seeks to show that this Assembly has some interest in mental health and that mental health is an area that does require work in order for us to ensure that people who are afflicted with that sort of illness have the appropriate respect and so forth that they are due.

With reference to youth affairs, I think the greatest challenge at the moment is with homeless youth. I hope that the Minister for Housing and Urban Services in particular, and various other Ministers who are involved in

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different ways with this area, will examine how to find ways and methods of dealing with homeless youth and ways in which to encourage youth to look after themselves.

Let me in terms of this maiden speech express my thanks. My particular thanks go not only to our own followers throughout the Rally but particularly to my wife. All people married to candidates or living with them or whatever who have had to manage through the last six months will know that this has been a very busy time. We have three children under five, the youngest of which was only two months old when we started working towards this campaign. My wife's support has been absolutely fantastic, and I cannot emphasise that strongly enough. I also wish to thank all the people, particularly those in Reid, who have provided support in very many ways. I also thank the people who have deserted the other political parties and flocked to our ranks. Their support is appreciated, and as our ranks swell with the addition of those people, I hope that we can do them the appropriate justice that the other parties have not been able to provide for them.

MS MAHER (11.46): This is not only my maiden speech but the first time I have stood up in this chamber. I wish to take this opportunity to officially congratulate all members on their election to the Assembly, especially Rosemary Follett, whose election to Chief Minister is not only a personal triumph for her but also a triumph for women within the political arena and in the community in general. I also extend that acknowledgment to my other colleagues Mrs Grassby and Mrs Nolan.

I am aware, as we all are, of the mammoth task ahead of us. I feel that if we could all establish effective working relationships at both a personal level and party level within the Assembly it would make our job a little bit easier. Also the people of Canberra would have a Government working for them, not against them.

As you are aware, my party, the No Self Government Party, campaigned hard against the imposition of this form of government on the people of Canberra. We campaigned because we had the interests of people at heart. We campaigned to ensure that the best features of Canberra, the city we love, were retained. Now that self-government is here we will continue to campaign to ensure the best possible deal for each and every Canberra citizen, young and old.

It is in this spirit that I reply to the Chief Minister's speech. I welcome those parts of her speech which mentioned open and accountable government, budget processes that are open to public scrutiny and participation, transport, development, et cetera, but those matters which are of particular concern to me deal with social justice and the environment. I applaud the Chief Minister's commitment to a fairer and more equal society.

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I reject the idea put forward by some during the campaign, not necessarily those in this room, that our local workers and their families have had it "too good for too long". This is not my view. I believe there are many Canberrans who do not get a fair go, and this is my main reason for being involved in public life. I will be working within the Assembly, together with the other members, to achieve some of those objectives outlined in the Salvares report on social justice; that is, a fair distribution of economic resources and political power; a notion of equal, effective and comprehensive rights for all people, regardless of income or social background; fair and equal access to good quality services in those areas essential for a decent life, such as health, education and housing; the opportunity for people to participate fully in their personal development, their social and community life and the decision making that affects them, and to participate in a community without fear of poverty, unemployment and exploitation.

We who live in the ACT and represent the citizens of Canberra know only too well that all is not perfect in our beloved bush capital. We know that this Assembly will need to address numerous problems that must not and cannot be swept under the carpet. The Chief Minister's speech is a small step in the correct direction. She has begun to acknowledge some of the issues, and I welcome that.

In conclusion, I fought hard against the establishment of this Assembly. I still consider it to be the wrong form of government for Canberra, and I will do whatever I can to keep the Chief Minister and her Cabinet on their toes so that the type of government we deliver to the Canberra people is one they can be proud of.

MR BERRY (Minister for Community Services and Health) (11.50): I rise to raise the major issues in my portfolio of Community Services and Health. The Australian Labor Party Government is committed to creating a public health system which is available to every member of the community. We want to do this in a responsible way to ensure that it is affordable, of the highest quality, but that it is accountable.

We want the people of Canberra to have a say in the system of health care that is for them, a system that responds to their needs at every stage of life and furthers their opportunities to learn how to take preventive measures and live full and healthy lives. The challenges of maintaining the very best of what already exists in the ACT and overcoming some of the problems we have inherited will take some time to respond to.

Today I would like to outline some of our key concerns and some of the measures that our Government will take to make the ACT health system the best in Australia. This week is Schizophrenia Awareness Week, so I will mention our plans in this area first. I thank Mr Moore for his prompt in that respect.

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We have made a commitment to review the Mental Health Ordinance and I will begin this process as soon as possible. The review will include wide community consultation. We know that the families of individuals who have mental illnesses and the individuals themselves need support, counselling and rehabilitation services. We will work to improve these services.

We are considering the issues raised by the Mental Health Advisory Committee. These include a day unit to provide for health and education requirements for emotionally and behaviourally disturbed young people. The ACT Schools Authority and the Community and Health Service have already begun discussion on this issue. Respite care and a 24-hour crisis centre are also being examined and discussed.

We want to respond to and be guided by the needs of the people of the ACT so that they can determine their own health needs and priorities. To do this we will review the wide range of consultative committees already established to ensure they provide real opportunities for people to participate in policy making.

In other parts of Australia the rights of health consumers are being legislated for. We will introduce measures to assure patients' rights. The health services complaints units will be strengthened. People can voice their grievances, and we intend to respond and prevent further problems.

Every group in the community has different needs. Women in particular are the greater users of our health care system. The ACT already has a women's health service, which we plan to expand over time to meet the particular needs of women. This service will have an important education and primary health care role.

We want to make sure that the special needs of the people who come from non-English speaking backgrounds are met. This is done at present by the Migrant Health Unit. We will progressively expand its services. We will do this in consultation with peak community organisations. We want to do more than just provide interpreters. We want to make sure that our staff are sensitive to cultural issues and that people of non-English speaking background are aware of our services.

In line with our concern for proper education programs, so that people can make their own decisions about their own health, we are keen to maintain our involvement with the national health for all program. The Federal Government has committed \$100,000 to the ACT this year on a cost share basis. This will enable us to support health for all initiatives, and I will announce details of these soon. The focus on the national health program is on equality in health.

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To expand our involvement in health promotion, we are considering the establishment of a health promotion foundation. Such foundations exist in Victoria and South Australia. These are funded by revenue from tobacco sales.

As a result of community concern about health services in the ACT, the then Minister responsible established the Kearney inquiry. In the wake of this inquiry, two bodies have been established. I refer to the interim hospital board and the steering committee which is examining the options identified by Dr Kearney. We know that many of the problems that exist are due to the rundown state of the buildings of the Royal Canberra Hospital. When we have examined the report of the steering committee we will be in a position to begin considering the best way forward. In this process we will be consulting with all parties interested and concerned about the future of ACT hospitals. There is a perception in the community that our hospitals have suffered from a high level of disruption in recent years. The Government plans through negotiation to work towards more harmonious relationships and to ensure as far as possible that no breakdowns in communication occur.

As the population of the ACT ages, more provision will have to be made for the elderly. We are working in partnership with the Federal Government to develop better home and community care programs. We want to assist elderly people to remain independent for as long as they choose, and to then have choices about the types of accommodation they would like when they need assistance. We will support the community options program, which has just begun under the auspices of the ACT Council on the Ageing.

An area of concern to the Canberra community is drug and alcohol abuse. The Government is aware of the devastating effect that drugs have on general well-being and health, and will ensure that as much as possible is done to prevent drug abuse. We will continue our participation in the ministerial council on drugs strategy, which manages the national campaign against drug abuse. We share the costs of that program so that our citizens can be well informed.

For people who need assistance in relation to their problems with drugs or alcohol, we will ensure that satisfactory facilities are available to them. We want to expand rehabilitation programs and expand our methadone program.

We will undertake all the measures I have outlined in close consultation with the community through the Alcohol and Drugs Advisory Service Committee. The committee has representation from service providers and peak community groups.

Occupational health and safety is an issue of particular concern to me, so I was pleased yesterday to sign an occupational health and safety agreement between the ACT Trades and Labour Council and the ACT Health and Community

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Services. Furthermore, the occupational health and safety legislation, which we plan to introduce tomorrow, will ensure the highest possible safety standards in every workplace in the ACT and reduce the load on our health system which is caused by workplace injuries.

Mr Speaker, I have mainly dealt with health care areas today because they are our priorities at the moment. There are many other issues of concern within my portfolio and to this Government in the health and community services area. The ACT community deserves a well organised, accessible system of health care and community services.

We plan to provide this through consultation, and in close cooperation with all the interest groups that are involved. This includes the relevant unions, health workers themselves and the consumers. There are many problems that will take time to solve, but our Government is well placed to begin to tackle them in a constructive and productive way.

DR KINLOCH (11.57): Those of us in the Residents Rally much appreciated the Chief Minister's statement, with much of which we find ourselves in total agreement. We very much endorse the commitment to fighting injustice, to supporting social justice, and attacking discrimination in all forms. I honour and respect our own Residents Rally leader, Bernard Collaery, for his initiatives and courage in those same matters. I look forward to the Chief Minister and our leader cooperating in those tremendously important matters.

I have been charmed by the speeches this morning, and I hope that I may just veer away slightly in responding to the Chief Minister's excellent address. I was delighted to hear Mr Humphries make the reference to Disraeli. I had already detected a touch of Disraeli about him, and may he continue in that line. Friends, brothers and sisters, I immediately thought to myself, "Bill Stefaniak - Gladstone". I looked over at Ellnor as I heard her excellent address, and I thought "There is the tradition of Ben Chifley" - and may it be so, Ellnor.

And Trevor Kaine I see as the Robert Menzies of the house. Craig DUBY - Craig, I hope you will understand this, coming from where I do - is the Harry Truman of this place. I have to say to him that Harry Truman would never have got rid of good government. One could go on, and I do propose to go on shortly. Please do not be distressed if you are omitted, because I am not sure that I have the exact title for each person in the House. I will, however, produce my little list of the appropriate people I see you as having a relation to.

Of course, Mr Speaker, you yourself I see as the Sam Rayburn of this place. Most of my references are American ones, and perhaps I need to explain some of them, but he was a most distinguished Speaker for very many years, and I hope you will follow his example.

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I want Paul Whalan to know that I see him as a combination of Governor Mario Cuomo of New York - who, if only he had stood, could have been President of the United States - and Mr Lange of New Zealand.

I see Norm Jensen as the General George Catlett Marshall of this house - a great soldier with a great tradition. I thought hard about Michael Moore. I thought of young senators who made great contributions to American history, but finally, having dismissed John Kennedy and Robert Kennedy because there are problems related to them, I settled on Senator Daniel Moynihan of New York, a man with a very great sense of social justice, commitment, understanding of the poor, understanding of rural, environmental problems and so forth.

Now I come to our own leader, Bernard Collaery, and I thought very hard about this. I do see touches of the Gough Whitlam about him, but of course that is not necessarily appropriate for our party, you understand. So I have no hesitation in thinking of him in terms of his intelligence and grace, his courage, his wit, his sense of commitment to justice, his good legal mind, his ability to cope with some very difficult and sometimes obstreperous colleagues. I name him as one of the people I most admire in American political history, and that is Adlai Stevenson. I hope Bernard and I will have talks about that extraordinary man.

As Rosemary is not here, I hope that her colleagues will pass on to her that I do not think of her as the Margaret Thatcher of this house. I am sure she would not want to be thought of in that connection. I do rather more think of her as Benazir Bhutto, or dare I say the Caroline Chisholm of the ACT Legislative Assembly.

I have omitted many. Finally, I come to myself and I do ask friends, despite my advanced age and the initials "R.R"., not to refer to me as the Ronald Reagan of this house. If it is not too arrogant, I humbly accept the middle name, Jefferson.

I especially welcomed in the Chief Minister's excellent comments the note that the Government's economic policies will have one objective, the creation of a choice of meaningful jobs for all Canberrans. The Rally absolutely endorses that. Let us together underline the word "meaningful", not merely jobs for jobs' sake, not make-work jobs, not jobs inappropriate for the nature of the national capital, but jobs this city and this nation can be proud of.

