



**DEBATES**

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

**HANSARD**

29 June 1989

## Thursday, 29 June 1989

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

**ADMINISTRATION (AMENDMENT) BILL 1989**

**MS FOLLETT** (Attorney-General) (10.30): I present the Administration (Amendment) Bill 1989. I move:

That this Bill be agreed to in principle.

This Bill amends the Administration Act 1989. The Administration Act makes provision for the delegation of the powers and functions conferred on Ministers, the Head of Administration and Associate Heads of Administration under ACT Acts and subordinate laws. However, section 55 of the Australian Capital Territory (Self Government) Act 1988 now gives the Assembly a wider power to make laws for the delegation of any powers of the Head of Administration or an Associate Head of Administration.

In some cases powers may be conferred on these officials under Commonwealth Acts or instruments made under Commonwealth Acts. This frequently occurs in the case of powers relating to public service staff such as those found in the Public Service Act 1922, the Long Service Leave (Commonwealth Employees) Act 1976 and the Maternity Leave (Commonwealth Employees) Act 1984. ACT public service staff are employed under these provisions.

In the Commonwealth sphere these powers are delegated by the Public Service Commission or the Secretary to the Department. The efficient operation of ACT administrative units will require that administrative heads have the power to delegate these powers in appropriate circumstances so that each administrative unit operates as a separate department for routine personnel matters. The Bill gives effect to this requirement. I present the explanatory memorandum for the Bill.

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

**PUBLIC TRUSTEE (MISCELLANEOUS AMENDMENTS)  
(AMENDMENT) BILL 1989**

**MS FOLLETT** (Attorney-General) (10.33): I present the Public Trustee (Miscellaneous Amendments) (Amendment) Bill 1989. I move:

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That this Bill be agreed to in principle.

The office of the Public Trustee was established by the Public Trustee Act 1985 to take over functions formerly exercised by the Curator of Estates of Deceased Persons. The curator generally administered the estate of persons in the lower income brackets.

In a recent case the ACT Supreme Court raised doubts about its ability to grant probate to the Public Trustee of a will made by a person where the Curator of Estates of Deceased Persons was named as executor and the person died after the commencement date of the Act. To put this matter beyond doubt, this Bill amends section 22 of the Public Trustee (Miscellaneous Amendments) Act 1985 to provide specifically that a will which has been executed before the commencement date of that Act and which names the curator as executor has effect after that date as if the Public Trustee were named as executor of the will. I now present the explanatory memorandum for the Bill.

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

### **FILM CLASSIFICATION (AMENDMENT) BILL 1989**

**MS FOLLETT** (Attorney-General) (10.35): Mr Speaker, I present the Film Classification (Amendment) Bill 1989. I move:

That this Bill be agreed to in principle.

The Commonwealth and the ACT share responsibilities under the Film Classification Act 1971. Classification of cinema films for display in the ACT is a Commonwealth responsibility. The ACT Government is responsible for the law in the ACT relating to the distribution and exhibition of films. The markings to be shown on cinema films and advertising symbols relating to cinema films are specified in section 9 of the Film Classification Act 1971.

At its meeting on 2 March 1989 the Standing Committee of Censorship Ministers agreed that State and Territory cinema legislation should contain uniform requirements relating to advertising material. It also agreed what those requirements should be.

The effect of the proposed amendments is that the Commonwealth Chief Censor will set, by determination, the requirements for markings on films and film advertising in the ACT in place of the present system where these requirements are stated in the legislation. The Chief Censor is the appropriate person to make this determination in view of the Commonwealth responsibility for classification. The State and Northern Territory Ministers have agreed to make similar amendments to their

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legislation. There are no financial considerations involved in this proposed amendment. I now present the explanatory memorandum for the Bill.

Debate (on motion by **Dr Kinloch**) adjourned.

## **CONSERVATION, HERITAGE AND ENVIRONMENT - STANDING COMMITTEE**

**MRS GRASSBY** (Minister for Housing and Urban Services) (10.37): I move:

That:

- (1) The following matters be referred to the Standing Committee on Conservation, Heritage and Environment for investigation and report:
  - (a) the management of domestic and commercial waste (not including industrial and clinical waste disposal); and
  - (b) appropriate solid waste management practices with particular reference to:
    - (i) options for efficient collection of domestic waste;
    - (ii) options for stimulating recycling of domestic wastes, including glass, paper, plastic and metals and the impact of collections systems on recycling performance;
    - (iii) options for improving commercial waste disposal, in particular, the economic recycling of resources; and
    - (iv) measures that the ACT Government could introduce to encourage recycling.
- (2) The Committee report by 31 October 1989.

The volume of waste generated and disposal methods are matters about which we should all be concerned. The ACT solid waste strategy review report in 1985 estimated that on average each ACT resident produces 2 kilograms of waste per day - an increase over previous levels. This increasing trend reflects our throwaway lifestyle and mentality and results in increased disposal cost to the community, increased use of natural resources, and potential for damage to the environment.

The challenge, therefore, is to reverse the trend through the development of long-term strategies for waste collection, disposal and recycling. As community awareness of environmental issues has increased, so has the demand for a cleaner urban environment. Whilst the community has the right to demand freedom of choice, there is also a responsibility for the development and implementation of long-term, forward looking strategies for dealing with waste products.

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As a new ACT Government with direct responsibility for both territorial and municipal functions, I believe we are ideally placed to address and develop a long-term waste management strategy which will not only benefit the ACT community but also serve as a model for others.

I am privileged to propose that the Conservation, Heritage and Environment Committee inquire into overall waste management in the ACT addressing the questions of domestic and commercial waste generation, collection methods, disposal options, minimisation and recycling so as to produce a long-term waste management strategy for the ACT.

The examination of hazardous and clinical waste will be the subject of a separate government proposal. There are many extremely important issues which need to be examined, and appropriate responses developed, especially in view of the increasing evidence of the greenhouse effect. I believe that the proposed inquiry is an appropriate forum to address these issues. The terms of reference are broad and will allow input from all sections of the community. It will provide the opportunity to examine ways of reconciling community and industrial needs with protecting the environment and conservation of natural resources.

New technologies in recycling and waste reduction are emerging and strategies need to be developed for implementing them wherever feasible. Waste minimisation needs to be developed as the most effective long-term protection against pollution.

Domestic waste collection in the ACT is undertaken under a contract arrangement. There is one contract for the south of Lake Burley Griffin and seven small contractors covering the north side. The collection service operates twice weekly and uses individual handbins. Contract collections cost approximately \$3m per annum.

With the development of new technology for waste collection and greater emphasis on occupational health and safety issues involved in such work, it is appropriate that currently available collection methods be reviewed and recommendations be made for future operation of this municipal service. An important part of this will be the effect such collections will have on recycling. The ACT presently has a recycling program in place which achieves good results in comparison with other areas of Australia, and this should not be put at risk.

With the increasing public awareness of environmental issues and the need to conserve our natural resources, now is the time to stimulate recycling activity to improve on our past performance in this area. There is a need to assess recycling systems in place elsewhere, look at available and developing recycling technology and how this can be employed in the ACT. Uses for recycled products must be identified and their adoption encouraged. This may require government action in legislative terms.

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As I announced on World Environment Day, I have already asked my department to review recycling and work is proceeding with this. I now see this inquiry providing a focus for this work. A competitive commercial waste industry already operates within the ACT, collecting some 50,000 tonnes per annum. Much of this waste has the potential to be recycled, and there is the need to assess the components within this waste stream, their recycled potential and methods and mechanisms for extraction at the source of recycling.

Methods of encouraging the private sector, which primarily produces this waste, towards recycling must be a major objective. The encouragement of recycling is a major task and challenge, and the ACT Government must take the lead in this regard.

Recycling for the sake of recycling is not beneficial to anyone. It should be based on economic appraisal of collection and recycling costs against demand and sale price for the end product with allowance for other savings and derived benefits, such as saving in landfill disposal costs, conserved natural resources and the effect on the environment. Avenues for guaranteed use of the recycled product and deposits on products need to be addressed as means of encouraging recycling.

In line with the situation I have outlined, I would see the inquiry addressing the following solid waste management practices: options for efficient collection of domestic waste; options for stimulating recycling of domestic waste, including glass, paper, plastic, metals and the impact of collection systems on recycling performance; options for improving commercial waste disposal, in particular the economic recycling of resources; and measures that the ACT Government could introduce to encourage recycling.

A detailed inquiry addressing these issues will not only provide a long-term waste strategy for the ACT but will also ensure that the ACT has an efficient and effective waste collection and disposal system with appropriate emphasis on recycling and the environment in the years ahead. I commend the terms of reference for the inquiry to the house.

**MR HUMPHRIES** (10.45): Mr Speaker, as chairman of the Conservation, Heritage and Environment Committee - - -

**A member:** And the shadow Minister.

**MR HUMPHRIES:** And the shadow Minister indeed, I welcome this initiative from the Government. I believe that the terms of reference that have been put to my committee are timely. I have had discussions in the last few weeks with people involved in environment issues, in recycling issues and in related areas. I am pleased to say that I have had

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a strong and consistent view put to me that clearly there is a need for urgent attention to be given to methods of recycling in the Territory and what measures we can take as an administration in setting down the legal framework for people to operate in, to provide systems which are sensible and rational for encouraging the conservation of our resources, particularly throwaway waste and other resources.

Yesterday the Assembly agreed to refer to the Standing Committee on Conservation, Heritage and Environment a set of references which include looking at energy and efficient use of energy resources. This, I think, complements it very well and ensures that we are looking at the full range of perhaps the most important environmental questions facing us at this time.

Of course recycling is very important, it is becoming more important in people's eyes, but of course there is also the other question in the ACT which cannot be ignored at the moment, and that is the desire on the part of many people to emulate the way in which other States and territories have gone in bringing in big bins. That poses a very serious problem because it is very true that to some extent big bins militate against proper recycling.

Big bins, I am reliably informed, do encourage people to throw more away because they have more space and they can very easily throw waste into the bin. There is no need for garbage bag liners and things of that kind. Unfortunately, it encourages more waste and of course, people having thrown those things away in their big bins, it is very hard then to attempt to sort waste into different kinds of categories - paper, oil, glass, whatever - with the result that recycling is greatly hindered. In looking at big bins it is essential to balance the requirements for perhaps cheaper, certainly more efficient waste disposal with the requirement, which obviously everybody accepts, that we should be recycling more of the waste that our society generates.

I was pleased to hear the Minister say that she will be examining other systems. It is very important to take the experience of other places. I am sure that many communities around this country have experiences that we can draw on. We are quite late in picking up some of these issues, particularly in terms of big bins and, I am sure, of recycling as well. There is now a wealth of experience both in this country and overseas that we can employ to ensure that our system is the best.

Given the consciousness that I mentioned yesterday on the part of the ACT community about these sorts of issues, I am very sure that a system which is sensible and cost-effective will be supported by the population of the ACT. I look forward to getting to grips with these issues.



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It is not mentioned in this motion, but I would like to feel that it was possible for this committee to take public submissions on this question. I think there are many people in the community who have done valuable work on recycling whose experience could be drawn upon and whom we could use to draw up a good system.

Although it is important to deal with these issues in the committee stage - and I think our committee can certainly take public submissions and get a good overall feel for the way the answers lie - I think also it is very much incumbent on the Government to ensure that it puts before us a submission of some kind indicating what it feels will make the most sense in an integrated way with the rest of the Government's policies on public services, municipal waste disposal and related issues.

It is not good enough for my committee to sit down and draw up detailed guidelines which set out an ideal waste disposal system which takes into account recycling needs if the Government then finds it cannot work with that system because of its prior requirements in other directions. I urge the Government to ensure that it works closely with this committee in that matter.

I also suggest that it is not unreasonable to think about structuring our rates and tax system in the Territory to provide incentives for this kind of thing. I am not suggesting that we should have bounties on bottles or other incentives of that kind, but that we should certainly see how the tax and rates system works in with that to make it at least not unprofitable or make a disincentive for people who want to recycle to take advantage of the facilities that have been provided.

**MR MOORE** (10.51): The expertise of the Liberals on recycling is interesting. They do have a background of recycling other Liberals. Perhaps I should draw attention to the notice paper, which has had for some time an indication that the Liberals are interested in providing big bins. They do have a problem there in getting one of their policies to line up with their new attitude to environment and recycling. But at least the Liberals are realising that it is very important to look at and recognise the importance of our environment and recycling.

You will note today when the Residents Rally speaks on this they will take their notes on recycled paper. Also, I give credit to the Australian Conservation Foundation and the South East Conservation Council - and I note that Tony Fleming is in the gallery - for providing some of the information for us and for making recommendations to the Rally for quite some time.

I refer to the Rally policy on big bins. I read from the illustrious pink book - just from the summary, not from the full policy. Of course, our full environment policy is 16 or 17 pages, but the summary reads:

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Comprehensive recycling plan to be introduced, with big bins not to be introduced.

**A member:** It should just have said, "See Labor Party policy". It would have saved a lot of paper.

**MR MOORE:** Yes, I think the Labor Party did an excellent job on this. It plagiarised, but certainly drew some of the best points from our policy. Perhaps we should leave that to rest and realise that both of us probably rely quite heavily on the same advisers. Labor probably is very much involved in the Conservation Foundation, and quite rightly so.

**A member:** Whose policy came out first.

**MR MOORE:** Mr Speaker, someone referred to whose policy came out first. The first fully published, fully documented policy that was released was the Residents Rally's.

**A member:** Rubbish!

**MR SPEAKER:** Order! Rubbish should be recycled.

**MR MOORE:** Thank you, Mr Speaker. This committee ought to look very carefully at sorting of waste at the source, and so the concept of big bins will come into question. This committee of course - I say this without pre-empting its decisions - will have to look very, very carefully at ways and means of recycling at the source, so it may be a coordinated three-bin system or a couple of different rubbish collections a week, one a recycling collection and one a landfill collection.

Let me clarify our position on this motion. We will support the motion. We will draw attention to the line "(not including industrial and clinical waste)", except for the Minister's suggestion that in fact this can be dealt with at a later date rather than overloading the committee with that now. We will certainly ensure that it is dealt with at a later date.

With reference to recycled paper, the ACT Government will have to look at paper procurement policies. Currently over 50,000 tonnes of paper in the ACT is not recycled. The ACT Administration alone used over 30,000 reams of paper. When we talk about recycled paper, one of the problems is that recycled paper is about \$2.50 or \$3 more expensive than the paper that we are currently using.

**Mr Wood:** In immediate terms.

**MR MOORE:** In immediate terms; that is what I am getting to. I thank Mr Wood. Part of that reason is that it has such low volume sales, so it is critical for us to ensure that the volume of sales increases so that the price can go down and so that the recycling manufacturers can buy up the

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paper that is ready to be recycled. We have seen over the last few weeks, particularly with Koomarri and with other groups, that paper awaiting recycling is actually now mounting in Canberra. So at one end of the system we have people prepared to recycle paper and on the other end we do not have it being used.

To make sure that the system works - and this ought to be implemented immediately - we shall have to look at purchasing large volumes of recycled paper for photocopying and for use within our own administration, and to encourage others to do the same so that the recycled paper manufacturers can then start purchasing the paper that is mounting. I think that is a very important part of what can be done, even while this committee is looking at all the issues.

With reference to oil and the recycling of oil, I had the joy to go and visit the Mugga Lane tip the other day on a guided tour, thanks to Mrs Grassby - and it was greatly appreciated. I noticed there a series of new tanks being put in for recycled oil, the tanks themselves being recycled from another job. The approach to the oil is very important.

However, we do have the problem that about 2.5 million litres per year came into Canberra - that is all types of oil, by the way, including heating and so forth - and 750,000 litres are recycled. That is quite a good rate considering the difficulties, but we still cannot help asking where the other one and a bit million litres of oil go? That is a lot of oil going somewhere. So there is still work to be done.

I think we need to ensure perhaps a network - in fact, one has already started - of service stations with facilities for recycling oil, because there are plenty of people like me who change their own oil and then need to find a place to put the oil. In my own case, I put it in a four-gallon drum and eventually when I go to the dump - apart from the Ainslie station which does not have that facility - manage to drain that oil into the recycling tip. I think that is the approach that we need to look at, and we need to look at education. I think it is very important that the whole education question be taken into account by the committee.

Let me go down to another area for recycling that nobody has mentioned at this stage, and that is the possibility of recycling sewerage ash from the Lower Molonglo. I happen to be familiar with this particular area on account of the fact that I grew up with my father being chief sewerage design engineer in South Australia. He always used to say to us when we were feeling uncomfortable about saying that our father was a sewerage design engineer, "To other people it might be shit; to us it is food and clothing".

Now, similarly, let me say that it is possible to have sewerage ash pelletised, and that committee must look into

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pelletising sewerage ash so that perhaps it can be used as agricultural soil conditioner and that type of fertiliser.

We also need to look at container deposits. I remember working in country South Australia when deposits were introduced on cans. In the first three months of that legislation providing for a 5c deposit on cans, the cans basically disappeared from the roads. Later on somehow or another somebody got around the law and introduced some form of small bottle that was used for beer without a deposit, and they reappeared on the roads. So I think it is another area that we will have to look at. I understand from a report from Senator Button's office that there has actually been a strong recommendation against that, so we will have to look very carefully at why the recommendation came about and what we need to do about that.

