



DEBATES

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

HANSARD

19 October 1989

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

**SOCIAL POLICY - STANDING COMMITTEE
Report**

MR WOOD (10.30): Mr Speaker, I present the report of the Standing Committee on Social Policy on the needs of the ageing, together with copies of the minutes of proceedings of the committee. I move:

That the recommendations be agreed to.

The needs of the ageing inquiry was the first reference which the Assembly made to the Social Policy Committee. That this is so reflects the importance that the Assembly attaches to the topic. I want to acknowledge that it was the interest of Mr Kaine, the Leader of the Opposition, that raised this and it was his initiative in the Assembly that brought it forward. I trust, Mr Kaine, that the report meets your expectations.

The Chief Minister has shown great interest in the proceedings of the committee and on many occasions has expressed to me her interest in the topic, acknowledging that the ageing comprise a growing sector of our community. I look forward to working with the Chief Minister in implementing the committee's recommendations.

The committee was asked to inquire into the needs of the ageing in the ACT community over the next five years in terms of home care, units and hostels, nursing homes, hospital and hospice accommodation and other accommodation needs. It was asked to give particular attention to the needs of the frail and disabled, dementia patients, those of ethnic origins and those requiring respite facilities. It was also asked to consider other matters relating to the ageing, including access to shopping and community facilities and concessions.

This report has 60 recommendations focusing on the issues raised in the inquiry's terms of reference. Some of those recommendations have cost implications - in some cases quite substantial. The committee would expect these to be implemented over that five-year period. The committee was conscious of budgetary considerations. It was, however, more conscious of the needs of the ageing. We believe our program is what is needed. We believe that it is a program that can be achieved. Many recommendations do not have cost implications and can be quite readily implemented.

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The most important finding was the extent to which demographic changes in the population of the ACT are leading to rapid increases in the proportion of ageing people in the Territory. The recommendations in this report are mainly related to this one set of demographic statistics. The report examines whom we mean by the ageing and what their needs are seen to be. The ageing tend to be rather arbitrarily defined as those people who have reached retirement, 65 for men and 60 for women. As a definition, it ignores the self-employed and those who work in the home.

The committee believes that it is important to recognise that the ageing comprise an entire cohort of people who have reached a certain age. Within that cohort there is great diversity. There is one common feature that I want to emphasise. The aged are a tough bunch of people. Last week I heard a radio review which attributed to the late Bette Davis the statement, "Old age is no place for sissies". That is a very discerning remark. The very oldest of the aged in this community were young people - perhaps leaving school, perhaps still at school or starting work - during the time of the First World War, with all the stringencies that that imposed.

All of the aged in this community were entering the work force or were trying to enter the work force and start a family life in the period of the Great Depression. Many of the aged endured hardships, separations and deprivations at the time of the Second World War. So our aged community is used to hard times. These are the people who did the weekly washing in the tub in the backyard and had no refrigeration. They took for granted what we would not tolerate today. Our aged can endure much. At this stage of their lives they should not have to. I believe this report is a significant step in achieving the aim of improving their conditions.

To emphasise that there is not a simple category of the aged but that there is one group that we can put together and treat alike, let me point to a major factor. Old age is very much a women's issue. More than two-thirds of the people over 75 years of age are women. Let us look at the economic position of this generation of the ageing imposed by the fact of being women. Most of them have never had much employment; the great majority have, perhaps, spent most of their time in their homes. They did not have high levels of employment; they were not in positions where they could earn income. When they were employed, they were not among the higher paid. Very few of the aged women today have superannuation benefits.

Let us look at their social position. About one-fifth of the women over 75 have no practical support of a spouse. Most of them will see their partner through a terminal illness and they will manage on their own. Many of them are unpaid carers of the aged. So this is the women's

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aspect of it - the difficulties imposed by the mere fact that they were born women.

Apart from this aspect of women's issues, there is the issue of poverty, because most poverty occurs amongst the aged. Most of the aged in this community are on a pension. Our report was not a welfare report; it concerned the aged in general. But that is another aspect that needs to be considered.

And, of course, there is the matter of health. For their age, many of the older people in our community are quite healthy, but inevitably the older they get the more infirm they get. The ageing are not, by definition, disabled. The majority never have need of specific services or accommodation and never lose the ability to lead active and satisfying lives. Indeed, they continue to positively contribute a great deal to the community as a whole, often through voluntary work. The committee recognises the independence of these people and supports all policies which help them to maintain their independence.

