



DEBATES

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

HANSARD

26 September 1989

Tuesday, 26 September 1989

Leader of the Opposition	1397
Petitions:	
Education	1397
Planning laws	1398
X-rated video material	1399
Education	1400
Questions without notice:	
Education Department - salaries	1400
Section 52 development	1401
Estimates committee	1401
Bruce Stadium	1403
Civic Square development.....	1403
Travel agents	1403
Civic Square library	1404
Fraud investigation	1405
Legislative program	1406
Ministerial consultants	1407
Legislative program	1407
National aquarium	1408
Occupational health and safety.....	1411
Youth homelessness.....	1411
National aquarium	1412
Personal explanation	1412
Appropriation Bill 1989-90	1413
Planning, Development and Infrastructure - standing committee	1422
Legislative Assembly (Members' Staff) Bill 1989	1426
Postponement of orders of the day	1430
Occupational health and safety ACT	1431
Public hospital redevelopment - steering committee report	1443
ACT Electricity and Water Authority - corporate plan	1451
Home and community care program	1460
Adjournment	1468
Answers to questions:	
Glebe Park (Question No 14)	1469
Bus service (Question No 15).....	1470
Health - risk management and assessment (Question No 16).....	1470
Canberra Tourism Development Bureau (Question No 17).....	1472
Workers compensation (Question No 18).....	1473
Tuggeranong Parkway (Question No 19)	1473
Workers compensation (Question No 20).....	1474
Use of schools (Question No 22)	1475
Road signs	1476
ACT electricity and water	1477
Youth homelessness	1478
Taxi vouchers	1479
Teacher transfers	1480
Bruce Stadium	1480
Natural gas.....	1481

26 September 1989

Tuesday, 26 September 1989

MR SPEAKER (Mr Prowse) took the chair at 2.30 pm and read the prayer.

LEADER OF THE OPPOSITION

MR SPEAKER: On 22 August 1989 I tabled in the Assembly legal advice from Professor Jack Richardson concerning the appointment of the Leader of the Opposition by the Legislative Assembly. I have subsequently been informed that there was an editorial mistake in paragraph 34 of the opinion. This involved some incorrect section references to the Australian Capital Territory (Self-Government) Act 1988. I have already provided all members of the Assembly with a corrected page and I now formally table the letter from Macphillamy Cummins and Gibson, together with the correct version of paragraph 34 of Professor Richardson's opinion.

PETITIONS

The Acting Clerk: The following petitions have been lodged for presentation, and copies will be referred to the appropriate Ministers:

Education

To the Speaker and members of the Legislative Assembly for the Australian Capital Territory.

The petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly:

Their disillusionment and disgust at the proposed budget cuts to education.

Your petitioners therefore request the Assembly that the proposed cuts be stopped and ACT government schools be supported.

by **Mr Whalan** (from 267 citizens).

26 September 1989

Education

To the Speaker and members of the Legislative Assembly for the Australian Capital Territory.

The petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly -

That in the proposed budget of the Australian Capital Territory Government there are plans to cut millions of dollars from public education. These cuts will critically undermine the standard of public education in this Territory in a number of ways including:

- cutting out reading recovery programs;
- decreasing course options;
- increasing class sizes;
- eliminating professional support for preschools;
- decreasing all counselling and support services;
- cutting such vital programs as English as a second language.

Your petitioners therefore request the Assembly to:

Resist all budget proposals which cut funding to public education in the Australian Capital Territory.

by **Ms Maher** (from 60 citizens) and by **Mr Moore** (from 4,376 citizens).

Planning Laws

To the Speaker and members of the Legislative Assembly for the Australian Capital Territory.

The petition of the retailers of the CBD draws to the attention of the Assembly:

Retailers in the CBD support the development of the old Canberra Times site.

The Supreme Court decision of 21 July, if allowed to stand, exposes glaring inadequacies in the planning and development laws of the ACT. The ruling failed to consider the consequences for the ACT retail industry, in that businesses could be denied the patronage of up to 650 people who would work in the Concrete Constructions building when completed.

26 September 1989

Your petitioners therefore request the Legislative Assembly to support:

- (i) Changes to the planning laws so that the court is not involved.
- (ii) The issue of a new crown lease to Concrete Constructions.

by **Mr Kaine** (from 204 citizens).

X-rated Video Material

To the Speaker and members of the Legislative Assembly.

The humble petition of the undersigned citizens shows that:

In June 1988 all State Attorneys-General called upon the Federal Government to ban X-rated videos.

It is apparent that a majority of Australians object to the present situation whereby X-rated videos are legally distributed throughout Australia from the Australian Capital Territory, notwithstanding the fact that they are banned in all Australian States.

A newspaper survey undertaken in the Australian Capital Territory clearly indicated that the overwhelming majority of ACT citizens want X-rated videos banned.

In particular, concerned citizens object to X-rated video material as detrimental to the status of women and harmful to children.

Your petitioners therefore ask the Assembly to exercise the powers available to it to prohibit the distribution of X-rated video material within and from the Australian Capital Territory. Your petitioners also call upon the Assembly to use all means within its capabilities to influence the Federal Government to ban the importation, production and distribution of X-rated and excessively violent R-rated videos in Australia.

And your petitioners, as in duty bound, will ever pray.

by **Mr Kaine** (from 1,196 citizens) and by **Mr Collaery** (from 951 citizens).

26 September 1989

Education

To the Speaker and members of the Legislative Assembly for the Australian Capital Territory.

The petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly the unacceptability of the proposed cuts to education.

Your petitioners therefore request the Assembly to withdraw the proposed cuts.

by **Mr Moore** (from 276 citizens).

Petitions received.

QUESTIONS WITHOUT NOTICE

Education Department - Salaries

MR MOORE: My question is directed to Mr Wood as chairman of the Standing Committee on Social Policy. On 28 June I asked the Minister for Industry, Employment and Education, Mr Whalan, a question without notice relating to his acquisition of figures that detailed salaries in the Tasmanian Education Department and reflected on the cost-effectiveness of the administrative salary costs of the ACT Schools Office. Mr Whalan replied that he would refer the matter to the Standing Committee on Social Policy so that there can be an examination of relative expenditure between the ACT and Tasmania. Can the chairman confirm that the matter has been referred to the Social Policy Committee and, if so, when can the house expect a reply?

MR WOOD: Am I required to answer this, Mr Speaker?

MR SPEAKER: Certainly, provided it is in reference to your chairmanship.

MR WOOD: This is another first, is it not? The matter has been considered. I am aware of its proposed referral to the Social Policy Committee. However, at this stage no such formal reference has been made, even though there has been some informal consultation between me and the Minister and the Education Department. I believe that a lack of certainty about the way to proceed and the particular form of referral has delayed the matter. The Social Policy Committee has it on its agenda and will be proposing at some stage in the not too distant future to consider the matter and to invite all interested members of the Assembly to participate.

26 September 1989

Section 52 Development

MR JENSEN: My question is directed to Mr Whalan, the Minister for Industry, Employment and Education. I refer the Minister to an answer to a question on notice by my colleague Mr Moore on section 52, Civic, which was asked on 1 June 1989. In the answer provided to Mr Moore he was advised that a new lease had been negotiated which required building to commence on or before 30 July 1989. In view of the fact that no work has commenced on section 52, can the Minister advise what action he is taking to require the lessee to comply with the terms of the lease?

MR WHALAN: Block 2 of section 52, City, which is to be developed as a hotel, was purchased at auction on 20 October 1987 by Helkie Pty Limited for a sum in excess of \$6m. As a consequence of community objection, the lease boundary has been amended so as to retain in the public domain a number of trees and a small park. At that time a new development timetable was agreed with the lessee.

The lessee has sought a further amendment of the development covenants. The date for commencement of building work as required on the lease has expired and the developer has applied for an extension of time. The Government is anxious to see this development proceed at the earliest possible time, and, if the extension of time is given, a substantial performance bond will be required. We are currently reviewing the developer's application and will carefully monitor the progress of the development.

Estimates Committee

MR WOOD: I am not directing the question to Mr Moore; I am directing this one to the Chief Minister and it concerns the operations of the proposed estimates committee. Since I have served in another parliament, I am very anxious that we establish such a committee because I am well aware of its crucial importance in the functioning of parliament and government. I understand that certain members on the other side of the house have expressed reservations about this. I hope the Chief Minister in her answer will convince them of the great need for such a committee?

MS FOLLETT: I thank Mr Wood for the question. Mr Speaker, as you know, I have proposed to all members of the Assembly that the budget be scrutinised by an estimates committee and I am aware that on the television news last night on Capital 10 the leader of the Residents Rally party indicated that he does not believe it is appropriate for an estimates committee to examine the Government's budget proposals. I also have a letter from Mr Kaine in which he states that it is the Opposition's view that the budget should be debated to finality without being considered by an estimates committee.

26 September 1989

I am very bewildered by these suggestions because I believe that the other parties in some way regard the Government's proposal to refer the budget to an estimates committee as some indication of indecision or lack of commitment by the Government to the budget. But in fact, Mr Speaker, the purpose of an estimates committee, as I am sure most members would know, is to provide Assembly members with an opportunity to question Ministers and officials on matters to do with the funds the Government is seeking from the Assembly itself. In other words, the estimates committee is all about the legislature having the chance to effectively scrutinise the actions of the executive arm of government. What is more, the Government does see the use of an estimates committee as an integral element of the way in which this Assembly actually debates the Appropriation Bill, which I will be introducing later on today. The report of an estimates committee to the full Assembly would form the basis on which the detail stage of the budget debate could occur.

So given that background, Mr Speaker, I am very surprised indeed that Mr Collaery and Mr Kaine appear to be promoting the view that the Assembly should not take up its responsibility to the people of the ACT to fully scrutinise the expenditure proposals that the Government has put forward and to fully debate those matters.

Mr Kaine: I can assure you that they will be scrutinised.

MS FOLLETT: I am also surprised that there does appear to be some confusion in some party leaders' minds on the question of community consultation concerning the budget and the question of an estimates committee. The community consultation which has taken place over the past couple of months, I believe, has been a very valuable process and has enabled members of the community, interest groups, individuals and so on - - -

Mr Kaine: On a point of order, Mr Speaker, I thought the question was addressed to estimates committees, not community consultations. Would the Chief Minister answer the question and only the question?

MR SPEAKER: The point of order is overruled. Please proceed, Chief Minister.

MS FOLLETT: Thank you, Mr Speaker. As I was saying, there does appear to be some confusion over the consultation process which has been undertaken as part of this budget and the role of an estimates committee, which is a process available to members of this Assembly, as was, of course, the consultation process, but they did not all take up that opportunity fully. But they are two quite different processes, one of which is available to the public at large and one of which is a special arrangement made with members of the Assembly to enable them to make detailed consideration of all the matters in the budget. I see the use of an estimates committee, as indeed the use of a

26 September 1989

consultation process, as a very important element in this Government's commitment to an open and consultative style of government. I am only sorry that other members of this Assembly apparently do not share that view.

Bruce Stadium

MR STEFANIAK: My question is to the Minister responsible for sport, Mr Whalan. Minister, in relation to the Bruce Stadium Trust, is it true that one of the major proposed sporting bodies participating at the Bruce Stadium next year, the Australian Capital Territory Rugby Union, does not have a representative on that trust and, if not, why not?

MR WHALAN: Mr Speaker, there has been no announcement about the membership of the Bruce Stadium Trust.

Civic Square Development

MR COLLAERY: My question is directed to the Chief Minister in her role as Minister responsible for planning and in her role as the purveyor of open government. I refer the Chief Minister to the advertisement in the Canberra Times of 16 August 1989, calling for expressions of interest in the Civic Square development. The advertisement states that the project design will include an international hotel with a casino, commercial office space, prestigious retail area and other uses. There is no mention of the cultural facilities to be included. I ask the Chief Minister what facilities are cited in the expression of interest document as being part of the development and, in view of her commitment to open government, could each MLA in this Assembly be forwarded a copy of this document this afternoon?

MS FOLLETT: I think the question can be more appropriately answered by Mr Whalan, the Minister for Industry, Employment and Education.

MR WHALAN: There seems to be some confusion in the mind of Mr Collaery in relation to this particular development. What has been called for is expressions of interest for the development of the site which will contain the commercial elements of the particular development. The cultural facilities are in the general precinct but on a different location and are not part of this particular development.

Travel Agents

MRS NOLAN: My question is to the Minister for Industry, Employment and Education. Does the Minister recall a

26 September 1989

telephone conversation back in late June that he had with me regarding the travel industry and the registration of travel agents? Will the Minister advise whether there are still unregistered travel agents in the ACT and, if so, what action is being taken to rectify the situation?

MR WHALAN: One of the things which I would like to report to the Assembly is the close cooperation which has taken place between the Government and the Opposition spokesperson on tourism. I think that it does demonstrate the multiparty support for tourism as an industry in the ACT. As a result of that, I have had many conversations with Mrs Nolan in relation to tourist matters, and I must confess that I do not recall this specific conversation. However, I will take the question on notice and supply the Assembly with an answer as quickly as possible.

Civic Square Library

DR KINLOCH: Following up Mr Collaery's excellent question which was not fully answered, this is a question to the Chief Minister in her role as Minister for the arts, but there may be other Ministers who may wish to reply - perhaps all four. There is currently a functioning library in the South Building of Civic Square. Is that library in any way endangered by present government plans? Is there a plan for destroying that public lending library? If so, will there be an opportunity for public discussion and involvement with such plans? I would repeat the question that has already been asked, and say that we really need to see those Jones Lang Wootton plans.

MS FOLLETT: I thank Dr Kinloch for the question. I am not exactly sure what Dr Kinloch means by asking whether the library in Civic Square is endangered. Certainly it is my understanding that that library is part of the redevelopment of section 19.

Mr Wood: It will be even better.

MS FOLLETT: As my colleague Mr Wood says, the redevelopment of section 19, so far as I am aware, will involve the creation of a better library facility, a facility that is more appropriate for the use of the Canberra community. It is my fervent hope that the library that is developed as a result of the section 19 redevelopment also fulfils the role of the state library for the ACT. So, far from the library facility being in danger, I see the redevelopment proposal as offering an opportunity for us to provide the ACT community with an improved library facility, which I believe is an extremely valuable resource. It is much needed. I myself have used that library, and that is certainly the outcome that I look forward to on the library front for the redevelopment of section 19.

26 September 1989

DR KINLOCH: I ask a supplementary question, Mr Speaker. I take it, Chief Minister, that that library will remain in operation at all times. I take it that there will be no point at which that library will be closed.

MS FOLLETT: I am not able to answer that question, except that it does seem to me to be only commonsense that, if that site is being redeveloped, short of building an interim library or making some interim arrangement for the library, it is most likely there will be a period when it will not be able to operate, but I am happy to get further information on that matter and provide the Assembly with it.

Fraud Investigation

MR WOOD: Mr Speaker, I direct a question to the Chief Minister, and I want to carry on the work of the Public Accounts Committee which yesterday questioned officers of the Investigations Unit about fraud in the ACT and about which an accurate report appears in today's Canberra Times. Perhaps because committee members had gleaned this information at an earlier closed hearing, we did not yesterday elicit some breakdown of the estimated 75 fraud cases that were investigated. Therefore, will the Chief Minister indicate how many of these cases concern employees of the ACT Government and how many concern citizens of the ACT?

Mr Kaine: On a point of order, Mr Speaker; is it appropriate for the Chief Minister or any other member of this Assembly to reflect on a matter that is before a committee?

MR SPEAKER: I will take advice on that.

MR WOOD: Well, I thought we needed to add to that report.

Mr Kaine: I submit that the report has yet to come from the committee.

MR SPEAKER: I am of the opinion that the question asked is reflecting public comment on an issue that has been broadcast at large. Provided that the Chief Minister does not delve into the workings of the committee as such, she should be prepared to answer the question as posed. I ask the Chief Minister to proceed.

MS FOLLETT: Thank you, Mr Speaker. I was most interested to read the report on the front page of the Canberra Times of the activities which had taken place in relation to investigations, and I must admit that I did seek to get some additional information because of the Canberra Times report this morning.

26 September 1989

Mr Wood: It was an accurate report of what happened yesterday.

MS FOLLETT: Thank you, Mr Wood. Mr Speaker, I am advised that since the Investigations Unit was established, in January this year, it has undertaken or has had referred to it some 171 matters and a large number of those are relatively small matters. Of the 171 matters referred to the Investigations Unit, 117 have involved allegations or complaints against people external to the ACT government service. In other words, they were not allegations against public servants but rather allegations against suppliers or clients, et cetera. Forty-five referrals have involved allegations or complaints against ACT Government staff - in other words, by far the minority of referrals to the Investigations Unit - and there have been nine referrals which have involved both staff and external persons. Of the 171 matters referred to the unit, 60 have resulted in the institution of legal action and 49 of those 60 have involved external persons; 62 matters have involved administrative or disciplinary action of some kind; and 46 have been found to warrant no further action. There are still three matters in progress.

I think it is important that the Assembly notes, in view of the Canberra Times report, that the overwhelming majority of matters referred to the Investigations Unit refer to people external to the ACT government service. I am very anxious that the morale and the reputation of our government service is not tarnished by a report such as that carried by the Canberra Times and I believe the figures that I have provided to the Assembly reflect that fact. Mr Speaker, I have a short table on the matter which is just a short analysis of matters referred to the Investigations Unit, and if it is the wish of the Assembly that might be incorporated in the Hansard.

Leave granted.

Document incorporated at appendix 1.

Legislative Program

MR KAINE: I am delighted that the Chief Minister was able to give such a comprehensive answer to a question without notice. I hope she will do as well with this one. Chief Minister, it is my understanding that there are something like 100 Bills in the pipeline within the ACT Administration. That is not gossip; I understand that it is fact. Over the last five months this Government has managed to introduce fewer than three Bills a month. In fact, only 16 Bills have been dealt with by this Assembly, including private members' Bills. Why is it that so few Bills are being brought forward if there is such a huge backlog in the pipeline? Is there a legislative program that the Government is working to to get some of this legislation through the system and, if not, why not?

26 September 1989

MS FOLLETT: I cannot confirm the figure of 100 Bills in the pipeline. I have not had that figure available to me, but it is undoubtedly the case that there is a large amount of legislation that needs to be dealt with by this Assembly. It is something that I and the Government have been very conscious of, and we do indeed have a legislative program which we are working to. It is a fact that by the end of this week I believe there will be some 12 items of government legislation introduced into the Assembly and that in the further sittings later on this year that number will be very much increased.

It is also a fact that matters which have been put before this Assembly have not always been dealt with in quite the expeditious manner that I would like to have seen. I would refer to very important Bills like the Occupational Health and Safety Bill and the Legislative Assembly (Members' Staff) Bill, which I regard as very important and which the Assembly itself seems to have had some difficulty in coming to grips with. But I assure Mr Kaine that the Government will be providing an adequate program of legislation - I would think, more than enough to keep the Assembly occupied through till the end of the year.

Ministerial Consultants

MR STEVENSON: Would the Chief Minister be good enough to inform the Assembly how many consultants are being used by Ministers, either as personal staff or in any other capacity?

MS FOLLETT: In relation to consultants on the personal staff of Ministers, I have one such consultant and Mr Whalan has one such consultant. In relation to any other consultants that have been employed by the ACT Administration, I would need to check that matter with the head of Administration if Mr Stevenson wishes me to do so. But as things stand, amongst the Ministers two consultants are employed.

Legislative Program

MR HUMPHRIES: I refer the Chief Minister to my question and her answer to my question of 6 July on the subject of the legislative program that the Leader of the Opposition referred to earlier, in which the Chief Minister said:

I hope that, as part of our birthday present to him -

meaning to me -

26 September 1989

we will be able to provide him with a legislative program in due course. It is something to which the Government is giving consideration now.