Most of this concerns education, like all parts of environmental concerns. The more we educate people, the more chance we have got of people looking after our environment, whether it is recycling or the sort of discussion we had yesterday about energy conservation. I draw your attention to the possibility of restricting plastic bags used in supermarkets, and I wonder how many of us here take our own plastic bags to the supermarket or try to find ways to reduce that form of waste.

Let me emphasise once again that we are talking mostly about education and getting people to think about the environment. If I can just give one example about the environment and education, I would like to draw attention to the fact that for as long as I can remember, perhaps the last 10 or 12 years, I have been washing my dishes with soap rather than detergent. You get a little container and you shake it away in the sink and the soap is adequate to wash the dishes. This in turn saves the detergent collecting. I support this motion, and members of the Rally will indeed continue the discussion on it.

**MR DUBY** (11.01): If there is one thing yesterday's debate on energy conservation showed us, it is that there are a lot of born-again conservators in this house. I think there were 12 speeches yesterday about the very complicated issue of wood burning fires. Like the other parties in this house, we also support this motion that these matters be referred to the committee and looked into. This Assembly has the opportunity to create in Canberra a model city for resource conservation. We are very highly centralised, a small area, and if anyone can do it, we should be able to do it here.

There can be no argument about the need for an increase in resource recovery from waste if we are going to have a clean environment and sustainable living into the future. The only argument can be about the best way of getting there, and I think this inquiry will look at those matters and look at them quite well.

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There are a number of issues that people have already raised and I suppose we are all in agreement on a number of them but I think the committee should raise and look at ways of improving the environment here in the ACT, starting particularly with the ACT Administration. Everyone welcomes the fact that the ACT Administration has taken steps at this stage to use recycled paper products wherever possible. The need for the use of recycled paper I think is well understood by everyone in the house. I believe just the ACT Administration alone used some 30,000 reams of photocopy paper last year. That is an enormous waste of resources when recycled paper could be used for this purpose.

There is another thing that should be looked at. I understand that the paper that comes out of the new printers that we are currently using actually is unsuitable for recycling because of the laser technique. Perhaps in future some consideration could be given in contracts for purchasing new printing equipment to the use of printers that operate with paper that can be regenerated.

There are a number of further steps that the ACT Administration could take. I believe the Administration and other agencies, such as schools, throughout the Territory could initiate steps within the office to segregate wastepaper for recycling from other office waste. I believe quite an effective recycling program is being used in the Commonwealth Centre in Adelaide. The idea is that employees have a tray for clean used paper that they put aside, apart from things like carbon paper and other lunch wrappers and God knows what. That material is kept separate and collected at the end of the day. We may look at appointing recycling officers within the Administration itself to coordinate that for each floor or each office agency or each school.

There are lots of other things that we need to do. The Administration, I think, needs to actually take a positive step in allocating the promotion of recycling and resource conservation. Leaflets on recycling and composting could accompany the regular bills that go out from the Administration in relation to electricity or rates or whatever - notices do go out to all the population - and this would increase public awareness of these matters.

Many other things need to be done. I think we need to review the location of the recycling depots. To be effective, recycling depots need to be convenient to people. Canberra, I believe, has the best public awareness of the need for recycling of any major city in Australia and whilst the will might be there, there is certainly a need for people to be able to do things conveniently and easily.

I think such depots should be included in the Civic area, with the re-establishment of a depot at the Fyshwick markets, moving the one in the Belconnen town centre area

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to the Belconnen market so that people have a convenient place to go to dump their recyclable products. I think we need to investigate ways of encouraging the establishment of recycling industries in the ACT. That might involve the concept of sunset funding for firms which are going to involve themselves in the recycling of products, and maybe low interest loans to assist these firms to get going and get over those first few months, or first few years even, of hardship that all firms undergo when they start.

There are a few other items that we feel need attention. There was mention of big bins. Once again we would like to see an integrated garbage disposal system introduced through the Territory, with the possibility of separate bins for glass, paper and other household products. Those paper bins do not have to be collected weekly. I believe quite efficient schemes operate in other cities where large bins for the use of paper only are provided at each household. People do not have to purchase them and the bins are filled and collected on perhaps even an eight-weekly or three-monthly turnaround. A large bin just gets filled, it is placed out once every two or three months and the collection is done on an area basis. This has been very efficient in other cities and I feel it could be looked at here. As Mr Moore said, there are 25,000 tonnes of glass generated and not recycled in the ACT per annum, and over 50,000 tonnes of paper. This is an absolutely enormous waste of resource.

**Mr Humphries:** Most of it is from here, I think.

**MR DUBY:** Yes, I think we might allocate a bit of that. With regard to the recycling of waste motor oil, who could disagree? It has to be done. I think we should look at placing collection tanks at all service stations right through the Territory. Surely it would not be any major problem for the proprietors of these establishments to have tanks there to collect waste oil, even if they were given some recompense for the time and trouble it took them to do so. I think it would be a step in the right direction.

Mr Moore also mentioned the concept of people taking their own plastic bags to the supermarkets. I would be opposed to that. There is nothing really wrong with plastic bags per se. It is just the faulty disposal of them that is the problem, and I would rather think that the bags were available there, but anyway, that is neither here nor there.

Another thing that I notice people are going to mention is the possibility of introducing fees at the tip. This is common, I believe, in other cities throughout Australia. I and my party, I am sure, would be opposed to the introduction of a fee at the local tip. The problem with that is that you wind up with people not choosing to go to the dump at all. They choose just to dump it at the side of the road or go for a run at night and throw their things all over the bushland and the parkland.

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The costs involved in picking up this extra public refuse probably far outweigh the costs or any revenues raised from fees that people pay to go into the tip. Besides, people should be encouraged to go to the tip, to the local dump, and use it, and I do not think it makes sense to charge people fees to go and do the responsible, community spirited thing.

One other area that I think would need to be looked at would be perhaps establishing a service in the ACT to recycle CFC and halon gases from old refrigeration equipment, air-conditioning units, and especially stuff from cars at the wreckers and firefighting equipment - I am sure Mr Berry will be able to tell us all about that. I think that should be made absolutely compulsory. I think it has been established by now that those gases are a tremendous drain and strain on the ozone layer in the upper atmosphere and are far more damaging than what happens when someone throws a bit of paper on the side of the road.

So all in all, I think there are a number of issues that this committee can certainly look into and report on, and I think every right-thinking person in this house will support this reference. The date 31 October seems a reasonable amount of time for the committee to report by, and accordingly we support the motion.

**DR KINLOCH (11.11):** Mr Speaker, I welcome all that has been said. I especially congratulate the Government and the Minister on this particular area. In the light of Mr Duby's comments, I rise as a recycled person and I know many of us here in the Assembly are recycled from what we used to do. May I take this metaphor as one that we should spread abroad - that we should not just be thinking of products, but of people. The whole area of recycling, if we could see it as a metaphor, is a wonderful thing for our throwaway society, for our own century and the next century. I hope that recycling will be a special metaphor for those in their 60s, 70s, 80s, 90s as they begin to do new things.

I would like to congratulate the ACT Administration - here I am thinking of the public servants, and in particular our own Clerk, Deputy Clerk and their officers - on some internal efforts to save paper. I draw your attention to notice paper No. 9 for Thursday, 29 June, which is printed back-to-back, and I am very glad indeed to see that. Would it not be fair to say that over the past few weeks we have seen chunk after chunk after chunk of paper - and I have been guilty of this myself - where we put out things on just one side of the paper? So thank you for this historic notice paper No. 9 back-to-back.

I especially also would like to commend the media unit, headed by Jan Boulton, which is recycling old letterheads and old correspondence from previous Ministers - and I noticed Gary Punch's name very prominently on the back of a

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recent issue people have been recycling. I hope for him, as for all of us, he too may be recycled. We must all follow these examples. I think each one of us should, in a very kindly way, look out for all of our activities, and may I say to all my colleagues on all sides of the Assembly that, if you find me not doing this myself, you should upbraid me. I am myself an addict - I have been an addict of a number of things in my life - to the reuse of envelopes. I especially commend you, Mr Speaker. I notice you reuse envelopes, and I much appreciated receiving a letter from you in a reused envelope. I hope that will spread all through the Assembly.

I turn briefly to the matter of big bins. We await the evidence - and no doubt the Government and the committee will be looking at all this - but I do raise these two questions and commend them to the committee. Thinking of recycling, what would you then do with all those small plastic bins? I have an answer to that, by the way.

**A member:** Recycle them.

**DR KINLOCH:** How do you recycle them? The second point relates to those of us who are recycled in our magnificently mature years. There is possibly a physical problem for older and frailer citizens in handling big bins.

**A member:** It is easier for the old and frail to put those bins out than it is to carry heavy bins.

**DR KINLOCH:** Well, we await the evidence on that, and we will be interested to hear that eventually. I will conclude with a story, if I may, Mr Speaker. Many years ago, in the northern summer of 1954, before some of you were born, I was an iceman and garbageman at Camp Mayflower, Orleans, on Cape Cod in Massachusetts. Those were the days when I used to have to fetch ice - actual, physical ice - in an old truck to be delivered to ice boxes and refrigerators. It was a long time ago. It was a marvellous learning experience, especially about garbage in that camp.

The owner of the camp was an old retired sailor called Norman White. I discover in my life I keep coming across people called Norman who have a terrific influence on me, and they are all sterling, solid characters. I particularly remember this Norman White - Captain White. Captain White was not a philosopher or a theologian, but I have carried with me over 35 years part of his basic philosophy of life. It is summed up, to some degree, in the following statement:

If you use something long enough, it will break. When it breaks, it can be fixed. If you can't fix it, you can always use it for something else.



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That being the case, I conclude, Mr Speaker, by saying thank you to our Clerk and his staff for the new standing and temporary orders, and I offer this challenge: I would like to hear a hundred ways to reuse old copies of standing orders.

**MR WOOD (11.18):** Mr Speaker, in supporting this proposal, I hope to avoid the type of Freudian slip that the Minister made when she introduced it. Before I proceed I want to make brief reference to the work of committees. The committees are going to have a great impact on this Assembly and on the community. First of all, as we have found already, they are very useful in gathering information for members and for educating members who sit on them. Secondly, they are filling a most valuable role in extending the community participation in the affairs of the Assembly, perhaps ultimately of the Government, because they provide a direct input into our affairs.

In the longer term, the work of committees will be based entirely on the quality of their reports and proceedings. Given my experience to date, I believe that all members are very serious, they are prepared to put aside preconceived ideas and attitudes, to consider all matters objectively and to put a great deal of energy into their task. I believe on that basis the committees which report to the Assembly will have a profound impact.

On this matter I believe it is particularly appropriate at this time to question and examine the management of all solid waste in the ACT. In response to recent developments and new technologies for collection, handling, disposal and recycling, and the increased community awareness of the need to conserve our resources, we need to do many things in this area.

We need, first and foremost, to minimise the amount of waste that we generate. I will not relate that to words in this Assembly, mind you. We need to change our attitudes towards landfill disposal sites, the garbage, and we must reduce the amount of material requiring landfill. We need to make the collection and transportation of waste more efficient through use of appropriate collection systems. And we need, through this, to examine the use of big bins.

We need to look at efficient hard rubbish collections for such items as old furniture. The need for more transfer stations and appropriately-sized modern collection vehicles should also be examined. We need to provide dedicated solid recycling containers to each household to ensure the opportunity for convenient source separation factors, because that is where it has to happen.

We need to identify and secure sites for future landfills for the community, well in advance of need. We must continue to improve our management of landfills so that our surface water and ground water resources are protected and litter is controlled so that they do not produce any unacceptable offside effects on the local environs.

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We need to consider all these matters through integrated waste management systems which aim to ensure waste minimisation and recycling and to improve the efficiency and flexibility of transport and collection services. In short, we need a cradle-to grave approach to the management of solid wastes. We need to consider whether manufacturers of packaging should accept a continued responsibility for their products after they are sold. I believe they do.

There is an argument that the waste service should be financed on a user pays basis and that prices charged for disposal should reflect the actual cost involved in providing the service, including site rehabilitation and replacement. The cost of cleaning up litter also needs to be added to this bill. Better facilities need to be introduced to reduce litter in public places, such as shopping centres, major roads, and suburban streets. The packaging industry is largely responsible for products which find their way into the litter stream and it must play its part in addressing the litter problem. Let us not let State boundaries inhibit our action.

The container deposit legislation in South Australia has been very effective, both on litter control and encouraging recycling. Yesterday I mentioned that education played a large part in what happens in the community and we must use that resource in the control of litter. In particular the attitudes that are inculcated at school are very important indeed.

The development of new technologies for the automated collection of domestic garbage has addressed occupational health and safety issues involved in this work. There are many examples throughout Australia where councils have implemented collection systems with acceptance by residents and unions, which will afford longer-term efficiencies.

We must implement sound, long-term plans to minimise waste generation, to maximise recycling and to dispose of what cannot be recycled in an environmentally safe manner and at a cost that we can afford. Until quite recently not many people gave a thought to the level or consequences of our twentieth century wastes, but over the past few years attitudes have been changing.

The focus of attention has tended to be toxic waste and clinical waste and there are a number of initiatives either already taken or about to be taken on such problems. We now need to turn our attention to municipal and commercial wastes. Even more worrying than the actual amount of waste reduced is the fact that each year we are producing more waste, both in total and per capita.

The problem is many-faceted. The precious natural resources and energy are being needlessly wasted. We are all now aware of the need to stop the loss of the forests. The potential negative environmental impacts of waste are

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numerous and significant. In addition, waste production is the source of a problem which imposes an increasingly heavy financial burden on the community as we strive to dispose of our wastes in an environmentally and socially acceptable manner.

Domestic waste contains up to 60 per cent of recyclable material. New technologies allow these materials to be recycled into useable products. Waste oil can be reprocessed to produce a product equivalent to the original. Plastics can now be reprocessed to produce products which replace timber in certain applications. Paper and cardboard products are recycled to produce products of acceptable quality.

These all reduce the demands and pressure on natural resources and the environment. We can no longer afford to be carefree about our packaged, takeaway and throwaway lifestyles. This Government has a primary concern in keeping down its rates and charges faced by ACT residents. We must ensure that we develop strategies which are environmentally safe at a cost that we and our children can afford. I look forward to participating in this inquiry.

**MR STEFANIAK** (11.24): Like other members, I rise to support this initiative to refer this matter to the standing committee. At last figures I think the population of the ACT had risen to some 297,000 and I understand the ACT can withstand and sustain a population of some half a million. We are still one of the fastest growing areas in the country, and that raises a number of problems which I believe this inquiry will address.

One problem which has been alluded to by several speakers so far is the problem of landfill and the fact that we do have two dumps operating in Canberra at present. We only have a number of finite sites within the Territory. Having been a user of the dump in Mugga Lane, I have seen the area there expand and expand and wonder just how much longer that dump can be used. There are real problems there which will continue to grow with the increase in the Canberra population.

**A member:** It is projected for seven years.

**MR STEFANIAK:** Yes, I understand that there are about another seven years left there. So this is a real problem, it is a pressing problem, and it will grow in the future as Canberra's population continues to grow.

There are a couple of other points I wish to raise, Mr Speaker, and one is in relation to big bins. I am pleased to see that my first question on notice has now been taken off, and I assume that is obviously because that is one of the questions that is going to be dealt with in this inquiry. Indeed, our policy during the election campaign was to provide as an option for householders large bins after a cost-effective recycling system has been

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established. Perhaps for the record I will make a couple of comments in relation to big bins. My colleague Mr Humphries has already indicated that there are disadvantages. Indeed, there are disadvantages and advantages which no doubt will be taken into account by the standing committee.

Mr Speaker, big bins had their origins in the 1950s in Europe and were introduced first in Australia in 1976 by the Kuring-Gai Council in Sydney. Throughout Australia in 1987, 117 of the 836 local government authorities were known to have adopted the big bin system and about 35 per cent of dwellings throughout Australia are at this stage using the bins.

As for bin sizes, all but two councils have adopted the 240 litre size of big bin as that seemed to be the best appropriate size required by ratepayers to allow disposable garbage, garden wastes and other household rubbish. Most districts found an initial increase in garbage quantity due to getting rid of excess garbage, but that decreased when the novelty wore off, and the quantity fell back between the displaced 55 litre system and the initial surge of the new system.

The main reason for the introduction appeared to be the inability of the 55 litre garbage bin service to cope with increased generation of household wastes - and we have indeed heard that that is now about 2 kilos per household - and also the desire of local government authorities to rationalise waste management practices and keep pace with waste collection technology.

A number of disadvantages were encountered. Recycling activities can be affected as the big capacity sees all rubbish in the one bin, and one weekly collection in hot, humid conditions can result in increased putrefaction of waste, which leads to bad odours and also to an increase in flies.

Councils which have opted for large bins see the disadvantages as having no detrimental impact if appropriate countermeasures are taken. There were some advantages noted, such as increased control over a greater proportion of the community's waste, reduction of environmentally unsound waste disposal methods, and more efficient operation of disposal facilities. So I think there are a large number of things that can be examined in relation to the question of big bins, which no doubt this committee will do.

I am pleased to see that one of the other items to be examined relates to the "options for efficient collection of domestic waste" and that includes the means of collecting our garbage. Big bins are one point there perhaps, but how it is actually collected is another.