There is obviously that tendency for people to become more frail with increasing age. The over-70 age group often referred to as "the frail aged" are the group most susceptible. This report has considered the full range of supports that are currently available to the more dependent members of the ageing population and, inevitably, we focused on that group.

The report supports current programs which are designed to enable people to maintain the maximum independence. These range from programs such as Home Help, Handyhelp, community nursing and so on, which enable people to remain in their own homes. It also recognises that, for a number of reasons, many people remaining at home may be isolated and that many home based programs provide a vital link with the wider community.

The committee believes that additional funding should be targeted to home and community care in order to extend the existing programs and develop new ones. It believes that the home and community care program, HACC, is a most valuable program. The range of programs it encompasses provides a clear demonstration, among other things, of the dedicated work that is carried on for the aged in this community.

The committee also examined accommodation for the ageing, including self-care units, hostels and nursing homes. It found that the most urgent need was for a convalescent home to which patients could be moved from acute care wards in hospitals to prepare them for their return home. The committee learned that the ageing, and in particular the frail aged, were particularly susceptible to the immobilisation syndrome which compounded the health problem for which they were admitted to hospital. So a convalescent home might be seen as our first priority.

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The committee also found that there was a pressing need for a hospice for the terminally ill designed to provide palliative rather than curative care. The report urges that the hospice be physically separate from acute care wards.

Dementia was one of the health issues the committee was specifically asked to examine. We are distressed to learn of the growing prevalence of dementia, in keeping with the increasing age of our population. Dementia sufferers have particular needs and require a special kind of care which is not easily accommodated beside the care provided to non-dementia patients in hostels and nursing homes. The committee has therefore recommended that dementia-specific units be developed to provide specialist care for sufferers.

The committee emphasised the need for integration and coordination of the services for the ageing, recognising the vital role played by the rehabilitation and aged care service and the academic unit at Woden Valley Hospital. Because our ageing population is growing at such a rate, we emphasised the importance of constant monitoring of the situation. It is changing, and we have to keep ahead of it.

Most of all, the committee was deeply impressed by the care that is already given to the ageing in the community. Throughout the range of services which the committee examined, it found that people were providing support and care which went beyond the limits of their specific tasks. The ACT community is extremely fortunate that this is so. It is appropriate to mention the work undertaken by the Australian Council on the Ageing. The council plays an important role in identifying the needs of the ageing and ensuring that they are provided for. The council works closely with both government and voluntary service providers. We appreciated its advice to us. Because it is so close to the aged, its advice has been invaluable.

The community looked to our committee, and now the committee in turn looks to this Assembly and then to the Government to implement our report. I believe this report provides a sound basis to improve our services and our respect for the aged. We look to the administrative and financial support to enable us to implement our recommendations. We look to share with the Government and the parliament the important task of caring for the aged.

MRS NOLAN (10.44): Mr Speaker, as deputy chairman of the Social Policy Committee I, like Mr Wood, am very proud of and pleased with the committee's first report on the needs of the ageing inquiry. I am particularly pleased to have been associated with this report as the inquiry was a Liberal Party initiative and part of the Liberal Party's policy platform for the 4 March election.

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This inquiry was much needed in the aged area. It is, I believe, the first comprehensive report into the needs of the ageing in the ACT and the coordinated five-year plan will give governments a plan that can be effectively adhered to. It is, as Mr Wood has mentioned, significant, as the proportion of the ageing in the population of the ACT is rapidly increasing.

I also recognise that work has already been done in this area and I would like to give recognition to those individuals and organisations who have made a significant contribution over the preceding years, especially Dr Peter Sinnett, whose 1986 report is entitled *A Review of Rehabilitation and Geriatric Services in the ACT*; the Council on the Ageing; and many others.

I, too, would like to thank the many people who have made our task easier, especially those who made submissions. Sometimes individuals feel it a daunting task to put forward a submission, perhaps feeling it should be done in a certain way. I am pleased to see that, although those numbers were small, there were some submissions from individuals in our community.