I am used to some delay in receiving birthday presents from members of my own family, but I had expected more promptness from the Chief Minister. Can the Chief Minister tell the house whether the Government is still giving consideration to the publishing of a legislative program for the benefit of members of this house; how much more consideration is necessary; and what is the problem in simply providing a list of Bills which the Government intends to introduce?

MS FOLLETT: I thank Mr Humphries for the question, Mr Speaker. As I have indicated before, the Government is indeed considering a large legislative program, and we do indeed have a large amount of legislation in the pipeline, as Mr Kaine himself has said. Mr Speaker, I think it might be best if I were to take Mr Humphries' question on notice and respond to him in full as soon as possible.

National Aquarium

MR Kaine: It is amazing how the Chief Minister can selectively answer questions without notice. My question, however, is to the Minister for Industry, Employment and Education. Minister, the land occupied by the National Aquarium site, as I understand it, lies within an area designated for planning purposes as being the responsibility of the National Capital Planning Authority. Can you tell the Assembly who approved the release of the land for development in the first place; was the lease arranged by the ACT Administration; and, if so, what are the uses to which this land can be put as specified in the lease agreement?

MR WHALAN: Mr Speaker, on two occasions I have presented in this chamber the official file that relates to this particular project. On neither of the occasions when the files were tabled here, Mr Speaker - - -

Mr Kaine: On a point of order, Mr Speaker; I put three specific questions to the Minister. I ask you to direct him to answer them. He has done very well at not answering any question up until now, and we have debated this point in the house before about Ministers shirking their responsibility to be accountable. I would like him to answer the questions.

MR SPEAKER: Thank you, Mr Kaine. Deputy Chief Minister, please address the points.

MR WHALAN: Yes, I am doing it, Mr Speaker. On two previous occasions I have tabled in this Assembly the full departmental file relating to the National - - -

26 September 1989

Mr Collaery: You have not given us the valuation file or the Australian taxation file.

MR WHALAN: It was tabled here in the Assembly, Mr Speaker. On neither of those occasions did one single member of the opposition take the opportunity to examine the file which was so presented. I think it is quite extraordinary - - -

Mr Kaine: On a point of order, Mr Speaker; would you please direct the Minister to answer the questions? This is not a point of argument or debate. If he wants to get into a debate I am happy to accommodate him, but that is not what the point of question time is.

MR SPEAKER: The point of order is upheld. Please direct your answer to the questions posed, Minister.

MR WHALAN: Mr Speaker, as a result of the tabling of the file here in the chamber, I hoped that members would have the opportunity to fully avail themselves of the information that was provided therein. In view of the fact that they did not take that opportunity, what I would like to table now and have incorporated in Hansard is a summary of all the processes, dating back to 25 July 1986. It is a schedule of the events which relate from July 1986 to 14 September 1989, outlining all the processes which have been followed in relation to the National Aquarium project. I seek leave to table and have incorporated in Hansard that particular schedule.

Leave granted.

Document incorporated at appendix 2.

MR WHALAN: What I would like to emphasise, Mr Speaker, is that all the arrangements that are presently in place for the leasing of this particular project were completed before self-government. That is the important point. Mr Da Deppo, on behalf of Wollongong Constructions, applied for a site for a trout - - -

Mr Kaine: I take a point of order, Mr Speaker. I am not interested in Mr Da Deppo. I asked three specific questions. If the Minister has got a detailed statement of the events, then perhaps he can refer to it and answer the three questions. I do not want to debate the matter.

MR SPEAKER: Thank you, Mr Kaine. I believe the Minister is trying to achieve that.

Mr Kaine: He is being argumentative and he is avoiding the issue.

MR SPEAKER: Please proceed, Minister.

MR WHALAN: Thank you, Mr Speaker. The application for the site was made in July 1986. The proposal was referred to

26 September 1989

and was considered and formally endorsed by the Canberra Development Board. The application was then referred to the National Capital Development Commission and various branches of the Department of Territories concerned with environmental protection.

The then Department of the Arts, Heritage and Environment discussed the matter with the National Capital Development Commission and the Department of Territories and advised Mr Da Deppo in early 1987 that the preparation of an environmental impact statement was not necessary to satisfy the objectives of the environment protection Act. I would like to emphasise that this matter was considered by the Department of Arts, Heritage and Environment in consultation with the NCDC, Mr Speaker, and it was determined that the preparation of an environmental impact statement was not necessary.

Mr Moore: Extraordinary!

MR WHALAN: Mr Moore says that is extraordinary. Well, the due processes were followed.

Mr Kaine: On point of order, Mr Speaker; I am not interested in environmental impact statements; I am not interested in Mr Da Deppo; I am not interested in the department known as DASETT, or whatever the heck it was at the time. I am interested in three specific questions. Perhaps I can simplify it for Mr Whalan. I will waive the first two and ask him the last question as a simple, outright, straight question. What are the uses to which this land can be put, as specified in the lease agreement? Let us stop all the nonsense and just answer the question.

MR SPEAKER: Please answer the last question, Minister.

MR WHALAN: I am sorry, Mr Speaker. I am answering the question as asked.

Mr Kaine: You have not answered any part of it yet and you have wasted 10 minutes of question time.

MR WHALAN: Part of the proposed site lay within a one in 100 years flood contour, and a higher site on the other side of the river was identified as being more suitable. The NCDC considered that the previous recommendation of the Department of Arts, Heritage and Environment would still be valid for the new site, and point 6 in the schedule which I have tabled and which will be incorporated in Hansard relates to the documentation of that particular fact. Sixteen months of consultation and negotiation followed. In January 1988 the final lease conditions were agreed upon. All of these actions preceded self-government by more than one year. The lease conditions as to environmental controls were provided by the then conservation and agricultural branch of the ACT Administration. They provided controls seen as necessary to protect the river system from pollution and disease.

26 September 1989

Mr Da Deppo has since applied to vary the lease purpose clause to permit the display of waterfowl and perhaps other animals in the future. Conservation and land management advised that this proposal would require strict controls over the keeping of animals to be incorporated in the existing lease. This application is still subject to negotiation. Mr Da Deppo has requested an increase of 2,000 square metres in the maximum gross floor area to be permitted under the lease. That request has not been progressed at this time. In relation to the actual terms of the lease purpose clause, which was part of the question, I do not have the precise details of the lease purpose clause here with me, but I will make them available to the Assembly later this sitting day.

Mr Kaine: Frankly, Mr Speaker, I am absolutely appalled that the Minister has wasted so much of our time. He had reams of paper but he could not answer the simple question, and made no attempt to do so.

MR SPEAKER: Order, Mr Kaine! You are making a statement.

Occupational Health and Safety

MR MOORE: My question is directed to the Chief Minister. Mr Whalan adjourned the debate on the report of the Committee on the Occupational Health and Safety Bill 1989, on 6 July this year. The Labor Party has pushed for the implementation of this Bill since the advisory committee to Federal Minister Clyde Holding in April. Why then has the Government failed to protect so many workers in its reluctance to bring forward this Bill?

MS FOLLETT: Mr Speaker, I think the answer to that is very simple. It is because we in the Labor Party see the trade unions as an essential part of the protection of any worker's conditions of work. As I am sure Mr Speaker will be aware, the current proposal on the occupational health and safety legislation does not adequately address the role of trade unions. It is the Government's view that that role must be adequately addressed in the legislation that goes through this Assembly.

Youth Homelessness

MR BERRY: Mr Collaery asked me the following question without notice:

I refer to the question asked by my colleague Mr Humphries regarding the Caring for Adolescents in Need of Assistance group at Manuka, known as CANA. I draw ... attention to the fact that the chairman of that group is Terry Higgins, QC, of their party, and one of

26 September 1989

the assistants and supporters of CANA is of course a member of the personal staff of the Chief Minister here in the Assembly. What I ask ... is this: In view of those facts ... would you please outline to the house how Mr Berry is unaware of the situation that the CANA group is in.

Without going into detail about the position of CANA, because it is dealt with in my response to Mr Humphries which will be incorporated in Hansard, I think it is necessary to point out to the Assembly that members of various political parties and their own personal staff are often involved in a private capacity in organisations such as this. Mr Collaery seemed to be suggesting that there is something untoward about their involvement

Mr Collaery: I am suggesting no such thing.

MR BERRY: In any event, they are involved in these sorts of organisations, and from whatever political party they come the Government appreciates the contribution that these sorts of people make to the community.

National Aquarium

MR WHALAN: Mr Speaker, with your indulgence, I would like to read out the lease purpose clause to the National Aquarium site, to satisfy the undertaking that I gave during question time that I would provide this information today.

Leave granted.

MR WHALAN: The lease purpose clause provides that the land is to be used only for the purpose of a fish farm for the production, display and sale of trout and other approved species of fish or crustacea and ancillary thereto a tourist service facility constituting an aquarium, a visual display facility, a restaurant, a kiosk and concessions, and a manager's residence.

PERSONAL EXPLANATION

MR COLLAERY: Mr Speaker, I wish to make a short personal explanation.

MR SPEAKER: Do you claim to have been misrepresented?

MR COLLAERY: Yes, I claim to have been misrepresented by Mr Berry. Mr Speaker, Mr Berry in an answer referring to the CANA homeless youth institution at Manuka said that I had imputed or said that there was something untoward in the involvement of Mr Terry Higgins, QC, and of another gentleman who is a member of the Chief Minister's staff.

26 September 1989

Mr Speaker, I claim to have been misrepresented. There was no suggestion at all in my question other than that I was asking Mr Berry why he did not know, if someone was working so close to him - that is, the member of the Chief Minister's staff - of the plight of the homeless youth. Indeed, I made no implication whatsoever because I myself am involved to a certain degree in that same enterprise.

APPROPRIATION BILL 1989-90

MS FOLLETT (Treasurer) (3.15): I present the Appropriation Bill 1989-90. I move:

That this Bill be agreed to in principle.

Mr Speaker, today I am pleased to present the ACT Government's budget for 1989-90, the first for a self-governed Australian Capital Territory. The budget demonstrates that the Government has taken a balanced, responsible approach to the economic, financial and social issues facing the ACT. It builds on the work which was presented in July in the 1989-90 initial budget statement.

This budget has been developed in a climate of open discussion. Never before has any community in Australia been able to have input into a budget so readily. The budget consultation process, which I will elaborate on a little later, has been successful and popular with the community. It has been valuable and has had a significant impact on the shape of this budget. We are responsive to community wishes.

The consultation process has convinced the Government that there is no flaw in the principles underlying the initial budget statement: economic development and social justice. The Government espouses a fairer, more equitable ACT formed on a sound economic base. The budget begins this process.

I will now discuss briefly the ACT's relations with the Commonwealth. The first ACT budget has been prepared in the shadow of several Commonwealth Government decisions which impact directly on the ACT. First, there was the decision at the Premiers Conference to freeze funds, now estimated at some \$21m, which were guaranteed to the ACT as part of the self-government package. The Commonwealth undertook to allow the ACT access to at least part of this money during 1989-90 for restructuring purposes. I wrote to the Prime Minister seeking release of these funds in July, at the time of the initial budget statement. To date, I have not received a positive response, a situation which I believe is totally unsatisfactory. I am vigorously pursuing this matter.

The Commonwealth's decisions relating to ACT land are also having an adverse impact. The national land gazetted before self-government included several blocks with no

26 September 1989

clearly defined national purpose. They included the National Convention Centre and other significant parcels of land, primarily of Territory rather than national concern. The ACT Government considers that national land should be restricted to that clearly required for national purposes or to be used for those purposes in the immediate future.

These problems have been compounded by the draft national capital plan, which seeks to give the National Capital Planning Authority, a Commonwealth agency, responsibility for planning over large tracts of urban land nominally under the control of the ACT Government. My Government believes that the national plan should set down whatever requirements are appropriate to reflect the national character of these areas but leave control over planning to the ACT Government. This issue not only affects the face of Canberra but has economic and financial consequences as well.

The ACT Government will work hard with the Commonwealth to ensure that Canberra can grow, with the same high standard of services we now enjoy. The Commonwealth Government needs to recognise, as we do, that the approach to planning for future growth must produce options for development that will allow this to be achieved within the ACT's resource constraints.

Many of the assets that the ACT has inherited from the Commonwealth are run down or will impose additional costs on the ACT in the future. The Commonwealth must bear its fair share of responsibility for the problems now passed to the ACT. I have raised with the Prime Minister such matters as the rundown state of the public hospital system, outstanding work on ACT dams and the backlog of road maintenance.

The ACT Government accepts that it will have to pay on the same basis as other Australians for the normal range of State and municipal services enjoyed by its citizens. The Commonwealth Grants Commission has been in place for more than 50 years to ensure that fair play exists between all States and territories on this issue. If we as a community want better services than other Australians, we shall have to be prepared to pay more for them.

The self-government legislation has established a framework for the ACT to be treated on a State-like basis by the Commonwealth, with full regard to the need for close, continuing cooperation between the Commonwealth and the ACT, given Canberra's position as the national capital. We will cooperate fully with the Commonwealth Government to deal with the wide range of issues we must both address. The Commonwealth Government must respond to our reasonable requests in a fair and forthright way.

I now outline the Government's budget strategy. In the context of the prevailing and forecast economic and financial environment, it is the Government's role to

26 September 1989

develop an appropriate strategy for economic development and budget management. The initial budget statement outlined a clear strategy.

A balanced recurrent budget is essential to provide a sound base for responsible economic management. As well, a start has to be made in addressing the overfunding identified by the Grants Commission in its 1988 report. We must ensure that a sharp adjustment is not forced upon the ACT as we move towards State-type funding.

In adopting this particular budget strategy, the Government has had to deal with an overall recurrent deficit on the forward estimates of \$21m, a deficit primarily the result of the Commonwealth's decision to place \$17m of the expected ACT recurrent grant into the ACT transitional funding trust account. At the same time, we decided that \$10m of the Grants Commission assessed overfunding should be tackled this financial year.

While the reaction to the budget strategy has in general been positive, there have been some concerns expressed. Some sectors have suggested that the level of government expenditure should be significantly increased to offset the current downturn in the economy. While I recognise the current economic problems facing the ACT, a significant increase in expenditure would only be possible if we ran a deficit budget. The Government has no ability to finance a recurrent deficit. It is not a viable option. I note, however, that an increase in expenditure will be possible if the Commonwealth reacts positively to the financial issues currently being negotiated.

Other sectors, while agreeing with the Government strategy of a balanced recurrent budget, believe that not enough has been done to address the overfunding problem and that the Government has relied too heavily on increases in revenue rather than on expenditure reductions. This Government will not support simplistic, ideologically based slashing of public expenditure without regard to the quality of service provision. We will not react automatically to the findings of the Grants Commission in each spending or revenue area. Our approach includes a mixture of increasing revenue and reducing expenditures. We have spread the burden of financial adjustment equitably and acted in tune with the needs of the ACT economy.

There was also adverse reaction to the initial statement from particular groups affected by proposed reductions. In these cases, most groups have argued that areas other than theirs should be cut or that revenue should be increased. In a lot of cases, no offsetting measures were presented.

On the expenditure side, the Government detailed clearly in the initial statement its objective to rationalise government expenditure wherever possible without significantly affecting the quality of services offered. The budget achieves this objective.

26 September 1989

Mr Speaker, the Government has carefully examined the possibility of increasing revenues. Of course, the ACT has little control over a large proportion of its revenue: that from Commonwealth grants. While the Government can try to negotiate a better position for the Territory, we cannot rely on expectations of extra Commonwealth funds in planning current expenditures. Therefore, it is ACT rates, taxes and charges which the Government must alter to raise revenue in the short term. However, all these taxes and charges are costs to Canberra families and businesses. Any alterations must fit in with prevailing economic and social conditions. The Government believes it has acted fairly and responsibly in its proposed revenue charges and is clear in its commitment not to increase the real cost burden for individuals and households. We have achieved this by concentrating on improved collection and anti-avoidance measures rather than tax rate increases.

In the initial statement I foreshadowed a number of restructuring proposals where modest capital expenditure would provide substantial recurrent savings. The Government is keen to introduce a number of these restructuring proposals. The early release of funds by the Commonwealth from the ACT transitional funding trust account would have a significant impact in this area.

In deciding on its borrowing program, the Government has to make a finely balanced decision: how much to spend now on important works, with consequent increased economic activity, compared to the future cost of the borrowings and any impacts, positive or negative, on future budgets. At this stage the Government has decided not to borrow almost \$11m of its Loan Council semigovernment borrowing limit of \$39.5m. This reduces problems for the future. Using the uncommitted funds available from 1988-89 and the unallocated capital funds identified in the initial budget statement makes this borrowing reduction possible. The Government may need to review this decision should the Commonwealth not meet its undertakings with respect to restructuring funds. Thus the key elements of our budget strategy remain unchanged: a balanced recurrent budget and a \$10m first step towards reducing the overfunding identified by the Grants Commission.

Mr Speaker, in preparing any budget it is essential to take account of the economic conditions, and this budget has been developed to take account of existing and anticipated economic and social conditions in the ACT.

Economic indicators are sending the ACT Government some mixed signals. Following years of strong growth, the ACT economy is now not performing as well as the rest of Australia in areas such as employment growth, retail sales and levels of activity in the construction industry. On the other hand, measures such as work force participation rates, household incomes and growth in private sector activity indicate an underlying strength in the local economy. This provides the potential for future growth.

26 September 1989

The ACT population is expected to grow marginally faster than the rest of Australia. The demographic mix within the ACT is changing dramatically. We have a relative ageing of the population. Government social policy, especially in the housing, health and welfare areas, is addressing this.

The budget contains a number of measures, such as the Housing Trust's construction of more aged persons' accommodation and an increase in the funding base for ACT health and community services, which recognise the increasing demands resulting from an ageing population.

At the same time, the 15 to 24 age group, which generates the new work force entrants, is forecast to remain at historically high levels. With the teenage unemployment rate remaining above the national rate, the challenge to the ACT Government is to provide expanding employment opportunities for youth. Providing the framework for economic growth is essential to achieve this.

The budget does this as well as providing some specific initiatives such as funding a youth outreach worker program and implementing important training initiatives.

Mr Speaker, in the ACT we have a lower rate of employment growth than the Australian average. Overall employment is expected to increase by two per cent during 1989-90, compared to a national growth forecast of 2.75 per cent. This is the result of the employment mix within the ACT.

For the sixth consecutive year, the private sector increased its share of total employment. The Commonwealth Government's employment policy has resulted in the ACT public sector work force declining by two per cent over the last two years. We cannot expect the Commonwealth sector to contribute to ACT employment growth in the foreseeable future. The reduced opportunities in the public sector have contributed to the Territory's high youth unemployment rate.

Tourism has been identified as an industry already growing strongly and with significant growth potential for the Territory. In order to build on this, we have identified funds in the budget to further boost this industry. These policies have become even more important because of the effect of the pilots' dispute on the tourism industry. There has also been growth in the finance, property and business services sectors. Further growth is expected in these areas.

Employment in the construction industry is expected to decline slightly. The Government has given a high priority to expenditure on capital works, both to provide needed public facilities and to help stabilise economic activity in this area.

26 September 1989

The Government recognises that most of the future growth in Canberra's economy will be in the private sector. A robust and diverse private sector will provide increased employment and long-term stability for the ACT. The budget itself contains several proposals to promote economic development, notably the decision to index the payroll tax threshold. The Government has also taken a number of other initiatives to encourage this, with the new planning and leasing proposals, undertaking a review of business regulations, encouraging major developments such as the Civic Square redevelopment and the streamlining of the building approval process.