The Rally particularly welcomes the Chief Minister's commitment to the tourist industry, to which we too are committed. The Rally would very much like to be involved with those initiatives. I certainly would be personally. Specifically, I hope that members of our Assembly will

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visit Washington, DC, which is an example of a national capital with a thriving tourist industry based on its very nature as a national capital. I pray indeed that this city will not do things that will damage the nature of the national capital as a tourist centre.

There are some small items which I shall pick up. I loved the comment about paper products, and I noticed also that Ellnor Grassby referred to paper recycling. You will appreciate I do have a wood chip on my shoulder on this matter. Let us start with ourselves. I am, friends, appalled at the amount of paper that we are receiving. We are not backing up. We are not using two sides. We are using triple spacing. I wrote to our delightful Governor Cuomo figure, Paul Whalan, yesterday or the day before to say how about coming down on some of the paper, and I made a suggestion. I hope that we will reuse paper, reuse envelopes, here in this Assembly. Do not let us just make noises about it; let us do it.

I turn to the subject of education. My colleague Michael Moore has already mentioned some aspects of education. We do rejoice in some of the initiatives of the Government in that matter and the preschool fee, of course, we had also opposed throughout the campaign. I would ask, although it is not mentioned in the Chief Minister's speech, that we do our very best to avoid the playing down of the national role of the Australian National University. I do respect the statements made by the members of the ALP during the campaign, particularly by my friend and colleague Bill Wood, who was very careful on that issue not to support the notion of amalgamation between the ANU and the CCAE.

At this time, as this also does not appear in the Chief Minister's speech - obviously she could not deal with everything - I hope that this Assembly will take to its heart the CCAE and the TAFE sectors of education to make them the very best in this country for tertiary education. There we do have a direct input, direct concern, direct responsibility which we do not have in quite the same way for the Australian National University.

You will understand this next area I need to talk about. It is not one discussed in the Chief Minister's statement, and it is to do with ageing. Now I ask all of you young people, including our delightfully youthful Chief Minister, to consider the aged. Might I relate that to our tourist industry. Let us hope that tourists from around the world will come to see the happiest, most fresh faced, best housed, most creative senior citizens in the world.

Busloads of young people will arrive in Canberra to gaze in awe at our aged people - forgive my selfish interest in this matter. But especially let us stress the social and psychological setting for the aged in their own homes or in their children's homes, or in suitable developments like the present Mirinjani which is close to shops and facilities, like the present Goodwin Homes or Wakefield

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Gardens, Ainslie. If you have not seen that terrific development in Ainslie, let me commend it to you. It was opened recently by Hazel Hawke, who is connected with another legislative assembly in this city.

Finally, I conclude on this note of thanks: one could thank many people, but may I personally say what an honour and joy it is to be a member of this Assembly at this stage in my life, and particularly in the company of so many good people on all sides of this Assembly. Let us, friends - and I am sure you will agree with this - grow old gracefully together.

MR SPEAKER: Mr Wood might like to make his second maiden speech to the Assembly.

MR WOOD (12.07): Mr Speaker, I thank you for that suggestion. Indeed, I will expand on some of the points I made earlier. It is with some trepidation that I follow my colleague Dr Kinloch, as I am awaiting with some anxiety the label that will be pinned on me. Most of us here in our introductory speeches have expressed some of our ideas, some of our aspirations for Canberra and for our role in this Assembly. I have detected very clearly a common purpose in those speeches.

We have for the most part dedicated people here, interested in the future of Canberra, with mainly common interests, varying in the particulars of the ways that we want to see Canberra develop. But my comments today will be directed mainly at the style of this chamber. It has been substantially imposed on us, I might say, by the Act that brought us into existence with the peculiar electoral system that was devised to get us here, with our unicameral chamber, with our combination of State and municipal functions and with still a very significant Commonwealth power over what happens in the Territory.

I can talk about another very important factor in the way that this Assembly goes about its business, and that is the way that we as members take it. Already we have seen some of the struggles between the traditions of Westminster government and the innovations imposed by the system we have. We are having trouble. It is not a problem, but we are having trouble establishing which is more important - a certain tradition or some of the facets of the innovative system.

The standing orders, I suspect, will be constantly changed. I want briefly to mention some aspects of those standing orders. I think they are in general excellent. I read standing orders first some 20 years ago and I had great difficulty understanding them. These are very understandable. They are written in plain English. They are also good in another respect, and it was not until it was pointed out to me that I noticed it: they are entirely non-sexist. Nowhere do we see he, she, him or her or any sexist language and that is a remarkable achievement.

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We will change those standing orders as we need to, but it is our behaviour here that is the most important. I want to suggest that the Federal Parliament is not the model we need to follow, nor is the behaviour I saw in a legislative assembly to which I was first elected 20 years ago this week. That is not a model.

It is no secret that the political processes in Australia are in some disfavour with the community. I think that is inevitable when economic troubles beset the country, but I also believe that the participants bear some responsibility for the disrepute felt by large sections of the community. I believe that the two-party system has served Australia very well over a long period. Nevertheless, the level of abuse that we hear has moved beyond community expectations. I do not know if that level of abuse is more or less than it has been over a long period, but I do know that with the intense media scrutiny of assemblies it is very much better - or perhaps worse - reported.

The vitriolic debate that goes on brings problems. I expect that in this chamber views will be fiercely contested, that on many occasions the debates will be hot, and that on many other occasions there will be agreement. I am not looking for a soft debate, but I am looking for a civil and harmonious debate, a cooperative effort, and that is particularly important for this Assembly. We all know that there were many in the community out there who did not want us to be here. If we are to convince those people that we need this Assembly, we must show by the way we conduct ourselves and carry out our business in this chamber that we are justified.

We are convinced of the need for this Assembly, at least most of us are in this chamber, but we have to convince the community out there. We had, for example, clear evidence of that last week. We know that if we had not had self-government in the Territory we would have lost some \$22m. Further, the effect of the Government was shown when we had likely immediate access to some of the money that was temporarily withheld.

I think we can often show in policies and decisions that this Assembly is necessary. I believe we must also show it in the way we go about our business. It has to be a cooperative venture. The Labor Party is aware of that. During the election campaign Rosemary Follett said repeatedly and importantly that the Labor Party supports open and accountable government.

The committee system that we are now establishing, with just a little difficulty, is the key to that accountable government and to the cooperative nature of this chamber. Group decisions will be made and they will be made on a whole range of policies. We will discover together what will happen in this Territory to a very large degree, and I look forward to that procedure.

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I look forward to that movement out into the community where we have all come from. I look forward to the examination, with the community and with my colleagues and with Labor Party behind me, of a great variety of issues. I look forward to a spirited debate, and I anticipate the implementation of a considerable range of progressive policies. Then I anticipate an exciting, rewarding and challenging experience as a member of this Assembly.

MR STEFANIAK (12.15): First, Mr Speaker, I thank you for this opportunity to address the Assembly. I am glad to have the opportunity to talk in this debate today because I would hate to have my first act in this place merely in the form of a question on notice, as my learned friend Bernard Collaery so rightly pointed out yesterday, on the rather dubious topic of big bins in the Territory. I would like to thank other members for their speeches to date and to congratulate the other 16 people of this Assembly for being part of this historic first Assembly. I congratulate the Chief Minister on her speech and her efforts at the Premiers Conference last week. I think all members share most of the sentiments and points she raised in her speech, although we may have different ways of going about achieving those aims.

I think all members of this Assembly are here because, regardless of what they believe in ideologically, they wish to assist the Canberra community, to see Canberra develop, to see Canberra grow, to ensure that it continues to be the fine, unique city it is and to see that it prospers and develops along those lines. I am especially grateful for some of the comments made by my old friend Dr Kinloch. He was my American history lecturer when I first went to the Australian National University. He was always very generous in his comments on essays - I think that goes for all his students - and I am personally delighted to see Hector Kinloch here in this Assembly, as I have known him, I think, probably longer than I have known anyone else in this Assembly. I congratulate everyone on being part of this Assembly. I congratulate my two colleagues who have so far spoken, Mr Kaine and Mr Humphries, and commend their remarks to you.

This Assembly is historic and in many ways uniquely Canberran. As my colleague Mr Humphries said, I think that I am the only person in the Assembly who was actually born in Canberra. I was born in Canberra Community Hospital - which appears to be under some threat perhaps - back in 1952. I have lived all my life here, except for a short period of time when I left university and practised in Muswellbrook as a solicitor, but I returned to the Territory because Canberra is such a fine place to live. I took up a job in Canberra as a prosecutor and have lived here since.

Having lived in Canberra virtually all my life, I am not overly surprised at the result of this election which sees

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this Assembly as it is now constituted. It is unique, but then again Canberra is a unique place. We have a duty, as members of this initial Assembly, to make it work for the community, because there is still a large number of people out there who do not agree with the idea of self-government and with this Assembly. I believe that there is a lot this Assembly can do and a lot that self-government can do for Canberra, but we have to convince a lot of Canberrans of that.

It is a unique result, Mr Speaker, and indeed perhaps - as my colleague, Mr Wood, has just said - the traditional parliamentary type of democracy in Australia may not be terribly appropriate, although that is what we have. I know that, during the two-month process leading up to our inauguration, there was talk of a collegiate system of government. Perhaps as my leader, Mr Kaine, indicated in his speech there is room, and has been for several weeks, for an arrangement where basically all parties contribute and matters go on the floor of the house for discussion. That envisages everyone having an input and, because we have to have a Chief Minister and Ministers, there would be one from each of the groupings here. However, that is not the case. We have a Government up and running and it behoves all of us to do our best to make this Assembly work.

Since I threw my hat in the ring for election to this Assembly, I see my main role as that of a local member who will listen to the constituents, who will go in to bat for them when they have a problem and who will be available to them. It is in that regard that I have set up a community office that operates from 10.00 am till 2.00 pm on Monday morning at the Weston Creek Community Centre. I intend manning that, as well as the office here, so that I can get input from the community in which I live.

I am gladdened and heartened to hear that all members so far today, and indeed the Chief Minister in her speech, indicate that the Assembly, and all members of it, are to be accessible to the public. I hope all members continue to do that and continue to be accessible to the public. Because Canberra is a small city, many of us know many people in Canberra, many people know us, and we simply do have to be accessible.

I turn now to a few matters raised in the Chief Minister's speech by way of policy. There are a few points I wish to raise. The first relates to the private sector. In the past, until recently, 60 per cent of employees in Canberra were employed by the government. That figure is now about 50-50 and the trend is changing. For self-government to work and for Canberra to continue to go ahead the private sector must be encouraged; it is our future. Some points there in the Chief Minister's speech referred to that aspect and I am gladdened by it.

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It is very important that we look at restrictive practices that inhibit business growth in Canberra. Minister Berry mentioned occupational health and safety. I think we all agree that there is a need for that legislation, but certainly my party wants to ensure that that legislation is fair and does not lead to needless increases in union power and needless expense to small business and other business. We will be taking a very close look at that legislation when it comes before the Assembly to ensure that indeed it is fair and that it relates to occupational health and safety and not to other extraneous issues.

It is very important as well in talking about restrictive practices to look at ways in which we can improve jobs, and especially jobs for the young. The question of youth wages is one area that can be looked at and freed up to ensure that there are more opportunities for our young.

There are a number of exciting ventures too, Mr Speaker, which are going to come to Canberra shortly and which will affect us. I think the very fast train proposal has a lot of potential, and indeed, as certain other speakers have mentioned, we have to look at developing other types of industry and development in Canberra. One area that has been neglected and has a lot of potential is the education industry.

There must be development in Canberra but it has to be done in a controlled way, to take advantage of and to help the unique environment. The environment of Canberra must be preserved. It is unique, and one can travel the world and not see a more beautiful city than Canberra.