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Canberra at present has two ways of collecting garbage. One is done by private contractors, I understand, in the north of Canberra, and in the south it is done by government contractors. There is a cost factor to be considered here by the committee. I understand that the private contract system is some 20 per cent cheaper than the system of collection by the government, and that is something also I would commend this committee to examine. Finally, I would like to thank Dr Kinloch for his gift to me of this piece of recycled paper.

**MS MAHER (11.29):** I would just like to say that I support many of the arguments put forward today by those who have spoken. I support the motion, and as a member of the Conservation, Heritage and Environment Committee I am looking forward to dealing with this issue.

**MR JENSEN (11.29):** Mr Speaker, this motion is a very important one as it does two things. This very important issue of waste disposal in this consumer age is clearly reflected on the front cover of a recent issue of a popular magazine. I might suggest, Mr Speaker, if we as a society are not careful the prediction that this article implies might be a fact of life and one of the major issues facing our society in the future. "Up to our necks in garbage" - that is the problem that we may have to consider in the very near future.

I note with interest increasing concern about the effect our consumer society is having on our environment. As a young boy assisting my father in his old-style grocery store in Queensland, I well recall the days of bulk goods coming into the store in bags and tins and then being broken up and packaged by the staff. It was a practice I was happy to participate in when the packages of broken biscuits were being prepared, because they often came my way. However, all we now see are rows and rows of supermarket shelves filled with expensive cellophane and glossy paper packaging. One must often wonder how the desire for the holy dollar has contributed to this major problem. Whatever happened to the good old brown paper bag? Clearly it has gone the way of the string bag that some of us may recall.

These days we are confronted with endless numbers of plastic bags that mount up in our cupboards at home, and I am sure that the manufacturer who comes up with a reasonable and cheap way to recycle these disposable items will be on a winner. Maybe we should seek to encourage the return of the string bag, an item that goes right back in history to the hunter-gatherer societies of this world who found it most useful, particularly in this country.

These items are clearly reusable. While this may seem a small item, I would suggest that the introduction of this method of taking our groceries home is part of the overall education process about this issue - an issue that I am sure we will see take on more emphasis in our schools.

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Those of us with young children may recall that during major litter campaigns that have been run on television and in the media we are often reminded of our responsibilities to the environment when we were careless in disposing of items of rubbish.

However, just to bring the issue into perspective, the people of Victoria generate more than 800 kilograms of waste each year per man, woman and child, with an increase of 25 per cent over the last decade. All round Australia municipal councils are grappling with the problem of where to put the ever mounting mountains of garbage that are an increasing cost to our society. You will note, Mr Speaker, that not only am I using recycled paper, but my notes are written on both sides of the paper so that I make maximum use of the facility.

The Rally supports the contribution by Mr Duby to the effect that we have here in Canberra an opportunity to set the scene for good waste management, to have a modern system operating that is the envy of all other organisations similar to us in Australia. It is good to see that the Chief Minister herself has set the scene by seeking to have the Administration examine a trial use of recycled paper. I trust that this will be a full trial, and not just a brief trial. I would think it not inappropriate for the Administration to provide a report to the committee on the results of that trial. I commend that idea to the Administration.

If the Government is unable to cause the Federal Government to change the policy on sales tax or if we are unable to encourage it to do that, it may consider some form of incentive to encourage the use of recycled paper and other items. I would suggest, Mr Speaker, as my colleague Dr Kinloch has already suggested, that it is our responsibility as consumers to ensure that we think before we dispose of something. Our educators may consider, for example, the setting up of a competition at various levels in our schools to design an appropriate logo for an education campaign on this very important issue. This may be something that the committee may like to look at from the point of view not only of education of our people in this important subject, but also on the committee system that we are operating in this House.

That leads me to express support for the "Minister for Committees", who I notice is not present at the moment. I refer to Mr Wood of the Labor Party, who is committed to this particular activity as we are. It is important that the work of our committees and their effect on the development of good legislation and efficiency of government operation be fully disseminated to the population of Canberra. However, I digress.

On the subject of efficiency, the committee should consider the cost to the Administration of the operation of our collection system. The Rally understands that there is a

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major difference in the cost to the ratepayers of the north and south side operations to collect our rubbish. It is important to ensure that we look not only at the efficiency of our own actions in disposing of waste, but at the efficiency of those operations themselves that collect and process that waste.

The inquiry may also look at the arrangements that the ACT has entered into with the nearby Queanbeyan Council to have all the rubbish from that area shipped into the ACT. To this end, it may also be worth discussing the price we are prepared to charge for this facility, and also we may like to consider some form of joint operation between the two organisations to set up a campaign to educate the ratepayers of both areas on how to best dispose of the rubbish.

I also would like to draw the attention of the committee to the charges, if any, that the Commonwealth pays for the service we provide as a city-state, especially as we know that this is a city where the Government is the major industry. Those of us who have been involved with government at all are quite aware that the amount of paper that is produced, for example, by government departments is absolutely stunning. I hope that we will be able to organise that as well.

In closing, I would like to make a few brief comments on the statement made by my colleague Mr Stefaniak, that private enterprise was 20 per cent cheaper. In fact, the south side collection is by Waste Hawke private enterprise and the cost is almost double that on the north side. The north side is handled by a family business - the backbone of Canberra private enterprise society.

With those few words, Mr Speaker, I close by commending this motion to the house. I am sure that the committee will do its utmost to ensure that the people of Canberra have the best facility and system available for the collection of our rubbish.

**MR BERRY** (Minister for Community Services and Health) (11.38): I rise to support the motion. First of all, I would like to talk briefly on the exclusion of clinical waste disposal from consideration of the committee and bring to the attention of the chamber the reasons why that is the case. Members will be aware of instances of medical waste being dumped at Canberra tips. This has highlighted the need for proper control of the disposal of clinical waste materials and, as a result, proper procedures are now in place for the disposal of those materials.

A draft Bill has been under preparation by the Administration covering the collection, transportation and incineration of all hospital and medical wastes involving infectious materials, used needles, scalpels and glass phials. The proposed legislation will cover all medical, pharmaceutical and veterinary waste in the ACT, and I think

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it is important that the work of those who are drafting that Bill should go unhindered. I understand that the work on the legislation is virtually complete and will come up for consideration in this chamber shortly.

A sharps hotline has been established to encourage the safe disposal of syringes found throughout the city. That has been a growing problem, and of course that is a very important feature of safe disposal of those somewhat dangerous articles. A survey of all potential clinical waste sources has also been completed, and the report of a consultant engaged to propose management strategies is being examined.

One only has to visit the ACT tips to come to the conclusion that there is a huge amount of material dumped and buried there which might be recycled if the proper arrangements were in place. One notes that there is a growth in packaging which is currently difficult to recycle because of the expense of any procedures or because it might contain environmentally hazardous material such as CFCs which might be found in fast food containers and other plastic coated paper wrappings. They are difficult materials to recycle, and in my view the committee should look at procedures which might prevent the use of those sorts of materials in order that appropriate recycling measures can be implemented.

Halons, which were mentioned earlier, are a major cause of concern because of their pollution of the environment and the damage to the ozone layer. Mr Duby rightly mentioned that halons when used as a fire extinguishing agent are a particular problem, and there is much of it about in many buildings in the ACT. Because it was a fire extinguishing agent, it was treated as a sacred cow by industry and by the community because of the use that it might be put to in an emergency. But I think it is now time for all of us, and particularly the committee, to consider appropriate means of storage and disposal, and even recycling, of that dangerous product. The handling systems that would be required for recycling have been developed overseas and continue to be developed. All these things should be looked at by the committee.

The issue of waste basically seems to boil down to whether there is a profit in recycling it in a real dollar sense. From a domestic point of view, on the one hand household waste is disposed of for health reasons, and on the other hand for convenience and tidiness around the house whereas with commercial waste, because of the economies of scale, there is more opportunity to recycle the waste at some sort of a profit. I think when it comes down to considering this matter the committee will have to consider the cost which the community might be prepared to meet for the recycling issue. Some years ago I had the opportunity to visit a tip in the Philippines when I was on a trade union delegation to that country.



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**Mr Kaine:** That must have been exciting.

**MR BERRY:** It was eye-opening and I can assure you, Mr Kaine, that it would do you good to go there to get some inspiration about the struggles of working-class people. The tip that I am talking about has been described as "Smoky Mountain", and I think there was an article run on the ABC about the tip. About 5,000 Filipino workers live on the tip and they draw some of their income from scavenging material there.

It covered an area of several hectares, about 5,000 people lived on the tip, and it tugged at the heartstrings to see little children scratching through the rubbish and retrieving pieces of glass as big as your fingernail and aluminium bottle tops, all in the interests of selling them to buy themselves and their families something to eat. All of the houses on the place were built out of pretty poor quality materials that were dumped by a Filipino society, which, of course, has a far lower living standard than ours.

On reflection, as far as this debate is concerned, I think the issue of cost and fees really comes down to whether or not we can afford the cost of not doing something about recycling. I am reminded of the smell of that tip and the sights that I saw, and I think we run the risk of being up to our necks in garbage, waste and pollution if something is not done. I would urge the committee to give the deepest attention to the very important issue that it is to consider as a result of this motion.

**MR KAINÉ** (Leader of the Opposition) (11.46): Mr Speaker, before the Minister closes the debate on this subject, I would like to make a couple of comments and they have nothing to do with the question of recycling our waste. I think that everybody has made plenty of comments about that, some of them wide-ranging and a long way from the ACT and what is relevant here and what is not. I do not think anybody is going to argue about the fact that some sort of proposal needs to be put forward to deal with this matter.

My question is, first of all, whether it is appropriate to ask a committee of this Assembly to undertake this task and, secondly, what were the motives of the Minister in putting the matter forward. Let me deal with the first question first. It is interesting that this motion has been put forward by a Minister of the Government, a Minister who has the entire resources of the ACT Administration behind her, an Administration whose responsibility surely it is to put forward proposals for dealing with matters like this. Here she is asking a standing committee of this Assembly - and we have a burgeoning number of standing committees, with limited secretariat resources to service them - to conduct a major inquiry and asking the committee to report by 31 October.

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I would submit, Mr Speaker, that the Minister should have had her own department bring forward a proposal on these matters. If the Minister is not going to do this sort of work, what is her department doing? How is a single secretariat clerk, servicing the Standing Committee on Conservation, Heritage and Environment, to deal with this matter by 31 October, when only yesterday we referred to it a matter raised by Mr Moore - a matter which is at least of equal importance? We thought that it would take until the first sitting day of 1990 to do the inquiry that Mr Moore put forward. But we now have an inquiry put forward by a Minister that will pre-empt that dealt with yesterday. The Minister, with the entire resources of her department behind her, should be putting proposals to this Assembly and not asking the secretariat of this Assembly to do her department's work for her. I think there is a real question about whether under the circumstances we should be asking this committee to take on this task in the time scale that is prescribed.

The second and more interesting point that I want to allude to is why this matter was put forward this morning at all. I refer to the daily program and the notice paper. I would submit to you, Mr Speaker, that if this matter had not been brought forward for debate this morning we would have concluded our day's business by 11 o'clock. I submit that the only reason this matter was brought forward was that the Government and the Minister knew that, if you throw the hare out, the hounds will chase it and we will use the maximum amount of time that can be used on this subject so that everybody can say their sixpennyworth on the matter of heritage - a very trendy subject which is guaranteed to use up all the time available.

What we have done is very interesting. We have let the Government off the hook in terms of its not being able to produce enough business to keep this house busy. We have used up most of the morning on this subject which, in my view, should have been the subject of a proposal being put forward by the very Minister who has proposed it.

I submit, Mr Speaker, that we have here a symptom of the difficulty of conducting the business of this Assembly. If the Government does not have the amount of business to put before us, then I submit that it should be doing some work to produce it. It should not be dreaming up schemes to use up the capability of this Assembly - the members of this Assembly, the limited secretariat of this Assembly - on matters like this where the Government itself should be doing some work. I think it is a cop-out on the part of the Government, and it will put an enormous workload on a very limited secretariat to complete a task which is the Government's responsibility.

It is appropriate for the non-Government members on this side of the house to put forward matters of inquiry because we do not have the resources to do it ourselves. But for a Minister of the Government to put forward a proposal like

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this, I think is quite reprehensible and I really do question the motives for its being put forward.

I think that the matter of the business of this Assembly needs to be addressed, and I have already asked the Chief Minister to make time to discuss the matter with me. I think it is a matter of importance to every member of this Assembly that we are spending time on matters like this, when the private members section of the notice paper contains very important business and we are restricted to two hours a week to deal with that. I think it is quite out of balance and I think the Government needs to look seriously at its priorities and at whether it intends to allow cooperative government with the other 12 of us making some input to it. I think it really is a matter that needs to be addressed.

Having said all that, I undertook to support this because I believe, as I said yesterday, that the question of the environment is probably one of the top two items on the political agenda and that it has to be addressed. I submit that, if the Government does not have the resources to do its job, then it is appropriate for this Assembly on its behalf to take on the task and do it, but I agree reluctantly.

**MR COLLAERY (11.52):** I rise to support my colleague Mr Kaine. In fact, Mr Speaker, I have been absent from the chamber for longer than I have ever been absent. The reason why I was absent was that I went out to speak to members of the press gallery to apologise for what is becoming a charade in this house when the Government of the day pushes on to us the situation that my friend Mr Kaine mentioned. This is becoming a farce. Some of us have put aside our lives for the next three years in public service to the community. I for one find it very frustrating to put aside my profession to come in and to go through the charade that this Government is attempting to turn this chamber into.

As Mr Kaine said, we are down to about two hours' voice per week at the moment, and that is totally unacceptable in view of all the commitments that the ALP made, pre-election, towards open, consultative government. Mrs Grassby's motion today really is renewed evidence of the absolute bereftness of the ALP - - -

**Mr Whalan:** I rise on a point of order. Under the standing orders the member addressing the chamber has to address his remarks to the question before the Assembly. I submit that Mr Collaery is not addressing the question.

**MR SPEAKER:** I will be making a statement at the conclusion of this debate on matters such as this. However, I would ask that Mr Collaery make his comments brief on this matter at this time.

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**MR COLLAERY:** Mr Speaker, the Rally's view is that the motion before the house needs to be supported by the community. The Rally has joined in the Assembly, as a community-based movement, to see that community interests are protected in this house. The Rally is concerned that this motion reveals to the Assembly that the Government wishes to have the opposition govern. There is an indication in the motion itself that the Government wishes to capitulate its initiatives and its work to committees, as Mr Kaine said. I will save my remarks for the motion. We have seen the opposition members in this house bring forward various motions. There are other important motions in the waiting list to come before the house, matters which the public should hear and which should be properly and adequately ventilated.

The motion before the house today could well have been preceded by an information booklet and an adequate briefing to the members of the Assembly on these issue. Mr Speaker, I draw your attention to an unanswered question on notice, which has been unanswered since this Assembly first sat, dealing with the contracts and contracting arrangements that have taken place in the past in relation to a company known as Nifty Waste Disposals.

As my friend Mr Kaine mentioned, there are some nifty tactics developing on this floor, and of course, Mr Speaker, there well may be a very unpleasant response coming out of that question on notice in relation to the contracting of waste disposal contracts and the like, and other issues associated with concerns in the waste disposal arrangements of the Administration. Mr Speaker, I submit that to some extent this motion may well be a smokescreen or a precursor to the response which must inevitably come out of this Government in relation to that question on notice.

**Mr Berry:** Mr Speaker, I rise on a point of order. Again, I draw attention to the issue before the Assembly. That boils down to whether or not the matter should go to a standing committee of the Assembly, I would think, rather than some conspiracy theory.

**MR COLLAERY:** That concludes my remarks, Mr Speaker.

**MR WHALAN** (Deputy Chief Minister and Minister for Industry, Employment and Education) (11.58): Mr Speaker, this is the most extraordinary contribution to any debate that has ever been made. Mr Collaery, from the Residents Rally party or the Katharine West party, or however he wants to describe it, is alleging- - -

**MR SPEAKER:** Please refrain from using statements that are going to antagonise the opposition. We want to bring the house back to the program. I would point out that we discussed the Katharine West issue yesterday and I would please ask you to put it to rest.

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**MR WHALAN:** Mr Speaker, I accept your reprimand but I would like to point out that we on this side of the chamber have to submit ourselves to the most extraordinary allegations coming from Mr Collaery, the leader of the Residents Rally party, completely unsubstantiated and in his normal posturing manner to which we have become accustomed. Let us examine the record of the Residents Rally party in its contribution to the affairs of this Assembly.

**Mr Collaery:** I rise on a point of order, Mr Speaker I believe that the Deputy Chief Minister is not addressing himself to the motion before the house.

**MR SPEAKER:** The objection is overruled. Please proceed, Deputy Chief Minister.

**MR WHALAN:** There has been raised the question of private members matters - - -

**Mr Moore:** I take a point of order, Mr Speaker. Private members matters have nothing whatsoever to do with the motion that is before the house.