Before proceeding to some of the specific changes to the initial budget proposals, I would suggest that all members read the budget papers in some detail, but particularly papers No. 2 and No. 7. They set out the many detailed issues to be taken into the ACT budgetary equation and the complex array of Commonwealth-ACT financial issues. Change in any one parameter often impacts on several others, in ways that only become clear with detailed analysis.

Mr Speaker, as foreshadowed in the initial budget statement, the Government, in line with its commitment to open and accessible government, established a budget consultative committee to allow full community involvement in developing the budget. The committee was a peak body with representatives from the Assembly, business sector, unions and the community.

The community response was very pleasing. Over 40 submissions were received and considered by the committee. Hundreds of individual letters were also received. The community was keen to have input into the preparation of the budget and was grateful for the opportunity to have a say.

Members of the committee at the final meeting were unanimous in agreeing that the process had been useful and the concept should be continued. The results of this first ever budget consultation were most pleasing and I would like to take this opportunity to thank all of those who contributed, especially the members of the community who worked so hard and gave freely of their time. I am sure that we have a better budget as a result.

The procedures for future consultation will be reviewed in the near future. With more time available next year, I would hope a start could be made earlier, before the overall budget strategy is decided.

Mr Speaker, in my closing remarks to the budget consultative committee I indicated that I would be reviewing certain areas as a result of community input. We have undertaken such a review and I shall now outline the Government's decisions.

26 September 1989

In respect of expenditure reductions in the education area, the proposals concerning reductions in the supplementary staffing resources provided by the Department of Education provoked a great deal of public comment. I should point out that the supplementary teaching resources, over and above normal classroom staffing, cost some \$20m per annum. The Government was concerned that some of the proposals may have had a detrimental impact on the quality of education provided, and therefore has decided not to implement them. Specifically, there will be no reduction of staff at Birrigai, and staffing at the introductory English centres for learning assistance and special education will also remain unchanged. We have also decided that two of the five positions in the reading recovery training program will be retained.

The Government has also reconsidered the phasing-in period for productivity savings in high schools and colleges resulting from the injection of capital funds. The period will be extended from one to three years. This is in recognition of the lead time required to allow the necessary building modifications and equipment purchases before some classes can be restructured to allow the savings to be achieved.

To allow the development of appropriate curricula and ensure that educational standards are retained, the Government has decided to defer the introduction of a one year daytime year 12 certificate, to be taught at TAFE, until the beginning of 1991.

The consultation process produced strong concern about the potential impact on low income, predominantly female, employees. We are committed to a socially just approach to budget formulation and therefore carefully examined these claims.

On this basis, the Government has decided not to pursue the proposed reduction in non-student contact periods for preschool assistants. Instead, negotiations will be entered into to find an alternative way to implement the Chase report recommendation to provide ancillary staff at reduced cost without disadvantaging these staff.

Similarly, the Government has decided not to proceed with proposed changes to school support positions because of the financial impact on this group of employees. The proposal would have seen new employees in these positions being paid on the basis of a 31 hours 15 minutes week rather than a 36 hours 45 minutes week.

Another group of predominantly female employees who are identified as being affected are nurses. The Government has reviewed some of the savings measures in this area. In particular, the proposal to coordinate staff accrued days off has been modified. Existing arrangements will continue so that these days generally fall in conjunction with normal days off. The implementation of other savings measures will be negotiated.

26 September 1989

Mr Speaker, there was particular concern within the community at the cessation of grants to the Galilee fostering service. The Government has decided to extend funding for the service until the end of March 1990, to allow an independent review of the service along with other fostering options. A decision on future funding will be made at that stage.

Concern was expressed in the budget consultative committee about the provision of secure care for psychiatrically ill offenders and remandees. The Government is examining the options available in this area and has set aside additional funding to allow an upgraded proposal to be implemented.

The Government's housing policy review has been examining the hardship being experienced by some first home buyers due to current high interest rates. The Government has decided to exempt first home buyers from stamp duty on dwellings valued up to \$90,000, with the exemption being gradually withdrawn up to a limit of \$109,000. The relief will be subject to a means test and will be introduced immediately.

The Government has also decided to establish an ACT rental bond trust and an agents fidelity guarantee fund. The Minister for Housing and Urban Services will be making a detailed statement on housing issues during this sitting week.

Representations were made to the budget consultative committee about special relief for commercial ratepayers experiencing substantial increases in land values and corresponding increases in land tax and rates. For 1989-90 the Government has decided that, in certain demonstrated cases of hardship, agreement may be entered into with the taxpayer to defer the payment of rates.

Mr Speaker, in the initial budget statement the Government announced an increase in the tobacco licence fee from 30 per cent to 35 per cent and that increased health promotion programs would be funded. The Government has decided to allocate \$660,000 for this purpose in 1989-90 and \$900,000 in a full year. This is equivalent to three percentage points of the tax, which is generally in line with the other States. The activities to be supported by these funds include health promotion activities and campaigns, particularly those targeted at tobacco use, and the replacement of tobacco sponsorship of ACT sporting, artistic and cultural activities.

The Government has decided to retain the community development fund but to improve procedures to allow longer-term funding agreements to be reached with those organisations that provide essential community services. This will give greater certainty to their planning and operations.

26 September 1989

I am also pleased to announce that electricity concessions will rise in line with the increase in electricity tariffs. As well, the Government has decided to carry out a review of current concessions policies for incorporation in 1990-91 budget considerations. This will involve a significant measure of consultation and discussion with interested parties.

The changes I have described amount to an additional \$2.3m in the recurrent budget and \$350,000 in the capital budget as set out in the initial statement. The Government has been able to fund these changes and still retain a balanced recurrent budget.

Since the initial budget statement in July, the financial outcome for 1988-89 has been finalised and the Commonwealth budget has been brought down. Changes to estimates in light of this additional information have resulted in a net improvement in the recurrent budget of \$1m.

In the recurrent budget there will be an estimated additional \$1m in interest earnings, in part the result of investing additional cash balances now available because the ACT has started issuing its own cheques, and in part due to continuing high interest rates. The combination of these factors and other smaller variations is that a balanced recurrent budget has been achieved, in line with the Government's strategy.

Mr Speaker, with regard to the capital budget, copies of the report of the Standing Committee on Planning, Development and Infrastructure concerning the 1989-90 new capital works program for budget dependent agencies have been made available to members of the Assembly. There have been no major changes recommended to the program.

The Government is still committed to an increase of more than 10 per cent in overall public sector construction spending this year, as set out in the initial statement. This will contribute significantly to ACT economic activity and development. At the same time the capital works program significantly reduces forward expenditure commitments from \$134m at 1 July 1989 to \$107m at 1 July 1990.

I will be responding separately to the committee report in the Assembly. I can now announce, however, that as a result of the committee's report the Government has decided not to continue with its proposal to tie some new capital works for educational facilities to the receipt of revenue from the disposal of surplus schools. Thus the gymnasium at Alfred Deakin High School and the additional parking at the Watson TAFE campus will go ahead with no strings attached.

In conclusion, I stress that this budget demonstrates the Government's commitment to the principles of social justice while at the same time exercising responsible financial

26 September 1989

management and promoting economic development. The budget has been subject to a genuine consultation process. The Government has listened to the community and has responded. I believe that this budget will satisfy most community concerns.

At the same time the Government has been able to prepare not only a balanced recurrent budget but one which takes the first steps in addressing the overfunding identified by the Grants Commission. This is the first step in aligning ACT expenditure with the States to ensure that, when the Commonwealth Government's guarantee expires, the ACT government services and the economy will not suffer a major adjustment problem.

I am pleased to be able to present a budget which successfully balances social justice principles and economic responsibility, a budget which meets the needs and desires of the community. I commend the budget to the Assembly. I seek leave to present the following papers:

Leave granted.

MS FOLLETT: I present:

Explanatory		memorandum	to	the	Bill.	
Budget	Speech	1989-90	(budget	paper	No. 1).	
Budget	Overview	1989-90	(budget	paper	No. 2).	
The ACT	Public	Account	1989-90	(budget	paper	No. 4).
Program	Information and	Estimates	1989-90	(budget	paper	No. 5).
Capital	Works	Program	1989-90	(budget	paper	No. 6)
Financial	Relations	Between the	Commonwealth and the	ACT	1989-90	(budget paper No. 7).
The	Municipal	Budget	1989-90	(budget	paper	No. 8).
Women's	Budget	Statement	1989-90	(budget	paper	No. 9).

Mr Kaine: Mr Speaker, I foreshadow an amendment to the motion by deleting the words "in principle."

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

PLANNING, DEVELOPMENT AND INFRASTRUCTURE - STANDING COMMITTEE Report

MR COLLAERY (3.43): I present the report of the Standing Committee on Planning, Development and Infrastructure on the new capital works program 1989-90, together with copies of the minutes of proceedings of the committee. I move:

That the recommendations be agreed to.

The report which has just been tabled is the first report of the Standing Committee on Planning, Development and Infrastructure. The committee was given only one month to

26 September 1989

examine the new capital works program consisting of 138 items, representing a total estimated cost of nearly \$120m. It is obvious that in the few weeks available the committee was unable to examine each of these items in detail, nor was the committee able to examine the capital works program of the ACT Electricity and Water authority or the Housing Trust, as these two agencies are not included as part of the budget. This means that \$50m worth of works have not been examined by this committee.

There were a number of items which the committee examined in more detail than others. These were selected not so much as case studies but rather as items which the committee considered may indicate an inappropriate allocation of funds or works programs which might be more properly financed by the Commonwealth than the Territory. The committee identified many items where there was insufficient information to enable it to make a reasonable assessment of the works. If more time had been available, the committee would have obtained this information before it released its report. We could not do this.

Accordingly, we have requested that additional information be provided when the budget is presented. Mr Speaker, I noted a lack of detailed information in the Chief Minister's speech, but the committee hopes to find that detail in the accompanying documentation.

One such item on which further detail was required was the child-care facility in the Parliamentary Triangle. The committee did not question the need for a child-care facility close to that location. However, it was concerned that this item is financed out of ACT revenue, and while the facility will serve ACT residents it is likely that persons using the facility will be exclusively Commonwealth employees.

Another such item was the situation of the Yarralumla Primary School. The Department of Education undertook to provide extra information in relation to the level of proposed funding at that school. It appears that, in a bulk allocation of \$754,000, a sum of \$50,000 to \$100,000 will be spent at Yarralumla Primary School in the forthcoming financial year. As well, an amount of some \$60,000 is also scheduled for maintenance work at Yarralumla Primary. The committee was advised in relation to the possible closure of St Peter Chanel's school at Yarralumla that Yarralumla Primary School had no capacity for additional enrolment in the building it uses.

The committee was advised that the former infants wing had a variety of private departmental tenants who could be relocated in the event that additional space was required. If this was impractical, transportables could be placed in the school at least in the short term. The committee notes that the sum of \$538,000 is allocated in bulk for transportable movements throughout the system for the current financial year. The committee is unable to

26 September 1989

determine the actual cost of relocating up to three transportables at Yarralumla Primary.

Another area was asbestos. In the program there are works of at least \$4m for removal of asbestos. The decision on asbestos use was made by the Commonwealth but the cost of removal is budgeted as a Territory responsibility. It is our view that the Commonwealth must assist in these costs.

There are a number of items in the new works programs which are conditional on the sale of surplus schools. Some of these, such as the new gymnasium at Deakin High School, were considered by the committee to be of high priority. The committee had no objection to the use of funds received from the sale of surplus properties being allocated to the capital works program. It had serious reservations, however, that particular works should be tied to the sale of particular assets.

It was the committee's view that the receipts from the sale of assets should be directed to the works program as a whole and not tied to a particular program. It seems illogical that a particularly high priority work may not proceed because of this condition while lower priority works in other programs will remain unaffected. It was the committee's view that, if there is a shortfall in revenue, this should be applied across the works program rather than to a particular item.

The committee is gratified to note that the Government has accepted the committee's recommendation, at least in relation to the works at Deakin High School gymnasium and the Watson TAFE, and that those works will go ahead with no strings attached. The committee notes, however, that no general undertaking has been given by the Government in its budget speech today to attend to what the committee regards as an illogical, strings-attached program in this area.

An aspect of the committee's examination which has received the most media and Assembly attention is the provision of infrastructure for the privately developed suburb of Gordon. The committee notes that the amount received from the sale of the Gordon land amounted to \$2.85m which, on the evidence of departmental officials, appeared to just cover the cost to the Government for the provision of infrastructure.

The Deputy Chief Minister in a press release stated that the road in question would service not only the suburb of Gordon but the whole of South Tuggeranong. Future land sales in Gordon, he advised, were expected to realise revenue in excess of the cost of the total works program. The Deputy Chief Minister, in an apparently light-hearted response on 23 August 1989, reported in Hansard at page 1240, stated that this road "will be the shortest route to Tharwa, even beyond Tharwa to Namadgi National Park, and the alternative route to Adaminaby and indeed to Melbourne". The Minister said that this road could be renamed "the Melbourne Road".

26 September 1989

The trouble is that the road the Minister is referring to and the road to be funded this year are not the same road. The committee was provided with more detailed information which indicated that additional funds, possibly up to \$3m, will be required to complete the construction of the road. The estimated cost described in the budget is for a road which at this stage does not connect to Tharwa Drive, and it is uncertain that the sale of the remaining stages of Gordon will meet the cost of the additional construction. The road described in the budget documents and referred to by the Deputy Chief Minister is shown to cost \$2m. It is the committee's view that the cost of the road is more likely to be in the order of \$5m.

There are other items which the committee could raise if time allowed. However, I will refer to just one more, namely, the construction of a fire station at Greenway. A number of members were concerned that this station was given a higher priority than the station to serve inner South Canberra. It is the committee's understanding that the fire cover standard for the ACT is an eight-minute response time. The Administration advised that at present 11,500 people in Yarralumla and adjacent suburbs are outside the eight-minute time, whilst in the Greenway area the figure is 24,500.

The committee concedes that, on these figures, it is obvious that the Greenway fire station must have a high priority. The committee notes, however, that property and lives in Yarralumla and adjacent suburbs are placed at a potentially higher risk than other areas of the ACT because they are outside the fire service's minimum response standards.

I believe that the committee's inquiry was worth while. It was necessarily restricted, however, because of the time available to it. There were many items which the committee did not examine at all and others which the committee examined in very little detail. We have recommended in our report that in future the initial statement relating to the new capital works program be made available to the committee in May each year.

The committee emphasises in its report that it was unable to undertake the detailed examination of major works similar to State and Commonwealth public works committees. We have recommended that the Government, in consultation with the committee, develop procedures to enable detailed examination of particular capital works.

Finally, I draw the attention of the Assembly to the claim at page 11 of the Chief Minister's published budget speech, that no major changes were recommended to the program by my committee. This is clearly inaccurate. Our report raised a number of queries affecting large items, such as the wisdom of proceeding with the Theodore Primary School, a \$4.7m allocation and the fire station issue I have just

26 September 1989

alluded to. Overall the committee pointed to numerous matters which required further review of the program. I commend the report to the Assembly.

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

LEGISLATIVE ASSEMBLY (MEMBERS' STAFF) BILL 1989

Debate resumed from 24 August 1989, on motion by **Ms Follett**:

That this Bill be agreed to in principle.

MR COLLAERY (3.52): Mr Speaker, the Chief Minister in bringing this Bill forward alluded to a principle of the employment of staff in the Assembly. One of the major principles in the memorandum which came with the Chief Minister's presentation speech was the statement that there was a required differentiation between career public servants and those who assist us more closely in our work in the Assembly. The Chief Minister indicated in that presentation speech that public servants should not be drawn into political and partisan argument. Mr Speaker, in giving a report to the Assembly I have just alluded to a matter relating to a Gordon lands issue. Members will recall a report in the Canberra Times wherein a number of unidentified public servants were reported as saying that it was unfortunate that Mr Collaery got his facts wrong on Gordon. One hopes that Ms Follett in dealing with her career public servants will bear in mind the very statement that she made.

This LA(MS) Bill creates a number of issues for the opposition, and being in opposition means being faced with many restrictions on access to information. The Residents Rally at least has found that it has had to resort to the freedom of information provisions increasingly to secure information from the Government on matters. After an initial experience of receiving a proposed bill for some thousands of dollars the Rally has desisted even from doing that.

Against the background of that current situation there is no doubt at all that it is a fact of life that there is competition for information in the political arena. What the Rally will not accept is attempts by the Government to use this and other legislation as a means of putting further limits on the opposition's ability to function successfully.

It is one of the abiding principles and benefits of a Westminster system that strong opposition leads to strong government. The LA(MS) Bill, by failing to enhance the opposition's ability to provide informed and sound opposition - through the use of consultants, for example - will ultimately damage the interests of this Territory.

26 September 1989

There is a basic inequity in the LA(MS) Bill. While the Government is free to hire as much help as it wants under the banner of consultancies, we in the opposition have no such freedom. The Bill is, of course, patterned on the Members of Parliament (Staff) Act in use in another place. That Act may suit the purpose of Ministers and members in that other place perfectly, but the Government seems to have had little consideration for the special requirements of this small Assembly, its small membership and the very great diversity of information sources and pressures placed upon us to deal with the vast range of issues affecting this Territory.

The Government may be indifferent to such concerns, as is clearly represented in the manner in which it has introduced this Bill, but we are not. It is unreasonable to expect an MLA, who is entitled to one staff member, or even one and a half staff members, who can offer that staff member a limited salary, to find someone with full experience in all the tasks involved in servicing a political office.

On the other hand, the Government has a more generous staffing allowance. It has some 17,000 public servants to rely on. Then it wants to award its Ministers in this Bill the right to consultants at any time that they want to call them in. The Assembly needs to be asking, "Who really needs consultants?". Is it Ministers with all the support base they have, or ordinary members of this place who are forced to rely on their own scarce resources in the Assembly to assist in the very vital committee work and other matters that they contribute to?

It is the opposition who require the freedom to hire specialist consultants for particular tasks when they need them. It is the ordinary members who should have the choice as to who works in our offices and what they do. Our priority is to provide effective and informed opposition. How we do that should be a matter for our own judgment and should not be up to the Government to decide for us.

We have previously heard from this Government on the question of consultants. According to the Government, consultancies are all about tax minimisation. There was a heavy emphasis in the Chief Minister's speech on tax issues, yet this Government itself does not balk from hiring its own consultants and, of course the opposition is aware that the Government hired a consultant to present its initial draft budget strategy.

Fundamentally, the Government knows that tax minimisation is not the issue in this matter, yet it throws the label of tax minimisation around when consultancies for the opposition are mentioned, in the hope that someone will think that we are encouraging tax avoidance. That, of course, is a very different question and a slightly hypocritical stance.

26 September 1989

Mr Speaker, at the very least the Government owes this Assembly an open and accountable means of ensuring that its own use of consultants is above board. As it stands, the LA(MS) Bill gives no full consideration to accountability even in the current proposed employment of Ministers, and I foreshadow that amendments may be moved in that area in the course of this debate.

Just as importantly, the Bill does not provide the Assembly with the right to expect full and open accounting for what the Government spends on itself and why. We understand that amendments will be moved to rectify this also. Until both these major flaws are rectified, this Bill is purely and simply inadequate. However, the Rally does not propose to oppose the Bill at this stage as it is important for the arrangements to be put into place for the protection of members of our respective staffs as soon as possible. At this stage I would like to pay tribute to the staff of the opposition parties, all of whom work extremely ably and in a dedicated fashion and interact very well in the roles that the public purse is paying for them to perform.