I have a special interest, I suppose, in the area of criminal law because I was a prosecutor for nine and a half years. It is a sad fact that Canberra has become a lot less law-abiding than it was some 10 years ago. We used to have a murder a year. Now, for the last month, we have had about one a week in the environs of Canberra. Burglaries have increased about three times from the 1983 figure. I think it is very important that sentencing be looked at, and perhaps the attitude of the legal system and of the courts needs to be reconsidered. Victims need to be given more input into the system and I believe that victim impact statements should be introduced to courts so that the effect of crimes, especially serious crimes, on victims can be brought to the attention of the authorities.

There has been too much concentration in recent years throughout Australia, and certainly in Canberra, on the rights of the criminal, to the detriment of the victim and the community. It is also important, I feel, that the whittling away of police powers be attended to. Those of you on the ministerial consultative committee are no doubt aware that two areas - drinking in public places and move-on powers, which I think are fairly urgent - should be looked at by this Assembly in the very near future. It is very important, when talking about civil liberties, not to

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confuse the legitimate rights of the criminal with the legitimate rights of the vast majority of law-abiding citizens.

I note also in the Chief Minister's speech commendable aims in relation to what she calls social justice. These indeed have to be attended to, and again it is a matter of priority. I would remind the Government of the famous words of Abraham Lincoln: "The government should not do to people what they can and should do for themselves".

I feel that with our rather limited budget this is particularly important. We will have to be very careful how we spend it. The point is that, whichever government is in power in this Assembly, it will always have a hard battle with the Commonwealth to ensure that adequate funds are provided to the Territory and that the Commonwealth pays its fair share in maintaining this lovely city of ours. I have already commended the Chief Minister for her efforts at the Premiers Conference in that regard.

Mr Speaker, I would like to thank my family and friends who helped me in the recent election campaign. I mention specifically a few people. First, there is my old mate, Dave Griffin, whom I first met when I was a kitchen man at the Tidbinbilla tracking station and he was a cook. He has helped me in the last two campaigns. He is an ex-Labor man from Broken Hill who saw the light and became a Liberal a few years ago. He helped me both in the Senate campaign and in the recent campaign for the Assembly. Also, I thank particularly John Sissons and David Hyauiason, and my old friends and legal colleagues, Charlie Giles and Shane Madden.

Finally, Mr Speaker, we here in Canberra have a beautiful city. We all need to work hard to ensure it remains so and continues to develop as one of the best places in which to live in Australia.

Debate interrupted.

Sitting suspended from 12.26 pm to 2.30 pm.

QUESTIONS WITHOUT NOTICE.

PREMIERS CONFERENCE

MR KAINE: Yesterday I asked a question of the Chief Minister and Treasurer in connection with the Premiers Conference and she said that she would answer it in a later statement. In fact, my question was not answered. So I would like again to address a question to the Chief Minister and Treasurer in connection with the \$22.7m set aside by the Commonwealth in a trust fund and ask again just what the conditions are under which that money will be made available.

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Is it a fact that that money will be made available only if the Commonwealth Treasurer does not exercise some kind of veto. If that is true, what are the terms and conditions under which all or any of that money is likely to be made available in the next financial year?

MS FOLLETT: I have written to Mr Kaine today on this matter, but perhaps I could expand on what I said yesterday. I think it is clear that access to the funds that are held in trust by the Commonwealth is going to need negotiation between the ACT Government and the Commonwealth Government and that that process of negotiation has really not commenced at this stage. But the bottom line, and I think what Mr Kaine is getting at, is that the \$22.7m in the trust account cannot be released without the agreement of the Commonwealth Government. Does that answer the question?

MR KAINE: Yes, it does.

COMMERCIAL RENT INCREASES

MR COLLAERY: My question is directed to the Chief Minister. In view of the extraordinary rent increases being suffered by retail and commercial tenants in this city and the lack of legislative protection for those tenants, is it the intention of the Government to give some reasonable tenure and protection to those commercial tenants? Are you aware that the rent situation in the Australian Capital Territory is reaching a crisis state for retailing generally in the Territory? Do you propose to appoint an all-party committee to produce recommendations for a standard approach to this topic by this Assembly, having regard to the importance of the issue to the economic base of the Territory?

MS FOLLETT: I think it may be more appropriate if that question were addressed to the Deputy Chief Minister, the Minister for Industry, Employment and Education. Is that acceptable?

MR COLLAERY: Yes.

MR WHALAN: The question of the regulation of the relationship between retail tenants, and indeed all commercial tenants, was the subject of some consideration during the election campaign. The Australian Labor Party circulated very widely throughout the business community a proposal that we would introduce legislation in relation to the regulation of business leases.

The motivation for this is not that we wish to intrude into the commercial relationship that exists between business lessees and their landlords, but rather to make the relationship more fair. It seems at the moment that

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because of the shortage of rental accommodation, the planned nature of the ACT limits the availability of different qualities of rentable accommodation such as you would find in other cities and towns throughout Australia, where you do have a range of opportunities. In the ACT there is almost no cheap accommodation available whatsoever, so all commercial tenants are under great pressure to accept the market rate. They are not in a position to negotiate.

In straight business terms one might think that one should not interfere in that market. We believe that there is justification for the introduction of legislation and that matter will be given some priority by the Government. In so doing we will continue the talks which we have already had with the Small Business Association and various retailer groups. It will be done in such a way that it does not impede investment or is not seen to impede or prevent investment in those sorts of areas.

MR COLLAERY: I ask a supplementary question of the Minister for Industry, Employment and Education. The Minister has mentioned the balanced concern that he has in his portfolio for the commercial tenants. I ask the Minister whether the fact that tenants at the Belconnen Mall, now known as Westfield Place, are unable to form any association or grouping to take any action whatsoever if they wish their leases to be renewed is consistent with the philosophy that the Minister has just outlined, in view of the fact that he was the adviser to the Federal Government at the time of the sale of Belconnen Mall?

MR WHALAN: I must say that I appreciate that further supplementary question, which I think is appropriate. The sorts of things that happen in the tight market that we have is that people are forced, illegally, to use residential premises for commercial purposes. It is quite a difficulty, and that is the sort of issue, as part of a review of this situation, that we should be addressing. I do sympathise with Mr Collaery's concern for retail tenants in all shopping centres.

I think it is totally abhorrent that any group of retailers should be prevented from joining together to form an organisation or lobby group within their particular shopping centre. I am surprised about that and I would ask the people who attend to these matters of business regulation within the department to report to me on that.

ASBESTOS INSULATION

MR HUMPHRIES: My question is directed to the Minister for Housing and Urban Services. I refer the Minister to an article in the Canberra "Chronicle" of 16 May entitled "Answering the Asbestos Puzzle". In that article there is an interview with Mr Keith McKenry, the General Manager of

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the Asbestos Branch. Mr McKenry was asked, "Is asbestos insulation in ACT homes a health risk?", and he replied, "However, there is no evidence to link exposure to asbestos in Canberra homes to any medical illness".

I ask: what is the latest estimate of the total cost of asbestos removal, including the cost of the asbestos survey now under way; is Mr McKenry's view, as quoted, the view of the Government; and if it is the view of the Government, how does the Minister justify any expenditure on asbestos removal?

MRS GRASSBY: I will get back to you as to whether Mr McKenry has anything to do with the Government. I do not know the gentleman. I did not read the article, but cost-wise in current funding arrangements established with the Commonwealth Government the ACT was to meet the first \$10m; the cost was then to be shared. That amounted to \$20m, we thought at that stage, on a one for one basis, with the Commonwealth and the ACT sharing the remainder of the cost.

At the moment work on one house has just been started. If anybody at the Assembly would like to go and see it, we would be very happy to arrange for a visit. The asbestos survey of Canberra homes is over 80 per cent completed and it indicates that 1,300 homes would need to be treated. The asbestos removal program is now expected to cost about \$45m, with the ACT putting up a sum of \$25m and the Commonwealth \$20m.

MR HUMPHRIES: I ask a supplementary question. Assuming for one moment, Minister, that Mr McKenry is indeed the General Manager of the Asbestos Branch under this Administration, can you tell me whether that view, as stated, is the Government's view?

MRS GRASSBY: I did not read the article and perhaps I could get back to the member about that? I suspect that Mr McKenry is saying that there will be no danger - and that is why I suggest that members should take a look at what is being done - to the people whose house is being treated, because they will be moved out of the house at the time the work is done, and no danger to the people around because of the way in which the house is covered during the work. I suggest Mr Humphries looks at what is being done. I had a look at the house a week ago. People were moved out and steps were taken to make sure that nobody in houses around would be affected while the material was being taken out. In addition, great care was taken of the people's furniture and of their home. I was very impressed with the whole set-up, and I am quite happy to arrange for anybody in the Assembly to look at it.

MR BERRY: Mr Speaker ----

MR SPEAKER: Minister Berry, I draw your attention to the standing orders, which preclude questions from Ministers at this time.

ENCUMBERED VEHICLES REGISTER

MR WOOD: Mr Speaker, I direct a question to the Chief Minister in her capacity as Minister responsible for consumer affairs. We all know of efforts to establish a register of encumbered vehicles for the ACT. In view of the fact that another sad incident is reported in today's media, I ask the Chief Minister whether she can give top priority to establishing this register?

MS FOLLETT: Yes, I agree fully that the question of encumbered vehicles and many other questions of consumer affairs have been somewhat neglected in the ACT, and I believe that has been largely as a result of the lack of our own government. While we have always had to rely on action to be taken in other places we have been, to an extent, disadvantaged. I agree that that should be an area of priority for government and that gives me no trouble at all.

I am happy to say that agreement has been reached between officials of the Northern Territory and New South Wales and the ACT to include the ACT and the Northern Territory on the New South Wales register of encumbered vehicles. That should take place in about September of this year. In fact, broad agreement had been reached before the election was held in the ACT, but the matter was placed on hold while the Greiner Government considered the future of the register of encumbered vehicles held in New South Wales. I believe Mr Greiner was concerned to work out whether that register should continue to be a government operation, and I think that matter has now been resolved. It should be occurring about September this year, and I am happy to give it priority.

ASBESTOS REMOVAL

MR JENSEN: Although my question is related to the asbestos issue, it is directed to the Chief Minister because it has budgetary connotations. In view of the fact that the Federal Government has continued to allow the installation of asbestos in the ACT long after it was banned in New South Wales in 1975 - bearing in mind the arrangement made by Federal Minister Holding, on behalf of the ACT, to require the ratepayers to contribute the first \$10m, the next \$10m being shared dollar for dollar between the people of the ACT and the Federal Government and the final \$10m being shared two-to-one in favour of the ACT - and in view of the stringent budgetary constraints forced on the Government by the Federal Government at the Premiers Conference, can the Chief Minister advise whether she will be seeking to renegotiate a more favourable deal for the ratepayers of the ACT and, if not, why not?

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MS FOLLETT: I thank the member for that question. I think it is fair to say that the original estimates of the asbestos removal program were probably somewhat overstated. As it has turned out, very happily for the ACT, the number of houses affected and from which asbestos is to be removed is very much less than we had anticipated.

It is also fair to say, as I think the member pointed out, that the ACT Government was not a party to the arrangement with the Commonwealth Government on the payment for the removal of asbestos. I believe that we must take the opportunity to negotiate with the Commonwealth Government on that arrangement because we were not a party to it yet we will have to bear the ongoing cost - and bear it, as the member says, when the Commonwealth Government was the responsible authority for the installation of asbestos in the first place. I would be more than happy to take up with the Commonwealth Government, in whatever forum is appropriate, the question of renegotiating the deal as to who pays for the removal of asbestos.

MR JENSEN: I wish to ask a supplementary question in relation to that. If the Chief Minister is to take it up and if she has some problems renegotiating the deal, would she be prepared to take the issue of the removal and the cost for the removal of asbestos to a higher court?

MS FOLLETT: That is a fairly speculative matter and, I must admit, I am not sure what sorts of provisions would apply to that question being taken to court. It may be best, Mr Speaker, if I were to take that on notice and perhaps offer some considered advice as soon as I can.