**MR SPEAKER:** Please go to the point, Deputy Chief Minister.

**MR WHALAN:** I would like to address my remarks to garbage, and the garbage which is being recycled from that side of the chamber. When was the last time that the Residents Rally party submitted a matter of public importance on anything whatsoever, let alone garbage? On three occasions this week there have been opportunities for the Residents Rally party, these people who are so concerned about Katharine West and everybody else in the community, these people who are so concerned about claiming their broad base in the community, yet not once this week - - -

**Mr Collaery:** On a point of order, Mr Speaker; the Deputy Chief Minister was reprimanded a few moments ago and he has repeated that issue that you ruled on. I ask that the Deputy Chief Minister be asked to apologise to the house.

**MR SPEAKER:** Thank you, Mr Collaery. Please withdraw the reference, Deputy Chief Minister.

**MR WHALAN:** Yes, I withdraw the reference to Katharine West. Back to the garbage - - -

**Mr Moore:** On a point of order, Mr Speaker; even in that apology I believe that the Deputy Chief Minister was again doing that.

**MR SPEAKER:** There is no need to bring that to my attention. Please proceed, Deputy Chief Minister.

**MR WHALAN:** It is obvious, Mr Speaker, that part of the problems created by the effects on the ozone layer and the environment generally has been to make people's skins thinner. I would like to refer again to arguments about

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recycling - arguments which are shallow and have made no contribution to this Assembly whatsoever. In addition to the fact that the Residents Rally party has failed to raise any matter, whether it relates to the environment, recycling garbage, or whatever, it has failed on three occasions this week to take the opportunities which were available to it to raise matters of public importance. I cannot understand it. Each day the Government has waited for members of the Residents Rally to come forward with a matter of public importance. But maybe their party has directed them; we know that they are a highly centralised party and that they respond to tight control by their central executive. But did they participate in the debate on the vocational training legislation which went through this week? There was an opportunity for them to debate that legislation clause by clause, and yet the debate on that was concluded in less than one hour. It is one of the most important pieces of legislation that the Government has introduced to this Assembly - indeed I would submit probably the most important piece of legislation that we have introduced to this Assembly - and yet - - -

**Mr Moore:** On a point of order, Mr Speaker; can the Deputy Chief Minister speak to the motion, please?

**MR SPEAKER:** Deputy Chief Minister, I take that point. Please speak to the matter in hand.

**MR WHALAN:** In relation to this reference to the committee, Mr Speaker, it has to be made clear that one of the commitments that this Government has made to this Assembly has been our commitment to consultation. It was in that context that we have consulted with members opposite in the establishment of committees. The purpose of those committees is to make possible and to enhance this process of consultation and to refer to those committees contentious issues. Clearly this is one of the most contentious issues in our community at the moment. We refer it to a committee, and what happens? They complain. They have got work to do. They do not like it. Mr Collaery wants to get on with being a solicitor or something. What he describes as a charade - - -

**Mr Moore:** According to standing order 70, I move:

That the question be now put.

Question put.

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The Assembly voted -

AYES, 10

Mr Collaery  
Mr Humphries  
Mr Jensen  
Mr Kaine  
Dr Kinloch  
Mr Moore  
Mrs Nolan  
Mr Prowse  
Mr Stefaniak  
Mr Stevenson

NOES, 7

Mr Berry  
Mr Duby  
Ms Follett  
Mrs Grassby  
Ms Maher  
Mr Whalan  
Mr Wood

Question resolved in the affirmative.

**Mr Berry:** On a point of order, Mr Speaker; I think the mover has the right of reply to close off debate.

**MR SPEAKER:** Not in this circumstance, Mr Berry.

**Mr Berry:** Well, I draw your attention to standing order 49, which says: "In all cases the reply of the mover of the original motion closes the debate" - in all cases.

**MR SPEAKER:** The effect of the closure that has been agreed to terminates the debate.

**Mr Whalan:** I rise on a point of order. Mr Speaker, I submit to you that that is not a correct ruling as it applies to our standing orders. It may be nice to say, "Well, the practice in the House of Representatives is such and such" or "The practice in the Senate is such and such", but we are not the House of Representatives and we are not the Senate. The closure quite clearly relates to the speaker before the Chair at that point of time, but in standing order 49 it quite clearly says, "In all cases the reply of the mover of the original motion closes the debate". That is the trigger, Mr Speaker. It is not the gag motion that is the trigger; the trigger to close the debate is the right of reply of the mover of the motion. I submit to you that you review your previous ruling and provide the Minister, who has important matters to contribute to this debate, with her right to close the debate.

**MR SPEAKER:** My advice on this matter is that my original statement on this is correct. If this is not the will of the Assembly, then it should be put to the Committee on Administration and Procedures and we will review the standing orders. But at this time the situation is that the question is to be put.

Motion agreed to

## QUESTION TIME

**MR SPEAKER:** I would like to make a statement, as I indicated yesterday, about question time. It has been suggested to me that it may assist all members in the management of question time if the digital timing devices which indicate speaking time were used to show the length of time remaining for questions without notice. Whilst I understand the reason behind the suggestion, I feel that it is not appropriate to follow such a course of action.

In the House of Representatives, from which we derive much of our practice, and indeed in other Australian parliaments, the length of question time is the prerogative of the government. In practical terms that means the Prime Minister, Premier, or in this Assembly the Chief Minister.

On 23 May 1989, immediately prior to the first question time in this chamber, the Chief Minister indicated that she proposed that question time run for 30 minutes each day. This was accepted by all members of the Assembly. As Ministers cannot be compelled to answer questions without notice, then clearly the amount of time allocated for questions remains in the hands of the Chief Minister. Therefore, the length of question time cannot be enshrined in the standing orders. If the Chief Minister so wished, question time could be lengthened on a particular day, or permanently. Equally, it could be shortened.

The Assembly has amended the standing orders and adopted temporary orders so that questions without notice will be called on at 2.30 pm each sitting day. Occasionally this commencing time will be delayed because of formal business or announcements, as was the case on Tuesday last. In these instances members may be uncertain as to when question time commenced and when it might be expected to conclude.

Whilst I understand that the use of the timing devices might provide some assistance, in these situations I feel it may also give a false impression about the period for questions without notice and the prerogative of the Chief Minister. There will be many occasions when question time is delayed in its commencement or is interrupted by other matters, and it is up to the Chief Minister to make the decision as to when she will seek to have further questions placed on notice. For these reasons I do not propose to make use of the timing devices during question time.

I also draw the attention of members to standing order 117, which sets out the rules which apply to the asking of questions. Questions must be brief and relate to a single issue. Questions should not contain statements of fact or names of persons unless they are strictly necessary to render the question intelligible and the facts can be authenticated. Neither should questions contain arguments, inferences, imputations, epithets, ironical expressions or hypothetical matters. Members may not ask Ministers for an



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expression of opinion or for a legal opinion. Questions shall not ask Ministers to announce Executive policy, but may seek an explanation regarding the policy of the Executive and its application, and may ask the Chief Minister whether a Minister's statement represents Executive policy.

Standing order 118 provides that the answer to a question without notice shall be concise and confined to the subject matter of the question. An answer must not debate the subject to which the question refers. In discussions on this matter with a member, I have been advised that some members have gone beyond what they knew to be acceptable, but have proceeded in the knowledge that I would call them to order. In view of the fact that I am, in these early learning days of the Assembly, being most lenient in my interpretation of standing orders, I am dismayed at the admission of non-self-restraint. Please do not interpret my current approach as weakness, else the worm may turn.

I ask that all members and Ministers observe the standing orders which apply to questions and answers. I am sure that if the rules are followed question time will continue to be a significant and informative part of the proceedings of this Assembly which can be conducted in an amicable manner.

**MR KAINÉ** (Leader of the Opposition) (12.16), by leave: Mr Speaker, your explanation and exposition of what question time is about is interesting, but I would just like to draw both yours and members' attention to a few matters in connection with speaking time which I attempted to raise the other day. It is all very well to seek to hide behind some standard of procedure, some parliamentary rule elsewhere, about what question time is or is not but, as I tried to say the other day, this is a new body and I would have thought that question time would have been used for the purpose for which it was intended, and that is to have Ministers explain and answer questions about their portfolios. To hide behind some rule that says that they may not answer the question if they so choose is, I believe, totally wrong and irrelevant in this body. I personally do not accept that a Minister under any circumstances can decline to answer a question. Particularly in the case where we have a government that went to the polls on the basis of open government, consultation, cooperative government, for the four Ministers to sit there and for any one of them to refuse to answer a question properly submitted is totally unacceptable, Mr Speaker.

I also remind the Government that when the matter of question time was discussed earlier and the 30 minutes was agreed upon, it was agreed upon on certain conditions. It was agreed not that the Chief Minister could arbitrarily determine when it would be 30 minutes and when it would not; we agreed upon it as a basis for discussion because some of us wanted a longer period of time given that it is

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a forum in which the public can be informed of what Ministers are up to. We made it clear that the 30-minute constraint was on the basis that their answers would be clear and concise, which is required by the standing orders - not on the basis that they ramble on about irrelevancies, not that they decline to answer the question at all, not that they try to avoid the question when a clear, legitimate question has been put.

I remind the Government that it is a minority government of five, and if it is not going to abide by the terms and conditions of agreements that we collectively make on this floor I can assure you, Mr Speaker, and I can assure the Chief Minister, that it will not remain a minority government for long. I do not think I need to say anything more. There is an opportunity here for a cooperative government, which is what this Government promised, an open government, a consultative government. Question time is clearly a part of that, and I for one expect the Government to live up to its commitment and obligation on that matter.

### **STANDING ORDERS - PROPOSED SUSPENSION**

**Mr Moore:** Mr Speaker, I seek leave to move a motion about this afternoon's business.

Leave not granted.

### **Proposed Suspension of Standing Orders**

**Mr Moore:** Mr Speaker, I move to suspend so much of standing orders as is necessary to suspend standing order 272 which allows only a Minister to suspend orders.

**MR SPEAKER:** But you cannot do that at this time, Mr Moore.

**Mr Moore:** Mr Speaker, I dissent from the Chair's ruling. May I speak to my dissent? What we have here, Mr Speaker, is a problem with the standing orders.

**MR SPEAKER:** Order! Mr Moore, please resume your seat. The sitting is suspended. The chair will be resumed at 2.30.

**Mr Moore:** Mr Speaker, I moved dissent from your ruling.

**MR SPEAKER:** Mr Moore, I will address that question.

**Sitting suspended from 12.20 to 2.30 pm**

## ASSEMBLY PROCEDURES

**MR SPEAKER:** Members, I wish to make a statement about certain procedures in the Assembly. On several occasions since the Assembly first met, members who are not Ministers have sought to move for the suspension of standing orders. Standing order 272 provides that:

In cases of necessity, any standing order or orders of the Assembly may be suspended on motion, duly moved by a Minister, without notice: Provided that such motion is carried by an absolute majority of Members.

The effect of this standing order clearly is that only a Minister may move for the suspension of standing orders. As it has been adopted by this Assembly, I have no option but to apply it.

Also, earlier today Mr Moore sought to move dissent from a ruling of the Chair. There is no provision in the standing orders for such a motion to be moved from the floor of the chamber. If a member wishes to move dissent from the Speaker's ruling, the member would need to place a notice of motion on the notice paper.

On both these matters - that is, the ability of members other than a Minister to move for suspension of standing orders, and the possibility of members moving dissent motions - it is open to the Assembly to amend its standing orders.

## QUESTIONS WITHOUT NOTICE

### Bruce Stadium

**MR STEFANIAK:** My question is to the Deputy Chief Minister wearing his hat as Minister for sport. I refer the Minister to the front page of today's Canberra Times, which deals with an investigation by the Corporate Affairs Commission into the Woodgers corporation which controls the Canberra Raiders, following the public disclosure yesterday of Woodgers' severe financial problems and the efforts by Jim Woodger to secure new equity capital and loans to rescue the property group from financial collapse. My question is: Does this affect the Minister's proposals to redevelop the Bruce Stadium?

**MR WHALAN:** If I were to give the short answer which people encourage me to use, I would say no. But I will not just say no, in the interests of harmony.

**MR SPEAKER:** Thank you, Deputy Chief Minister.

**MR WHALAN:** The Woodger corporation is one of about 40 sponsors of the Canberra Raiders, and its sponsorship contribution represents 10 per cent of the annual revenue

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base of the Raiders. I am advised by both the Raiders and by Woodgers that its current commitments in that area have been met. Investigations by the department indicate that the situation does not in any way affect the Raiders' viability, and so it will not in any way influence their decisions about their future.

### **City Plan**

**MR KAINE:** I also direct a question to the Deputy Chief Minister, and it refers again to an article in the Canberra Times this morning that talked about the development of part of Braddon which, according to the Canberra Times, includes sections 18 and 19, 20 and 28. There was an aerial photograph of the area so marked, and it talked about plans to go to eight-storey buildings in that area.

I have a copy of what I understand to be the draft proposal for public comment on that development; it refers to only sections 18 and 19, and it talks about building heights of only six storeys. Has there been some change to the document that has been put out for public comment on this development, or in this case is the Canberra Times wrong in including all four of those sections and an eight-storey development proposal?

**MS FOLLETT:** Mr Speaker, I might respond to that matter, as it is a planning issue. I will respond to the best of my ability, to say that in relation to sections 18 and 19 at Braddon we have been advised that the National Capital Planning Authority has released the draft proposal which sets out some proposed variations to the land use policy and to the development guidelines for those two sections, 18 and 19. The draft variation to policy has been released, as I think Mr Kaine has mentioned, for public comment, and the period for such public comment closes on 14 July.

There are a number of changes to the existing policy, but the most significant one of which I am advised is that lessees who wish to obtain approval for a development to the maximum height of six storeys must amalgamate two blocks. The Interim Territory Planning Authority, which is our Government's planning authority, has commented to the National Capital Planning Authority that such a policy could have a significant effect on some individual lessees who may wish to develop at a different time or for a different purpose from what is desired by their neighbours.

That is at the moment the extent of the advice that I have on that matter. It is an important matter, being in Braddon, which is an area, as you know, that is close to the city and therefore a planning-sensitive area, but that is the extent of the advice that I have on it at the moment. I trust that answers the question.

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**MR KAINE:** Could I ask a supplementary question, Mr Speaker. It has to do with the development of the whole area of the city centre. My question is: Is this another piecemeal development proposal that has no regard for what is happening elsewhere in the centre of Civic, including the area immediately adjacent to it across Northbourne Avenue, or is it part of a long term-plan that somebody has in mind to make sure that there is a consistency in planning over the whole area?

**MS FOLLETT:** I think I have answered that question by saying that the National Capital Planning Authority has released that draft proposal. As it refers to only sections 18 and 19, it is clearly not a comprehensive proposal. I think that answers it; it refers to only those two sections and has been done by the National Capital Planning Authority. The Interim Territory Planning Authority has made some comment upon it, but I think the answer to the question is that it at present refers to only those two blocks.

### **Bus Service**

**MR DUBY:** My question is addressed to the Minister for Housing and Urban Services. I refer to a letter to the Valley View of 28 June, written on behalf of some residents of Wanniasa and Oxley, who complain that bus route 183 from Erindale to the Hyperdome, which left at 8 o'clock in the morning, has been cancelled, which means that many, many people now have to travel to Woden and then out again, and they find it very, very inconvenient in the mornings to do that. It means a very early start for the day.

Can the Minister undertake to arrange the reintroduction of an early morning service from Erindale to Tuggeranong, given that employment at the Tuggeranong centre is bound to increase and that the demand for the service therefore will rise?

**MRS GRASSBY:** I thank Mr DUBY. No, I did not know that, although there have been a lot of changes in bus routes with the new Bus Book that is out, and we have been trying to service the Tuggeranong area in a much better way than it had been. Of course, there always have to be changes from time to time, and we find that a bus has been taken off a route that was very well serviced before. It is not until something like this comes up that we find that there is a problem.

I will look into it and get back to Mr DUBY about that as soon as possible, and will find out if there is something that we can do about that.

### **City Plan**

**MR COLLAERY:** My question is directed to the Chief Minister in her role as chief planner of the Territory. I refer her to her reply to my friend Mr Kaine, in which she indicated that the Interim Territory Planning Authority had advance notice of this advertised change to the city plan today.

I draw her attention to section 15 of the Australian Capital Territory (Planning and Land Management) Act, which requires the National Capital Planning Authority, amongst other things, to publish a notice in a daily paper circulated in the Territory, make the draft plan available for inspection, and consult with a variety of parties.

Does the Chief Minister believe that it is satisfactory for the Assembly's Standing Committee on Planning, Development and Infrastructure to find out about this matter by reading the daily newspapers? That is the first leg of the question. The second leg of the question is: Does the Chief Minister propose to speak to her Federal colleagues to ensure that this flagrant insult to the Assembly does not recur?

**MS FOLLETT:** I believe I have actually answered the substance of the question already, Mr Speaker. Mr Collaery has asked whether I think it is satisfactory that the Assembly's standing committee should find out about this by reading it in the daily paper. I do not think that my personal opinion on that matter is relevant or even appropriate in the circumstances, but I agree that actions by the National Capital Planning Authority could perhaps be a little better coordinated with what is occurring with the Interim Territory Planning Authority. That has been a matter of concern to me, not just in relation to this particular proposal at Braddon but also in general terms.

If there are specific difficulties or specific issues - technical issues and so on - that Mr Collaery wishes to pursue on this matter I would be happy to take up that matter privately or to take a question on notice. But certainly I take his point that we might have closer consultation between the national body and the Territory body on future occasions.