In the future the Rally will be looking carefully at proposals for amendments to the Bill to allow for members to employ consultants on the same basis as that provided to Government Ministers with similar provisions for accounting and within the constraints of the amount of funds available to members. We understand from the Chief Minister that ministerial consultants employed by Ministers are employed within the same constraints, but a great deal more light needs to be thrown on the Government's employment of consultants to date.

MR STEVENSON (4.00): There are two concerns with the LA(MS) Bill. The first is public accountability and the second is fairness, or equity. My intention in the near future is to move an amendment to do with fairness. The amendment would allow members the right to hire consultants. Should a member wish to use all or a proportion of his staff allocation budget for the hiring of a consultant, that should be the responsibility of the member.

In the area of public accountability there are perhaps three times when consultants may be accountable: prior to the hiring of the consultant, during the consultancy, and in the final report. I wish at this time just to address the final report. In the LA(MS) Bill, under part V, "Miscellaneous - Annual Report", the only things that are required to be reported are the name of each consultant, the period of engagement and the tasks. The tasks are not necessarily specified and, incredible as it may seem, there is no mention whatsoever of the cost of the consultancy. In the memorandum to the Bill, under "Financial Statement", it states:

26 September 1989

The Bill has no financial implications because it only formalises existing consultancy and staff arrangements.

"No financial implications" is absolute nonsense. The financial implications come along with how many consultants can be hired - and we do not know this under the Bill - how long they can be hired for, and what pay they would receive.

In light of the reporting provisions, I will move as an amendment to clause 20, page 9, line 27:

That after subparagraph (1)(b)(iv) the following new subparagraphs be inserted:

- (v) the total amount of money paid to the consultant and an estimated proportion of that cost between the various tasks;
- (vi) a list of the reports or documents produced by the consultants and the dates on which they were produced;

These two amendments, firstly, would allow the Assembly to know exactly how much had been paid to the consultants and the apportioned amount of costs between the various tasks undertaken by the consultant. The second part of the amendment would give us in this Assembly an indication of exactly what was produced by the consultant or consultancy and when those things were produced. I commend the amendment to the Assembly.

Mr Duby: Mr Speaker, I am not too sure where we are up to in this debate.

MR SPEAKER: An amendment has been proposed. We can either take a vote or it can be spoken to.

Mr Duby: I do not wish to speak to the amendment, Mr Speaker. I have not got it. I was not going to talk about it.

MR SPEAKER: I am sorry; we have not yet reached the detail stage. The Assembly is still debating the issue.

MR DUBY (4.04): This is a Bill, which is overdue, to set in place the provisions relating to the employment of staff by members of the Assembly and, in addition, the conditions relating to the employment of consultants by the Executive, presumably, the Chief Minister and her fellow Ministers.

However, I think there is one point which needs to be raised in relation to this matter. I feel that the Act is deficient, Mr Speaker, in that it does not allow you, as Presiding Officer of this Assembly, the power and ability to hire consultants for whatever purpose the Speaker may see fit on the same basis as those benefits relating to

26 September 1989

Ministers. Although I shall not keep the house unduly, I would like to foreshadow an amendment to the Bill so that the position of ministerial consultants is also extended to include the ability of the Presiding Officer of this Assembly, namely you, to be able to engage consultants for whatever purposes the Presiding Officer of the Assembly may see fit.

Question resolved in the affirmative.

Bill agreed to in principle.

Detail Stage

Clause 1 agreed to.

Clause 2 agreed to.

Clause 3 (Interpretation)

MR DUBY: I move:

Page 2, line 9, after "Minister" insert "or Presiding Officer".

Ms Follett: Mr Speaker, I wonder whether I might ask for some clarification from you. I am not aware that there have been formal amendments circulated, and I do not believe it is acceptable for us to be considering amendments that have not been circulated on the floor of the Assembly. If Mr DUBY's amendment is to be the only one, I do not think that is a problem, but if, as seems to have been indicated, there are to be substantial amendments, I am not sure whether we should not adjourn the debate.

MR SPEAKER: Yes, Chief Minister, I do agree that these amendments need to be circulated so that all members of the Assembly are aware of their content prior to discussion of them. I would like to point out to members that legal drafting of amendments is essential. I am advised that, even though the amendment proposed is a simple one, the draftsman considered doing it in a different manner. I suggest we adjourn the debate.

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

POSTPONEMENT OF ORDERS OF THE DAY

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

That orders of the day, Nos 2 to 8, Executive business, be postponed until a later hour.

26 September 1989

OCCUPATIONAL HEALTH AND SAFETY Ministerial Statement and Papers

Debate resumed from 6 July 1989, on motion by **Mr Berry**:

That the Assembly takes note of the following papers:

Occupational Health and Safety -
Agreement between the ACT Community and Health Service and the ACT Trades and Labour
Council.

Ministerial statement, 6 July 1989.

MR MOORE (4.11): Mr Speaker, the ministerial statement made by Mr Berry with reference to occupational health and safety in the ACT Community and Health Service is of particular interest considering the pending legislation on occupational health and safety for the ACT in general. It is certainly gratifying to see that the unions involved and the ACT Community and Health Service were able to work together, particularly with the ACT Trades and Labour Council. I give credit to that peak union group in working towards an occupational health and safety agreement. Naturally, that agreement is a considerable landmark considering that we have no occupational health and safety legislation so far in the ACT.

One of the most important things about occupational health and safety is the duty of care that goes with the legislation. In fact, that is the critical part of any occupational health and safety arrangement or legislation. It is that duty of care that, of course, is primarily in the agreement that Mr Berry presented in his statement. It is that same duty of care which is the most important factor in the ACT's own pending legislation, legislation that this Government seems reluctant to bring down.

So what is the Government's concern in this particular issue? Let me explain to you, Mr Speaker. The Residents Rally, in the Committee on the Occupational Health and Safety Bill, thought it appropriate to remove the obligation to have unions included in any agreement on occupational health and safety matters. It did not at any stage exclude the unions. As a member of unions all my working life, I am very much aware of the importance of unions. But I am also very much aware of the freedom of choice for people to be involved in those unions or the freedom of choice for those unions to be involved in matters that concern the worker. In the vast majority of cases it is quite appropriate, and in the vast majority of cases I believe that the unions would still be involved in the legislation.

However, one has to ask the question: is there a further concern that the TLC has in encouraging the Government to delay this legislation? What we see at the moment is delay

26 September 1989

after delay. Let us ask why there is a delay. Let us not forget that occupational health and safety was a major concern for the committee that was set up to advise Minister Holding back in April. "Let us get that legislation through" was Labor's call and they attempted to get it through at that point. Then it came to this Assembly; it went to a committee; the committee reported; and there was delay after delay. After the committee reported, I must say I had expected the Government to bring down the legislation immediately, but if the committee does not report in exactly the way you want it to the only tactic that is left to you is to delay it.

What about the duty of care? What about the most important function of it? Have we suddenly forgotten that? Was that not the important part of the legislation? The Government certainly has a choice. Eventually, if it believes it can convince people to go a different way, it would have the prerogative to amend the legislation, to include the unions, if that is what the Government believes is the general feeling of the people of the ACT. It has that prerogative, but in the meantime it delays the duty of care to people. So we get situations such as that cited at the Monaro Mall where I am aware of at least one worker who has left the job because of the dust that was circulated through the work area, a matter that should have come under this sort of legislation.

The delay is having an impact on people right now and that legislation should be brought forward. But the Government is influenced in this case by the TLC which is saying, "No, don't bring it forward because we are not getting exactly what we want. We are prepared to ignore the duty of care of the occupational health and safety of our workers because we want something more". That is the reality of the situation and it is a shameful situation on the part of the TLC and of the Government.

I would say that, on the one hand, we have a very positive situation where major unions and the TLC were involved in the statement that Mr Berry made. That is a very positive situation on the part of the Government, the Community and Health Service and the officers of that service but on the other hand at the same time the Government which claims credit for that is not able to act and get credit where it is due, and that is what we have to see.

So while we have got this example, let us make sure that it is followed very carefully and that we see that this Occupational Health and Safety Bill is brought down. First of all, we must complete the debate on the select committee's report and then get to the Bill and debate the detail stage as quickly and expeditiously as we can. I urge the Government very strongly to make some effort to protect workers in the ACT and bring that Bill down for debate.

26 September 1989

MR STEFANIAK (4.19): Like Mr Moore, I have been very concerned about the progress of the Occupational Health and Safety Bill. This was one of the pieces of legislation on which the ALP went to the electorate as being absolutely essential legislation that must be brought in immediately. When this Assembly first sat, it was one of the first Bills proposed by the Government and the Government was so keen to see it implemented that it wanted the committee set up to inquire into it to have only 28 days to do so. That was a very complex piece of legislation. It had a rather chequered history and it was a piece of legislation that was quite lengthy - over 50 pages.

A large number of people made submissions and the committee did bring in its report within a short period of time - I believe about 35 days in the end, because of the urgency of the matter. I think no-one in this house could dispute that health and safety in the workplace are crucial to the well-being of both employers and workers in the Territory. But the Government, once it got a committee recommendation that it did not like, seems to have gone very cold on the Bill. Indeed, the Chief Minister earlier today indicated to this house that the trade unions do not like it any more. It has not got what they want in it and therefore the Government does not want to push it. I would certainly like to see the Occupational Health and Safety Bill debated during this week and, with the relevant amendments, brought into legislation. The Government has done a complete backflip on this issue, which was one of the major planks in its election program.

Let me turn to the matter in point, the actual paper and the agreement reached between the ACT Community and Health Service and the relevant unions in relation to the hospital area. They appear to have come up with their own arrangements for occupational health and safety. My colleague Mr Humphries will speak in relation to the situation in the Canberra hospitals, which do not have a very happy industrial relations record. I think there are a couple of points in relation to this agreement which we should be a little bit wary about and it will be fascinating to see how it operates in practice. I am not terribly confident. Indeed, there are a number of points the committee and certainly people on this side of the house were concerned with which we do not want to see in the Occupational Health and Safety Bill that will be debated. It is listed as order of the day No. 2.

Firstly, I suppose it is commendable that the hospitals, the Community and Health Service and relevant unions have at least got together and introduced an agreement for occupational health and safety in the workplace, in the hospital. Certainly, if there is goodwill on all sides it will work. Anything can be made to work with goodwill. There are a number of very positive points and arrangements set out in that Bill and I commend the participants for that.

26 September 1989

However, there are a number of grave worries in this agreement as well. The proposed Occupational Health and Safety Bill has taken out references to involved unions. Everyone appreciates unions will be involved in large areas in private enterprise in the Canberra workplace but there is no need for them to be mentioned as such. Indeed, when one looks at this agreement, one can see that really the only participants are the major health unions and management. Firstly, page 3 of the occupational health and safety agreement deals with employees and it says:

Consistent with unions' promotion of healthy and safe working environments, policies and procedures and health and safety training, each employee -

and it goes through a number of items, most of which appear fairly sensible, but it has to be consistent with the unions' promotion. It then deals with occupational health and safety representatives on page 5, and they are to be "members of staff elected through their unions to help in the efficient administration of OH&S matters in their workplaces". What about provision for freedom of choice? What about people who are not necessarily members of unions but want to contribute? They are ruled out. It goes on at the bottom of the page in 3.1, dealing with health and safety representatives:

Unions party to this Plan will appoint an agreed number of employees as Health and Safety Representatives, and alternate Health and Safety Representatives and these will be recognised as such by the ACT C&HS. The number appointed and their designated work areas will be agreed between management and unions and appointment will be through union-held elections.

Again, what about people who are not members of unions? They are excluded.

Mr Berry: Fair enough, too, Bill.

MR STEFANIAK: I do not think it is fair enough.

It says on page 7, in 3.1.5.6:

to participate on paid leave, in the Trade Union Training Service (TUTA) or other jointly approved health and safety courses.

Again, the emphasis is there, and I am sure you would have to be blind Freddie not to know where they will be trained. Of course they will be trained at TUTA and there is no provision or likelihood of their being trained anywhere else. Again, perhaps there is too much emphasis on union domination there. Let us go to page 9, where we see:

3.2.5 The appointment of a union representative will be determined by the unions who are

26 September 1989

party to this Plan. Union representatives should come from among the local OH&S Reps, but may include union officials.

3.2.6 Either management or unions may invite observers, without prior notification, who will participate at the discretion of the Committee.

Again, on page 11 it says:

3.3.3 Management representatives will include a senior executive. Union representation should be determined by the unions represented within the organisation. The Trades and Labour Council of the ACT may play a coordinating and participative role.

3.3.4 Management and union representatives may invite observers by prior notification.

Given the track record of some of the unions involved in the Canberra Hospital situation, as I said before, and given some of the problems indeed with management, I am not at all hopeful that that is going to work. Hopefully, there will be goodwill on both sides and it will work, but there are a number of problems there. The only people involved and able to participate as health and safety representatives have to be members of a union. I think it is very much arguable that that should not even apply in the hospital situation, but it is irrefutably arguable that it should not apply throughout the private sector in Canberra where there is a large number of people who are not members of unions and who do not want to become members of unions.

Obviously, if there are unions involved in occupational health and safety and in areas of the work force which are unionised and happy to be so, the unions will be involved in a very big way and, indeed, it will be union people who will be the representatives. In certain other enterprises there may well be other people who want to be representatives who are not members of unions, and they should have that right and that ability. That is something I think we must really look to ensuring when we come to debating and passing the occupational health and safety legislation.

MR HUMPHRIES (4.27): Mr Speaker, this accord between the ACT Community and Health Service, as it was then described - I think it is now the Department of Health or Community Services and Health - and the ACT Trades and Labour Council governs, as my friend Mr Stefaniak indicated, the workplace safety standards for a large number of workers in the health and welfare areas in the ACT. In fact, some 5,000 people are affected by this accord. It aims to reduce the cost of compensation claims to the community through better health and safety

26 September 1989

practices, and that is a laudable aim. The Minister claims in the statement which we are now debating that the accord "will establish strong guidelines for a dramatic increase in the level of industrial harmony within the ACT Community and Health Service".

So it is clear that what the Government says about this accord is that it is designed both to improve levels of occupational health and safety within this area of the ACT and also to improve the situation of industrial restlessness which has unfortunately been the hallmark of that area for some time. The Minister is acknowledging by this statement that there is a very difficult problem to be faced here and that it is a major feature of our health system.

It is worth reminding ourselves of that industrial record. During the election campaign earlier this year the Liberals pointed out that a health dispute which was then in progress, in January of this year, was the ninety-fifth such dispute within a two-year period to occur in our health system. That is by any standard a quite appalling record. I note that there are recent figures published in the newspaper concerning the number of days lost through industrial disputes in this country and that the ACT fared very well under those figures. I think we had the lowest number of days lost per thousand head of population of anywhere in Australia. All I can say is that our record in the health area did not contribute to that very good figure, so we must have had excellent figures elsewhere to counteract the devastating effect of our health industrial unrest.

The dispute I was referring to in January this year occurred between the Community and Health Service and the Hospital Employees Federation over representation on occupational health and safety committees. The union there was pushing to have two representatives on the safety committees that were then being established and had refused to accept only the one place it was offered and claimed that this was a tokenistic offer. To back its move, the federation on this occasion imposed a number of bans. These affected the removal of rubbish from Woden Valley Hospital, linen collections from stores at Woden Valley, the delivery of non-urgent medical or domestic supplies to wards at Woden Valley, packing of laundry for delivery to Woden Valley or Chapman hostel, food service departments at both Royal Canberra and Woden Valley, hospital assistants making beds at Royal Canberra, X-ray porters moving patients between floors at Royal Canberra, wardsmen performing pre-operative shaves and transferring beds, and switchboard paging of people at both hospitals. This is just one of many dozens of disputes in the health system - some minor, some very major - over the last couple of years.

I believe, Mr Speaker, it is important to remind ourselves about this type of dispute because it is the type of

26 September 1989

dispute that we desperately need to put behind us. I want to refer briefly in this respect to what the Kearney report has to say about industrial relations in the health system. Dr Kearney said:

It is evident that marked and urgent improvements in both management/staff relations and industrial relations are required if the community of the ACT and the surrounding districts is to have the highest quality, cost-effective patient care.

The report went on to say:

The past decade has witnessed a relatively high level of disputation within the ACT health industry, with some disputes impacting significantly on the availability of quality health care services to the community.

I will have more to say on that subject when we come to debate the report of the steering committee into the hospital redevelopment project.

Dr Kearney in particular referred in that earlier report to the very high incidence of disputation involving the Hospital Employees Federation. A table included in his report showed that the HEF had been involved in 71 disputes between January 1986 and November 1988. This compares with five for the Australian Nursing Federation, three for the Transport Workers Union, one for the ACT Medical Officers Association and none for the ACOA.

I congratulate those unions on their restraint - at least it certainly looks like restraint by comparison with what happened in the area of the HEF. On no fewer than three occasions the industrial action brought by the HEF has brought at least one of the major hospitals in this town to within 24 hours of closure.

I note that the Kearney report takes the trouble of quoting a decision of the Conciliation and Arbitration Commission in June last year. That decision dealt with a dispute again involving the HEF and the then Health Authority, and Justices Maddern and Boulton and Commissioner Maher indicated:

An examination of the industrial record of the HEF in the ACT discloses a most unsatisfactory position. In many cases, the ACT branch of the HEF has taken direct action to the detriment of the patients in the ACT health care system ... Furthermore, in two matters arising the HEF either failed to attend hearings and/or withdrew from proceedings in progress in the Commission.

To dwell on the record of the HEF would be to ignore progress that has been made in the area of union and management relations. I note that the Minister's statement

26 September 1989

does acknowledge that major industrial unrest was averted as recently as June this year with respect to the removal of asbestos fibre from an air-conditioning tunnel near one of the hospital's boiler rooms. The Minister says that industrial action was averted because the occupational health and safety record was already up and running, and that is good and I applaud that. I note that the dispute I referred to earlier this year in January, the ninety-fifth dispute of such a kind in a two-year period, was in fact over occupational health and safety over the membership of one of the committees being established under that plan. I certainly hope that that accord does not give rise to any more disputes, but rather acts as a settler of such disputes.

The Liberals welcome advances in industrial relations in the health system. We will be keeping a careful eye on the operation of this accord to ensure that it achieves what the Minister says it does. I do urge those involved in the health area to think of self-government as a way of making a new start. We must put behind us the bad industrial situation of the past and try to achieve some communication, some smooth working of the system, to avoid disputes of the kind that have arisen in the past. I certainly look forward to a much better industrial relations record in the health area.

MR WOOD (4.35): I will reserve more detailed comments on the proposed Bill until the time when the Bill comes before the house. I make a general comment about the way in which the report was modified. Most of the members of this house will know the importance that was given to the Bill and will know that in the discussions before the Bill was prepared there was already quite a deal of compromise or modification to the Bill to suit the wishes of people in the community. Thus, when the Bill was prepared it had already been considerably diminished. I was sorry, therefore - and I said this at the time when the report came to the house - that there had been further modifications in the interests, it was claimed, of balance and consensus. So the message, I suppose, to those preparing a Bill is to start at one extreme of the spectrum expecting modification. I think the Bill was already a modified, watered down document that did not need any more of that treatment.

My main purpose in rising today is to talk about the issue of smoking. It is a simple issue: smoking is damaging to our health. But the Bill gives little account to that, and our committee when it looked at occupational health gave no account to it. Though it is a simple issue, there are fairly complex outcomes if we are to deal with it. In due course we will have to come to the question of dealing with smoking in the workplace if we are to consider adequately the interests of our residents, the interests of the employees of the ACT Government, and finally, and of much less importance but nevertheless significant, the matter of revenue.