LEASE PURPOSES

MR KAINE: I direct a question to the Deputy Chief Minister in connection with a property in Hedland Circuit, Flynn, in respect of which the Deputy Chief Minister took a decision only a few days ago. In prefacing the question, I perhaps should fill him in with a bit of background. As I understand it, only a matter of six hours before the Minister took his decision, an officer of the department exercising his delegation had taken a decision that the occupant of that land was to cease using it for the purpose for which it was then being used, which is a business purpose under section 10, and he was given 14 days to desist from using the premises for that purpose.

As I understand it, six hours after that advice was issued by the delegate and officer of the Administration, the Deputy Chief Minister reversed that decision and issued a new licence under section 10 for a further period. Having given that background, I draw the Minister's attention to subsection 10(2)(b) of the ordinance in question that says that the Minister shall not approve of the doing of any act

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which may become a nuisance to the tenants or occupiers of adjacent land.

Given that the actual owners and occupiers of all of the adjacent land to this particular block have consistently objected and complained about the activities that have taken place on that block over not only days but also months - in fact, for a period of almost two years - I would ask the Minister: first of all, was the delegate acting improperly when he terminated the lease; secondly, what new evidence came up in the six hours after the delegate exercised his authority which would cause the Minister to change the decision; and, thirdly, does the Minister believe that he acted properly given that provision of subsection 10(2)(b) of the Act?

MR WHALAN: The situation is that the delegate of the Minister had revoked the approval to operate the lease under section 10A of the City Area Leases Ordinance which had been granted to the lessee of this particular property. The bases upon which that was revoked were set out as basically that the circumstances of the business were causing a nuisance to the neighbours.

Subsequent to that decision being notified to the lessee, my office received representations from the lessee via the lessee's solicitor, in which certain points were made. Those points were: that the lessee had alternative premises to enter no later than 1 October 1989; that there would be no seeking of an extension of the section 10A approval beyond that particular date and that the lessee of the premises would comply with all the requirements and conditions of the granting of the approval.

Following discussions between my office and the solicitor concerned, and particularly in light of the unconditional undertakings by the lessee to comply with the requirements which had been laid down by my department in the exercise of that right to depart from the residential purpose of that particular property, it was decided by me that the lease would be extended for the period until October. It was indicated that there would be no extension beyond that date. Clearly it has been indicated that the approval would be revoked if the conditions of that particular approval were breached in any way whatsoever.

Following that, I have received representations from the neighbouring residents, and I have a great deal of sympathy for their position. Those circumstances had been made known to me. When I reconsidered the delegate's decision in relation to this matter I was aware of them. What became the issue of consideration between our office and the solicitor was to ensure that all the conditions of the approval were complied with. They had not been complied with in totality in the past. It raises one of the problems of section 10A approvals. I wonder whether we, as a government, should not review approvals under section 10A at all. I think there are good grounds for reviewing that part of the legislation relating to residential leases.

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If those conditions are complied with, the residential amenity of the neighbours should not be affected. The undertaking that has been given by the Government to the local residents is that immediately there are substantiated breaches of the conditions which have been set down, and if our legal advisers are satisfied that they have not been complied with, the approval will be revoked.

AUSTRALIAN CAPITAL TERRITORY ECONOMY

MR WOOD: Mr Speaker, I direct a question to the Deputy Chief Minister in his capacity as Minister for Industry, Employment and Education. I express the interest of all members in the development of Canberra and the economic well-being of it. I have noticed that a recent publication by the Civic Advance Bank refers to a marked weakening of the local labour market and depressed trading conditions. I appreciate that it is early days for the new Government, but has the Minister any comments to make about this statement and the future for the ACT?

MR WHALAN: The economic situation in the ACT is reaching a point which should be a cause for concern to anybody who has an interest in the future of our city, the future employment of young people in the city, the future employment of those engaged in the building industry in this city and the future employment prospects particularly of women in this city.

We have just gone through a period of quite strong economic growth and development within the ACT, but now there are quite significant indicators that the economy is starting to slow down. The slowdown in economic demand and employment growth can be attributed to three particular factors.

The first of those is the Commonwealth Government's restraint on recurrent spending, and in particular on staff costs, which have led to virtually a no-growth situation in Commonwealth public service numbers in the ACT; secondly, reductions from an historically high peak in the Commonwealth's capital works expenditure in the ACT, with the completion of Parliament House; and, thirdly, reductions in consumer spending resulting from the Government's tight monetary policy.

All of these indicators can be measured quite significantly. In relation to the reduced growth - almost to the point of zero - in Commonwealth employment, the Government and this parliament are beholden to ensure that opportunities are created for alternative employment, and that must be in the private sector. We see as the significant areas growth in tourism and manufacturing and processing industries. Steps will be taken by the Government to ensure that those are attracted.

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In relation to public expenditure on public buildings, there have been two impacts. With the completion of the Parliament House and with the completion of substantial office development which housed the last wave of public sector office growth, there is the need for diversification by the private sector in the employment area.

The section 19, Civic Square, redevelopment, which is being given top priority by our Government, will be a major source of employment. From sources within both the industry and the trade union movement it is clear that on the Civic Square redevelopment project, which will commence shortly, during the construction phase there will be in excess of 3,000 full-time jobs and that the long term employment in the facilities created there will be a minimum of 1,500 full-time job equivalents.

Many of those jobs will be available to young men and women who will be coming on to the employment market within a very short period. So we can still see that there is hope for - - -

Mr Collaery: I rise on a point of order, Mr Speaker. May I ask the Chair whether it is proposed, in the absence of standing rules to the contrary, to adopt the practice of the House of Representatives, as outlined in section 24 of our enabling Act, and apply the rules set out in the House of Representatives practice to ensure that questions and answers are as concise as possible during question time?

MR SPEAKER: It certainly is the point, Mr Collaery. I do not believe there is a point of order on this issue, though. I call the Deputy Chief Minister.

MR WHALAN: Thanks, Mr Speaker. I will conclude briefly. Other industries with a strong potential for further growth include technology, the printing and allied industries, and the finance and business services. Studies are being undertaken at the moment into a number of these industries in order to target those areas with the strongest potential for growth. We wish to ensure that the resources that we have available are being deployed in those areas of greatest return.

In conclusion, I would like to take up one of the points that I think Mr Collaery made this morning, that we look also to the very fast train project as a great source of potential growth, during its construction and design phases and also as a result of the other benefits that it will bring to this Territory.

PRESCHOOL EDUCATION

MS MAHER: I address my question to the Minister for Industry, Employment and Education. Yesterday the Minister

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announced that the Government had revoked the preschool fee. However, the Government has failed to address the question of alternative sources of savings. Can the Minister guarantee that there will be no reduction in the standard of preschool education?

MR WHALAN: The question raises the whole range of issues which face the Government at this time - that is, confronting a situation in which real term funding guarantees run out in a couple of years; that is in front of us. Behind us we have the reviews of the Grants Commission and the impositions that the Grants Commission's reviews have placed on us, and the commitments that they expect from us in order to comply with their assessment of our expenditure relationship with the rest of Australia.

The fee originally was introduced in that context. It was decided by this Government that it was not an appropriate way to make the adjustment. The member is quite right that we have not, at this time, indicated alternative sources of funding in relation to that.

What is important is that when we consider that, in the budget context, any decisions that are made in relation to that will be made in full consultation with the parents of the children who use the preschool system, and indeed the parents of children who are not yet in the preschool system, because they will probably be more involved.

We will consult the community on the options; we will consult the unions, and employees in preschools; and we will seek to come up with proposals which will not disadvantage the standard of preschool education in the ACT.

CANBERRA DEVELOPMENT BOARD

MS FOLLETT: Yesterday I undertook to obtain responses quickly to some questions asked by Mr Collaery. He asked me whether an audit of the Canberra Development Board, which allegedly had been recommended by officers of the ACT Administration, had been rejected by the Head of Administration. The answer to that question is that these events occurred before self-government and are therefore not the responsibility of this Government.

The Head of Administration has offered me the following advice on the matter. In 1987, in the course of the formulation of the 1987-88 internal audit work program, an audit of the Canberra Development Board was recommended for inclusion in that program. The suggestion was supported by officers of the Canberra Development Board.

Discussions between audit and senior staff of the Office of Industry and Development in 1988 agreed that at that time resources would be more effectively utilised in conducting

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the audit in relation to the Canberra Tourism Development Bureau, which at that time was an arm of the Canberra Development Board.

The audit was commenced in mid-1988 and the report was finalised in early April 1989. The report recommended a range of useful suggestions for the improvement of management and systems within the Canberra Tourism Development Bureau.

PUBLIC SERVICE

MS FOLLETT: Mr Speaker, Mr Collaery further asked me two questions yesterday in which he referred to the circumstances surrounding the redevelopment of two blocks in Turner. He asked in particular whether a former senior Administration official had an interest in the company involved in the transaction, and he inquired whether Mr Keith Lyon had encouraged an inquiry into the matter by the Administration's investigation unit. He also asked about progress on any other inquiries concerning the Lands Branch.

The events referred to in the question took place well before the assumption of office by this Government on 11 May. The Head of Administration has provided me with the following information for the Assembly.

The investigations unit recently made inquiries into the approval of the extension of the terms of two residential leases in Turner in March 1988. The inquiry was initiated by the investigations unit on information supplied by a junior Administration officer. My Lyon did not initiate the inquiry.

The inquiries by the investigations unit revealed that, firstly, in March 1988 the ACT Administration extended the terms of two residential leases in Turner - blocks 2 and 3, section 43 - to 99 years. Mr Tony Hedley, a director of Hamib Pty Limited, the company owning the leases of blocks 2 and 3, section 43, was formerly an officer of the Administration.

Secondly, the extension was made on the basis of incorrect procedures which relied on erroneously handled precedents involving other companies. The officer who took the decision did so on the basis that it was open to Hamib Pty Limited to take action through the Administrative Appeals Tribunal or the courts to obtain the benefit of the erroneous previous action. However, the officer made it clear that this should be the last case handled in this way.

The investigations unit concluded in its report that there was no evidence to suggest that Hamib Pty Limited had been improperly favoured and that there was no suggestion of

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misconduct. The unit noted that present procedures have been designed to ensure that a recurrence of the above lapse does not recur. As a result of this inquiry the investigations unit has decided to review other procedural systems in the Lands Branch concerning variations to commercial leases and the practice of commuting land rent from an annual rent to a lump sum payment. These matters relate only to administrative procedures. There is no suggestion of any misconduct by officers on this matter.

CITIZENS ADVICE BUREAU

MR BERRY: Yesterday Mr Stefaniak asked me a five-part question about the Citizens Advice Bureau and the Contact directory. The first question was: Was a grant for \$32,141 approved from the Community Development Fund for 1988-89 to the Citizens Advice Bureau to assist in the publication of the Contact directory? I have been briefed by my department on that matter, and the answer to that question is yes.

The second question which was asked was: Were payments of \$16,070 made in approximately July and October 1988 to the Bureau? The answer with which I have been provided in response to that question is yes.

The third question was: When can this directory be expected? The answer to that is that the new Contact directory will be launched on 26 June 1989. Fourthly, did the grant include funds for computing equipment? If so, what will happen to this equipment after Contact is published. The answer to that is that the grant included an amount of \$9,535 to upgrade the Citizens Advice Bureau's community information systems to allow for the production of service listings and directories.

Following the publication of the Contact directory the computer equipment will be used by the Citizens Advice Bureau to maintain its database for the provision of community information and the production of future editions of the Contact directory.

The fifth part of the question asked: Does the Minister believe that this publication must continue under public patronage? The provision of freely available community information is important in helping people in need to access appropriate support services. The Contact directory will be available for use by all ACT residents. However, its primary focus will be to provide information on basic health, welfare and community support services to the disadvantaged members of our community.

As such it will be an important part of implementing a social justice strategy in the ACT. The Citizens Advice Bureau has been encouraged to seek commercial sponsorship to assist in the production of the directory. The funding

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of future editions will be dependent on the assessed need and available resources at that time.

EXECUTIVE'S OBJECTIVES AND PROGRAM Ministerial Statement

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

That the Assembly takes note of the following paper:

Executive's objectives and program - Ministerial statement, 11 May 1989.