### **ACT Schools Office**

**MR MOORE:** My question is to the Minister for Industry, Employment and Education. Is the Minister aware that the ACT Schools Office share of the overall education salaries budget was 7.6 per cent, yet in 1987-88 that share jumped by over 14 per cent to reach 8.7 per cent of the total salaries budget, at the same time as the Schools Authority was abolished, thereby abandoning any capacity to monitor Schools Office decisions affecting education?

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**MR WHALAN:** No.

**MR MOORE:** I will give you a supplementary question which might make it easier, if you like. The question was: Were you aware that it was the case?

**MR SPEAKER:** Order! Deputy Chief Minister, do you need any enlightenment on that issue?

**MR WHALAN:** As I said yesterday, Mr Speaker, I am anxious that the Assembly feels relaxed about this issue. It has become a matter of some controversy - that is, the proportion of administrative costs as part of the total costs of the Schools Authority. We have indicated that the Government intends to refer the matter to the Standing Committee on Social Policy with a view to that committee examining all aspects of it, and it will be able to examine the issues which Mr Moore has raised today.

**MR MOORE:** I have a supplementary question, Mr Speaker. In the interim will the Minister give the Assembly an assurance that he will restore the administrative share of the education salaries budget to a more appropriate level and maintain that level, if necessary establishing a supervisory body with real powers to ensure that the Schools Office does not appropriate funds to fuel its own burgeoning at the expense of our schools?

**MR WHALAN:** That sounds more like a press release than a question. Mr Speaker, all aspects of government expenditure are under review during the budget process, and that will be treated in the same way.

### **Traffic Accidents**

**MRS NOLAN:** My question is to the Minister for Housing and Urban Services in relation to her role of transport Minister. I would like to mention the spate of car accidents and in particular the recent horror car accident in which five young people died. Will the Minister give consideration to limiting the power of vehicles which may be driven by new licence holders and permit holders?

**MRS GRASSBY:** May I say that at the moment my department is looking at graduated licences in a way that we may be able to take a lot more care of young drivers. One of the things we are looking at introducing is a licence for one year during which no alcohol whatsoever would be allowed. If even a trace of alcohol is found in the blood the person would lose the chance of having a licence for another year. In this way we are looking at graduated licences which we feel may take care of this problem, with young people speeding on the road and doing things that they should not do. Also with traffic fines, they would lose the licences for a year.

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**MRS NOLAN:** I have a supplementary question. When would this review be completed? When would we be looking at some sort of answer on that question?

**MRS GRASSBY:** I cannot give an answer exactly on that, but I will get back to Mrs Nolan and give her a reply as soon as I find out from my department.

### **Belconnen Way Footbridge**

**MR JENSEN:** Mr Speaker, my question is also directed to the Minister for Housing and Urban Services and is a safety related matter. The Residents Rally has been advised that the new and rather expensive footbridge over Belconnen Way appears to have developed extensive cracking and it could be considered a danger to its users and the users of Belconnen Way. Will the Minister undertake to have this matter investigated and report to this Assembly as soon as possible?

**MRS GRASSBY:** I understand the member is talking about the bridge that is called the San Francisco bridge. Is that the one you are talking about?

**Mr Jensen:** Yes.

**MRS GRASSBY:** That is what I gather it is referred to. No, I did not know about the cracking. I have not been told about that. It is a very serious matter, and I will look into it because, as you know, we are about to open the same sort of bridge across the way from Isaacs to Mawson. I will look into that, and if the same company that built the bridge across Belconnen Way is building this one we would be looking into finding out what the faults are in this bridge. I thank Mr Jensen for the question. I will get back to him.

### **Opposition Briefings**

**MR HUMPHRIES:** Mr Speaker, my question also is to the Minister for Housing and Urban Services. During comments yesterday by the Deputy Chief Minister concerning consultation, the Minister interjected to say that a briefing had been offered to the Opposition concerning the Nature Conservation (Amendment) Bill and the Water Pollution (Amendment) Bill. Can the Minister tell the house when this briefing was offered to the Opposition and in what form it was offered, whether it was orally or in writing?

**MRS GRASSBY:** Mr Speaker, I have asked to make a personal explanation after question time, and that was to include that. I looked up my diary because I remembered doing it.



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We discussed the Nature Conservation (Amendment) Bill and the Water Pollution (Amendment) Bill and I have in the diary "Residents Rally, Bernard, 7 pm", on 23 May. I understand Bernard was not there. My staff have a feeling it was not Bernard, that Michael Moore came, but we are not sure that it was Michael Moore.

**Mr Collaery:** We look alike.

**MRS GRASSBY:** No, you do not look alike at all. He has a beard and he is better looking, what is more. Exactly after that I have "Liberals, Stefaniak, 7.30 pm". I am sorry if Mr Stefaniak came instead of Mr Humphries, but the appointment is there, and the staff said it was discussed with him. At 8.30 am on 24 May I have "The No Self Government". I understand that Mr Stevenson's office was rung, but nobody could get in touch with anybody so that he also could be informed, as we are very much trying to have collegiate government.

**MR HUMPHRIES:** I have a supplementary question. Is the Minister saying that Mr Stefaniak was actually there at 7.30 pm on 23 May? Mr Stefaniak says he was not.

**Mr Stefaniak:** Yes, I was. Yes, I was there. Do not worry about it.

**MRS GRASSBY:** I am sorry. Mr Stefaniak was given the appointment, and whether he turned up I cannot quite remember, but my staff say that he did. They said he did turn up and that he sat in on the Bills. So did Mr Moore and so did both Ms Maher and Mr Duby. I have got it written in the diary; I am sorry.

**Mr Stefaniak:** Not water conservation. I went to something else at your office, but not that.

**MR SPEAKER:** The question has been answered.

### Natural Gas

**MR WOOD:** I direct a question to the Minister for Industry, Employment and Education. Is he aware that AGL is proposing to stand down a large number of contractors from 1 July if the Government does not approve a gas price rise? What comments can he make on this?

**MR WHALAN:** I thank Mr Wood for the question. It is a fact that the distribution of natural gas in the ACT is a right and a privilege which is enjoyed by AGL. It is a profitable business undertaking for which the evidence suggests that it has never paid any franchise or any fee for the right to distribute gas throughout the ACT. It has written to the Government seeking the Government's approval for an increase in the price of gas to consumers. We believe that it is proper that the Government give careful

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consideration to this particular matter, and a submission is in the process of preparation and will be submitted to Cabinet.

No important aspects are under consideration in relation to that submission. We believe that it is absolutely reprehensible that AGL is taking this action which is effectively seeking to blackmail the Government into making a hasty decision. It is effectively saying to us, "Either you give us our increase by 1 July or we will sack 100 men". This is totally unacceptable behaviour.

The matter will be finalised by the Government in the next few weeks. We will not rush into this particular matter as we need to consider a number of very important community issues related to the prices and charges. The Government recognises the important capital expenditure by AGL over the last few years and the need for this to continue so that all Canberrans have the right of access to natural gas.

But AGL has been profitable in this process. Over the last three years its return of operating profit to shareholders funds has been, respectively, 24 per cent, 16 per cent and 22 per cent. I wish to reiterate that the Government will not be pressured into making a hasty decision on the matter and will be demanding from AGL an undertaking that it will not be standing down any of its contractors or employees.

### **Natural Gas**

**MR COLLAERY:** My question, on the same subject, is directed to the Minister for Industry, Employment and Education. Will the Government's demands of AGL also include an explanation from it as to why it pursued an extensive gas reticulation system throughout Canberra, arranging for the connections thereto by many elderly people in our community who were not aware that rebates were not offered? Will the Minister use his good offices to intervene to assist pensioners in obtaining a rebate that they all assumed they would get on their rates?

**MR WHALAN:** I will inquire into that and report further to the Assembly.

### **Services for Intellectually Disabled**

**MS MAHER:** My question is directed to the Minister for Community Services and Health. I have had a number of inquiries from different community groups in relation to intellectual disability and the lack of coordination between the groups and the services and information they provide. Does the Government have any plan for future co-ordination of services delivered to people with

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intellectual disabilities in the areas of accommodation, employment, respite care, independent living skills, training and transport? If so, could the Minister say what these plans are?

**MR BERRY:** I thank Ms Maher for that question. Of course the issue of coordination for those sorts of services which were mentioned by Ms Maher is extremely important. The Commonwealth and the ACT governments recently agreed to set up a joint advisory body on that matter, and it will discuss and plan service delivery for people with disabilities in the ACT. This body will be called the ACT Disability Services Advisory Committee. This committee will discuss and plan service delivery in the ACT. The group will also be examining ways to collect data for planning purposes. Members of the committee will include representatives of consumers and service providers as well as of both levels of government.

### **Gaming**

**DR KINLOCH:** My question is to the Minister for Industry, Employment and Education in his role as Minister for sport, including gaming. The question relates to allegations about betting activity at the Molonglo Tavern on 8 April 1989, which resulted in bets of some \$270,000 not being settled - the largest amount in bets ever made and not settled in the ACT. Is the Minister aware of these allegations? If so, is he able to act on them?

**MS FOLLETT:** Mr Speaker, I believe that I am the Minister responsible for those matters. I am afraid I have no information on that matter, but I am very happy to take the question on notice and to provide the member with the full response as soon as I can.

### **Very Fast Train Project**

**MR KAINE:** I direct a question to the Chief Minister in connection with the very fast train. The question is based on the assumption that the Government is in favour of the very fast train system. I was wondering whether the Chief Minister has had any discussions yet with the planners of this very fast train system. Arising from those discussions, does the Government intend to undertake an environmental impact study on the project? If so, will that environmental impact study be carried out in such a time frame as to allow the VFT to proceed on schedule and not delay it?

**MS FOLLETT:** I am happy to have a chance to speak on the very fast train proposal, which I think is an innovation that has a great deal of potential for the ACT, and particularly for our place in this region. I think

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everybody would agree that the VFT has the potential to increase ACT tourism, our placement as a business centre for the region, and so on. Therefore the Territory could be a very big winner out of the further development of the VFT proposal.

The Government, as such, has not formally considered an attitude towards the very fast train proposal at this point. Therefore I could not really say whether we fully support it or not, at the moment. Of course I think all members would also be aware that some very important environmental considerations must be taken into account in further looking at the very fast train proposal.

Mr Kaine has asked in particular about the environmental impact assessment of the VFT project. I have to say that I know that his proposal for an EIS would be supported by most major conservation and environment groups, particularly in the States through which the VFT will pass. Again, the Government has not considered that issue, so we do not have a specific view on it. But I am certainly hoping that I will have an opportunity to discuss that with groups concerned and to look at the possibility of either an environmental impact statement or a national inquiry or whatever is proposed. It is not an issue that the Government has considered at this point.

### **Casino Construction**

**MR COLLAERY:** My question is directed to the Minister for Industry, Employment and Education. Would he assure the house, or otherwise admit, that he has not had discussions with a director of Wollongong Constructions Pty Limited about the erection of the casino in Canberra?

**MR WHALAN:** I missed the first part of the question. Would I give assurances; is that right?

**MR COLLAERY:** I will reword it, Mr Speaker, to make it easier. Would the Deputy Chief Minister advise the house whether he has had discussions with a director, or any office bearer, of Wollongong Constructions Pty Limited in relation to the construction of a casino in the ACT?

**MR WHALAN:** Yes, I will advise the house. I have never had any such discussion.

### **ACT Schools Office**

**MR MOORE:** My question is also to the Minister for Industry, Employment and Education. Why did the Minister seek to mislead the public by alleging that the ACT Schools Office compared favourably with the South Australian education department when figures released previously by

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the Residents Rally clearly demonstrated that, in relative terms, administrative salary costs in the ACT were almost twice those in South Australia, and when further information, if obtained by the Minister, would have shown that the South Australian education department has this year reduced its administrative share of the overall salaries budget from 4.6 to 4.1 per cent?

**Ms Follett:** Mr Speaker, I rise on a point of order. The question has clearly made an imputation about the Deputy Chief Minister in saying that he has sought to mislead the Assembly, and I would ask that that be withdrawn.

**MR SPEAKER:** I uphold that.

**MR MOORE:** I withdraw that.

**MR SPEAKER:** Yes, thank you, Mr Moore. Would you like to rephrase your question?

**MR MOORE:** Why did the Minister allege that the ACT Schools Office compared favourably with the South Australian education department when figures released previously by the Residents Rally clearly demonstrated that in relative terms administrative salary costs in the ACT were almost twice those in South Australia, and when further information, if obtained by the Minister, would have shown that the South Australian education department has this year reduced its administrative share of the overall salaries budget from 4.6 to 4.1 per cent, thereby reflecting a level of efficiency of more than twice that of the ACT Schools Office?

**MR WHALAN:** Part of the problem that the Standing Committee on Social Policy will find when it examines this matter, as I have tried to indicate in response to several questions from Mr Moore in his campaign to have us sack people from the staff of the Schools Office, is that it is difficult to compare State with State. That will be one of the difficulties the Committee will face, because it will find that certain elements of administration in some States are included as part of the professional staff. Precisely where one draws the line between the professional element and the administrative element is not always easy to know. If you wish to change the balance of your figures, you can construct the figures in such a way that you can include them in one category or the other.

So there are some grey areas where they can be included in one category or the other. It will be part of the task and the challenge which that committee will have, and we hope to have the assistance and benefit of its deliberations when it reports back to the Assembly.

### Gaming

**DR KINLOCH:** My question is to the Chief Minister in that same role as related to my previous question. Is she aware of, and does she plan to act on, any allegations about the ACT Pub-Club TAB system similar to allegations made recently about large-scale fraud in the New South Wales Pub TAB system?

**MS FOLLETT:** I thank Dr Kinloch for the question. As I said before, I do not have any direct information on that matter. I am more than happy to provide the Assembly with information when it is available. I may need to talk to Dr Kinloch to establish just what information he is after.

### Petrol

**MR DUBY:** My question is addressed to the Chief Minister. I believe she had discussions today with Mr Greiner, Premier of New South Wales. Can she assure the Assembly that the price of petrol in the ACT will not rise as a result of these discussions?

**MS FOLLETT:** The answer is yes, but I know that people will want me to expand upon that. The ACT Government will not be introducing the petrol franchise tax that has been introduced by the New South Wales Government, so there will be no rise in ACT petrol prices brought about by action of this Government, I can assure you of that.

It was a matter on which Mr Greiner touched briefly in his discussions with me. He is aware that the ACT will not be moving to impose the same tax as has recently been imposed in New South Wales. I know also that there is an issue there of whether the New South Wales people who live near the ACT may be disadvantaged in some way by the imposition of the New South Wales tax. I know that Mr Greiner is intending to introduce a buffer zone around the ACT, which would include Queanbeyan, as far as I am aware, and that that buffer zone would be exempt from the new New South Wales tax. That is the information that I have at the moment on that matter.

### Traffic Accidents

**MR COLLAERY:** My question is directed to the Minister for Industry, Employment and Education. In view of the horrifying carnage, which was referred to also in this chamber earlier, on the black stretch of the Hume Highway adjacent to Canberra, will he ask the Canberra Tourist Bureau to implement a tourist awareness campaign in adjacent capital cities and elsewhere - by television advertisement, if possible - to encourage drivers to enter

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the ACT along a better highway for a rest stop in the ACT before proceeding on long interstate trips?

**MR WHALAN:** The ACT Tourism Industry Consultative Committee is in the process of being established, and it met last week with representatives of the industry. That meeting included, and subsequent meetings will continue to include, representatives of the other political parties here in the chamber, thus honouring an undertaking which we had given to involve the parties in that consultative process. It meets again next Monday week, and at that meeting there will be a report from the Tourist Bureau of the options which are available in the forthcoming year for promotional aspects of the bureau. I will raise this particular matter with the director of the bureau with a view to examining whether it is appropriate to include it in that program.

### **Bail**

**MR STEFANIAK:** My question is to the Chief Minister and Attorney-General. Given the recent comments made by the Chief Magistrate, Mr Cahill SM, on the problems faced by the ACT courts in administering the criminal law system, especially in regard to the lack of guidelines for the granting of bail, is she taking any steps in response to those problems and giving instructions for a bail Act to be legislated?

**MS FOLLETT:** I thank Mr Stefaniak for the question. I advise the Assembly that provisions concerning bail in the ACT are currently contained in a variety of pieces of legislation, such as the Magistrates Court Ordinance, the New South Wales Crimes Act, the Domestic Violence Act, the Australian Federal Police Act and the Supreme Court Act. So it is difficult to say that there is a coherent or single view on bail in the ACT.

It is my understanding that the Commonwealth Attorney-General's Department is currently developing proposals to amend the Crimes Act 1900 as it applies in the ACT to provide for uniform bail conditions. As I am sure members will be aware, the New South Wales Crimes Act as it currently applies in the ACT is still a matter for the Attorney-General. That is the information that I can provide to the Assembly at the moment, but I think it is clearly a matter where we might need to give some further thought as the courts move towards coming under the control of the ACT Government.

### **Service Stations**

**MR JENSEN:** My question is directed to the Chief Minister in her capacity as Minister responsible for planning. Is she aware of concerns expressed by the Motor Trades

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Association of the ACT about current administration policy to deregulate effectively the service station industry and a call by the MTA for all further action on proposals to add more service stations to the inventory of the ACT to be halted pending a ministerial inquiry? In view of this, will the Chief Minister instruct the interim territory planner to withdraw all draft variations to policy plans which involve service station sites until the issue can be fully examined?