26 September 1989

Let me go back and give you an example. Members of the committee - and I was not with them on this occasion - travelled out to one of the fine clubs in our town to see the occupational safety measures which it had implemented. I think it is fair to say that members were impressed with what they saw. I think the greatest problem was cuts through broken glasses. But we overlooked a basic factor. You walk into that club or any club or many other premises in the ACT and you are overcome with smoke.

Mr Moore: That is taken care of by the duty of care.

MR WOOD: Well, is it? Do we simply leave it to that? This matter was highlighted in Australia not so long ago when a Melbourne bus driver was awarded compensation because he claimed he contracted cancer in his employment. He claimed that his exposure to smoke during his career had caused the cancer, though this was not ultimately proved in court. Nevertheless, the publicity over that case has made it clear that there will be many similar cases. What is not as well known is that there are quite a number of cases across Australia where employees have successfully claimed compensation. They have not all gone through the court system that the bus driver went through.

Let me just refer you to a few of them. In October 1985 in the Administrative Appeals Tribunal a defence services employee allergic to tobacco smoke was able to claim upwards of \$19,000. In the Comcare Appeals Tribunal another defence employee with allergic reactions received compensation of \$50,000, plus \$10,000 a year. In the compensation court of New South Wales in September 1986 an Ansett employee sued because of exposure in a telephone switchroom and received \$20,000 compensation. There is no small number of cases of that nature. So I hope that employees, the ACT Government, and this Assembly take note of that problem. It is not the financial outcome that is the most important consideration. We have a prime duty to attend to the health of the people, of every person in this community.

The Federal Government a little time ago took the lead and prohibited smoking in its buildings, and the ACT has followed suit and smoking is not permitted here on government premises. But we have not in clear terms expressed that view to protect all employees. Let me quote - and this is particularly relevant to the report that I was part of bringing down and to the Bill that we are still waiting to see - from a report by the American Surgeon-General on smoking in the workplace. In 1985 his report concluded that "for most workers cigarette smoking presents greater risk of death and disability than their workplace environment". So the hazards to people at work are less than the hazard of smoking, according to the American Surgeon-General. That is something we must take note of.

26 September 1989

It was perhaps the complexity of effecting suitable legislation that held us all back, and perhaps still does. We have a problem. You walk into that club that I mentioned and others, and many other parts of this town, and it is not just the employees that you have to legislate for; it is the patrons. As a realist, I know what would happen if there were a blanket ban on smoking in all places: there would be a great outcry with the question of civil liberties and the rights of individuals no doubt being raised. But it is very important to note that we must take some action in the not too far distant future to protect our citizens.

At a seminar held by the National Safety Council of Australia in 1986, the chairman of the Occupational Health and Safety Commission stated that the biggest problem underlying this matter was the existence of deeply entrenched attitudes by both smokers and non-smokers. He pointed out that changing the policy regarding smoking at work might have little effect on those attitudes. So changing the policy is not, on its own, enough. We have to take a great deal of time and effort to educate people, to inform them, to explain to them what the important issues are. But I do believe that these are matters we have to attend to; we cannot overlook them indefinitely. We may need also to take a further step on what happens in our own buildings and formalise the rulings that have been made because I believe, by courtesy of the Speaker, that these are rather informal, and they may need to be placed into legislation.

So there it is. If we are looking at the occupational health and safety needs in this Territory, let us look at what the American Surgeon-General would say is the most important need. It will not be long before we will need to examine those. When that happens I hope that we do not progressively modify, diminish and water down such legislation as will be necessary.

MR BERRY (Minister for Community Services and Health), in reply (4.44): The occupational health and safety agreement that was reached between my department and unions associated with community services and health was a major step for the Government in terms of the introduction of occupational health and safety in the Territory.

In this debate there have been some satisfying and some somewhat surprising statements made by respective members in relation to my ministerial statement on this matter. Mr Moore said that it was gratifying to see unions working together in this sort of agreement. I must say that it seems to contrast with his own involvement in the development of occupational health and safety legislation for the Territory. His contribution really sets out to weaken the power of that sort of legislation in the pursuit of occupational health and safety for workers in the Territory, whether they are unionists or not.

26 September 1989

Mr Moore: Rubbish! What rot!

MR BERRY: Mr Moore says that it is rot, but it is a well-known act. Mr Moore's participation in the process will weaken the legislation to provide occupational health and safety for workers in the Territory, if that legislation goes through in its current form recommended by the committee.

Mr Stefaniak believes, and I agree with him, that this is essential legislation. That proposition surprises me in view of some of the noises that I have heard from the Liberal Party, and in particular from its conservatives who wish to water down the occupational health and safety legislation to a state where it is almost meaningless. I must say - though I would not say this of any of the Liberal Party members here - that there are some unenlightened and conservative employers who work around the conservative fringes who worry more about short-term profits than the long-term safety of their workers and the efficiency of their enterprises.

Mr Moore might give that a bit of regard each time he thinks about his efforts to reduce the effectiveness of occupational health and safety legislation in the Territory. It is well for the Liberals to applaud this sort of agreement, but they are well known at revelling in the old ideals of confrontation in the industrial scene. That flies in the face of anything that they would say in support of occupational health and safety, particularly a democratic process such as has been adopted in the agreement between my department and the unions in the Australian Capital Territory. Of course, this Labor Government has a close association with unions and a special relationship with them, and a long history of representing the rights of Australian citizens.

Mr Moore: You are losing touch, Wayne.

MR BERRY: Mr Moore might say that I am losing touch, but I am sure, if it came to the support of trade unions for the Residents Rally party, its members would all be unemployed after the next election.

Returning to the issue at hand, I believe that this agreement is consistent with the occupational health and safety legislation which was proposed, and the major features of the agreement are incorporated in the legislation. However, the select committee I have already talked about has recommended that the consultative arrangements in the proposed legislation should be revised in order to exclude the unions - again I point to Mr Moore's involvement in that - and to provide for direct consultation between management and employees.

Mr Moore would know very well that the history of management in providing spontaneously occupational health and safety conditions for employees is not very good. It

26 September 1989

has been the job of unions to secure that for workers and to work to improve working conditions not only throughout the Territory but throughout Australia as a whole. As a result of the changes that are proposed to the draft there would be inconsistencies between the legislation and the agreement that I have reached with the Trades and Labour Council in relation to consultative arrangements.

The select committee report on occupational health and safety legislation is being considered by the Government and the report will be debated in due course. The Government's objective is the introduction of a scheme that will have the broad support of the industrial partners and the sort of support that will be required to achieve the desired result of a safer and healthier workplace - not one where parties think that the middle ground is quite comfortable and safe. This is about the positive initiative genuinely to introduce occupational health and safety.

Implementation of the agreement is now at an advanced stage. The policy committee and all eight workplace committees are in full operation, involving the unions, of course. Virtually all management and union workplace representatives have now attended one of the three-day occupational health and safety courses conducted by Work Watch. A number of important occupational health and safety programs have been introduced, such as manual handling, a back care program, development of a chemical hazards register, workplace inspections to identify critical areas to bring workplace design up to minimum standards, a hearing conservation program incorporating sound level monitor and audiometric screening, and in-service education for the disposal of hospital wastes.

The policy committee has provided a very good forum for consultation with the Trades and Labour Council on the development of the departmental policies and procedures associated with the introduction of the Comcare legislation. Therefore, it is somewhat lamentable for me, in the wake of the committee's report, to see that further efforts have been taken to water down that report, and in fact to water down the legislation. In fact the report has achieved that, mostly through the involvement of the Residents' Rally party, and it is a great shame for a party which claims to have such deep roots in the community. By weakening that legislation, the claim as to deep roots may well be severed.

Mr Speaker, what I would like to say in closing is that I am extremely happy to be involved in the introduction of the occupation health and safety agreement. I am extremely happy with the way it is working and I hope that the members of this place will give due regard to the success of that agreement when they work to ensure that there is strong occupational health and safety legislation, not that which is being suggested in its watered down form as a result of the committee's inquiries into the matter.

26 September 1989

Question resolved in the affirmative.

Sitting suspended from 4.55 to 8.00 pm.

**ACT PUBLIC HOSPITAL REDEVELOPMENT - STEERING COMMITTEE REPORT
Ministerial Statement and Papers**

Debate resumed from 24 August 1989, on motion by **Mr Berry**:

That the Assembly takes note of the following papers:

ACT Public Hospital Redevelopment - Steering Committee Report -
Ministerial statement, 24 August 1989.
Report, 18 August 1989.

MR HUMPHRIES (8.00): This is a thorny issue, that has absorbed a great deal of attention in TV reports and newspaper columns in the last few weeks. In many respects I think it is a reflection of the depths of opinion that exist in our community about the ways in which we ought to use a place like Royal Canberra Hospital and the possibility that exists for its retention or for other uses of that site. I am aware that the Government has said that it intends in the course of the coming few weeks - I understand, before the end of October - to announce its decision on the use of the Royal Canberra site in light of the reports both of the original Kearney committee and also of the steering committee.

I accept that the Government feels it has to make some decision on that matter, and indeed I have been asked by the Minister to indicate the position of the Liberal Party. I have to indicate at the outset that I understand the Minister's urgency, but I also believe that it is important for us as an Assembly not to rush into any decisions on the use of that site. It is one of the most complex and difficult decisions that will be made by this Assembly and by this Government, and it would be quite wrong to make a decision either on the wrong grounds or in haste on an issue as important as this.

I know that it is an issue that presents to my mind as having the most potency for allowing this debate to go on a little time - more time than has been allowed so far. It is simply the fact that there are probably more options available to the Government than have been presented in the report of the steering committee. I would like to think that the options there, although well canvassed, are by no means the only options available to us. I know that my friend Mr Moore is exploring alternatives in that respect. I have canvassed a couple in the media. I know that the use of the site, for example, as an aged persons

26 September 1989

accommodation site or as a new home for the Queen Elizabeth II Home for Mothers and Babies is a possibility which, as far as I am aware, is not canvassed elsewhere but should perhaps be canvassed.

The point is that we need to make those decisions in light of all these options, and it would be a grave mistake to rush into a decision prematurely. The whole context in which a decision about Royal Canberra is made is very complex. It is not possible to say with certainty that particular options will cost a certain amount or particular courses of action that are open to us will produce a certain benefit over a period of time, given the fact that there are extensive variables which will have impacts for many years to come.

I refer in particular to page 14 of the report of the steering committee, and on that page reference is made to some of the financial constraints under which governments have to work when making a decision about that site. The report says:

The main findings of the third inquiry into the Finances of the ACT Administration -

and that, of course, is a reference to the Grants Commission inquiry into the ACT's finances -

concluded that after allowing for "needs" actual expenditure exceeded the standardised health services expenditure -

that is a nationally determined thing -

by \$13.6m.

That is 9.45 per cent, or \$51.49 per capita. It goes on to say:

Victoria and Western Australia were also above standard by between eight and nine per cent.

I can see from that that the ACT deviates the most from that mean and is the highest above standardised health service expenditure of any of the Australian jurisdictions. That is a matter of concern, but if one also refers to page 58 of the report one sees the following:

Whichever option is chosen, the disability factor recognised by the Grants Commission as an effect of the Commonwealth policy to maintain three hospitals could be lost at the next inquiry.

What the report is saying is that the bases on which the ACT has to make a decision about the future viability of one particular hospital or all three will depend to some extent on ways in which the Commonwealth - which, after all, is by far the biggest supplier of funding for our

26 September 1989

health system - will treat future health funding issues and the way in which it might change the basis for funding our hospitals. There are many factors built in by the Commonwealth from those kinds of decisions, and to assume that those factors will be constant is simply a mistake.

I want to refer just briefly in this debate to the original report of Dr Kearney of November 1988 and some of the things he said in that. I raise them because there has been discussion in the days since this steering committee report was handed down about the nature of the hospital system in the ACT and whether or not the steering committee's report really reflected on the existing operation or efficiency of the three hospitals we already have. I know that there were some pointed comments by Calvary Hospital, for example, to point out its own efficiency and the fact that it was providing a relatively cost-efficient service to the people of Canberra. That assertion is borne out by the figures that Dr Kearney produced in November last year. He pointed out that although Calvary only had a bit under 5,500 admissions compared with Royal Canberra's 19,500 and Woden Valley's 13,500, nonetheless the cost per occupied bed day at Calvary was only just over \$300, whereas the cost at Royal Canberra was over \$400.

That is quite a significant figure, Mr Speaker. What it effectively means is that it costs something like \$100 more a day to put a patient in a bed at Royal Canberra than it does at Calvary Hospital. Woden Valley Hospital is somewhere in between, at \$329. Similarly, the average cost per patient - this includes every factor - for Calvary Hospital is \$2,061. For Royal Canberra it is \$2,234 - again, quite a significant difference. Those figures are even more interesting when compared with similar costs in the States. The cost of providing beds in the ACT is much greater than it is, for example, in Queensland.

We have to ask ourselves, given these disparities, whether or not the most important issue facing us in the health system is: do we replace Royal Canberra, or upgrade it, or make Woden Valley the principal hospital, or whatever? Perhaps the most important issue is the total cost of providing health care to the people of the ACT and whether presently they are getting value for money out of the present system. I suggest that those figures point rather starkly to the fact that they are not. When we look at the issues surrounding the upgrading of Woden Valley or the downgrading of Royal Canberra or whatever, we cannot ignore issues of that kind.

I want to conclude by saying that the Liberal Party is not yet committed to a position. It wants to ensure that the decision it makes in the course of time is the right decision. It is exploring alternative options. I hope that we can come up with options that preserve the best that the ACT already has. In that respect, we would obviously like - and members of this chamber would also

26 September 1989

agree - to keep Royal Canberra open as a significant community hospital. We would also wish to retain the site of the Royal Canberra Hospital for community purposes, preferably for medical community purposes, but that all depends on the cost. We will be exploring the cost very carefully and I hope that we can provide what I have just said are the two most important things from our point of view, which ultimately will depend on the cost. If the ACT's overall costs are too great, we shall have to address ways of bringing them back into line and of providing the ACT with efficient services. That is by far the most important task of government, and if it is not possible to do that then we are in a very sorry state indeed.

MR MOORE (8.10): In Dr Kearney's acknowledgments in his report he stated, along with his principal recommendations relating to planning and structuring, "However, people who work in the hospitals are the key to making the service work". That is one of the keys that I believe has been ignored to a certain extent in the report to the Minister for Community Services and Health, the ACT Public Hospital Redevelopment Steering Committee report. It was at a very late stage - and I have congratulated the Minister on this - that he had the Nurses Federation represented on the particular steering committee, and yet it was Kearney's recommendation and clear wish that the people who work there be the ones who make the system work.

Dr Kearney also suggested that the ACT Community and Health Service request the ANU to negotiate with the university medical school to provide formal arrangements for entry of ACT school students, for the ANU to work with the hospitals to provide a component of clinical undergraduate medical education to that medical school. Further, his recommendation 12.2 was that consideration be given to the establishment of a postgraduate medical school concentrating on existing areas of strength in the John Curtin School of Medical Research.

One of the major factors that was not taken into account, as far as I can see from my reading of the ACT Public Hospital Redevelopment Steering Committee report, was the issue of a teaching hospital linked to a university. It is very clear to anybody who looks at this, even from a cursory glance, that the logical spot for a teaching hospital would be next to one of the most advanced medical research facilities in Australia. The relationship I speak about, of course, is that between the Royal Canberra Hospital and the Australian National University.

That we have some problems with our hospital system and the cost of our hospital system is apparent, and that we have some problems with the service that we deliver and the service we could possibly deliver is also apparent from Dr Kearney's report. That we need to make some compromises is even more apparent. So far the suggestions about compromises have all been about where the most money will be spent and therefore should we compromise Woden Valley Hospital or should we compromise Royal Canberra Hospital.

26 September 1989

My colleague Mr Humphries gave a few examples from Dr Kearney's report about the price of beds in different hospitals. Let me just point out something in particular about the price of beds, because Dr Kearney pointed to the fact that the beds at Royal Canberra Hospital per unit were much more expensive than those at Woden Valley and Calvary. He did not actually associate it with what he had himself put earlier in his study, that when you go to a principal hospital concept or when you have a hospital that does major surgery and has major functions, then obviously the price of those beds is going to be much more expensive. So while Calvary Hospital serves as a community hospital, you would expect those beds per unit to be much less expensive. We must keep that very much in mind as we consider the sort of decision that should be made on our hospital system.

We should also consider that such decisions should not be made on a dollar basis alone. We should take the report of the steering committee, we should look at what is the cheapest option, and then we can take the sort of solution that people take in their homes. We do not always buy the cheapest, because often the cheapest or the one that saves us the most money is also the shonkiest system and could well leave us with something inadequate.

Dr Kearney's recommendation which gave the direction to the steering committee was to look at a principal hospital of 600 to 700 beds. I suggest that that is where the compromise could well lie. It could well be that we would save ourselves a great deal of money. It could well be that we would come up with a much better hospital system, even if it is not the optimum one that Dr Kearney would like to have seen, if our principal hospital is a hospital of either 400 or 500 beds. If that is the case, it may well be that we can retain the Royal Canberra Hospital as a principal hospital, as the teaching hospital. It may well be - and I am, as Mr Humphries said I would do, presenting just another option that must be considered - that we will not have to redevelop Woden Valley Hospital at all, and the money we save from one may well be used in order to develop the other. That is a real option that is not canvassed by the committee.

Whatever our options on the hospital, the Residents Rally will not consider the possibility of closing down Royal Canberra Hospital as a major community hospital. We will never consider that at all. Our preference is to see the Royal Canberra Hospital as the principal hospital. One of the difficulties we have had in trying to assess this is trying to put our hands on the facts and figures.

It was with that in mind that last Friday - and, granted, the Minister has not had much time because it was late Friday afternoon - I wrote to him. He had already agreed to provide a briefing. In writing to him, I asked for the following figures. I wanted costing figures done by the same firm that has presented them, TGP&PON. I have yet to

26 September 1989

work out exactly what that stands for, but that firm has done the costing figures for Woden Valley Hospital and Royal Canberra Hospital, and we want those figures on a ward-by-ward basis. We also want the figures for an overall, detailed costing of both hospitals.

In that briefing, we would like to see how those figures apply to the principal hospital, if the principal hospital has 500 beds or 400 beds, because we want to be able to search out that option. To give credit to the Government where it is due, it has kept its options open. The Minister has been prepared at all times to discuss this matter. I realise this is not the sort of thing that he can deliver in one second, but at all times what I have requested of him he has provided. I hope that this will continue.

We have also asked for a comparative cost of staffing in terms of nursing, medical, administrative and other staff. That takes me back to my introductory statement, that the people who work in the hospitals are the key to making the services work. Anybody who was at the demonstration by staff and friends of Royal Canberra and anybody who has been talking to staff from Royal Canberra will see and understand clearly that the staff have very, very strong feelings about their hospital and their hospital system. It is very important to ensure that our patients - because they are what are hospital is about - have what they perceive to be the best possible services. That runs across a series of issues, which include both the best medical treatment and also the best recovery area. Nobody can deny that the Royal Canberra Hospital is probably on one of the best sites of any hospital in Australia, and when you are looking for rehabilitation that is of great advantage. The Rally will not move on its position of retaining the Royal Canberra Hospital.

DR KINLOCH (8.20): Following Mr Moore's excellent comments and indeed other speakers' excellent comments, I just briefly want to say that the Social Policy Committee is looking at some of these questions in a special way. I do not want to pre-empt any of that. Indeed Mr Wood might want to comment on this. There are special facilities in this city; for example, Professor Peter Sennett in gerontology, Professor Scott Henderson in the problem of dementia, demography, sociology departments, biochemistry departments, the John Curtin School. From all of them we are hearing very positive things about the future possibilities of the Royal Canberra Hospital. I am not making any conclusions here or suggesting that the committee is making any conclusions, but these are very much under examination at the moment and I hope we keep them in mind.