Debate (on motion by Mr Jensen) adjourned.

DECLARATION OF PRIVATE INTERESTS OF MEMBERS AND IMMEDIATE FAMILIES

Motion (by **Ms Follett**) proposed:

That:

- (1) within 28 days of the making and subscribing of an oath or affirmation as a Member of the Legislative Assembly for the Australian Capital Territory each Member of the Legislative Assembly shall provide to the Speaker of the Legislative Assembly a declaration of the private interests of themselves and their immediate family in the form as presented to the Assembly this day and shall notify any alteration of those interests to the Speaker within 28 days of that alteration occurring; and
- (2) such declarations be made available to any person on request.

MR COLLAERY (3.09): Mr Speaker, I rise to support the Chief Minister in the motion, and to endorse the proposal that there be a statement of registrable interests for the ACT Legislative Assembly. The Residents Rally takes the view that this register should include those who are in close proximity to government, in the form of senior advisers, both by way of attachment to the governing group and by way of appointment in the Territory Administration at first assistant secretary level and also including lease administrator.

Mr Speaker, the background to this proposal is one of process in other States of Australia and elsewhere in the democratic world. The President of the United States has just promulgated, with respect to senior administration officials in the States by presidential documents, a code of ethics for both members of the houses of Congress and also senior administration officials. The Rally looks forward to the Chief Minister putting forward to this

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Assembly provisions within her portfolio which would bring into place a situation whereby we will never again have a repetition of what has occurred plainly, as we have learnt on the floor of this house today, in the senior levels of the ACT Administration.

Never again, Mr Speaker, should we have an officer in a junior position inquiring into an officer in a senior position, as has occurred in relation to the matters alluded to by the Chief Minister today in the advice received from her Head of Administration. What more would point up the need for a code of ethics than the dissimulation and deviousness of the response which has been given to the Chief Minister in that matter. The Rally will of course be pursuing that, against the background that honesty in the Assembly is one thing, but also we need to have honesty among the advisers close to the Chief Minister and her Ministers.

Finally, Mr Speaker, there is a provision in the proposed statement of registrable interests - this statement is similar to the Greiner model, as we might call it - at clause 6, which asks for a list of liabilities, indicating the nature of the liability and the creditor concerned for self, spouse and dependants.

The Rally would expect that "nature of liability" would embrace the quantification of the liability, so that the actual debts owed by those of us in this chamber are clearly indicated and that the ultimate creditor, by way of direct or indirect holding of that creditorial control over us, which all of our creditors have, is fully revealed.

MR SPEAKER: I call on the Chief Minister. We were a bit quick off the mark then. I believe she would like to speak to the motion.

MS FOLLETT (Chief Minister) (3.13): Thank you, Mr Speaker. I will be fairly brief, but I certainly would like to speak on this matter because it was an issue on which the Australian Labor Party made a very strong election commitment. It is integral to our commitment to open and honest government, which we made throughout the election campaign and which I repeated again in the inaugural address to the Assembly on 11 May.

I indicated at that time that I would introduce as a matter of urgency a requirement for all Assembly members to declare their personal financial and business interests. I am sure that all members of this Assembly would agree that we want to set the very highest standard of personal honesty and accountability and that that will be a hallmark of this Assembly.

I fully believe also that that is what the ACT community expects of us. I think it has every right to expect and to want to have proved to it that this Assembly has the highest standards of that sort of integrity.

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What I am proposing to do, as an interim arrangement, is require that all members make statements of their financial interests on a form that is similar to that required for members of the Commonwealth Parliament. These sorts of declarations cover real estate, share-holdings, company interests including trusts and partnerships, investments, other assets and sources of income, gifts, sponsored travel and hospitality received. I wish to make it clear at the moment that the declarations do not require the disclosure of amounts of money or the value of assets. They relate only to the nature of those issues, so for the moment at least we are not required to make a statement of the amounts involved.

The declaration will be provided to the Speaker and retained by him. In keeping with the commitment to openness of government, I propose that the statements be made available to members of the public on request. Mr Speaker, I table a copy of the proposed form which has already been circulated to members.

Mr Speaker, an even higher level of specific detail of private interests of the Ministers and their immediate families will be required. These will be provided in an additional return, similar to that provided to the Prime Minister by all Commonwealth Ministers. I will adopt the Prime Minister's practice and retain these detailed statements on a confidential basis.

Ministers will also provide me with written declarations that they believe that their personal affairs, or those of their immediate families, do not conflict with their public duty as Ministers. They will also confirm in writing that they will advise me of any relevant change to these circumstances.

Mr Speaker, I believe that these measures are an important and necessary demonstration by us to the ACT community, as I have said, that members and Ministers alike will conduct their public affairs with the highest of standards of integrity, accountability and honesty. I am currently considering whether for the longer term we should enshrine our declarations to the ACT community in law. I will inform the Assembly in due course of developments there.

On one point that Mr Collaery raised concerning senior advisers within the ACT Administration, I think we should make it clear to the Assembly that those advisers are already required to make declarations of their interests, and that, as far as I am aware, those declarations are current and have been kept up to date. It is certainly an issue that I will be ensuring is retained, and I would be very interested to know what exactly is in those statements of interest by senior officers, and to look at whether in our self-governing situation those statements are still in the relevant form that we might require.

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But that matter is a bit down the track. I think we should deal with ourselves first, as members of this Assembly. I therefore commend the motion to the Assembly. I present the following papers:

Register of Members' interests -
Explanatory notes
Statement of Registrable interests.

MR KAINE (Leader of the Opposition) (3.17): Mr Speaker, we in the Liberal Party have no objection whatsoever to this kind of requirement. In fact, had I been sitting in the Chief Minister's chair we would have done exactly the same thing. Only one aspect of it bothers me a little, and that is the second part of the proposal, that such declarations be made available to any person on request.

Now, it seems strange to me that, because we happen to be elected members of this organisation, we have no element of privacy whatsoever. Personally I have no objection to persons wanting to know my financial situation; they are welcome to know it, because there is very little to it.

If somebody is going to come in and simply ask for information about my private affairs, I think there ought to be two aspects to it. Firstly he or she ought to have a good reason for wanting to know, and it should not be just anybody who walks in off the street and says, "We'd like to know something about Trevor Kaine". I think that is making it a bit too free and a bit too open. Secondly, I do not think that under any circumstances should the information be made available to anybody without my being aware that it has been done.

So I propose, Mr Speaker, the following amendment:

That the following words be added at the end of paragraph (2): "subject to the Member concerned being advised by the Speaker of the name of the person to whom the information is made available and the reasons why it has been requested, in each case".

I think that the least we can ask is that we should be aware of those matters.

Amendment agreed to.

MR JENSEN (3.19): I would like to support my leader, Mr Collaery, in relation to this matter, but I would like to just bring in one other issue, Mr Speaker, particularly in relation to the details and the information that is to be held in relation to the Ministers and, I would suggest, probably the senior members of the Administration.

It does not seem clear, Mr Speaker, who will be having access to this information that is to be held by the Chief Minister and on what basis that information will be made available to the members of the public. I would also

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remind Mr Kaine, the Leader of the Liberal Party in this place, that when we undertook to represent the people of the ACT in this place we undertook a certain responsibility to ensure that the people of the ACT knew full well what our commitments were and what our commitments were not.

I am just suggesting, Mr Speaker, that it is important that we in public life be prepared to accept the good with the bad in relation to this matter and that provided, as Mr Kaine has already said, that appropriate arrangements are made to ensure that vexatious claims are not made on the members this information can be made available appropriately.

MR WOOD (3.21): Mr Speaker, I support this concept. I think it is important that we state our background and that it be available to people. I have had some sort of experience in a particular sense in this regard. Many years ago in another election campaign, when issues such as this were topical, I expressed in the media my assets. I guess there was a political motive there, too, because I thought that other candidates should have done the same.

I have to tell you that it did me no good at all in any way, and in fact it brought me a great deal of discomfort through the abuse that came to me as a result. I ask the Chief Minister to respond to a question about any person having access to this information. Do we therefore expect that, at the end of that 28-day period, across the pages of the local newspaper we could have a list of the 17 members of this Assembly and their comparative assets?

MR SPEAKER: Would the Chief Minister like to reply to that at all?

MS FOLLETT (Chief Minister) (3.23): As the motion has been amended now by Mr Kaine it is now subject to each member concerned being advised by the person who has been asking for the information why it has been requested. I think it is entirely possible that all 17 members could see their statements of pecuniary interests appearing in the media, being written across pages of the "Canberra Times". I, myself, have absolutely no objection to that. In a city such as Canberra, where people are naturally cynical about politicians, such statements would give them some reassurance, I believe, as to the integrity of the people whom they have elected. I have no objection to any detail of my financial interests being made public; it is rather a dull little story, I am afraid. But I do not see why that should not be the case; people have a right to know who they have elected and what those persons' interests are, so I have no objection to that. I understand, from the motion, and even with the amendment, that it is possible.

Motion, as amended, agreed to.

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HERITAGE ASSETS - PROTECTION

MR HUMPHRIES, by leave: I move:

That the Assembly takes early action to provide adequate protection of heritage assets in the Australian Capital Territory.

I think it is appropriate, Mr Speaker, that this matter of public importance can come up today and be dealt with relatively soon after a fairly important decision was taken last week concerning the demolition of a house in Barton which, according to some people, was an item which ought to have been preserved as a heritage asset for the Territory.

I think it is appropriate that this matter comes up at all because problems in this area are, in my view, an excellent example of the reason that the ACT was granted self-government in the first place. Heritage legislation - or rather a lack of it - is a classic case of Federal Government neglect in the Territory. This is a case where the benevolent dictatorship, which has so long run the Territory in the form of various and successive Federal Ministers, has failed either through a lack of interest or resources or concern, or perhaps all three, to provide adequate protection of assets, whether they are man-made or natural, which are significant to this Territory and which ought to be preserved for posterity.

Those who would argue that Federal administration was always good enough for Canberra need look no further than this area and this debate to see how fallacious that argument is. There are many areas, Mr Speaker, where legislative review is needed, and those issues face this Assembly at the moment. Mental health legislation and occupational health and safety are just two such areas. Any list one would care to draw up indicating the priority, or what should be the priority, of this Assembly would have to put heritage very near the top.

The Opposition is concerned that today there is in the ACT no comprehensive, clear, balanced and enforceable law to protect assets of architectural, historical, aesthetic or cultural significance to this community. The reason the Opposition is concerned, and the reason, as I have said, such legislation ought to take a very high priority on the scale of matters is that such assets are, at the present time, under serious threat.

Last week, Mr Speaker, a demolition permit was granted in respect of a house abutting Telopea Park. That house was in the so-called early federal capital style and was about 50 years old. Soon after the permit was granted, the house was demolished - very soon, in fact. I understand four aged persons' units are to be built on the site. Blocks in the Barton-Kingston-Reid area are particularly susceptible to this kind of redevelopment because they are large blocks

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in inner city areas. They are susceptible to the temptation of redevelopment for such kinds of construction.

The decision to issue the demolition permit was taken by the Government sitting opposite me. According to the media release that it issued at the time, it was taken for two reasons: the first was that the ACT Heritage Committee - a body set up to advise originally the Federal Government and now the ACT Government on heritage classifications and questions - recommended, by a vote of four votes to two, that the building not be granted any special protection.

The second reason alluded to in the press release was that the owners had complied with the law, as it stands, which entitled them to put their land to use as permitted by the law. I want to put on record, Mr Speaker, that the Opposition does not dispute that decision, although it may have relied more heavily perhaps on the former reason, which is the Heritage Committee recommendations, than the latter reason, which is the rights of the owners to use the property as they saw fit.

The Opposition does not want to attack the Government on that decision but wishes to register its profound concern on two scores. The first is that the law in the Territory should have been allowed to remain in this unsatisfactory state for so long. It is a reflection on the attitude of successive Federal governments which saw Canberra primarily as a national capital and only secondarily, if at all, as a community in its own right. The second is that the laws to protect assets of value to the local community as opposed to national assets or national treasures should have been overlooked.