**MS FOLLETT:** If I may, I will take that question on notice. I think it involves some quite complicated issues that need to be addressed, and I will provide the Assembly with a full answer as soon as I can.

### **Hospitals**

**MR MOORE:** My question is directed to the Minister for Community Services and Health. I refer the Minister to his assurance reported in the Canberra Times of 22 June 1989 that there is no staffing crisis at Royal Canberra Hospital and a later report in the Canberra Times that emergency services at Woden Valley Hospital were in chaos last Saturday night.

Does this mean that the ACT Community and Health Service has adopted a crisis management policy based on shifting staffing problems from one hospital to the other, or is the Minister prepared to admit that Canberra's hospital system is in crisis? What steps is he prepared to take to bring this crisis to an end?

**MR BERRY:** First of all, there is no staffing crisis in the hospitals. I would call on the Residents Rally member to be more careful about the choice of words that he uses when he talks about our health system because that sort of language creates in the public some concern about the system. The fact is that some medical officers have resigned, and changed staffing arrangements have been implemented to cover the gaps which have been caused by those resignations.

At the same time advertisements have been placed to try to recruit more medical officers to the ACT Community and Health Service. In response to the member's final point as to whether the Royal Canberra Hospital is in crisis, it is not in crisis.

### **School Visit**

**MR WHALAN:** I would like to respond to a question that was asked of me yesterday by Mr Humphries about Campbell primary school. While he may have thought that I took the issue lightly yesterday - - -



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**Mr Kaine:** He is being very responsible.

**MR WHALAN:** I investigated the matter. But in response I would like to say that I believe that at least two-thirds of my answers yesterday were quite reasonable. I was asked to confirm that I had visited Campbell primary school with Minister Grassby. I said no, because I had not visited Campbell primary school. The second part was whether I recall seeing a poster on the wall, and I said no to that, which is fair enough because I had not seen a poster on the wall. Members know what my answer was to the next part. But I would like to say that we have investigated the situation and there, in fact, is some substance.

It so happens that at the time that I visited Campbell primary school students in the two year 5 and year 6 classes had just completed a social science unit on self-government, of all things. Two parents, including political analyst Dr Malcolm Mackerras, assisted the teachers and students with the unit. As part of the process of learning, the children undertook a simulated election campaign to elect their own Chief Minister. All students had to develop their own policies and platforms and present them in an appropriate way. Ten political parties, some fictitious, were represented.

The poster concerned was one of the many produced by the children in the unit and was displayed with the others at the culmination of the unit of work. I understand that the whole exercise was a very positive learning experience. I believe it would be quite inappropriate for me to take any action. The question asked yesterday was:

What steps will the Minister be taking to ensure such posters never appear again in any primary school in the Territory?

I think that in the circumstances it would be most inappropriate for us to interfere with learning units of that sort and a display of posters of that type, particularly ones that support the Labor Party.

### **Civic Pool**

**MRS GRASSBY:** During question time on Tuesday, 27 June, Dr Kinloch asked me whether I could provide details on the budget allocation for the Civic pool in the next financial year. He asked me whether I was aware that the pool could be turned into a profit-making concern by erecting a dome to provide year-round swimming facilities, as has occurred at the North Sydney pool?

The answer to Dr Kinloch's question is as follows: The budget allocation for the pool next year has not been finalised. Recurrent expenditure in 1988-89 was approximately \$388,500, including salaries. Revenue was

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\$147,627. There are two areas to consider with respect to capital funding for the pool. Number one is that the pool's existing facilities need a lot of repair. The current study in relation to the pool will include a needs assessment and will report on the nature of the cost of this work.

As well as the cost of the repairs to the existing facilities, we will need to consider what new work will be done at the pool. One option which has been raised is to build a bubble to cover the pool in winter, similar to what has been done at the North Sydney pool, as Dr Kinloch suggested. I understand that this would cost in the order of \$600,000. This option will be closely looked at before any decisions are made.

### **Public Housing**

**MRS GRASSBY:** On 28 June Dr Kinloch asked:

The Housing Trust recently demolished dwellings in Condamine Street, Turner, and erected five new dwellings... Is the Minister aware that when the residents moved into the premises recently the sewage overflowed in each yard ... and that the occupants were provided emergency housing in motels and fed at the Pancake Parlour? Will the Minister ascertain whether this incident arose from uncoordinated medium-density infill operations by the Housing Trust?

The redevelopment site referred to by Dr Kinloch is 52 Ormond Street, Turner, where the trust demolished three old houses and constructed seven new ones. The project was built as a demonstration of the draft small-scale redevelopment policy, and careful attention was paid to every aspect, including neighbourhood consultation, infrastructure and design.

I publicly opened the redevelopment on 26 May, and everyone at the opening, including Dr Kinloch, indicated strong support for the project. On Saturday, 17 June, three tenants complained about sewerage blockage. The cause of the blockage could not be rectified until the following Monday, and the Housing Trust therefore moved affected tenants to a motel for Sunday night, in line with standard practice in emergency situations such as this. As the motel did not serve meals, the tenants were given a choice of three relatively inexpensive eating places in Civic at which to have dinner. I understand the tenants chose Mama's Trattoria.

Investigations of the sewerage problems indicated that the blockage was caused by tenants placing objects into the sewerage system - and I understand these were babies throwaway nappies. Tenants are being reminded of the problems that can be caused by flushing wrong sorts of objects like these down the toilet.

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I understand that there is no question that the blockage was caused by either system overflow or poor design. I have also been advised that a further problem has been detected and is being rectified in sewerage lines leading to the new work. I understand that this problem has been caused by the roots from trees on the nature strip.

### **Drug Laws**

**MR BERRY:** On 28 June Mr Moore of the Residents Rally party asked me the following question:

In relation to the recently disclosed though originally covert introduction of drug laws, alleged to be the toughest in Australia, has the Minister taken account of social and medical consequences, such as the increased involvement of organised crime in the ACT, increased theft as addicts attempt to finance their habits, and greater and more dangerous adulteration of drugs of addiction, all of which may result from making drugs more difficult to obtain, thus making the trade in them in the ACT more lucrative?

First of all, Mr Speaker, it is somewhat regrettable that the drugs of dependence ordinance was made before self-government. I am sure that members of this place would have wished to have had the opportunity to have input into that legislation.

The Act has now passed into law, as members know. While there has been criticism of the lack of publicity surrounding the commencement, and in particular in relation to punitive provisions, I am satisfied that there was wide consultation over a long period.

I am informed that, in response to television and print media advertisements early in 1987, over 200 copies of the then draft ordinance were distributed for public comment. Discussions, including a number of public meetings with groups with an interest in legislation - for example, police, drug treatment areas and health professionals affected by the ordinance - were undertaken.

I understand considerable changes were made in response to comments received. The legislation is regarded as a model for the rest of Australia. I feel sure members of this house would agree that this Act will make a significant contribution towards the success of the national campaign against drug abuse.

On the last point that Mr Moore raised in his question, may I say that the link between tough penalties and increased health and social problems is by no means established. However, this is important new legislation, and the Government will be anxious to monitor its impact.

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## **MEDICARE INCENTIVE PROGRAM** **Ministerial Statement and Paper**

**MR BERRY** (Minister for Community Services and Health), by leave: Before the ACT Government took office, the Minister for the Arts and Territories, Clyde Holding, agreed to the new Medicare arrangements. The Medicare agreement contains an incentive package which provides additional Commonwealth funds to the States and territories for services that will have the effect of reducing the length of stay in acute care beds. This means that our hospital resources can be used more effectively and that people will be able to get into hospital more quickly when they need to use these services and receive the care and treatment most appropriate to their illness.

It should also result in economies in the hospital sector of health care. This does not mean that those who need hospital services will be discharged early but those who do not need hospital interventions will be supported in the community and make a place for others who do.

The funds made available to the ACT under the incentive package total \$461,000. They are provided in two separate categories - a post-acute and palliative care component, and a day-only procedures component. The post-acute and palliative care program has been developed to enable people to leave hospital earlier than they do now, by providing community based support to assist them at home. In extreme cases some patients become dependent on hospitals and less able to look after themselves because they have stayed in hospital too long. Sometimes people prefer to be at home, and some small health care assistance is all that is required.

The day-only program will allow procedures which currently require an overnight stay or longer to take place on a day-only basis. This will in turn increase the number of people the hospitals can treat and help in reducing waiting lists.

I have just received advice from the Federal Minister for Community Services and Health, Dr Blewett, that the ACT proposals have been approved for funding under the Medicare incentives package. They include a midwifery early discharge program which will operate from both Royal Canberra and Woden Valley hospitals, an expansion to the existing home based palliative care program which operates from Calvary Hospital, and a plan to provide intraocular lens implants to Medicare patients under day surgery.

The three proposals recommended to the Commonwealth for funding were chosen on the basis of their capacity to achieve the desired outcomes shown by similar programs in Australia and overseas and to meet Commonwealth objectives and priorities.

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The first one about which I want to tell you is the midwifery early discharge plan. Through this plan two full-time midwives - one at Woden Valley Hospital and one at Royal Canberra Hospital - will be employed on a seven day a week basis, as well as two antenatal educators, also one at each hospital, to operate a scheme for mothers who would like to participate in an early discharge program following a normal birth.

The usual stay following childbirth is between five and seven days. It is expected that as many as 20 per cent of these clients may be willing to participate in the program. Mothers participating in this program would be discharged from hospital between one and two days following birth. They would then be visited by the hospital based midwives for up to one week, after which time the mothers would be "discharged" from the program.

Mr Speaker, some women may wish to remain longer in hospital to take advantage of the hospital's facilities. There are many home situations which are difficult to manage after such an important life experience. For others, their return home is a relief after the institutional environment of a hospital, and they would prefer to be with family and supporting friends. All that is needed is some special help to allow this to occur with the best quality of care for mothers and babies. Naturally the mothers will continue to receive support from community nurses, as is normal in the ACT.

Many ACT residents have valued and appreciated the services of the home based palliative care program which fulfils an important need for many terminally ill persons and their carers. Unfortunately, the existing program is unable to accept all who are referred.

Palliative care is about relieving the symptoms of illness when no cure is available. Unfortunately, there are many conditions which the practice of medicine cannot change, but help can be provided to ensure that the people concerned are able to understand their sickness, have access to pain control, and maintain their dignity and choices about treatment.

Over the past three years it has served an average of 110 persons annually, all of whom have been cancer patients. With the funds now available under the incentive package, an additional three positions will be established to enable the palliative care program to expand the client base from the present 18 to 20 clients at any one time to 25 clients. It will also enable the program to accept clients who are suffering from terminal illnesses other than cancer.

The program is expected to reduce the dependence on hospital stay for terminally ill people. Despite the best efforts of health care workers in hospitals, the institutional setting is often impersonal and cold. In the difficult times of caring for the terminally ill and their

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families the home environment often provides an essential setting to give the person the maximum quality of life experience.

Mr Speaker, the day procedures proposal will provide for Medicare patients to receive intraocular lens implants under day surgery. Over 100 Medicare patients have been on the waiting list for intraocular lens implants for more than two years. Most are recipients of the age pension and experience relatively high levels of dependency as a result of their vision problems.

The Canberra Times of 19 May 1989 contained a report about Mrs Ruby Rawlings, an elderly pensioner who had been "sitting in the dark" in a Queanbeyan nursing home for 10 years. Her two sons clubbed together and paid for her to have this eye surgery as a private patient. Because it is regarded as non-urgent surgery, Mrs Rawlings and over 100 others dependent on Medicare have had to wait.

Although not life-threatening, the quality of life that these people have without the surgery is substantially reduced from what it otherwise would be. The intraocular lens implant program will allow 100 people, such as Mrs Rawlings, to have this surgery which will enable their vision to be restored and enhance their ability to lead more independent and fuller lives.

Mr Speaker, I am strongly committed to the principle of access to high quality health care for all, irrespective of financial status. This is what Medicare has been designed to do. No community can afford all the health care services potentially available. The incentives program developed as part of the new Medicare agreement focuses on some of the areas of pressure and demand on our health care system to introduce changes which will help our limited resources to be used to the full.

As I mentioned earlier, other similar programs in Australia and overseas have been successful. For example, participation rates in a midwifery early discharge program in Newcastle were as high as 30 per cent, with no corresponding increase on demand for services within the community or return to hospitals.

Evaluation is an important component of all three of these programs. A small working group within my department is currently developing the evaluation frameworks which will be put in place to monitor the success of the programs. Together, these programs present an opportunity to develop services which enhance quality of experience and target our resources more effectively.

I present the following paper:

Medicare Incentive Program - Ministerial  
statement, 29 June 1989.

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I move:

That the Assembly take note of the paper.

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

**MOTIONS TO SUSPEND STANDING ORDERS WITHOUT NOTICE**  
**Temporary Order**

**MR COLLAERY**, by leave: Mr Speaker, I move:

That the following amendment to standing order 272 be adopted for the remainder of this Assembly:

Standing order 272 -

Delete the words "by a Minister".

Standing order 272 reads:

In cases of necessity, any standing order or orders of the Assembly may be suspended on motion, duly moved by a Minister, without notice: Provided that such motion is carried by an absolute majority of Members.

Question resolved in the affirmative.

**PESTICIDES BILL 1989**

**MRS GRASSBY** (Minister for Housing and Urban Services) (3.22): Mr Speaker, I present the Pesticides Bill. I move:

That this Bill be agreed to in principle.

The ACT is the only territory or State in Australia without legislative control of pesticides. There has been considerable criticism over this because pesticides which are banned or restricted elsewhere in Australia can be freely used in the ACT. When referring to pesticides, the Pesticides Bill specifically excludes drugs used for the control of pests in food and drink, in livestock and in or on humans. Such items are already strictly controlled. Fertilisers are also excluded.

There are no enforceable restrictions on storage of commercial quantities of pesticides or containers in the ACT, nor are there restrictions on their disposal or the containers which are used. The Government is very concerned about the lack of control and the potential danger to public health and the environment. This Bill will overcome these problems.

Under the Bill, a register of pesticides will be established, and a registrar and inspectors will be

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appointed. The registrar will issue directions relating to the transport, use, storage and disposal of pesticides. It will be an offence to sell, supply, use, transport, process or dispose of an unregistered pesticide.

The registrar will be able to issue permits so that pesticides may be used in emergencies or for research. The Bill will require pesticides to be used strictly in accordance with instructions on the registered label. The criterion for registration is that a pesticide is registered for use in Victoria and/or New South Wales.

It is not intended that this Bill provide legislative control over pest control operators. In anticipation of the legislation, a register of pesticides, based on the New South Wales register, has already been created. I now present the explanatory memorandum for the Bill.

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

### **SOCIAL WELFARE MINISTERS CONFERENCE Ministerial Statement and Paper**

Debate resumed from 28 June 1989, on motion by **Mr Berry**:

That the Assembly takes note of the following paper:

Social Welfare Ministers Conference, 9 June 1989 - Ministerial statement, 28 June 1989.

**Mr Kaine:** I rise on a point of order, Mr Speaker. Is order of the day No. 1 not the Police Offences (Amendment) Bill?

**MR SPEAKER:** No. We are still on government business, Mr Kaine.

**Mr Kaine:** You must have a good piece of paper that I do not have, because I have nothing else about order of the day No. 1 except on the notice paper for today. That is what I have, and it reads Police Offences (Amendment) Bill.

**MR SPEAKER:** It is on page 34, orders of the day.

**MR MOORE (3.37):** I must say, Mr Speaker, that as part of the learning curve I had not realised that this was to come on today, so my preparation for my speech is not as it might otherwise have been. However, my main purpose in moving the adjournment was to endorse the comments that the Minister made about the social welfare Ministers conference and to look forward to a time when we can have an opportunity to discuss with the Minister, as he has shown that he is prepared to do at times, the sorts of issues that will come up in such discussions so that he can go to those discussions prepared with an overview of what each of the parties is interested in achieving.



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**MR KAINE** (Leader of the Opposition) (3.38): There are a couple of points that I would like to make in connection with the paper presented by the Minister. First of all, I would have to say that the Liberal Party supports the general tenor of the matter in this paper. There is a real problem. That problem seems not yet to have been quantified, although I do not know why when one considers that it is now some years since the Prime Minister said that there would be no child living in poverty in Australia by 1990. We are now very close to that time, yet it appears that very little has been done to quantify the nature of the problem, and I am not too sure how to address the problem without first quantifying it.

I think that I could say generally that we support the general tenor of the paper and the matters that were discussed at this conference. There are a couple of parts of the paper in particular to which I would like to refer. On page 4 of the paper a number of principles are set down. I think that those principles are very basic and should be accepted by everyone without reservation when it comes to the children in our community. I do not believe that there is anything there to which anybody could take exception. They carry on over to page 5. I would hope that this Government, in developing its program to eliminate the difficulties of children - particularly homeless children, but children generally - would use these seven principles as the basis for any action that it might take.

Also some recommendations were raised by Commissioner Burdekin. Again I think that this Government should very much take into account those recommendations when it is developing its program. I would hope, Mr Speaker, that having discussed these matters at a ministerial conference this Government would waste no time in developing a program and putting it into effect to address the problems that have been defined here.