MR BERRY (Minister for Community Services and Health), in reply (8.21): Mr Humphries opened up by suggesting that this was a thorny debate. I must say that it was not my intention to develop a debate that would be thorny in

26 September 1989

relation to this very sensitive issue. As a consequence of the very nature of our health system and the position members of our community find themselves in when they have to use those services, if there is an emotion-driven debate about the hospital system in the course of the requirement for people to use our services, it makes their period of use, I would suggest, more uncomfortable. I think that needs to be avoided wherever possible.

I note that the Liberal Party has decided not to rush in on this issue, and indeed nor has the Government, but if the Liberal Party wants to have its view taken into account in the process of the development of a government decision on it, it cannot wait forever. Mind you, if the Liberal Party wishes to reserve its right of criticism until after the announcement is made about the future of our hospital system, then I think that would be a fairly negative outlook. I hope that that would not be a course upon which the Liberal Party would rely.

Mr Humphries: That is not the intention.

MR BERRY: I thank Mr Humphries for his indication that that is not the intention of the Liberal Party. It is incumbent on the Government to come up with a decision. We have a very important report and an important range of submissions before us and we have to make decisions on them. I would just like to dwell briefly on the issue of the relative efficiency of the hospitals. I am not sure if that is the right term, Mr Speaker. In fact, I am reasonably confident that it is not the right term when one takes into account the sorts of figures that have been raised in the debate here today.

Comparisons were made between the bed costs at Calvary, Woden Valley and Royal Canberra hospitals. Mr Moore quite rightly said that they are not always an appropriate measure of the efficiency of hospitals because of the range of services provided at the individual establishments. It is well known that the hospitals are quite different in their delivery of services to the community. If one hospital provides a comprehensive service in all of the very expensive specialties, then it can be expected that the daily bed costs would be expensive - more expensive if it provides accident and emergency services. As you well know, Mr Speaker, the costs can be more expensive in a major hospital.

I should say before I go on too much further, Mr Speaker, that it is not my aim to argue the steering committee report in the course of this debate, but just to respond to some of the issues raised by individual speakers. One of those issues was that which was raised by Mr Moore in relation to the logical spot occupied by the Canberra Hospital and of course in relation to the Australian National University. The Government has to consider that aspect of it when it is looking at the report.

26 September 1989

But one thing I would like to say is that a centre of excellence in Sydney, the Westmead Hospital, is located nowhere near Sydney University, for example, and I am sure that the Westmead Hospital still provides services of an excellent nature to the community which it serves.

The location of the hospital has been raised in the debate - a rather emotional debate, I might add - and the preference to keep the Royal Canberra Hospital open at any cost. I think that has been the position of some of the people who have argued for the Royal Canberra Hospital, but they have argued that it should be kept open in at least its current grandeur at any cost. I think that debate is very misleading to the community because it ignores some of the very important issues which are contained in the steering committee report.

I note that Katharine West of the Residents Rally party has been a great supporter of keeping the hospital open. One of the most disturbing features of the argument that has been raised in the debate by Ms West is the issue of the sale of the site. I think that was raised by a few other people as well, more to whip up a bit of emotional support around the hospital. The old logic of "All's fair", I suppose, comes up in these issues. But I think that it is irresponsible for political parties in this Assembly to involve themselves in those sorts of debates when that has been the basis of the initiators of the support. I heard Ms West outside the Assembly when I think she made it clear that she was a member of the Residents Rally party on that day - - -

Mr Collaery: She still is. Anyone can join.

MR BERRY: The fact of the matter is that the Residents Rally party has now located itself with the basis of the argument about the sale of the site. I think all the members of the Residents Rally party and every other party in this Assembly - - -

Mr Moore: That is not true, Wayne. Come on. It is more misrepresentation, and you know it.

MR SPEAKER: Order!

MR BERRY: I will tell you what is true, Mr Moore: my very clear statements to the community and at meetings where you have attended and other members of your party have attended, including Ms West, where I have said that the site is not for sale. All that I would like you to do is to assist me in spreading the message.

Mr Moore: Did I not support you on that at that very meeting?

MR BERRY: Well, I am thankful for your support, but, as I say to you, it is inappropriate, I think, for political parties to align themselves in that way. I think the

26 September 1989

involvement of Ms West has in some ways involved the Residents Rally Party in the process.

Mr Collaery: She is allowed to speak as a citizen. It is a democracy.

Mr Moore: And a prominent citizen, too.

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

MR BERRY: I just raise those issues as matters of interest, Mr Speaker, and I regret that it has needed our Assembly colleagues in the way that it has.

Mr Moore: It is only the misrepresentation that needles.

MR BERRY: Well, there will be no need for a sharps bin in your neck of the woods. There are some difficult political decisions that have to be made and we have to make them very shortly. The essence is that that we have to make a decision which will deliver our health system in A-1 condition right through into the next century. I think it is a very important one for the community and I expect that there should be a lot of focus by the community on this issue. I expect that the focus of other Assembly members will be on it as well, and I will continue to consult them where they require it in relation to the development of the Government's decision. As I have said in the past, we expect to make that decision by the end of October and that process is still on track.

Mr Jensen: Was Prue right?

MR BERRY: Mr Jensen asks, "Was Prue right?". I am not quite sure what he means by that, but I am sure he will have the opportunity to raise the issue in question time tomorrow, Mr Speaker, and he can put all the details in his question so that I can properly answer it. I can assure him that, if he puts the detail, then I will answer it appropriately.

Question resolved in the affirmative.

**ACT ELECTRICITY AND WATER AUTHORITY - CORPORATE PLAN
1989-93
Ministerial Statement and Papers**

Debate resumed from 24 August 1989, on motion by **Mrs Grassby:**

That the Assembly takes note of the following papers:

ACT Electricity and Water Authority - Corporate Plan -

26 September 1989

Corporate Plan 1989-93; and
Ministerial statement, 24 August 1989.

MR STEFANIAK (8.32): Mr Speaker, I am pleased about a number of statements made in the corporate plan for 1989-93. It is not a terribly lengthy document and it does provide some useful information, especially graphs, which I will come to later. It is pleasing to see that the authority has indicated that it does have a corporate philosophy and that it is now to be run on commercial lines. Indeed, it is pleasing to see the authority becoming a body corporate.

As the Minister said in her speech introducing the plan, "the needs of the community are as much a part of the corporate philosophy of the authority as is its commercial viability", and I certainly have no qualms with that. There are some positive signs in the body corporate's objectives and performance measures. Indeed, when going through the plan I noticed a number of positive signs in some of the graphs, and indeed some disturbing signs as well. It is pleasing to see that the long-term debts to equity ratio is going down. It is very pleasing to see that employee safety has improved since the 1982-83 year. It is also pleasing to see that, apart from an absolutely shocking year in 1985-86, the industrial relations side has been relatively positive, although I do note that there was a disturbing rise again in 1987-88. However, the indications are hopefully that that will go down.

There are a number of problems which have been expressed in relation to the corporate plan, and the Planning, Development and Infrastructure Select Committee hearings have indeed exposed some problems which bug the authority, which will cause problems in the future, and which certainly concern us. People who have given evidence have indicated that there are a number of inefficiencies in the authority's operation, that a number of services should be contracted out, and indeed that the authority should be looking to contract out far more services than at present.

There are some areas especially where this could be done - firstly, in the maintenance area in government buildings, and also in the initial construction of the electricity infrastructure in new developments. This would lead to a significant reduction in expenditure. Those issues certainly have to be addressed. The actual plan is welcome. It is fairly brief, so it does not go into a great deal of detail. There are a number of problems, and certainly the Liberal Party would like to see a contracting out of services where available and where that can be done properly and efficiently. My colleague Dr Kinloch will go into further detail in relation to some specific problems in those areas, and I will say no more on this matter.

DR KINLOCH (8.36): I endorse the remarks of my colleague Mr Stefaniak. I note the corporate plan and also note the report tabled by the Minister, Ellnor Grassby, in

26 September 1989

connection with the ACTEW corporate plan for 1989-93. In particular I note that Mrs Grassby has selected an interesting point arising from that report. I quote the Minister:

Canberra is a growing and ageing city -

may I stress "and ageing city" -

In the next 13 years there will be an increase of almost 100 per cent in people over 65 years of age.

Mrs Grassby: That is you and I, Hector.

DR KINLOCH: That is a lovely thought. The Minister went on to make the point that, as far as ACTEW is concerned, "this will have implications for the assistance schemes such as pensioner rebates and the need for easier access to services".

I was pleased to see that in the tabled report and also in the report itself; and I am sure all members of the Social Policy Committee are pleased to see this recognition of the long-range need for planning in these areas related to the aged and ageing, and others of course as well. We commend, therefore, the intention of ACTEW to be involved in social planning, and we hope that will not just be rhetoric but will be carried through fully.

I now turn to the April 1989 corporate plan, a well-produced and interesting document. Although well-produced, it is not super-glossy - on the edge of glossy but I think reasonably so. It provides much useful information, as has been indicated.

I would emphasise the same point that Mr Stefaniak made, and particularly draw the attention of members to the over-riding philosophy of ACTEW: "The overriding corporate philosophy recognises that first and foremost it is a customer oriented business enterprise". I ask members to note that comment "business enterprise". That is a very welcome statement, but immediately it needs to be tested against the actual performance of ACTEW. It is well said, we welcome it, I am sure everyone welcomes it, but is the authority fully carrying that out?

I also turn, somewhat hesitantly in my case, to some of the charts and figures on pages 14 to 20, and I recognise some of the good things in those charts. May I especially wonder though about the question of targets - targets on the continuity of electricity supply, the reliability of water supply and of sewerage systems. I am puzzled by some of these targets which seem to expect considerable percentages of failures to provide services. I will not go through the details - they are on pages 14, 15 and 16, which you can see for yourselves - but let me take the example of sewerage. This is the one that says "reliability of sewerage systems" and indicates that the

26 September 1989

number of blockages per thousand population in 1987-88 was 6.1, that a target is 6.5 and that an eventual target is less than 6.5. If you compute that figure, it comes to a lot of leakages and blockages. It looks small, but why can that target not be zero or 1 or 2? Why 6.5? I just wonder whether ACTEW is sufficiently reaching for the best possibility rather than saying, "This is what we have done so far. Let us marginally reduce those problems". I think you will find the same in the water supply and electricity supply figures.

I turn, however, from the Minister's brief statement and from some worries about details in the corporate plan to take up some further larger worries about ACTEW itself. And I remind members again of ACTEW's assertion that "it is a customer oriented business enterprise". I refer specifically to evidence given to the Planning, Development and Infrastructure Select Committee on 24 August 1989 by Messrs Williams, Winnel and Kenworthy. I do not know those people very well, and of course they are only some witnesses before that committee; there are other witnesses perhaps who might match them, although I do not see that. Some of their responses are in answers to questions raised by the chairman, Mr Collaery, and other committee members, Mr Wood and Mr DUBY.

I will not repeat the material in this evidence because it is available in the transcripts of the committee on page 164 and following, but I draw the attention of members to it. However, I would like to wonder whether ACTEW is adequately meeting its aims given some of the statements in those hearings.

I do not necessarily endorse the challenges made by Messrs Williams, Winnel and Kenworthy but they are very worrying indeed. What are they saying? I am not sure about the technical terms or the technical things that are going on, but I do think I understand what "trenching" is about. In the case of trenching and other road construction matters, they clearly make a case for contracting out of ACTEW itself to more efficient private operators. I am not trying here to make an ideological point at all. It is a cost-efficiency point. The same is said to be true, as Mr Stefaniak has already indicated, for maintenance and other electrical matters, all of which would be more efficiently done, more cheaply done, by private contractors. It would be a considerable gain to the public. I quote particularly from Mr Winnel. He may have been speaking in an exaggerated way - perhaps he was rather upset; I do not know - but I quote him as follows:

I mean ACTEA -

and here he is not referring to ACTEW but ACTEA; and
I am not going to try to correct his grammar -

are notoriously inefficient, fail to deliver on time in almost every instance and have an

26 September 1989

administrative arrogance which I have never seen matched anywhere.

How about that? Perhaps he has had one bad run in with them, but he gives a lot of examples. He talks about the problems of talking with ACTEA, but he does not have those same problems with some other public authorities. I think members of the Assembly ought to have a careful look at that and the management of ACTEW should worry about this. After a number of questions from Mr Duby, Mr Wood and the chairman, Mr Winnel concludes:

I would bet my life that there would be no cost increase if we let that work to private contractors. You would be able to achieve a better result without any increase in cost but not if you leave it in the hands of ACTEA.

To be fair, I am open to hearing any responses which may be forthcoming from ACTEW and I hope we will get those responses. But there is surely a bottom line, or rather a bottom question, which is this: is ACTEW efficiently fulfilling its excellent aims, the purpose we have heard it state, and, if not, could ACTEW seriously consider a creative and cost-efficient partnership with private industry? Is ACTEW too bound by the kinds of protective practices related to the use of labour, inherited from the previous existences of the electricity body and the water body? Is there in ACTEW sufficient concern for entrepreneurial, business, cost-effective expertise? I think we must say there may be an area of exaggeration, but there is no doubt that Mr Winnel's plea for efficiency should be heard. As a member of the Assembly I need to investigate this matter with considerable care.

MR JENSEN (8.45): When it was handed down by the Minister I noted with interest this fine glossy publication produced by ACTEW. I suggest in some respects it is the sort of publication that one would almost expect to be handed out to students seeking information for a school project. However, let me not be too churlish in my comments on the need for government bodies to ensure that their annual reports provide necessary information at a reasonable cost.

Mrs Grassby: It is not an annual report, but a corporate plan.

MR JENSEN: Let us call it a corporate plan, Minister. It provides in this document an explanation, if you like, of what ACTEW is all about. As I said, it is the sort of document that one would expect to find in any high school children's project kitbag when they are looking at this matter. I suggest that we could look at the cost of such a production and maybe provide the same information without the charges that I am sure this particular document would incur. I just leave that for the Minister to consider and I am sure she will comment on that in her reply.

26 September 1989

Let me turn to some of the issues raised by the report. I noted on page 4 of the report the fact that some 50 per cent of our water is used on gardens and lawns. I suggest that a large amount of that water is used to water the large areas of public parks that we have in the ACT. I trust that in the negotiations with the Commonwealth the Government makes very sure that the large costs of watering these large parks that we have, which we are maintaining for the benefit of the people of the ACT and the large number of tourists that come here to this particular area, are fully and properly costed back to the ACT. Let us make sure that we get value from the Federal Government for the large amount of water that we use to keep its national capital very clean, green and beautiful, particularly in relation to a continent that is acknowledged as the driest in the world.

Mr Wood: The Antarctic is the driest, in fact.

MR JENSEN: Our continent is the driest in the world. Every school child, I suggest, Mr Wood, has probably been told that at some stage or other in his or her career.

I understand that the Government is attempting, under its program of restructuring, to reduce the costs associated with support that we are currently getting from the Federal Government. The Government has proposed some form of restructuring to the automatic watering systems that we have around our various parks and gardens in the ACT. I am sure that the Minister, like others in this city, has noted with some concern, particularly in this dry nation of ours, automatic watering systems clacking away merrily as the rain tumbles down. I trust, Minister, that your restructuring program will make sure that that sort of matter is quickly addressed.

Mrs Grassby: We are going to arrange for you to go and turn it off.

MR JENSEN: No, Minister. I believe that it is possible these days, with technology, very quickly to solve these sorts of problems.

Mrs Grassby: If you spend another couple of billion you can.

MR JENSEN: Well, I would suggest, Minister, that you might look at what it is going to save you in the cost of water, particularly in terms of treatment.

Mrs Grassby: It does not save anything.

MR JENSEN: I would be interested to know, Minister. I refer members to cities like Melbourne and Adelaide where strong programs are provided for the people to encourage them to use less and less water, to encourage them to use dripper systems, to encourage them to use mini-irrigation systems. Those sorts of programs, I would suggest, provide

26 September 1989

adequate facilities for reducing the large amount of water that we are clearly putting into our gardens. I would be pleased to show the Minister my own garden, where I have installed those sorts of facilities because I am fully aware of the need to conserve water in this nation of ours.

I refer also to another area which I suggest the Minister should discuss with the Deputy Chief Minister when looking at the various design and standing rules. In future I suggest we should require new buildings in the ACT to install double-flush toilets, so that when one goes to the toilet one has the option of a small flush or a large flush. You have got the picture? All right. They are the sorts of things that I would suggest would reduce water use quite considerably. A large number of studies have been done in this area in much the same way as studies have been done to encourage people to use items like "shower powers" to save the amount of water they are using - not only saving water but saving electricity.

One of the major things that we will find if we look at our electricity bill is that almost one-third of the cost of our electricity bill relates to the hot water used by the consumer. I would suggest that we should continue this program to encourage people to seek means by which they can not only reduce the water that they are using but also reduce the cost of the power associated with heating the water.

There is one other suggestion that has already been mentioned in one other city in relation to saving water. If we are not able to have double-flush toilets because we have already had a system installed and we cannot afford to change, one of the quickest and easiest ways is to bung a brick in the cistern. That will reduce quite considerably the amount of water that is being used. Think about it, Minister. If you put a brick in the cistern, that is one way of saving large amounts of water.

In my comments on this particular glossy corporate plan I thought I would just raise a number of issues, although they may seem hilarious to some in this house. I would suggest that the conservation of energy and of water is a very important factor, and it is something that we should take very seriously. I raise these matters in a light-hearted manner just to remind people how important it is in this country to save this very important asset that we have so little of.

MRS GRASSBY (Minister for Housing and Urban Services), in reply (8.53): I am overwhelmed. Let me first of all answer Mr Stefaniak. I understand the fact that our debts have gone down, but we do now have a much better understanding by talking to customers who cannot pay their bills. Therefore, we have gone a long way. We ask people to come in and discuss matters with us and find ways of proceeding, rather than having their electricity cut off. We do not want to end up with bad debts, and this is how we

26 September 1989

have managed to do it. The trouble is that the people who can afford to pay the bills always wait until they get the second notice. It saves them money. The poor people who cannot afford to pay it pay their bill in a hurry because they are frightened somebody is going to knock on their door and turn off their electricity. There are a few people whose water I would like to cut off, but never mind.

As for Dr Kinloch worrying about the pipes being blown up, if people would cut all the trees out of their gardens we would not have any trouble about that. It is trees that go around the pipes, and problems are caused when people throw babies' nappies down them. If we could stop people throwing babies' nappies down the toilets, we would not have half the problems we now have. You cannot have all these things and expect them to be perfect. If you want trees in Canberra, then you must expect a few blockages in the toilet every now and then.

As for Mr Winnel's complaints about ACTEW, I sat through them for four hours one night at a dinner. He never drew a breath and never stopped telling me about all the problems with ACTEW. I just sat there and kept nodding my head because I thought there was nothing else I could do. Well, let me tell you, there are two sides to the story.

A member interjected.

MRS GRASSBY: My friend here tells me there are three sides to every story, so there are probably three sides to this one. I have arranged for ACTEW to report to the committee on the other side of the story. I do not quite believe that Mr Winnel is always correct.

Now, let us get to Mr Jensen. I will find out the cost of the publication and let him know in the house. As for it being suitable for a schoolgirl, I am sure the authority will be very happy to do school promotions. Unfortunately, the authority thought it was for members of parliament. It thought they were a bunch of kids anyway. Therefore, it had to make it pretty simple. After what I have heard here tonight, I think that was probably right.