Canberra is a young city; it is much younger than any of the State capitals, for example. It does not have buildings of the same age as some other cities in Australia. That of course is not the point. The point is that Canberra has buildings and other structures which are unique to our city and special to the history of our development. It shows us, in the words of one commentator, what we were once like.

I think it is worth quoting, Mr Speaker, from the comments of Mr Ken Taylor, the president of the ACT section of the National Trust of Australia, in speaking about the proposal to redevelop 37 Telopea Park West. The point he made in the course of those comments, as quoted in the "Canberra Times" of 16 May, was that there is value in preserving individual buildings, individual structures, and also in preserving precincts and larger scale heritage assets as a way of seeing buildings and structures in their context. I quote from the comments he made, according to the "Canberra Times":

This style of planning -

he is referring to the early federal capital style -

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with examples in small precincts in Reid, Forrest and Ainslie, is one of Canberra's special contributions to Australian planning...

The charming style of the Federal Capital Commission architecture is particular to Canberra. It is complemented by street layout, street tree planting, garden styles and street furniture.

The whole ambience of the substantially intact Barton precinct comes from the total of its components. If one of the original components is destroyed the result is a lessening of the value of the whole.

Mr Taylor said small historic precincts such as Barton were Canberra's equivalent of Sydney's historic precincts, adding richness, diversity and historic values of Canberra.

I heartily endorse those comments. I endorse them because they show what the heritage legislation I urge today on the Government should aim to do and also because they indicate that the decision on number 37 Telopea Park West was not, by any means, an obvious one or a unanimous one or a one that was free from disagreement, as I am sure others in this debate will tell us.

The second matter of concern to the Opposition, Mr Speaker - and this is a matter of mild concern at the present time but becoming more pronounced as days go by - is the present lack of any clear guidelines foreshadowing the legislation which will be applied by the Government to heritage assets, and that issue is a coin with two sides. First of all, the problem is a lack of certainty for people who want to deal with heritage assets in a way which may be consistent with community interest and the other, of course, is the lack of any enforceable rules protecting assets once they have been identified.

The Government has inherited a situation in which this deficiency is pronounced, and it must act quickly to rectify that deficiency. Of course, to have legislation now before us would be good, but that naturally takes too long. Any good legislation would take longer than a few days or weeks to prepare.

But I submit, Mr Speaker, to the Assembly that we cannot wait for it to be in place before protection of heritage assets commences. We must have guidelines in place well before then, and those guidelines, of course, should reflect the legislation's final form, or what the Government sees as being the final form. Those guidelines must be enforced.

The decision on 37 Telopea Park West was, with all due respect, adhocery. It raises the question of how other such cases will be dealt with in the coming weeks. I assure members of the Assembly that there will be other

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such cases. What will the Government do when a person has complied with all the regulations concerning development of a site but when the Heritage Committee says that this particular asset should be preserved? What will happen then? If demolition is refused, the Government will be treating landowners quite differently from the owners of 37 Telopea Park West.

If it allows demolition to occur, for the sake of consistency, what becomes of our heritage? This is not an academic problem, Mr Speaker. Such cases will arise, especially when it becomes clear to people that heritage legislation is imminent. Some fears will be raised in people's minds that in some way the legislation will result in a diminution of the value of their land and that they might inherit liabilities, rather than valuable assets.

I hasten to say that I hope that would not be the product of any heritage legislation. I hope it would guard against that possibility; nonetheless, that would be the fear in some people's minds. When it comes to looking at the questions that I have put before it, I hope the Government does take some cognisance of the heritage policy of the ACT Liberal Party. I know it is a fact that is resented by some in this Assembly that the Liberal Party has raised heritage issues at this stage.

The fact is, Mr Speaker, that our heritage policy is probably the toughest of any that was put before the people of the ACT at the recent election. I give, as one example of that toughness, the fact that, rather than have subordinate or delegated bodies making decisions on heritage questions, particularly about whether major heritage assets should be put on or taken off the ACT register, our policy calls for this Assembly, the supreme decision making body within the ACT, to make that decision.

I submit, respectfully, Mr Speaker, that in that respect it goes much further than any of the other heritage policies that we have seen. I commend to the Government the course of action that I have suggested. I hope this will not need to be raised again, and I hope that in the next few days, if not weeks, we can see legislation and guidelines which will provide protection, urgently needed protection, for Canberra's heritage assets.

MS FOLLETT (Chief Minister) (3.36): I am very pleased indeed that this question has been raised so early in the life of this Assembly, and I am not one of the people to whom Mr Humphries referred when he said that there was resentment that it has been raised. I do not resent it at all. Like Mr Stefaniak, I have lived in the ACT since 1952. The only difference was that I was not born here. I have seen many changes here and I have seen many aspects of Canberra that have been torn down, changed beyond recognition and so on - like the Capitol theatre at Manuka.

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There have been some decisions which for old-time Canberrans are very regrettable and which have reduced, in my eyes, the real character of Canberra. So I am happy to have this debate so early in the life of the Assembly, so that we can place on record what I believe is the cross-party support for the preservation of the ACT's heritage.

As has been pointed out, Canberra is not an old city, but it is nevertheless one of great diversity. There are aspects within Canberra of rural life, urban life, government life and so on, which are really crucial to the nature of the place, and they must be protected.

This is certainly an issue which the Labor Party and the Labor Government are totally committed to pursuing, and with some vigour. We are also aware, of course, that it is a matter of public concern - more so perhaps in recent years than earlier - and that the public is now vitally interested in protecting both the natural and the cultural heritage of the ACT, as it is throughout Australia, I believe.

There is also a need for there to be much greater certainty in the ACT, particularly over what is permissible and what is desirable in relation to heritage areas. I believe that the area where we have had the greatest difficulty is in introducing some degree of certainty - some guidelines for people to follow. I think that Mr Humphries is quite right in alluding to that matter.

Of course, also in the ACT, in addition to the heritage areas, there are streets and suburbs which, while they may not be of notable historical significance, let alone of national historical significance, are of a significance in their own right to Canberra. We would want to see them preserved, even though they may not be of great historical value. I think everybody can think of areas like that.

What the Government is planning to do in the area of heritage is to introduce necessary planning and heritage legislation. We would like to do that at an early date, but I think it is also necessary to look at strengthening the role of the ACT Heritage Committee. I think it is clear that that Committee needs legislative backing, it needs some power and some teeth. So we would look to empowering the ACT Heritage Committee to make its role clearer and its powers much more well-defined.

I think integral to anything that we do on heritage is the preparation of a register of heritage areas in the ACT. A great deal of work has been put in on that already by some of the non-government organisations - in particular, those with an interest in heritage, such as the National Trust. Most of those organisations have a list of some kind which could be drawn upon in the drawing up of a register.

Having said that, I would like to look first of all at what is available in the ACT now by way of heritage protection

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and, having looked at that, to make a couple of points about the experience concerning the house in Barton and its demolition. I do not believe it is widely understood that there are in existence some real heritage controls in the ACT.

First of all, there is the Nature Conservation Act which protects the natural heritage of the ACT. It is a very important piece of legislation. It is not as well known that in January this year there was an amendment to the Building (Design and Siting) Ordinance which requires the Interim Territory Planning Authority to refuse approval of work, and that includes demolition, if the building is of heritage significance and if approval would not be in the public interest.

I do not believe that amendment to the ordinance is well known and I think it is worth while pointing out that it does exist. It places some requirement on the ITPA to have regard to heritage issues. As a result of that, the ITPA consults the Heritage Committee on applications in heritage-sensitive areas. So the ACT does have some control over the demolition in particular of heritage, and in many ways that control is more than exists elsewhere in Australia.

The great difficulty of course - the problem with which we are confronted here - is that the ordinance and the ACT Heritage Committee's examination come into play only when there has been an application for development. I think that is very much in a reactive mode rather than everybody understanding that there are these rules which exist and that this is how they will be applied. The contrary happens; once there is an application for development, that legislation comes into play, and I think that is what we have to change.

We need to make sure, for instance, that there are integrated planning and heritage Acts or perhaps one piece of legislation. Those two aspects of planning and heritage must work together - one to protect the other and so on. As I said before, we also need to set up the ACT Heritage Committee with its own legislation which would give it some real power. I believe it would also be desirable to establish a task force to advise the Heritage Committee on what might be included in the register of heritage in the ACT.

But, of course, we would need then to require that the task force invite the public to nominate places, assess proposals, conduct hearings and so on so that it is all done in the public arena. This is not something that should take place behind closed doors. I would also be asking the Interim Territory Planning Authority to investigate the order in which developments might be permitted so that they would have to identify special conditions for areas of quality but not of heritage significance and demonstrate how the Territory Plan would show all of that so the people

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can understand what conditions apply to any particular area. We have to remember of course that lessees and developers are involved in all of this activity and that they also have some rights.

I have asked for some urgent action on that matter to be taken by the Territory Planning Authority. I have asked for an early identification of areas which are free of heritage considerations. There are some, I believe, so they can be taken off straightaway and not be subject to any delay which would happen otherwise.

I have asked the Interim Territory Planning Authority to withhold demolition approvals on buildings on residential leases in Canberra central until we have made some identification of the heritage aspects involved and until the register is at least under way. As I said, I will withhold demolitions, but alterations and additions might be approved, provided that they have the agreement of the Heritage Committee and the Interim Territory Planning Authority.

I think those sorts of proposals demonstrate the depth of the government commitment to the preservation of heritage in the ACT. I would like to say further that in relation to the demolition of the house at Barton, the decision not to oppose that redevelopment was taken after a second consideration of the issue by the Heritage Committee and after the apparent exhaustion of all processes available to prevent the redevelopment on that site.

I can think of no other responsible course of action in relation to that house. Again, as I said, there were lessees involved; there were householders involved who had been considerably delayed and who had made every attempt to meet the conditions imposed by the ACT Heritage Committee and in fact had had their place approved by that Committee.

The Heritage Committee had been appointed by the Minister for Territories for its expertise in heritage matters. If we are not to take its advice on issues of heritage when they arise, there is no point in having that Committee. The Committee was consulted twice - once by the Minister for Territories and once by me as soon as I took office - and its advice was virtually unchanged. It approved the redevelopment provided that certain conditions were met regarding the streetscape - which, as Mr Humphries has pointed out, is a significant part of heritage - and some of the planting.

I believe the Heritage Committee behaved responsibly and I think the only responsible thing for me to do as the Minister was to take its advice and act on it. Not to have done so would have been, I believe, irresponsible.

I have outlined some of the action that the Government intends to take in relation to heritage matters, and I hope that members on the other side of the Assembly take some

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heart from that. But I would also like to point out, particularly in relation to some press articles that have appeared, that of course heritage has not been excluded from the standing committees of this Assembly. I would have thought it would take very little imagination on the part of any member of this Assembly, or of the media, to see that heritage could well be dealt with within the standing committee on planning, which has been established by this Assembly.

I would like to add that, if it is necessary, it is quite within the scope of this Assembly to create special committees on any matter on which we want to inquire more deeply or more specifically. If it is the wish of this Assembly to create a special committee to look at heritage matters and heritage legislation, then so be it. We have the power to do that, if that is the wish of the Assembly. It had been my intention that heritage and environment matters come within the general ambit of that planning committee, and I think that is quite an appropriate way for them to be dealt with.

MR STEFANIAK (3.47): I will be fairly brief. I rise to support principally the remarks made by my colleague Mr Humphries and also some of the remarks made by the Chief Minister, with perhaps just a couple of words of caution in relation to the proposed legislation.

Especially in a young city such as Canberra, as the Chief Minister and I know because we have lived here for quite some time and effectively grew up when there were such buildings as the Capitol theatre, although buildings might be very new in terms of some of the more historic monuments in the world, they become important as the years go by. In say, 100 years or 150 years there will be some very significant and very historical architectural structures and other sites in Canberra, which will be of great interest to generations then - and to future generations.