There has been a lot of talk, a lot of discussion, about the problems of children, particularly homeless children and youth, in our community. It is time that something was done about it. Now we have a government whose sole responsibility it is to address this question; nobody else is responsible for it. I would expect to see the Minister and the Government come forward very quickly, since a lot of the groundwork seems to have been done, the principles have been determined and the recommendations are there as to what ought to be done. I would suggest that they apply just as much in the ACT as they do anywhere else in Australia. I will be looking forward with great interest to seeing some initiative from the Government, hopefully in the context of the budget that is about to be brought down, so that there is no delay. These matters should be addressed quickly, and the problem in this society should be eliminated very quickly.

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**MR WOOD (3.41):** Mr Speaker, I want to make a few remarks on this. The Burdekin report drew the attention of Australians generally to the problem of youth homelessness. That problem is operative in the ACT as much as anywhere else, but we did not need to wait for the report of the Burdekin committee to tell us about the problems that exist.

Before that report had come out, we had also a report by our local people in the ACT Housing Trust entitled A Report to the ACT Housing Trust on the Development of a Youth Accommodation Program. I am grateful to Mrs Grassby for releasing this, which she did just a little while ago. It makes a number of very important points. They are written down, so you can all see them. You do not need me to go through them, but I want to mention one or two that I believe are of particular significance.

The key conclusion, this report states, is that the number of young people who do not have safe and secure housing is unacceptable in the ACT's comparatively affluent society. It is unacceptable. I was very pleased to hear the Leader of the Opposition indicate that the Liberal Party recognised that there was a problem. The number is too great. The report indicates that at any one time some 500 people move through the accommodation that is available. It cannot indicate how many people do not take advantage of that opportunity - they may not know about it or may be excluded for particular reasons.

Mr Kaine mentioned that we need to know more. One of the recommendations of this report, indeed, is that it is urgent that we acquire more data. It is of great importance that we do so. We can always monitor the numbers that move through these places, but we do not really know the number of people who do not do so. We certainly need to know that.

I have, in an earlier debate, strongly asserted that there is a problem. There is in the community some element that says that these people, ranging in age from as young as 10 or 11 to their late teenage and young adult years, ought to be in their own homes. This cannot always happen. There are very good reasons - sad ones obviously - why they cannot always be in their own homes. So we have to take important steps to protect these young people. There are simply too many of them.

They can go into these short-term crisis places - we have quite a number of beds there - but the greater problem is the mid- to long-term accommodation for young people. We are talking about young people who ought to be, and who mostly are, still at school. They are too young to be employed, have no income, are too young also for social security benefits and have no means of putting money into their pockets, so they need the support of the community in order to survive.

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Another important thing - it is well recommended in this report - is that we need people to go out and to contact these homeless young people. We need outreach workers, simply to provide them with guidance, to show them where there is accommodation for them and to see that all matters relating to their schooling are comfortably settled. This is very important.

The report also recommends the formation of a youth peak body to provide advice. During the election campaign I had the privilege of meeting with the youth accommodation group in the ACT and found it to be highly articulate, sensible and knowledgeable. That is just one such group that ought to be giving the community and the Government the benefit of its considerable knowledge in this area.

Mr Speaker, I have highlighted, I believe, just three or four important issues that have come from this report. They are ones that I particularly wanted to emphasise so that Assembly members and perhaps the wider community will understand their importance and, in particular, recognise the sorry significance of the homeless youth problem.

**MR DUBY (3.47):** I think we all agree that when the Burdekin report on youth homelessness was first issued it highlighted a very great need within our community, and I think that a lot of people did not realise that there was such cause for concern within the community at large.

I am very reassured to hear the statement of the Minister that the recommendations - apparently the full recommendations - of the Burdekin committee have been accepted completely by the Government. The recommendations cover a whole range of issues, and I am pleased to see that the Government has decided to take action on all of them. I think the house as a whole would support those actions of the Government, because the case of youth homelessness is a shocking example of national neglect.

I notice though that there is one item there in the recommendations over which really this Government has no control, and that is income support for youth. As we are well aware, it comes under Federal guidelines. The matter may be looked at to see whether we can liaise in some way with the Federal Government in this area so that at least the youth of Canberra are not as disadvantaged as youth in other States may be.

I am particularly pleased to see that the Burdekin report found that there were some facets of ACT operations which came up for recommendation. Of course, they are the Barnardo's RAFT program and Short Cuts. It is good to see these proposals already in place within the ACT, and we commend the appropriate public service organisations for having them in place.

All in all, I would like to join with the other members in the house in supporting the recommendations of the report

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and hoping that before the next meeting of the Ministers, which I believe is set down for March next year, the Minister may be able to report to the house on what actions the Administration has taken to facilitate the recommendations made in this statement. On that basis I will leave it.

**MR COLLAERY (3.49):** Mr Speaker, the Burdekin report is a first indication by the Hawke Government, so many years after the declaration which Mr Hawke made and which was referred to by my friend Mr Kaine, that concrete joint action is now in hand to attend to this very sad, very basic and very vital concern that we all have regarding the youth in our community.

Not only is the report by Mr Burdekin welcome but also one hopes that it is a precursor to more joint strategies that will see social justice treaties developed around the country by the various State Premiers.

Mr Speaker, Chief Minister Follett must be encouraged by this Assembly to explore the extent to which this Assembly can, in all the laws it will enact, give effect to the declaration of the rights of the child. That is a fundamental document, and it is one that we must endorse as a Canberra community. I say "a Canberra community" because we are probably the most informed, politically aware community in this nation.

**Mr Berry:** Oh, I don't know.

**MR COLLAERY:** Mr Berry speaks for himself, Mr Speaker. But the breadth of the statement given to us by Mr Berry is also very welcome. It indicates an awareness and a sensitivity to the issues raised in the Burdekin report - the other Burdekin report, as I will call it - by Mr Berry's officers. I would enjoin Mr Berry's officers to consider a couple of issues that have been apparent to members of the Assembly, particularly during the election campaign, that there are arguments in relation to the push-pull factors regarding youth homelessness.

There are proponents at one end of the argument who state that the facilities provided for youth accommodation actually encourage some children to leave home on a whim, after a minor spat with parents, and so on. At the other end, and in the reasonable midstream of the issue, many of us see that these children are leaving for a whole lot of aggregate factors to do with a breakdown, a fundamental breakdown to some extent, in parental authority and families in the modern age.

One factor of which we must be very conscious is the duty of us all to identify homeless youth. Some of us have seen, and some of us know, that we will find 13- and 14-year-old children at 2.00 am or 3.00 am in this city, on the street or sometimes turning up in numbers at the Ainslie hostel, double-bunking and all the rest. I had the

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honour of going to a hardworking home recently with my colleague Mr Jensen and another member of the Residents Rally to discuss the matter with the young persons who were managing the home in the Tuggeranong area. The story that they gave is one that we need to consider in the funding of these issues.

The story is, of course, that we have the established charitable organisations in the community, and they have a most important and vital role. But they do not, in many cases, have outreach facilities, which were referred to by my opposite number, Mr Wood. The fact is that outreach workers are largely voluntary still in this community; it is a fact that we must consider. We must also consider whether their training is adequate and whether the support that they receive generally is adequate. That is a factor that the ACT should consider.

**Mr Wood:** You have probably been called to be that sort of worker yourself at times.

**MR COLLAERY:** Indeed. As Mr Wood says, many of us are attending to those issues. An outreach program was established recently in Manuka. I must say that one of the Chief Minister's personal advisers is an operator in that program. That is an admirable program, but it is getting going only because a group in the community is making voluntary pledges of funding. I would like here to endorse publicly the fact that at least one shopkeeper in Manuka supplies provisions to that homeless refuge, out of the goodness of his very hardworking heart. I will not name that shop in Manuka, but really it is marvellous to see the community getting together now and helping the homeless children who are seen around in the very early hours of the morning by those shopkeepers who happen to open early. They are very familiar with the problems around the big bins and so on in the city.

**Mr Kaine:** The big bins are useful.

**MR COLLAERY:** The big bins.

**A member:** The Private Bins?

**MR COLLAERY:** Different from the Private Bins; that is another problem. That might be the pull factor, Mr Speaker. One issue that is dear to my heart, if the Assembly will forgive me, is the absolute failure of the Federal Labor Government to put into effect properly the declaration of the rights of the child with respect to migrant children who are being deported constantly in the company of their parents. Those children may be migrant children in the sense that they are born of migrants, but some of them are born in this country. On numerous occasions in recent years I have nearly always lost an argument on behalf of young Australian citizens who have been deported abroad.

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I would enjoin the members of this Assembly to read the several reports of the former Human Rights Commission on the deportation and the situation of young Australian citizens who go, by necessity, abroad with their parents and are deported. One a very clear case comes to my mind of young five-year-old Australian boy, a snowy-haired youngster, who went with his German mother simply because she had failed to apply for permanent residence during her marriage to an Australian citizen and before his schizophrenia resulted in their marriage break-up. Through no fault of her own, she was ordered to leave Australia because she had spent four years here on an over-stayed visitor visa and had not bothered to regularise her position when she was living with that Australian.

That was a dreadful case. It was referred to in a schedule to the Human Rights Commission report, and that report was tabled in the House of Representatives by Mr Bowen, the Attorney-General of the Federal Government. He, of course, tabled that and any number of other reports by the Human Rights Commission, indicating that he did not endorse the recommendations of it.

So let us not be fooled by the social justice realities of the Hawke Government on issues concerning children. They have been swept aside. We are approaching 1990, and we are now starting to see the beginnings of some action. Those of us who work in areas such as that have been deeply concerned at the breaches of these treaties. One hopes that when this Assembly settles down, when we have ordered government in the ACT and a stable, hopefully majority, government we will see some of the various treaties which the Federal Government has signed but to which it has not given effect taken on board by this new Assembly, this new Government in the Australian Capital Territory, and put into effect by us as a signal answer to a Federal government which has been uncaring in signal areas of social justice.

Mr Speaker, the Burdekin report also alluded to the efforts of the Human Rights and Equal Opportunity Commission. We all know that those officers only visit Canberra, and we were all disturbed at one stage when the original Human Rights Commission was moved out of this city. Be that as it may, the Residents Rally does not endorse the return of that federal commission, because the experience that at least one member of the Rally had with the former Human Rights Commission was that it lacked teeth, that its reports were tabled constantly in the Federal Parliament and overridden by the Federal Attorney-General.

We need to develop our equal opportunity, social justice and human rights recognition machineries in the ACT. Our strategy for youth must put into effect Australia's obligations developed at international forums, including the declaration of the rights of the child and the declaration on the rights of mentally retarded persons, including children and including disabled children who

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still have a long way to go to in terms of equal opportunity in this great Territory of ours.

Mr Speaker, it has been an honour to speak to this matter at short notice. It is good that Mr Berry chose to make an early statement on this issue. I congratulate the Follett Government for doing it, but I draw to its attention that it should not fall into the trap into which the Hawke Government has fallen, of giving signals and putting out illusory messages to the population that it is really intent on bringing some social justice to an area when it has not done so. Let us hope that this Government can.

**MRS GRASSBY** (Minister for Housing and Urban Services) (3.59): The housing department makes homeless children its top priority. Thus, in the review that I have asked my housing department to do, its first report is on homeless youth. The Government and, I am sure, every member in this house believes that homeless youth are among the most important priorities to think about.

While we are doing a report into this, we firmly believe the best place for children is in their home. As we all know, however, this is not always possible because, if they break down, children have to have somewhere else to go. One of the most frightening things of the report that I released was that on a check there are about 500 children booking in and out of youth refuges at any one time in Canberra. This, of course, does not account for the ones we do not know about, so there is quite a tremendous worry about this.

My department has done quite a lot already. In other States only youth over 18 years can get a house from the department for renting. We have lowered the age to 16, which has been a great help. Another rule that we have waived is that once those young people manage to get employment they have been asked in the past to leave the house. We have changed that, so now we encourage them to stay on in the house because we feel it is a very stabilising influence on the other ones who are there in the house, and we also feel that they will help the others to obtain work or go back to school.

We are also encouraging things like house mothers and fathers. We have a case on the south side where a very good lady who has been supported by the Lions Club has got a house from the housing department, my department, and has young men living there, for whom she is responsible. She has the backing of the Lions Club, so we know that she is a very responsible person. My department is looking into having many more people like that in large houses with four, five or six bedrooms, where this can be done for young people. We are also looking at another one in Manuka at the moment, which we are hoping to be able to support with some backing from outside, from one of the service clubs. Knowing the people who will be running these houses takes a little of the worry off the department, because we all know some of the things that can happen in this way.

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One of our biggest problems, though, is the 11- to 16-year-olds. It is quite frightening to find from the report that there are quite a few of these found sleeping around in old cars and buildings which are disused and which they are able to get into. The Chief Minister told me that when she takes her clothing to one of the large bins late at night she always calls out, "Clothing coming in". She does not want to smother anybody with her clothing. I gather they are very warm places in which to sleep on a cold night.

But it is quite frightening to think that this is the sort of thing we have asked children to have to do - to crawl into clothing bins to be warm and looked after. I think it is very commendable of the Chief Minister at least to call out as she is throwing her clothing into the clothing bin. I had not thought about it, but it will make me think a little bit more about it from now on.

I have urged my department to do as much as it can. Our two priorities on the list of the review at the moment are homeless children and the aged because we feel they are the two groups of people in the community that need the most help. When we set up that review interest rates were not anywhere near as high as they are now, so we may have another priority and I guess it could go on and on.

The one about which I am speaking at the moment is homeless youth. This city seems so affluent to the visitors who come here. They think that it is a very rich city, but they never get to see the parts of Canberra that we do not want to show them. These are the parts where homeless youth gather. People come here and look around and say, "Oh, what a very wealthy city. Isn't it wonderful? There's plenty of everything". Unfortunately, they do not realise what is behind some of those windows and curtains.

As the old saying in England goes, "Curtains for kippers". For those who do not understand it, kippers are the cheapest food you can eat in England, so they said people had lace curtains but behind them they were eating kippers. I am sure a lot of that goes on in Canberra, and I am quite sure a lot of the homeless youth go to bed every night without food in their stomachs. It is not only important to see that they are housed but it is also important to see that they are fed and medically looked after.

It gives me great pleasure to speak on this and to say that my department is looking very strongly into this. We hope to come up with some solutions that will be acceptable to the house in taking care of it.

**DR KINLOCH (4.05):** There is one area about which I could speak briefly, and it is to do with what one could call a culture of poverty, a culture of disadvantage. One very worrying factor is related to this culture of disadvantage, especially related to certain minority groups. In our society there are some, but certainly not all, Aboriginal



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groups and some, but certainly not all, groups deriving from, for example, the Indo-Chinese community.

The problem here is not necessarily individual disaster, although that occurs; it is disaster related to the larger culture of disadvantage and the culture of poverty. Here this is a considerable problem. This has to be dealt with not case by case but, in a way, in a larger arena, in an arena of care for these disadvantaged groups. The whole society needs to be involved with that.

I refer, for example, to the Human Rights and Equal Opportunity Commission Act, principle 6, which states:

The child, for the full and harmonious development of his personality, needs love and understanding.

We all need that -

He shall, wherever possible -

and for "he" read "he or she" -

grow up in the care and under the responsibility of his parents, and, in any case -

and this is what I am getting to -

in an atmosphere of affection and of moral and material security...

That moral and material security is a societal responsibility, not merely a parental responsibility. I hope here in the ACT we will be very concerned indeed about that area.

**MR WHALAN** (Minister for Industry, Employment and Education) (4.07): Very briefly, Mr Speaker, the interest shown in this Assembly on this matter, I think, reflects two comments which are recorded in relation to the reaction of elements of the Commonwealth Parliament to the Burdekin report. I note that the Prime Minister is quoted as having said, upon reading the report, that youth homelessness is "a tragedy that transcends politics and parties in government", and the Leader of the Opposition has been quoted as saying, "I don't think that in the time that I have been in politics I have been as impressed by a report in the way this one has. Politics by and large ought to be put aside".

That seems to be increasingly the community view. The Burdekin report is really the most authoritative examination of this issue that has ever taken place, and one cannot ignore the evidence which came forward and the recommendations which the report contained.

It is pretty staggering when you look nationally at the sorts of figures and see the trend. The report indicates

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that the number of homeless young people is rising rather than contracting and the evidence - and it says that it is conservatively estimated - is that there are between 20,000 and 25,000 homeless children and young people under the age of 18 across Australia and that, of these, approximately 8,000 to 9,000 are in the 12- to 15-year age group.

It goes on to say that it is estimated that up to 70,000 children and young people are homeless or at risk of becoming homeless, so it identifies certain risk groups. It describes the ways in which people live and the factors which contribute to youth homelessness. Those factors are numerous and many of them, with commitment from governments and the community, can be addressed. So efforts can be made.

One of the most important points that I find quite telling in the Burdekin statement is that many people still believe that homeless children have brought it on themselves and, therefore, that the wider community has little responsibility to respond.

I think that everybody in the community has a responsibility to recognise that this problem exists, that the children who are in this situation are the victims of a range of circumstances and that we have a responsibility to address those factors.