As for water in the toilets, I have decided how we are going to fix that. I am going to put a lock on every toilet door in this building, particularly on the first floor, and you will have to pay to go to the toilet. That will certainly cut down the use of the toilets, so we will not have any trouble with wasting water and that will fix that one.

Let me tell you that we already use second-hand water on about three of the golf courses in Canberra. I am just trying to find out which ones they are. I know the one at Duntroon uses second-hand water. It is water from effluent, which is probably why it is so green and beautiful. So if we can arrange for everybody else in Canberra to use effluent water on their gardens, they would

26 September 1989

be green and beautiful, too, and we could all join the Keep Australia Green campaign. We are already using second-hand water, and I would not like it to be said that we are not.

As for turning off the sprinklers when it is raining, I have already made that same inquiry. I find out that by the time you have sent a man out, paid him overtime, organised to turn it off, the cost of it is so incredible it is better to let the sprinkler go.

Mr Jensen: Have you not heard of automatic systems?

MRS GRASSBY: Yes, we have them, but to put in a whole new system is going to cost us millions. You are already complaining about what we are spending in my department; you have already told me we cannot spend this in the budget. So, if you want me to spend millions more putting in a whole new watering system, of course we can do it, and we have got one that works all right at the moment. Other than that, after all, ACTEW is only a year old and I consider that it has done an incredible job in the time. We, among all the cities in the world, still have some of the cheapest water and electricity and some of the most efficient. So far as I am concerned, I am sure there is not a department in Canberra that cannot be smartened up, but I think ACTEW have done a very good job. Of course, there are things that can be made better, and that is proved in this parliament. There are a lot of things that could be done better over there in the opposition. You cannot expect ACTEW to be that perfect.

Mr Collaery: We are taking fluoride out of our water.

MRS GRASSBY: Yes, so you tell me. You know, I am prepared to take your word for it, after all. Obviously that is why you were all having dinner at the Rex tonight. To think I nearly joined you! My God, I could have been at the fluoride dinner - how about that!

Mr Kaine: It does not cost as much as the Hyatt, Ellnor.

MRS GRASSBY: No. I could not afford to go to the Hyatt either, not unless somebody else was paying. Anyway, Mr Speaker, I do not stand here to defend ACTEW, but I consider that ACTEW has done an extremely good job. I consider that its corporate plan is a very good plan. It is like the slogan I once saw on a milk bottle in America that read, "Our cows are not contented. They wish to do better". Well, ACTEW is not contented, and wishes to do better. That is all I would like to say about ACTEW, Mr Speaker.

Question resolved in the affirmative.

26 September 1989

HOME AND COMMUNITY CARE PROGRAM Ministerial Statement and Paper

Debate resumed from 1 June 1989, on motion by **Mr Berry**:

That the Assembly takes note of the following paper:

Home and Community Care program - Ministerial statement, 1 June 1989.

MR MOORE (8.59): Mr Speaker, in looking at the Minister's statement on the home and community care program in the ACT, I say at the outset of this debate that I have no intention whatsoever of making members of the community feel uncomfortable by debating the distribution of the money to the particular people as announced by Mr Berry in this paper. Rather, it behoves us to look at the method of distributing the money from programs like HACC, and perhaps we can also apply the same sorts of methods to programs like the community development fund. At present, members of the community get their funding through a submission based system. In fact, what this Assembly ought to be looking at is ensuring that the money is distributed much more on a needs basis. Those of us - and I think it applies to most people - who have been involved with the community and with community applications for some years recognise that those with the skills of writing submissions have a particular advantage over those who do not have those skills.

Mr Wood: There are also skills in assessing.

MR MOORE: That is why we need to look at the possibility of running a different system. We need to establish a set of guidelines for establishing priorities and for alleviating disproportionate funding where it has occurred. To a certain extent, no matter what system we use, there will always be some accusation of disproportionate funding. But, whatever the system, we should always be attempting to improve the system.

I think that our current systems assume the needs of groups and do not tend to identify the collective needs of those groups. The funding of those groups and their application is usually considered in isolation and without consultation. I suggest that one method of looking at needs based funding is to use a summit based decision. One method of doing that is to allow collective groups who have similar orientation to have a greater impact on funding and resource allocations.

The way this could be done is to allocate to particular groups a particular sum of money that is divided at the governmental level and then to have a summit for those groups so that they can debate the amount of funding. The role of the public service is to facilitate that debate and that information. It is very important for us to look at

26 September 1989

both the community development fund and the HACC funding and to find a method of ensuring that the funding is on a needs basis.

It is important to review home and community care objectives, to look at their cost-effectiveness, appropriate and accessible care and appropriate targeting. We need to look carefully at the criteria that have eliminated certain groups from this sort of funding. There are certain groups who would dearly like to have access to the sort of funding that HACC provides. When we talk about the home and community care program we need to look at the groups that actually miss out on this type of funding by a quirk in the way they operate. I draw attention to the Cancer Society and the arthritis society, which I believe are not eligible. We need to check to see that worthy groups like those, and many others as well, can have access to this sort of funding.

I draw attention to some of the funding that has been commented on by the Minister. I refer to the Red Cross Home Help versus nursing home beds. I draw attention to the factors set out in the comment by the Minister that 80c per day cost to the home and community care program is a great contrast to the \$43 to \$81 per day of government subsidy required for somebody who is in a nursing home. The home based services not only are much cheaper but are often the preferred option of people who get to the stage where they are nearly ready for nursing homes but prefer to remain in their own homes. So everybody wins. To a certain extent, though, a temptation in our society is to say, "Provide more money to the nursing homes because the nursing homes are able to write a far better submission". Perhaps we have to look very carefully at what we wish to do and look at a strategic plan for achieving access and equity.

Mr Wood: No; from quite different funding sources.

MR MOORE: Yes, of course, but the importance is still there. We need to look at priorities in the expansion of quality and availability of the services, particularly for the younger disabled - and some of these things have been drawn attention to by the Minister - access and equity, and that those future directions be well established.

The Rally for some time has talked about the desirability of three-year budgeting. In regard to groups which rely on government handouts, whether they be combined Commonwealth-State government handouts, as indeed applies to HACC, or whether they be of the nature of the community development fund, we need to try to determine the sorts of funds available versus the funds required and be able to present them on a three-year basis. Our suggestion is that there may be a way to get a group consideration of common needs through a summit based or a needs based method of dealing with this sort of funding.

26 September 1989

MR WOOD (9.05): I think it is important, to begin with, to spell out again what HACC means. The acronym HACC stands for home and community care, and those words are worth stressing. It covers care, as the Minister pointed out, of the frail aged, of younger people who are handicapped, and, very importantly, of people who care for them. The aim in particular is to support these people in their homes. In the few minutes that I have at my disposal in this debate I want to support the value of this program. Home is where people want to be. It is where they maintain better health and, equally importantly, a higher morale. The two, I expect, are rather closely related.

The governments, both Territory and Federal, which provide the joint funding for the HACC programs have enlisted community groups to help in this task. I would make some comment here on Mr Moore's speech. I think he would agree with me that I have seen no HACC program that is not worthy. They are all excellent. I am sure all members here have experience of the community groups who provide this work. I think one of the benefits they have found of self-government is that it gives them access to people who are able to speak on their behalf, to raise matters with administration and with government. They are all - the ones I have seen - excellent groups doing a great job. I rather think Mr Moore got confused between the arrangements for the HACC and for CDF, and they are somewhat different.

I am sure we are all aware of the dedication of those groups and the people in them who provide these important services. It is true that many of them do this as a job and they get paid for it - not very much, I would think. They are employed to do certain tasks, and there are some who are volunteers. Yet it is true to say that they all regard their jobs as a true vocation, and they provide a service beyond what is required of them. They have a great commitment to the people they serve. They perform an arduous job, but as I have come across them it is obviously rewarding, although at the same time, frequently quite stressful and always demanding.

In this debate I want the Assembly to recognise the work of these people who provide the services to the aged and the infirm in society. I believe it is our responsibility to give all the support that we can to the carers. I was interested today to receive - I guess all members received this - a publication called the Carers Support Group Newsletter. That is one important group established under this program, and it has, as I have indicated, an important task of helping the carers in our society. While I am on that matter, I would ask Mr Berry to respond in his reply on the matter of the HACC advisory committee which he said in his speech was about to be set up or re-established. Perhaps he can indicate if that has been done.

I want to make a further point about HACC. It is indisputably cost-effective. It is not only better but it is more economical to provide care in homes than it is in

26 September 1989

institutions. Governments - both the Federal Government and ours - save money through the HACC program, yet I trust that we are all most careful to see that we are not looking to make savings. I ask that the criterion not be that of cost-effectiveness. To me, the term "cost-effectiveness" in these programs suggests that there is probably, perhaps certainly, more scope for further expenditure savings. If we are saving money, let us turn it around into some of these programs. That responsibility, in the first instance, is in the hands of the Federal Government. If it were to act, I know the ACT Government would provide the matching funds.

The home and community care program is wide-ranging. In his speech Mr Berry indicated the great range of groups involved, but there is still further scope for more work. I am sure the advisory committee will be indicating where there are gaps that ought to be filled and I can tell you, Mr Berry, that the Social Policy Committee will be doing the same. One example that comes immediately to mind is the need to provide more assistance in the area of personal care to the elderly and infirm. The HACC program has proved its worth. That worth has also demonstrated that there are further needs. I ask that this Assembly marks the value of the HACC program by recognising and acting on further needs as they are identified.

MRS NOLAN (9.13): When I was first aware that the Minister was to make a statement in relation to HACC, I looked forward to hearing about some major new initiatives in this area. As Mr Wood has just said, the HACC program is directed at three main groups of people, including the frail aged and the elderly in our community, and it is to this area that I want to specifically address my remarks this evening.

While I welcome the initiatives mentioned in this statement, I would hope the Minister would have addressed some of the areas in which there are problems. I agree with the Minister that HACC is a very cost-effective program compared to the cost of maintaining people in institutional care. Many people want to stay in their own home but need some help in maintaining a normal lifestyle and security in their own home. Security for the aged does not always mean adequate financial resources. Many people who remain financially secure face great difficulty from loneliness, isolation and inadequate access through lack of transport to shopping and community facilities.

As the aged population increases in the ACT, the Government must act quickly to assist these elderly people who remain in their own homes. There certainly will not be enough institutionalised care for our elderly, and nor should there be. Currently we are talking about a little over \$200 per year per client as against some \$350 per person per week in a nursing home. Obviously the calculation not only points to HACC being a cost-effective program but saves enormous amounts of money. I am sure that, given the savings through HACC, much more can and should be done.

26 September 1989

I have already said I welcome the initiatives in the paper, but there are other areas that have not been addressed. As members will be aware, the Social Policy Committee is currently looking into the needs of the ageing and I am sure that improvements and recommendations in the HACC area will be forthcoming. It would not be proper to discuss the recommendations the committee is likely to make. Suffice to say that HACC initiatives through funding have a huge saving as against the cost in institutionalised care.

I would also like to place on record, Mr Speaker, recognition of the excellent services some of the HACC-funded services provide in the ACT, and I will cite just a few: Red Cross Home Help; COTA; the community services run at Tuggeranong, Weston Creek and Woden; handy help; and the like.

I note that the Minister in the paper referred to the innovative respite care and transport services. Certainly there are some innovative respite facilities in the ACT, but transport seems to be one area that is a real problem for the elderly and also the young with disabilities. I am not so sure that innovative transport facilities are in place for the elderly in this city, nor that the needs of the young disabled and the people who care for them have been adequately addressed in this particular area. As I said before, I will not pre-empt the Social Policy Committee report and the recommendations on the needs of the ageing, but I hope that the Minister will immediately see how better HACC programs can be utilised.

MR HUMPHRIES (9.17): I will be brief. The Minister describes this program as the most important program in his portfolio. That is quite a statement. We know that in the case of the Minister for Housing and Urban Services it is dogs. I would be very grateful if the other Ministers in the course of the next few days would indicate what their most important portfolio program is so that we have an idea across the board.

I can understand the Minister saying that, because the program is obviously a very important one and the statement that he made in the house some time ago on this subject indicates fairly clearly that this area has undergone some review in recent times. This review was initiated by the Federal Government and has now come down. Various changes have occurred but essentially support for a number of groups that received it previously has continued, and it goes without saying that this is a program which is at least as important from the point of its Federal Commonwealth funding as it is in terms of the ACT's contribution.

As previous speakers have said, it is about getting people out of institutions and into their own homes. Whereas previously these sorts of services were not necessarily integrated terribly well, under the HACC program it appears

26 September 1989

that that has been the case. They have been much better integrated under the umbrella of HACC.

Mention has already been made by previous speakers of a number of programs which are worthy of mention for their good work. My colleague Mrs Nolan has referred to some of them. One program that she did not mention was Meals on Wheels. It surprised me she did not mention it because I note in the statement that Meals on Wheels in Tuggeranong receives additional grants, and a grant of some \$18,000 for capital expenditure and running costs for the van used for the new service down there of about \$3,500 a year. I thought that the various members for Tuggeranong in this chamber would be competing for the right to mention that, but since they have not done so I will do so.

I think that Red Cross Meals on Wheels and the ACT home help service and so on all exhibit one particular feature. That feature, which struck me very sharply when I read the statement, was that these are all groups involved very much in self-help. They are not the sorts of organisations that sit around absorbed in their next submission for a welfare handout. They are groups that actually get out there and organise to get volunteers working to provide the services that they believe are important in this community, and they deserve congratulations for that. They are important things and they actually do something about it.

Obviously, the funding that they receive is a great help to them, and I would not dream of denying it to them, but I am very pleased to see that they are the sort of people that do not rely wholly on that funding but very much get out there and work to provide the services, at least from their own resources in part. I hope that this sort of thing continues and that we have the same level of enthusiasm that must generate a lot of support for these organisations.

I have had correspondence from at least one organisation that is concerned about its level of funding under this program, and that is the Arthritis Foundation. I am not sure what issues have been addressed already by the Minister in this respect. I hope that it, like the others I have mentioned, is able to provide a service through its own endeavours and, if possible, through a level of funding which is reasonable. I certainly look forward to seeing the work of some of these organisations, to the extent that I have not already done so, as far as they assist in providing important services to the people of Canberra.

MR COLLAERY (9.21): Briefly, Mr Speaker, I rise on one point only in relation to this debate and that is the Minister's proposal to re-establish the HACC advisory committee. I draw to the attention of the Minister, if he is not already aware of it, the very strong interest of the veterans groups in the ACT, particularly the totally and permanently incapacitated groups, in being restored to their proper place on that advisory committee. The

26 September 1989

veterans groups, as the Minister is no doubt aware, are articulate, informed and persuasive proponents of the home and community care program. They include a wide cross-section of the community and involve a very politically aware and consistently helpful element of the population. I think that the Minister would be well advised to include that group in the advisory committee were he to appoint that committee within the next few days.

MR BERRY (Minister for Community Services and Health), in reply (9.23): I think the first issue I should touch on as a result of my response to this matter is the issue of funding. Whilst there is a relationship to the provision of care to members of the community in need, the funding which was available under the CDF is quite different from that which is provided for in other funding because of the Commonwealth's provision of matched funding for the Territory. There is a different way of handling the matter entirely. There should not be confusion about that because the CDF funding is dealt with locally and in the context of our own money supplies, if you like, rather than by way of matched funding.

In relation to the HACC advisory committee, it was originally set up in 1985, according to my advice. Members may be aware that it was announced on 17 July. It will be in place until later on this year, when a new HACC advisory committee will be appointed. There were delays in getting joint ministerial approval for the committee, due to the lengthy negotiations between the ACT and the Commonwealth Department of Community Services, but it is under way at the moment.

In relation to the veterans, a matter raised by my colleague Mr Collaery, I have had the opportunity to meet with veterans groups and to discuss the issue of HACC funding. They are, as he says, an articulate and forceful group in support of the services which they wish to secure for their own constituency. I must say that the reason why I was first asked to talk with them was in the shadow, I suppose, of the New South Wales Liberal Government's decision to cost HACC funding. Many of the services for veterans in New South Wales will now be a cost to them, whereas in the past they were not. That was a matter of concern for veterans and one which I shared. There will be no change to the provision of services in those terms at least for veterans in the Australian Capital Territory.

Perhaps I could just draw your attention to an advertisement on the community care program funding for 1989-90 and mention the headings which describe the funding arrangement. The priority areas under the program include, in order of priority, the setting up of a personal care service; the provision of respite care service for carers of people with disabilities aged 25 to 60; the expansion and upgrading of existing services where necessary to adequately meet clients' needs; the assessment of the accommodation needs and administrative costings of HACC

26 September 1989

services; the improvement of accessibility of services to clients of non-English speaking backgrounds; the investigation and expansion of existing transport options for the people with disabilities and the frail aged; the improvement of accessibility of services to younger people with physical or intellectual disabilities who are at risk of premature institutionalisation; the provision of respite care services for the carers of people with dementia; development of an equitable and consistent salary level across home and community care services; the effective monitoring and the need for and use of any aids and appliances to enable the persons to have more control over their own environment. Those issues are related mostly to the provision of care in a person's home and do not relate to the other innovations in the provision of hostel and nursing home care where there is a need for more intensive care for those in need of a service.

I might just point out a few other issues in relation to HACC. Work has begun on the extension to the Hughes Community Centre and at this stage it is estimated that the services will be able to move in in March 1990. The demountable offices for the Woden Community Service have been purchased and installed and the staff are very happy, I am told, about the improvement this has made to their office accommodation. The community options project was set up initially under the auspices of the ACT Council on the Ageing, and information workshops and orientation of staff are being undertaken with a view to taking on clients from 25 September 1989 - which, of course, is now past. A number of HACC training days for service providers have already been conducted by the consultant, covering topics such as self-management, management committees, record keeping and financial management, and they have all been well received by service providers.

All currently funded services have now been reviewed, and draft review reports have been sent back to all organisations for their comment. A copy of the first HACC newsletter has been circulated and well received, and a two-day training course was run on 25 July and 1 August for all service providers. So things are moving along in the HACC area. The aim is to provide a service to that area of the community which HACC serves very efficiently.

Mr Speaker, I will not take any more of the Assembly's time, other than to say that this area of the home and community care program is, as Mr Humphries rightly said, an important area of my portfolio. It is not the most important area. As Mr Humphries will know, all areas in my portfolio are very important and they will always be treated as such.

Question resolved in the affirmative.

26 September 1989

ADJOURNMENT

MR SPEAKER: Order! It being 9.30 pm, I propose the question:

That the Assembly do now adjourn.

Question resolved in the affirmative.

Assembly adjourned at 9.31 pm.

ANSWERS TO QUESTIONS

The following answers to questions were provided:

Glebe Park (Question No. 14)

Mr Moore asked the Minister for Housing and Urban Services, upon notice, on 25 July 1989:

- (1) What was the estimated cost of the construction of Glebe Park.
- (2) What is the actual cost, including labour.
- (3) Was the estimate exceeded; if so for what reason.
- (4) Was there a design or planning fault in relation to sewerage or drainage or otherwise; if so (a) what was it, (b) what is the cost of rectification and (c) where are the funds being found for this work.

Mrs Grassby: The answer to the member's question is as follows:

- (1) The park was built in 11 stages. The estimated contract value for these stages when let was \$2.326m.
- (2) The actual cost of construction was \$2.591m.
- (3) The final cost of \$2.591m represents a cost variation of approximately 10 per cent.

The main reasons for this were remedial works associated with subsidence over stormwater pipes (see also item 4 below), delays and costs associated with extreme wet weather and costs relating to coordination between the various contracts and the adjacent White Industries project.

In view of the nature and size of the project, the level of variation is within normally acceptable limits.