I look around at some famous monuments in the world which may not have been but for quirks of fate rather than heritage legislation. I am mindful of the very magnificent summer palace in Peking. No doubt people have seen photographs of the marble boat on the lake there, which is one of the main tourist attractions in China. That palace was a quirk of the late Dowager Empress of China who actually spent her naval appropriations on this fairytale summer palace rather than where they should have been spent at the time - on building up her navy.

Whilst I, being an ex-military man, do not agree with spending naval appropriations on things other than a navy, as it turned out it probably would not have made much difference if she had, and it left the world with a magnificent piece of Chinese architecture, and indeed Chinese heritage.

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Mr Kaine: Do you reckon we can do the same, Bill?

MR STEFANIAK: I do not know. I certainly would not like to do the same here in relation to our naval appropriations, full as they are. In relation to heritage in Canberra I think it goes to show that there are a number of buildings here which we might not think of as particularly significant now but which in the future will be. I commend any heritage legislation in that regard.

I raise one question of warning though, and that is the competing interests of the rights of citizens who live in certain houses in Canberra which can be regarded as having historical value and heritage value against the community interest in keeping parts of our heritage. As I said earlier this morning, Mr Speaker, Canberra is a very small community, and I hope there would be considerable community input and involvement, especially by all members of the community who are in areas and buildings which could be classified as forming part of our heritage.

In recent weeks I have had a number of calls from people who live in fairly old houses which are in areas that might become part of heritage classification, who are very worried about whether they can do renovations to their buildings or indeed sell their buildings, or in some cases redevelop the area, because the buildings might be said to be part of our heritage. I think we have to be very careful to lumber whole areas and all buildings, because they simply happen to be built at a certain time, under heritage legislation.

We have to look very carefully at the rights of citizens who may want to alter those buildings for very good reasons and the community interest in keeping our heritage. Because Canberra is a small community, however, and because a number of citizens in Canberra who are living in the older suburbs especially are very proud of their houses and the buildings, I am sure there will be no lack of volunteers who would be happy to have their properties listed as heritage properties. Of course once that is done the property is listed as a heritage property, and if anyone is to buy the property in the future he or she takes it on that basis.

So, with adequate community consultation, especially consultation with residents in those areas, I do not think there will be a problem, but that is something of which I feel the Government, and indeed this Assembly, will have to be mindful when we come to discuss heritage legislation.

MR MOORE (3.51): This matter of heritage is particularly dear to my heart, because I am a resident of an area, Reid, that is a declared heritage area nationally and because I have fought for some years to protect that area even though it is actually on that listing in various different ways. Let us not jump immediately though to look at just the

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streetscape heritage and the heritage of our built environment. We also have to be concerned about other forms of heritage within the ACT.

Let me tell you a little about an area on Blundell's Flat near Condor Creek in the area of Uriarra. There is a small picnic ground there that is bordered by a logging track and a pine plantation. Along that logging track, I am told, are innumerable Aboriginal artefacts - in fact hundreds of them, I am told by an archaeologist. On the other side of the thicket of that area are the remains of a colonial cottage, and it would require an excavation to get some archaeological evidence from there. But I understand also that there is a grave of a baby that was buried there.

Across the track from there is an arboretum and, as I understand, many of these were planted in the early days of Canberra. That particular area is currently being logged for pine trees and it will require some form of protection too. That is not to say that the logging ought not go ahead. We have to find a way to allow that sort of logging to go ahead and for archaeologists and others who are interested in our heritage that goes back, in this case, 20,000 years to look after those particular areas.

I think one of the reasons that this was put forward originally as a matter of public importance was to do with the decision on Barton. It is very interesting that the Liberal Party should bring it forward as a matter of public importance after the house in Barton has been pulled down, and it worries me greatly that a concerted action on that was not taken. It is a credit to the Liberal Party, to Mr Kaine and to my leader Mr Collaery that they signed a letter to the Minister who was at that stage responsible for territories, Mr Holding, asking him to protect that house. Of course, when the Chief Minister was asked to sign that letter she refused. We are aware of what went on after that.

I think part of the reason for that is the lack of understanding of what streetscape is about. I mentioned that earlier today, and I will probably mention it a few times later. I understand the Chief Minister was a member of the ACT Heritage Committee at a time when I was arguing, with the Reid Residents Association, that a particular situation of dual occupancy should not be allowed to go ahead in a heritage area. The reason for that is that it is like a strategic bombing of a place. One on its own is not a critical factor but as soon as we start to allow them to hit the area the area itself is destroyed.

So to think that something listed on a heritage listing can be then completely safe is not exactly true. I heartily endorse the Chief Minister's suggestion that we need an ACT heritage register. I think it is an excellent idea. I am given heart today by the fact that the people whom we have heard speak today are working towards heritage legislation and protecting this environment in which we live, to make

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it available to generations after generations of Canberrans, many of whom will, like Mr Stefaniak, be born here. Mr Humphries said that the Opposition is concerned about the high priorities. He went on to say that areas like Reid, Barton and Kingston are susceptible. I want to re-emphasise that even areas that are listed are still susceptible. We must be careful to make sure that whatever heritage legislation we have also assists to make them even less susceptible. I speak particularly about the dual occupancy situation at the moment.

Let me move on to the Heritage Committee. The Chief Minister has commented that she took advice from the Heritage Committee, the same Heritage Committee that was appointed by Labor Minister Holding. The Chief Minister did not have to take that advice. She simply did not have to take the advice of that committee. It was quite clear that the Chief Minister, with a couple of words, could easily have protected that house in Barton.

It has been clear to me for many years that the ACT Heritage Committee has been totally inadequate with reference to streetscape heritage, and once again it was the same. I received a number of letters from that committee, including some about Barton, that went on about all the advantages and why it should be saved and so forth and then in the last paragraphs it stated that perhaps it had to go down.

I do not know what the influence is on that Heritage Committee but, as the Chief Minister suggests, to give it more power and so forth I think is very dubious indeed. Let us have a new heritage committee. I think the concept of giving a heritage committee more power is correct but I also believe that, whatever that heritage committee is, it should be put together by a consensus of this Assembly so that we can be sure that the interests of all are served by it.

That is not to reflect on any of the individual people on that committee. I have a great deal of respect for the various members of it, particularly somebody who has served on it for many years, Professor Mulvaney. The Chief Minister also drew attention to the fact that we have had a reactive mode to heritage situations, and of course that has been necessary because of the fact that people have not been aware of where developments are to take place. They seem to have slipped up on people.

The certainty about which the Chief Minister talks will be for people living in those areas as well as for developers. Let me assure Mr Stefaniak that the competing interests of citizens in this area have not been found to be at great odds in the area of Reid. I have extended my house by approximately 13 squares, as an owner builder, and have had no difficulty in keeping it in its heritage tradition and

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keeping the streetscape as it ought to be. I have gone further and have kept the new part of the house in the same condition as the original old house.

Let me also say that when the house at Barton went down people like me who have tried to make those extensions were further saddened by the fact that it was knocked down by a bulldozer. Those of us who happen to be interested in door knobs or doors or windows - although I am past that stage - and tap fittings and so on were, of course, very saddened by that particular situation.

Let me also say that I find it very interesting that the Liberal Party brings this forward when one of its candidates has been one of my major adversaries in this area for some years. Bob Winnel developed Argyle Square in Reid. He also, I understand, was responsible for the particular section on heritage in the CARD document, "Cards on the Table", in which there is a clear intention to take areas that are already listed on the heritage area off the listing and so - - -

Mr Humphries: So what? Our policy is pretty good, is it not?

MR MOORE: Your policy is very good. I have accepted that. I have said that and you know I have said that publicly and on the media. In conclusion, let me say that I am most heartened today by the fact that we appear to have the possibility of heritage legislation being pulled together by a consensus of the parties here, and I look forward to seeing that legislation. But let me say that we really should see a draft Bill on this table within 30 days. That is what I would like to see.

Debate interrupted.

ADJOURNMENT

MR SPEAKER: It being 4 pm, I propose the question:

That the Assembly do now adjourn.

Mr Whalan: I request that the question be put forthwith without debate.

Question resolved in the negative.

HERITAGE ASSETS - PROTECTION

Debate resumed.

MR JENSEN (4.01): Mr Speaker, the Rally joins with the Liberal Party in seeking the introduction of heritage

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legislation in the ACT, but at the same time we seek to ensure that appropriate action is taken by the Government in the interim period between this day and when the legislation is finally put in place. To that end, we support some of the suggestions that have been put forward by our colleagues on the Liberal side.

I am sure, Mr Speaker, that the bipartisan support that has been shown on the floor of this chamber today will ensure that the ACT has heritage legislation that will provide an important development in this city.

Mr Speaker, I think it is important to talk about some of the earlier human habitation in this area, particularly because of the nature of this place. Members will no doubt be aware that this region was known as the meeting place for Aboriginal tribes of this part of the continent as they moved from the rich plains of the Shoalhaven River to the highlands. I commend to members, for their information on this important history of our region, the book "The Moth Hunters" by Dr Josephine Flood, an eminent scholar of our area. It would seem appropriate that what was a meeting place prior to European settlement in Australia is still so.

Leaving the early history of the ACT for the moment, I will now move from the prehistoric story of our city to the future occupation of it. It is true that this is a young city when compared with other parts of our nation. However, it is because it is the national capital that the city takes on even greater national significance. Although it was before my time, it was clear that areas such as Glebe Park were under threat by the development of the Parkroyal Hotel. It was only after considerable efforts on behalf of the residents of that area, including a member of the Residents Rally, Mr Chris Donohue, who was also spokesman on environment during the campaign, that that magnificent site and grove of trees were retained and that Glebe Park was developed.

To comment on some points raised by my colleague on my right, Mr Stefaniak, who I see has left the chamber, in relation to his concerns about what can or cannot be done to renovate the buildings, particularly in areas like Barton and Reid. Mr Speaker, I refer you to a very good document that was produced by the NCDC in 1986 in relation to guidelines for alterations and extensions of conservation areas within the ACT.

That document refers to a number of areas. It refers to the Reid conservation area, the Ainslie conservation area, the Forrest conservation area and also the Braddon conservation area. Unfortunately, Mr Speaker, it has not been possible for the Barton area to be included in this.

But might I suggest, Mr Speaker, as my colleague Mr Moore has already suggested, that it is possible, provided that appropriate arrangements are made, to develop these areas

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in keeping with their heritage value. It is possible to renovate these areas to make sure that they reflect the history and character of our city.

In relation to this matter it is important to consider that in the case of the Barton area - for example, the house at 37 Telopea Park West - if changes had been made to the legislation in relation to the Unit Titles Ordinance, so that instead of the mandatory four strata titles for a redevelopment it had been changed to two or even three in particular heritage areas, it would have been possible for that particular house to be saved from becoming the pile of rubble that we unfortunately saw on the front page of the "Canberra Times" soon after this Assembly was put in place.

That, Mr Speaker, is something that we in the Rally will be seeking to have done. I am sure that people like the Gallaghers are very concerned about living in the areas where they have spent a considerable amount of time. Under the changes that the Rally proposed throughout the campaign, it would have been possible for the Gallaghers to retain their lifestyle in that Barton area; it would have been possible for that house to be renovated in much the same way as the guidelines here. If those guidelines had applied to the Barton area prior to these present days it would have stopped some of the, shall I say, unfortunate renovations to some of these areas because they would have been covered by these guidelines and they would have been able to improve and retain the dramatic streetscape of this very important part of early Canberra.

Mr Speaker, I do not think that there is any need for me to comment further on this issue. It is good to see that we have a bipartisan approach to it because it is very important. I look forward with great interest to the heritage legislation. We in the Rally will be looking at this very, very carefully to ensure that the interests of all groups, not just the residents who live in these particular areas but also those who wish to develop these areas in the process of urban consolidation, about which we will no doubt have to be concerned as time marches on, can be considered and taken into account with this heritage legislation.