**MR HUMPHRIES** (4.10): I will just address this subject perhaps very briefly. I am very pleased to note the outcome of the ministerial conference of 9 June and to see that positive moves seem to be resulting from those discussions. It goes without saying that, if these problems concerning young people are not addressed now, they will manifest themselves in other forms in years to come, in the form of domestic violence, street crime and the problems that will beset children when in their turn they grow up and have their own families. I think that we can see many problems multiplying themselves as a result of our inattention to this particular problem, and I hope that we will therefore take the appropriate steps to make it less of a problem for the future.

I want to comment briefly on one aspect of the things that were discussed at the Ministers' meeting. The Ministers agreed on a number of areas that required attention in the short to medium term. They include such things as accommodation, income support, education and training in employment, children under statutory orders, better co-ordination and data collection for existing programs. But one of those areas was prevention of family breakdown, and from my point of view that is an area of the utmost importance and perhaps should be the area of first priority within this general area.

It is important, above all, to prevent the circumstances, the environment, arising in the first place which lead to this kind of problem. I recall that last year or the year

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before a social worker, whose name I cannot remember, commenting on the problems that gave rise to homelessness among youth, said that in many cases a very large element of it arose from a certain rebelliousness, a desire to gain independence from the family home. Although we can all understand that and appreciate how important that is, it is also equally important, as the first priority of a government attempting to deal with the symptoms of that problem, to address not the questions necessarily first and only of housing or feeding or clothing these people but first and foremost of restoring the environment in the home where they can be cared for. The ultimate responsibility of a government is to support the family structure, the family's capacity to nurture and accommodate members of those families, and anything the Government does which undermines that is regrettable.

The reasons why families are under those pressures vary widely and we cannot ignore the very important factor of economic hardship that faces our country at the moment. That accounts for a very large part of the upsurge in youth homelessness that we face in this community, and that is a matter of great regret. We should be looking at the root causes of these problems, we should be attempting to buttress the family unit, we should be attempting to find ways of guaranteeing greater security for people in an economic sense so that family security flows from that. I think that some of those issues are addressed in what was discussed by the social welfare Ministers, but I certainly hope that in this place we can keep our attention on that particular factor very clearly.

**MR JENSEN (4.14):** Mr Speaker, I do not propose to speak very long on this matter, but I would like to endorse the remarks that have been made by our colleagues in the chamber here today. I would particularly like to and indicate that the Rally firmly endorses the principle of bipartisanship in this area. Most of us here today know what it is like to bring up children in this day and age with the varying problems and difficulties in relation to lifestyle and changes that are coming for our children. Those of us who have teenage children are fully aware of the pressures and the difficulties under which they operate.

The report refers to the need for the Australian Education Council to take account of the needs of homeless young people when developing strategies to support a continued involvement of young people in mainstream education. Not only is it important to look at the needs of homeless youth and in relation to the education system, but also I think it is very important, if our young teenagers are struggling and having problems with organising themselves, arranging their lives in a very difficult world these days, that particularly in the schools the appropriate resources and facilities should be available. This will assist the teachers who are faced with the hassles of broken families, broken marriages, and various other problems that they keep

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being confronted with when young children are unable to cope with their education needs.

It is important, I suggest, for adequate facilities to be made available for counselling facilities within schools. In some areas there are a limited number of counsellors available and they have to be shared amongst a number of schools. I suggest that this is a critical factor in a major area. Such counselling would assist and help our young people to cope with the rigours and problems of our very major lifestyle changes that have happened in the last number of years. I would urge the Minister responsible for education to look carefully at that area to ensure that these problems are coped with by some of the very hard-working teachers and counsellors in this area.

**MR BERRY** (Minister for Community Services and Health) (4.17), in reply: I have a few comments that I would like to make in response to some of the things that have been said, and on a well-received matter, as far as I can make out. First of all, I would like to welcome the support of Assembly members for the Federal Government's initiative. I must make a point of the fact that it is a Hawke Labor Government initiative, and I think that the Hawke Labor Government is to be congratulated on the effort that it has focused on the area of child homelessness. I think that it deserves the credit that goes with the effort that it has put into the program.

**A member:** I suppose it is never too late, is it?

**MR BERRY:** Indeed, it is not, and it is a good thing that non-Labor governments have worked with the Hawke Labor Government in the development of programs and in consultation with each other towards the assistance of our most valued resource - our youth. I was most impressed with Dr Kinloch's remarks about the need to treat this issue as one that concerns society. I agree wholeheartedly with his comments.

But it really comes back to a lot of the issues which - at the risk of appearing provocative - progressive parties concern themselves with in the area of health, welfare, education, housing and those other social requirements. I also note his comments in relation to the cultural sectors of the community comprising the Indo-Chinese and our Aborigines, and the need to focus on the area of youth homelessness which is dominated by those groups.

I think it is most important for politicians in this country to address those social issues which, in my view, give rise to the majority of homelessness. I think any assessment of the situation would find that homelessness amongst the young is predominantly in groups from the low income end of society. We all should join together to work to ensure that everybody has a reasonable income and the right to a roof over his head, as well as a strong public housing sector, a strong public education system, a strong

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public health system in order that the interests of low income workers in this country can be well served. We should see to it that families stay together so that our most valuable asset - our youth - is not given reason to go out on the streets because of family housing problems. I welcome the support given by members on this issue.

Question resolved in the affirmative.

## ADJOURNMENT

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

That the Assembly do now adjourn.

## Schools Office

**MR MOORE** (4.22): I would just like to make a couple of little points. In question time the Deputy Chief Minister suggested that it was my intention to see, by the line of my questioning, the sacking of teachers and staff members from the Schools Office. On the contrary, I made it quite clear through the press that the methodology that I was looking at was moving teachers back into the schools, to the students, where they belong. A similar comment was made by Mr Berry about the crisis in hospitals where I was actually quoting a particular article.

A further point, Mr Speaker, is that throughout my life I have maintained that I would prefer to be called Michael Moore, not Mr Moore, and I would be very pleased in the house if people would be prepared to use my name rather than a title.

**A member:** No worries, Michael.

**MR MOORE:** Thank you. I said I would be pleased.

## Very Fast Train

**MRS NOLAN:** I, too, wanted to make a couple of statements in relation to the VFT, a topic that came up during question time. As we heard today from the Chief Minister, the Government has a policy neither on the VFT nor on the EIS in relation to the VFT.

The very fast train project has potential to bring enormous benefits to Canberra and Australia as a whole, yet the Government of this Assembly has to date failed to take a definite stance in regard to it. Given the enormity of the VFT project and Canberra's chance to be the control link in it, I ask the Labor Party to register its support. The

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issue is quite urgent as the planned deadline for the VFT is 1995, which makes for a tight schedule for a project of such a size. Any more meandering on the Government's part could only serve to make such a deadline harder to achieve if the project is to go ahead.

The benefits to Canberra, and to Australia, from the VFT are there for the taking. Canberra has been nominated as the administrative and control centre for the train, and it would be Canberra that would gain employment and tourist opportunities from such a development, with a projected 35 trains passing through the capital every day carrying up to six million passengers a year. Australia-wide the project is estimated to create about 25,000 jobs. If Canberra is able to play its anticipated central role in the scheme, many of those jobs would naturally accrue to the region.

The Government has already recognised, I am pleased to say, the importance of jobs and of the private sector. The VFT will place Canberra only one hour's travelling time from Sydney by rail. The benefits from this alone would be substantial. For instance, the chief executive of the VFT joint venture has suggested that this might lead to a commuter-led real estate boom in Canberra.

The VFT could contribute to tourism in our region by making access to our attractions more convenient to tourists, and this certainly is very important for the tourism industry. I might point out that the VFT holds other advantages as well. One is that it is a cost-effective system which makes the present rail system pale in comparison.

Another is that it would improve safety on our roads and also help to conserve Australia's diminishing reserves of liquid hydrocarbon. There are a host of benefits that the VFT could give Canberra and I stress that the Government make its view known as soon as possible. It is vital that it does so.

### **Presiding Officer**

**MR COLLAERY:** Mr Speaker, I rise to make two points to the Chair and for the Chair. The first matter concerns the fact that I used the word "charade" this morning in debate to describe this chamber. Mr Speaker, I will do my best not to use that term again, and I hope that there will be no circumstance where it will be used. But I do wish to say in that context and in the context of your comments, Mr Speaker, a day or two ago, when you took umbrage at the fact that words attributed to me, which included that a request for legal opinion had been swept aside, that those words were used not by me but by a journalist. I would not use that suggestion because, Mr Speaker, you have kept the Rally fully informed as to the process of that matter. I wish to say that were I to have used those words I would acknowledge them, but I did not.

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The moment is probably appropriate for me to acknowledge from the Rally's point of view our growing respect for the manner in which you are discharging your functions and the fact that, when one looks at the qualities required of Speakers in the other house, one finds the position is nearly always filled by a dedicated senior and experienced parliamentarian. I want to say simply, Mr Speaker, that the rough and tumble in this House to date is not intended by the Rally to be any reflection upon the manner in which you discharge your functions as Speaker.

It has been said that a Speaker requires an intimate understanding of parliamentary life, of the problems of members collectively and individually, of the moods and foibles of the house - an experience which can be acquired only through many years spent on the bench. So, Mr Speaker, the very great challenge for you is to accelerate that, and in the estimation of the Rally you have successfully done that. None of those earlier remarks that I made were intended in any way to be a reflection on the Chair.

Question resolved in the affirmative.

**Assembly adjourned at 4.28 pm until Tuesday,  
4 July 1989, at 2.30 pm**

29 June 1989

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APPENDIX 1 (incorporated in Hansard on 27 June 1989 - see page 443 )

GPO BOX 1882  
CANBERRA ACT 2601  
TELEPHONE: 575205

21 June 1989

Mr David Prowse MLA  
Speaker  
ACT Legislative Assembly  
GPO Box 1020  
CANBERRA CITY ACT 2601

Dear Mr Prowse

I have obtained a Hansard for the meeting of the Assembly of 1 June 1989 and my attention has been drawn to a speech made by Mr Colliery at which my good name, reputation and character were attacked.

I propose to set out below each of Mr Colliery's allegations and comment on each one in turn.

"That Mr Hedleys company, Hammy Pty Ltd, purchased Blocks 2 & 3 Section 43, from two widows in October 1987 and February 1988 respectively."

The two blocks were purchased by Hammy Pty Ltd as trustee of the Medley Family Unit Trust on the open market via L J Hooker Ltd, for \$650,000 and \$750,000 respectively. The two widows were willing vendors who were concerned to avoid the excessive traffic noise and fumes from Northbourne Avenue. One of the widows was represented during the sale process by her son, an Australian Airlines Captain. The other widow was represented by her daughter, a Sydney businesswoman. The blocks were purchased several years after the final Policy Plan for Section 43 had been approved and after construction had been completed on three out of the nine blocks in that section. The blocks were available for purchase by anybody. I made a full declaration of the purchase and the proposal to develop an office building to the Secretary of the Department at the time. This was consistent with my usual practice of advising the Secretary of any changes to my financial interests.

"The 99 year residential leases had 50 and 60 odd years to run respectively. They were surrendered by Hammi and one commercial lease issued for 99 years. No fee was paid for the extra term that was gained out of that conversions

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In accordance with usual practice where one building is to be erected on two blocks of land, both blocks were consolidated into one Crown Lease. In addition to Stamp Duty of \$46,030, Betterment assessed according to defined guidelines and other charges of \$697,325 were paid following Supreme Court approval to allow a commercial building to be erected. A further \$15,000 was paid to extend the terms of the Crown Lease for a fresh 99 years. This last mentioned amount represented 10% of the Unimproved Capital Value of the land. This was consistent with the practice which had been adopted previously for other blocks of land in the same section of Northbourne Avenue and the practice which I understood to have been applied elsewhere in Canberra.

"Prior to leaving the Administration, Mr Hedley had involvement in the tender process for the \$100 million sale of the Belconnen Mall. One of the interested parties was Sterling Property Trust. Mr Hedley's company later purchased Thetis Court, Manuka for a reported \$3.2 million from Sterling Property Trust."

The attached photocopy of a facsimile message from Mr J G Service, a Director of Stirling Commercial Property Management Ltd, the vendor of Thetis Court, Manuka makes it clear that at no stage were they involved with the tender or purchase of the Belconnen Mall.

"Most rents at Thetis Court have gone up by 80% since the purchase.

Thetis Court has been managed by Jones Lang Wootton, since its purchase three years ago by Hamib. Jones Lang Wootton have confirmed that the rental increases since purchase have been exactly 27.6%. I can provide full details if required. Jones Lang Wootton have also advised that when Thetis Court was purchased rental levels were well below market value and to this day they remain so. Hamib has made a standing offer to any tenant that if the tenant finds trading difficult he may surrender that lease without penalty. I might also add that each lease provides for a standard form of Arbitration in the event that the tenant does not agree with the proposed rental increase. It is noteworthy that at no stage since Hamib's ownership has one rental dispute gone to Arbitration.

I note that Mr Collaery did not specify in his speech that he has a direct pecuniary interest in rental levels at Thetis Court, in that Mr Collaery's legal practice is combined with another solicitor, Mr J W Constance, who leases office space at Thetis Court.

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"One of Mr Redleys subordinates has been involved in a back finance deal for a Braddon development for aged persons units and was in fact departmental spokesman when the house at 10 Murray Crescent was demolished for APUs. The same official purchased land in Canberra Avenue which is likely to be rezoned as we all know.,,

I do not understand this allegation. As First Assistant Secretary of the Legislation and Legal Services Division and previously the Legislation and Regulation Division, the Community Affairs Division, and the Policy and Program Coordination Division, none of my subordinates, insofar as I was aware, had anything to do with Braddon Aged Persons Units, land in Canberra Avenue or was Departmental Spokesperson for Aged Persons Units in Murray Crescent. At no stage during my Public service career was I ever Head of the Lands or Development Divisions of the Department.

I believe it is grossly unfair on ordinary citizens of the Territory for their names and reputations to be besmirched in the manner which has been perpetrated by Mr Collaery. I believe the Assembly needs to have established a Privileges committee or some other process which will enable any person aggrieved by an Assembly member to have that grievance looked at and the opportunity to have their reputation restored. I also believe it is incumbent on the Assembly to provide some public redress of my grievance now by, at least, requiring an explanation from Mr Collaery as to the motivation for his actions in seeking to undermine my reputation and credibility.

I have sent a copy of this letter to each member of the Legislative Assembly and to the Secretary, Chief Ministers Department.

Yours sincerely

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29 June 1989

J G SERVICE PTY LTD

Third Floor, Industry House Postal Address:

National Circuit PO Box 38

BARTON ACT 2600 KINGSTON ACT 2604

AUSTRALIA

Telephone: (062) 73 1463 Facsimile: (062) 73 1841

TO: MR A MEDLEY

FAX: 575207

FROM: MR JIM SERVICE

DATE: 7.6.89

SUBJECT: STIRLING COMMERCIAL PROPERTY MANAGEMENT LIMITED

NUMBER OF PAGES:

(including this page)

PLEASE ADVISE IF ANY PART OF THIS TRANSMISSION FAILED OR WAS  
MISDIRECTED

Dear Mr Medley

Stirling Commercial Property Management Limited was the manager of two property trusts, the units in which were listed on the Stock Exchange. I was a director of the company at the time that it recommended and arranged the sale by the trustees of the property known as Thetis Court, Manuka, ACT.

The property was offered in the ordinary course of business at public auction and the highest bid at that auction was made on behalf of your organisation, but the bid was below the reserve price. As is standard, commercial practice negotiations then proceeded with the highest bidder and in due course these negotiations led to an offer by you which met the price required by the managers and the trustees and accordingly a sale proceeded.

The very modest interest shown by the company in Belconnen Mall did not have any relationship whatsoever to Thetis Court - and went no further than some press publicity designed to test what degree of financial interest might be attracted if the company decided to bid. In the event we did not even register an expression of interest, let alone make any offer to purchase. The company did not have any negotiations of any kind whatsoever with you or any other Commonwealth officer in relation to Belconnen Mall.

Yours sincerely

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29 June 1989

LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

1 Constitution Avenue  
CANBERRA ACT 2600  
GPO Box 7020  
Telephone 75 8570

Far 76 6106  
June 27, 1989

Mr David Prowse MLA  
Speaker  
ACT Legislative Assembly  
GPO Box 1020  
CANBERRA CITY ACT 2601

Dear Mr Prowse,  
Mr A.R. Medley

I have to hand Mr Medley's letter of 21 June 1989 concerning my comments about him in the Legislative Assembly on 1 June 1989.

Whilst we have no doubt that the matters concerning Mr Medley should be appropriately investigated in due course, the very essence of the parliamentary process is the right to raise legitimate concerns fearlessly and after due enquiry. This was the case with my comments about Mr Medley.

I neither have nor had any pecuniary-interest in rental levels at Thetis Court, Manuka being premises owned by Named Pty. Ltd.

My arrangement with Mr Constance was that he move from Thetis Court to other premises and that in fact has taken place. I have absolutely no pecuniary interest in the rent Mr Constance paid to Named Pty. Ltd. Mr Constance is presently in the United States and I had no prior knowledge of or involvement in the arrangements he made in May 1989 to move. Mr Medley's suggestion is scandalous.

Yours sincerely,

BERNARD COLLAERY  
Leader  
Residents Rally for Canberra

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