- (4) There was no design or planning fault in relation to sewerage or drainage.

Subsidence over the stormwater pipes due to excessive rain and wet conditions accounted for variations totalling \$75,000 within the park. These funds were provided under a contingency provision.

26 September 1989

**Bus Service
(Question No. 15)**

Mr Moore asked the Minister for Housing and Urban Services, upon notice, on 25 July 1989:

- (1) What is the estimated loss on the operations of ACTION (including capital costs) for the financial year 1988-89.
- (2) How much was provided from public funds for ACTION in 1988-89.
- (3) How much would any loss be reduced if (a) tourist services were vacated, (b) all weekday services ceased at 8.00 pm, (c) Saturday services ceased at 1.00 pm, and (d) there were no Sunday or public holiday services.

Mrs Grassby: The answer is as follows:

	\$000	\$000
(1) Operating deficit		
22,398		
Capital expenditure		
- plant and equipment		13,865
- capital works		8,782
		22,647
(2) All of the above was provided for from public funds in 1988-89.		
(3) (a) ACTION's sightseeing routes (904-909) operate only during weekday off-peak periods, utilising resources that would otherwise be idle during those times. When costed at a marginal running cost rate they are estimated to operate at a net profit of \$4,000 per annum.		
(b) \$1m approximately per annum *		
(c) \$0.6m approximately per annum *		
(d) \$1m approximately per annum *		

* Estimates based on current shift arrangements and award conditions - indicative only as, if a decision were taken to discontinue these services, it would be more appropriate to review shift arrangements based on the new requirements and the amount saved could vary significantly.

**Health - Risk Management and Assessment
(Question No. 16)**

Mr Kaine asked the Minister for Community Services and Health, upon notice, on 25 July 1989:

26 September 1989

- (1) What number of staff, including designations, are employed by the Health Risk Management Service and Health Advancement Assessment Team.
- (2) What is the annual cost of salaries and all other costs, including accommodation and vehicles.
- (3) What are the duties of staff from both organisations other than responding to referrals from medical practitioners.
- (4) How many people are referred annually to these organisations by medical practitioners.

Mr Berry: The answer to Mr Kaine's question is as follows:

1. NUMBER OF STAFF

(a) Health Risk Management Service

Registered			Nurse		Level		3
1	full	time	-	38	hours	per	week
1	part	time	-	30	hours	per	week
1 part time - 20 hours per week							

Community Network Project Officer (ASO4) 20 hours per week.

(b) Health Assessment Team

1 Coordinator (ASO5) full time

Other staff (nurses and trained lifestyle counsellors) are employed on a fee for service basis, the number varying from six to 10 according to the service being provided.

2. SALARIES AND OTHER COSTS

(a) Health Risk Management Service

Annual costs: Salaries - \$96,000
Operating budget - \$10,000

Accommodation is provided within the ACT Department of Community Services and Health premises.

(b) Health Assessment Team

Annual costs: Salaries - \$29,000

Sessional workers' salaries and other operating expenses are covered from the cost to the agency requesting the service.

Accommodation is provided within the ACT Department of Community Services and Health premises.

26 September 1989

Vehicles are provided from the ACT Department of Community Services and Health pool when staff are working at clients' workplaces.

3. DUTIES OF STAFF

(a) Health Risk Management Service

- counselling clients on lifestyles
- monitoring lifestyles
 - working with the food industry, other health professionals, educators and community groups to encourage healthy behaviours, for example, increasing availability and consumption of low salt food.

(b) Health Assessment Team

- organising and implementing health management policies in workplaces
- working with management to encourage health promotion policies in the workplace
- conducting health and fitness assessments for the general public
- producing resource materials to support the above activities.

4. REFERRALS FROM MEDICAL PRACTITIONERS

(a) Health Risk Management Service

- in 1988-89 401 new clients were referred to the service of which 232 referrals came from medical practitioners (58 per cent).

(b) Health Assessment Team

- the predominant mode of referral is through public awareness and self-motivation; referral by a medical practitioner is not required for this preventive strategy.

**Canberra Tourism Development Bureau
(Question No. 17)**

Mrs Nolan asked the Minister for Industry, Employment and Education, upon notice, on 25 July 1989:

- (1) How many people are employed by the Canberra Tourism Development Bureau.
- (2) How many are in administrative roles.
- (3) How many are in purely marketing promotional roles.

26 September 1989

Mr Whalan: My response is as follows:

- (1) There are 70 people (52 full time, 18 part time) currently employed by the Canberra Tourism Development Bureau.
- (2) Seventeen are in administrative roles.
- (3) Fifty-three are involved in marketing, of which 25 are involved with sales and information activities.

**Workers Compensation
(Question No. 18)**

Mr Jensen asked the Minister for Industry, Employment and Education, upon notice, on 26 July 1989:

What is the ratio between payments received and payments made, as compensation, for companies engaged in collecting building workers compensation premiums in the ACT.

Mr Whalan: My response is that all on-site building and construction industry in the ACT is classified at one rate for workers compensation purposes. The classification includes building workers, bricklayers, carpenters, joiners, welders, roof plumbers, stonemasons, plasterers, structural engineers, tilers, swimming pool erectors.

A database on ACT workers compensation matters is being developed and information concerning premiums and claims is only available for the 1987-88 year. The information for the building industry classification is:

Wages		\$19,397,982	
Premium		\$6,757,462	
Average premium rate		34.84%	
Estimate	of	claims	paid,
provision		for	claims
outstanding		and	claims
not	yet	received	(based
on returns from insurers)		\$11,894,296	
Ratio - premium : claims		0.6 : 1	

The ACT scheme operates on a fully funded basis; i.e. premiums collected in 1987-88 are invested to pay for claims arising, in 1987-88 or in future years, from an injury or disease attributed to 1987-88.

**Tuggeranong Parkway
(Question No. 19)**

Mr Jensen asked the Minister for Housing and Urban Services, upon notice, on 26 July 1989:

26 September 1989

What is the timetable for the installation of emergency telephones and lights along the Tuggeranong Parkway.

Mrs Grassby: The answer to the member's question is as follows: This Government will provide \$117,000 in 1989-90 to enable installation of emergency telephones between Glenloch Interchange and the Cotter Road. Work will commence in the latter half of the current financial year.

There is no current program to install additional street lighting on the Tuggeranong Parkway. However, street lighting is now being installed on Drakeford Drive between Sulwood Drive and Athllon Drive.

Workers Compensation (Question No. 20)

Mr Jensen asked the Minister for Industry, Employment and Education, upon notice, on 26 July 1989, the following questions:

- (1) Have workers compensation premium payments exceeding \$1m in value made over the last five years, by construction companies engaged in contracts in the ACT, been made at the standard building workers compensation premium rate applying at the time.
- (2) Are some construction companies exploiting a loophole in workers compensation legislation by classifying workers as subcontractors, thereby passing on the burden of compensation premiums to those so-called subcontractors even though the working relationship of master-servant remains.
- (3) What steps are being taken to ensure that such a loophole is closed and that all companies engaged in construction work pay building workers compensation premiums at an equitable rate according to the value of their contracts.

Mr Whalan: My response is as follows:

- (1) No information is held by the ACT Government of individual policies or premiums paid by employers. It is general practice, however, for insurance companies to offer discounts to clients who may have substantial contracts and have a good claims record.
- (2) My office is not aware of construction companies classifying building workers as subcontractors to avoid taking out workers compensation insurance cover for their workers. Policing of this matter is very difficult with there being little power in existing legislation to enable inspectors to inspect employers' books if a workers compensation policy is held by the

26 September 1989

employer. Insurers are only authorised by the Act to inspect wages books to ensure that correct premiums are paid.

- (3) Workers compensation inspectors carry out field inspections on private industry premises to ensure that all employers hold a workers compensation insurance policy. This includes making inquiries where a doubt is raised on whether a person is a subcontractor or an employee. Prosecution action is taken if necessary to ensure that all employees are covered for workers compensation within the provisions of the Workmen's Compensation Act.

**Use of Schools
(Question No. 22)**

Mr Moore asked the Minister for Industry, Employment and Education, upon notice, on 26 July:

What are the current applications/proposals for the sale/lease/use of the following schools:

- | | | | |
|-----|---------------|----------|----------|
| (a) | Woden | Valley | High; |
| (b) | | Pearce | Primary; |
| (c) | Fisher | Primary; | and |
| (d) | Page Primary. | | |

Mr Whalan: The answer to the member's question is as follows: The Federal Government decided in 1988 to close these schools from the beginning of 1989. The Government is seeking public comment on the proposed uses for the various surplus school buildings and sites and the processes by which the final uses will be determined.

The Interim Territory Planning Authority has issued draft variations to policy plans for the schools and sites for public comment. These plans allow a specific set of uses. The ACT Government has analysed the configuration of each school and has made a preliminary assessment of its preferred uses for each particular school site. These are:

Page Primary - buildings and site to be made available for medium density residential development (including aged persons units) and open space;

Pearce and Fisher Primary - one set of buildings to be available for unsubsidised community use, and the other set of buildings and both sites to be used for medium density residential development (including aged persons units). Open space is also incorporated in the Fisher Primary School draft variation policy plan;

Watson High - grounds to be used for medium density residential development and open space;

26 September 1989

Woden Valley High School - in addition to the use of the buildings by the ACT Institute of TAFE, the ACT Government proposes a variety of possible uses for the adjoining grounds, including community facilities, non-retail commercial or commercial accommodation, entertainment, tourist and recreation facilities and residential use.

The uses proposed by the Government recognise that the buildings can be used by a range of potential users, including community groups.

The Government's policy for determining the final uses of these schools will take into account the need to balance community views, planning considerations, the financial and economic factors and possible use by government and other organisations.

Road Signs

Mrs Grassby: During question time on 24 August 1989 **Dr Kinloch** requested me to consider the possible use of private contractors for line marking and the installation of associated traffic control devices on public works projects.

A number of issues arise from the comparison of costs between works done by the ACT government service and similar work done by private contractors. On routine maintenance work the Office of City Management, like other State road authorities, undertakes line marking and the installation of traffic control devices. This is coordinated with associated road maintenance activities such as resurfacing, pothole repair and minor traffic changes. The major part of the maintenance work is carried out by contract with contractors providing materials and doing about 70 per cent of the overall program.

Concerning the actual line marking and traffic works, plant hire and materials account for more than 70 per cent of the total cost. Savings of the order of 50 per cent do not seem possible while achieving the same standard of completed work. The plant used by the ACT government service is of a modern standard (similar to those used in New South Wales) and is operated efficiently by crews, who are specialists in this work.

On projects that are not part of routine street resurfacing, such as intersection marking, the ACT government service applies a whole-of-life cost approach to the materials used. A trial on Northbourne Avenue has clearly demonstrated the use of white laminated tape rather than paint can reduce maintenance costs by a factor of 20 times. Consequently, the simple comparison of initial costs, i.e. the normal marking paint with laminated tape, can be misleading. Similar comparisons arise in directional signs and other traffic control devices.

26 September 1989

The competitiveness of the ACT government service group is evidenced by private developers selecting the ACT government service to carry out line marking work in a recent private development through an open tender process.

ACT Electricity and Water

Mrs Grassby: On 27 July, **Mr Kaine** asked the Chief Minister as acting Minister for Housing and Urban Services the following question:

... before the transition to self-government a couple of months ago, the Federal Labor Government was moving to fully commercialise the ACT Electricity and Water authority. Is it the intention of the ACT Labor Government to continue to follow this path? If so, has any progress been made to this point? If no progress has been made, what is the target for fully commercialising the operations of that authority?

The Chief Minister's response was:

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

I now provide the following information as an addendum to that given by the Chief Minister when she responded on 27 July.

Firstly, it must be recognised that the Government is firmly committed to retention in public ownership of bodies such as ACT Electricity and Water, because of the essential nature of their services and the need to meet wider government objectives in the delivery of such services.

Notwithstanding my position regarding continued public ownership I do see significant advantages to the ACT if the electricity and water authority is required to perform in the most responsive and efficient manner. This is clearly what the Commonwealth had in mind with their decision to impose a more commercial environment on their major business enterprises, such as Telecom and Australia Post.

I am aware that ACT Electricity and Water has done a considerable amount of work towards developing a reform package for consideration by government. I am also aware that the ACT Electricity and Water Act 1988 was based on the

26 September 1989

Federal Airports Corporation legislation and so already includes a number of the more significant elements of business enterprise reform as outlined in Commonwealth policy. In this respect ACT Electricity and Water is required to produce both a corporate plan and a financial plan for consideration by government. These must address a period of some three to five years ahead and must be approved by me as Minister before being adopted by the organisation.

The authority is also required to recommend a dividend to the Government to accord with normal commercial practice. The agreed dividend for payment in 1989-90 is \$5m, as indicated in the budget papers.

In view of the Territory's financial position, it is most important that ACTEW is as efficient and customer responsive as practicable. We need this so as to maximise the potential for financial returns to government, while at the same time ensuring that the cost of essential services to ACT customers, both existing and prospective, is maintained at the lowest possible level to encourage growth in the Territory and to sustain the application of principles of fairness and equity to the people of the ACT.

As the major elements of commercial operations already exist in the present legislation, there is no need at this stage to consider further moves to commercialise the authority. I believe more detailed consideration of the extent of additional change, if any, will ensure the benefits to the Territory are maximised.

Youth Homelessness

Mr Humphries asked the Minister for Community Services and Health, without notice, on 23 August 1989:

My question is directed to the Minister for Community Services and Health. I draw the Minister's attention to the plight of the CANA [Caring for Adolescents in Need] youth refuge in Manuka run by Mr Nathan Stirling. Is the Minister aware that this youth refuge is in a very difficult financial position, that it cannot apply for CDF funds for several months and that it is likely to close unless the Minister intervenes? Given this Government's claimed commitment to youth homelessness, what action does the Government intend to take to ensure CANA does not close before it can apply for and receive CDF funding?

Mr Berry: The answer to Mr Humphries' question is as follows:

Representations from Mr Nathan Stirling regarding the refuge's funding have already been responded to by the State grants program and the supported accommodation assistance program within my department.

26 September 1989

Nathan Stirling has been informed that he may apply for funding from these programs when submissions are due. He has been forwarded the funding guidelines. This process is followed by all accommodation services who at the appropriate time submit for funds annually which are objectively assessed.

Taxi Vouchers

Mr Jensen asked the Minister for Community Services and Health, without notice, on 24 August 1989 a question about subsidised taxi travel for people with disabilities in the ACT. He indicated that some pensioners and other disabled persons were currently unable to obtain vouchers for subsidised travel while others, who would appear able to afford to pay full fare, had the benefit of previously issued vouchers. He sought clarification of this matter.

Mr Berry: The answer to Mr Jensen's question is as follows:

My department currently administers the ACT taxi subsidy scheme for people with disabilities, commonly referred to as the taxi scheme. The scheme commenced operation in 1986, providing subsidised taxi travel for people whose disabilities prevent their using public transport. It provides a 50 per cent fare subsidy, to a maximum subsidy of \$15 per trip. Eligible scheme members are issued with travel vouchers, with a maximum of 75 every five weeks, and may use these for travel in multi-cabs or other taxis.

There are currently about 1,500 members of the scheme. Recently, because of budget constraints, it was decided to place new members on a waiting list rather than admit them immediately to the scheme. I see this as an interim measure only. I have asked my department to examine the matter, to check that available funds are being used as efficiently and effectively as possible, and report to me on policy options. I have also asked these officers to liaise with other agencies to explore alternative means for disabled people to obtain access to suitable means of transport. My department is in consultation with other State governments who operate subsidised taxi schemes for people with disabilities, and many of these are experiencing budgetary difficulties similar to the ACT.

In addition, my department has supplemented scheme funds this financial year by \$60,000. I believe that this demonstrates the high priority placed on the scheme.

I note that the ACT, like most other States and territories, operates a means test free scheme. Most governments introduced their taxi schemes as a post-international year of disabled persons (IYDP) initiative to offer social justice to people who, because of disability, could not access taxpayer funded transport systems. Application of a means test conflicts with this philosophy and the principles and objectives of the more recent Disability Services Act.

26 September 1989

Teacher Transfers

Mr Moore asked the Minister for Industry, Employment and Education upon notice on 27 July 1989:

Is the Minister aware of an agreement reached last Saturday between the ACT Teachers Federation and the ACT Schools Authority providing for the forced transfer for two years of all secondary teachers who have been in their present position since 1976 in colleges? Is the Minister aware of the disruptive impact this may have on stability of staffing in some high schools and colleges where significant numbers of level 1 and level 2 teachers are to be compulsorily transferred at the beginning of 1990?

Mr Whalan: The following answer has been provided to Mr Moore's question:

The then ACT Schools Authority adopted the following policy on teacher mobility in 1987:

Because the system and teachers benefit from broad professional experience, teachers should not remain in one position indefinitely. Preferably, given appropriate qualifications and aptitudes, teachers should move across and within the sectors of the system: secondary college, high school, primary school, special school, preschool, education centre and office. In selection for transfer or promotion, suitability and merit are primary criteria but variety of experience will also be encouraged.

Within this context the ACT Department of Education and the ACT Teachers Federation have agreed on an initial strategy to make the policy operational to a greater extent.

With certain exemptions, for instance for those close to retirement, teachers in high schools and colleges who have been in their present positions since 1976 will be considered for temporary transfer for two years. However, the transfers will take effect in 1990 and 1991 to minimise disruption to schools in each year. The strategy is designed to ensure staff movement for its professional development and renewal potential. The process will be extended to other levels of schooling next year.

Bruce Stadium

Mr Whalan: On 26 July 1989, **Mr Kaine** asked me the following question:

26 September 1989

I would like to direct a question to the Deputy Chief Minister in connection with the Bruce development. I understand that the Government intends to make a contribution of some \$2.8m and I could find no reference to this matter in the budget papers when I went through them yesterday. Can the Deputy Chief Minister tell us where in the budget the provision of the \$2.8m for this purpose is hidden?

My response is that because of the urgency of works to be undertaken in relation to the warm-up track, the Government agreed to the project being included in the 1988-89 construction program as a supplementary item so that the work could commence immediately.

The \$2.8m referred to by Mr Kaine is in fact the cost of upgrading the warm-up track. It is not specifically identified but is part of the \$155.6m construction total shown at appendix D (page 51) of the budget statement, and as a works in progress item along with other works in progress and new construction works proposed for 1989-90 and illustrated in appendix E separately.

Natural Gas

Mr Whalan: On 29 June 1989, **Mr Collaery** asked me the following questions:

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?

My response is that the question of pensioner rebates for energy costs is an issue which is primarily the responsibility of the Minister for Community Services and Health.

At the present time, the ACT Department of Community Services and Health is responsible for funding the administration and payment of partial rebates of electricity costs for pensioners holding approved Commonwealth benefit cards. It is also responsible for a similar partial rebate on electricity costs incurred for life support purposes.

There are no comparable rebates applying to costs of gas.

Pensioner rebates payable on electricity use amount to \$31 for each of the two winter accounts and \$9 for the remaining four bimonthly accounts, giving a maximum total annual rebate of \$98.

26 September 1989

Pensioners having electricity bills amounting to less than the rebate amount for any billing period obtain only a 50 per cent reduction in their bill. As many of these pensioners are likely to also consume gas, there would appear to be a strong case for reviewing the current system on equity grounds.

It also seems likely that the system has shortcomings from the viewpoint of price competitiveness between electricity and gas.

Accordingly, I have referred the matter of the coverage of energy cost rebates, to pensioners and for life support purposes, to the Minister for Community Services and Health for review. Because of the implications for price competitiveness between gas and electricity, my department will of course also have an input into this review.