MR BERRY (Minister for Community Services and Health) (4.08): Mr Speaker, I rise as a supporter of heritage legislation as well. However, I would like also to issue a caution to this Assembly on the question of how heritage legislation is developed and how it might affect the people of the ACT in future years. The older suburbs of Canberra, it is true, are affected by the growth of the city and the willingness of developers to look for sites which, if redeveloped, would improve the power and influence of the rich. However, heritage legislation should not be seen as a measure to conserve the place of residence for those rich and powerful people who seem more often interested in forcing the value of their property upwards.

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That is leaving out the interests of the poor and aged, who are entitled to access to the central areas of our fair city and to some place which is reasonably close to their places of work and the sorts of services which are found around the centre of this city. Too often I have heard proponents of heritage legislation arguing the case in favour of forcing the value of property up and preserving their place of residence at a cost to those who are not so rich and powerful.

I believe that we have to ensure that in any heritage legislation there is balance and that reasonable stocks of low-cost housing are available to those in the community who are not so powerful as to own a place which might find its way on to the heritage list and which might therefore have its value improved because of its uniqueness.

MR WHALAN (Deputy Chief Minister) (4.11): Mr Speaker, as a member of the Government I can state quite categorically and emphasise the point made by the Chief Minister, that the Government recognises the need for firmly defined guidelines on heritage issues which have been publicly debated, accepted and then enshrined in legislation.

The Government's commitment to introduce legislation will ensure protection of Canberra's environment worthy of protection, and it has been clearly stated in our policies. At the same time, however, we must make certain that heritage issues are viewed in the context of the balanced development of the ACT.

Our planning goals clearly reflect this view. They are: to ensure the availability of sufficient land located as conveniently as possible for ACT residents; to link the serviced land with community facilities and open space; to conserve the significant and beautiful features of both the natural and the built environment of the ACT; to provide suitable land for economic activities and ensure that such land is readily available; to regulate development so as to maximise returns to the community, preventing exploitation or speculation, and to set standards for design, siting and safety for all buildings and construction and administer such standards effectively.

The Government needs to ensure that an additional 2,000-plus dwelling units per year are provided to meet a conservative estimate of Canberra's growth. The cost of providing that future housing in greenfields development areas, such as Gungahlin, must be carefully weighed against other possible, more feasible and economically viable options, such as urban consolidation.

When we look at future land development strategies, there must be a balance between greenfields land and urban consolidation. I accept that urban consolidation inevitably means the redevelopment of some areas within the older established areas of Canberra and, of course, these are just the areas where there would be some concern for

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the preservation of an environment which is unique or typical of a particular era in Canberra's development.

The social and economic advantages to be gained from carefully planned residential regeneration are significant. These include a freeing up of the market to allow for greater flexibility in providing a range of housing from standard low density to high density. This will bring within the reach of first home buyers some greater choice of where and how they may wish to live. By bringing more families into Canberra's inner suburbs, community facilities can be fully supported, and thus we will achieve a more economic use of our resources.

Also, we need to balance our concerns for our physical environment with other important social objectives and benefits. For example, redevelopment can permit older residents to continue to live in their home neighbourhoods, which enables them to retain their social contacts and lifestyles. The Government is committed to ensuring that sufficient serviceable land is available to prevent shortages. This must be a high priority. We share the community's concern for the preservation of our past and we recognise the need to maintain the integrity of the older suburbs.

We will strive to achieve a fair and responsible balance between the goal of heritage conservation, the need to provide land for adequate and affordable housing and the interests of leaseholders who want to improve their properties. The heritage legislation which we introduce will satisfy all of these goals.

The Government also recognises that heritage legislation needs to complement and support the leasing arrangements in the ACT. The Government is committed to the maintenance of the leasehold system as the property tenure for the ACT and believes it is the best means of ensuring orderly land development. The leasehold system prevents speculation and provides an ideal basis for stable and predictable planning decisions. The aims of the leasehold system should be to provide certainty, responsiveness and even-handedness in approach.

Heritage legislation which this Government will introduce will support and complement those absolute principles of the leasehold system. Commitment to these principles does not of course mean that the heritage legislation should prevent an open consultative process providing ready access to all who wish to contribute properly to the debate on heritage issues. The heritage legislation in association with the changes to the leasehold system legislation will provide a proper balance and have the effect of overcoming the conflicting interests which have had the effect of providing a negative force in the proper advancement of both heritage and leasing interests.

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MR COLLAERY (4.16): It is very gratifying to see that the matter of public importance brought on today by the Liberal Party has achieved such agreement in this chamber, and one hopes that the agreement will be translated quickly into action because action is sought. There is of course a developer in this town who under one trading name or another has bulldozed - and of course I am referring to the developer at Telopea Park West - several buildings that the community has sought to protect in recent times.

As far as the Residents Rally is concerned, that developer needs to have some better regard for community attitudes. One hopes that the Liberal Party with its superior contacts, often in the development area will use its particular place with the Canberra Development Board and other bodies and, indeed, with its own members to ensure that the policies formulated by the parliamentary wing of the Liberal Party in the ACT go to ground in the wider Liberal development world. One hopes that that will come about and be one of the greater products of this town.

The Rally of course welcomes the parliamentary Liberal wing in this Territory because we perceive that that stronger hand that those persons may have will have a much better influence on the developer element than some of the Liberal hopefuls-to-be have had in the past. One sincerely hopes that we can see action going back down the line to the developer body on these matters.

That is not to say the Rally does not have a level of agreement and debate with the developer lobby, but it has been very much a case of the Rally having to carry the whole argument in this town for too long, to our disadvantage, and it has created an image of the Rally being anti-development, which is far from the case.

Specifically, without taking up the time of this Assembly much longer, the Rally also wishes to see a committee formed within this Assembly - regrettably it was not formed with the committees that were bulldozed through us yesterday, but hopefully the Chief Minister will relent - on the subjects of environment, conservation and heritage.

One should hope that the Interim Territory Planning Authority is quickly headed by a person of vision again. I am not harking back to an old vision of Canberra, but we need a vision for Canberra again. The current acting occupant of that job cannot, as far as the Rally is concerned, claim to have that office in the future. The Rally has said quite publicly that we need now a change at the helm.

We have established to the satisfaction of the community that that person has not been able to devote sufficient attention to the task so as to avoid divisiveness in the community, conflict and even suspicion about the levels of influence in the former NCDC and now in that task. We mean nothing personal in that regard with respect to Mr Geoff

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Campbell, but we think that he should now graciously step out of that post and that he should not be appointed to head the Territory Planning Authority.

In considering the future occupant of that job, one hopes that the Government will consult the parties in this chamber because the territorial planning appointment is vital. It is vital in heritage and other areas, and we have every right to have some proper say within the usual conventions in the nature of the appointment and the range of persons who might be invited to apply for the job.

Finally, the current ACT Heritage Committee, good though its intentions may be, is proving to be an advisory body within a pyramid, and that itself has constraints. I have served on and chaired government committees under a pyramid in the past. I have known what it is like to be seen on one hand to be independent and on the other hand to report to a Minister. It is a very unenviable task, and I think my colleague Mr Moore has recognised that.

We see the new heritage body, whatever it be, as being deliberative, and in that sense it may well become part of the new planning appeals and other structures that we see for the future here. Preservation of the built environment is one thing.

My colleague Mr Moore has referred to the landscape heritage of the Territory. The Deputy Chief Minister, in referring to urban consolidation, would not, we are sure, purport to suggest that the hilltops which have remained sacrosanct in this Territory for so long will be developed.

We expect that they will be regarded in large measure as part of our landscape heritage and that we will not see urban consolidation take place on the hilltops, the knolls and the other areas of this Territory which make up the overall character of Canberra as the bush capital of Australia.

We need techniques to be developed to encourage preservation. They could include such things as free assistance from the conservation planning authorities to the owners of listed properties on designing their own alterations and additions.

As my colleague Mr Jensen has pointed out, one reason why the building at Telopea Park West had to go completely, we are sure, is that the Unit Titles Ordinance does not allow for fewer than four units in any development. Of course that noted architect and conservationist, Mr Peter Freeman, offered at a late stage to design free two units at Telopea Park West which would have taken in the house and which would have meant an extension at the rear and the sides, which would have preserved the whole nature of that built environment at 37 Telopea Park West. But of course such is the desire, as my colleague Mr Berry mentioned, for capitalisation in this area that we saw a developer go in there and ruin that particular corner of Telopea Park.

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The question of rates and tax rebates for owners of listed properties where preservation can be shown to disadvantage the owner should also be examined. We recognise that heritage listing in some areas can of course increase value. But we must seek some method of determining how to assist people to keep the community heritage. They act as custodians for us, and if they are having to pay very high rates to keep, out of loyalty, their heritage property on the ground, we need to examine the prospects of those issues.

Additionally, we need to look at advising couples such as we saw at Telopea Park West on other alternative stratagems. Of course, the statement was that the developer approached them, or that they approached the developer. I do not wish to go to the facts of the matter because the Rally has been told two different stories on that. There was one developer with a record for knocking down corners in Canberra, and also cutting a few corners with the Building Section, but we will hear more about that in the Assembly in future.

We hope that couples who for very good reasons wish to stay in their environment will be able to turn to advice - confidential, disinterested advice - on the subject of how they can best achieve their aims of living in their loved environment. That also means that the aged persons accommodation policy has to be reviewed at the earliest possible date. Few of us have seen an aged persons unit on the market for under \$140,000 or \$150,000 in recent years. We are not talking about care for the frail, impoverished aged; we are talking about capitalisation at a late stage for some lucky few.

We need to work out ways along the lines of the Scandinavian model of seeing whether the aged can live in their premises with their extended families and receive financial assistance in extending the homes of their own families and loved ones, so that they do not remain isolated - with two, four or six on a corner - in an aged persons semi-ghetto with neighbours who are annoyed about the development seeing them as some type of intruders. This is a very unhappy situation which has arisen in this Territory. It has to do with the aged persons unit policy being misconceived, wrongly applied and poorly administered by those responsible.

Finally, the Deputy Chief Minister referred to the leasehold system as something that we hold dear and of course as a necessary aspect of our revenue base. The leasehold system must not become again a revenue base for those few administering it who have managed to turn the leasehold system to their profit. Of course, many of you will know that at an early stage a spokesperson for the Administration on the demolition of property in Manuka was an official who was developing aged persons units in league with other parties.

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MR KAINE (Leader of the Opposition) (4.26): I note that the time is running out. I do not want to say a great deal on this subject at the moment. I think that over the last hour or so the matter has been well and truly traversed. It has become obvious that there are many facets to this question of heritage and its relationship to planning and development generally. Mr Collaery has outlined some rather esoteric aspects of the subject.

I think that what has come out of the debate this afternoon is just what we, the Liberals, hoped would come out of it when we put the matter forward as a matter of public importance. First of all, it is a high priority item; secondly, there are many concerns in the community about it; and thirdly - I think this has come out - there is unanimity amongst the parties in this Assembly that something must be done and that it must be done quickly.

I just wanted to make one observation on the matter raised by Mr Moore in referring to a member of the Liberal team who was a candidate. I note that that individual was not elected, and I think something is to be gained from that observation. I also note Mr Moore's acknowledgement that the Liberals have a good, comprehensive policy, not only on the subject of heritage but also on the environment generally. I would like that to be noted.

As I said earlier today, the Labor Party does not have sole rights to some questions of human rights and others nor, I submit, although the Residents Rally has been misrepresented during the last few months, does it have a sole right to claim that it is the only group that is interested in matters of heritage, the environment and development. We all share that concern. I think Mr Collaery will find over the next few months that the Liberals will work as willing partners in getting some sensible legislation into place, getting it into place quickly and making sure that it is comprehensive legislation that protects the interests of this community for the future.

In that respect, I believe that there is some merit in asking the Government to reconsider its committee structure and to create at least one more committee. It might well be that the additional committee ought to be devoted to this very special and particular subject. I believe that we can come to some agreement on that matter.

The time for this debate is fast running out and I think I have said all that I need to at this stage, Mr Speaker.

Question resolved in the affirmative.

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ADJOURNMENT

Motion by **Mr Whalan** agreed to:

That the Assembly do now adjourn.

Assembly adjourned at 4.30 pm