Our committee is very fortunate indeed to have Dr Ann Scott and Ms Christine Windsor providing secretariat support for us. I would like to place on record a very special thanks to both these people.

Through its terms of reference - and I will repeat these because I think they are very important - the committee was asked to inquire into the needs of the ageing in the ACT community over the next five years in terms of home care, units and hostels, nursing homes, hospital and hospice accommodation, and other accommodation needs, with particular attention to the needs of the frail and disabled, dementia patients, those of ethnic origins and those requiring respite facilities; other matters relating to the ageing, for example, access to shopping and other community facilities and concessions; a coordinated five-year plan to satisfy those needs.

As you can see, Mr Speaker, the terms of reference were quite wide and quite detailed, and I believe the report that we have put down today adequately addresses all those needs. With that we set about our task. I must say at the outset that I was, and obviously still am, one of those people from the community who is very concerned about the needs of the ageing in the ACT.

Provision of aged care became very important to me personally when, almost five years ago, my uncle was paralysed by a severe stroke, and a nursing home was to eventually become his home. However, he had to wait 18 months in Woden Valley Hospital for a bed to become available; for 18 months he occupied a hospital bed when he should have been in a nursing home. Waiting for 18 months for a nursing home bed was totally unacceptable from his

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point of view and from the hospital's point of view. It was totally unacceptable for any member of our elderly community. I must say, from that time onwards, I was prompted to look into the needs of the ageing and I quickly realised how much needed to be done in this area.

To all those staff who provide service to the aged in their homes, in institutions, in our community, I give my thanks; but I think the biggest thankyou must really go to those carers who take on such a mammoth task and devote their lives to caring for the elderly at home. Those people often go without a lot of recognition. The percentage of those aged people who remain in their homes is significant, and I do not believe enough has been done by the Government to recognise the contribution made by these people. We are all aware of the cost involved in providing a nursing home bed. It has been proven to be both economically advantageous as well as socially advantageous for the elderly to remain in their own homes.

To move back to the report, it is, as we have already heard, a report of some 60 recommendations and each recommendation is very important. I will not be able to mention each of them today. However, I do want to mention the first one which appears in the report. Certainly, it is not the most important, but it is very difficult to actually decide which one is the most important. I will talk a little about that later.

The report reads:

The Committee recommends that all forms of discrimination against the ageing in the ACT should be identified by the Government's Social Justice Unit and that the Government should take steps to eliminate them.

Mr Wood has already mentioned this, but why should women be forced to retire compulsorily five years before men? The Government must act on this recommendation. Just think; if I were the same age as Mr Kaine or Dr Kinloch, I would already have been expected to retire. What nonsense!

The first recommendation appearing at the back of the report under the list of recommendations, as Mr Wood has already identified, is, I think, probably the most important. The absolute necessity to plan and construct a convalescent facility came through to us loudly and clearly. I am pleased to say that I understand that some planning is already in place by the Government to see that that facility is established.

The responsibility for institutionalised care is provided by two levels of government, and I think this provision often makes it difficult in planning for accommodation and services. It becomes a very complex area. Not only are there complexities in the division of funding responsibilities between the two governments - the ACT and

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the Commonwealth - but the ACT health system is also used by residents of the surrounding region of New South Wales.

Indeed, for some services, the ACT office is the only facility between Sydney and the Victorian border. The ACT health system is used not only by people living in outer New South Wales but it is also a regional referral system. The Commonwealth Government provides capital and recurrent expenditure for hostels and nursing homes for the aged. The provision of these services is determined on a needs basis. But, as I will show a little later, these change very quickly.

The home and community care program, as has already been mentioned, is a Commonwealth-State cost shared program introduced by the Commonwealth Government, providing financial assistance to help community organisations and local State governments to provide services to maintain frail aged and younger disabled persons in the community who are at risk of premature admission to inappropriate long-term residential care and to assist their carers. It provides basic maintenance and support services to these groups in order to enable them to remain living in the community.

This facility and provision of such facilities, as has already been mentioned, must be kept at least at the same level, and really there needs to be improvement in that area. It is absolutely essential that people do stay in their own homes for as long as possible.

Both these areas to which I have just referred have been dealt with in great detail in the report. The community nursing area is another area that the committee has looked at and it has been mentioned. I think it is an area that the committee believes does need some attention. That is not to say that those providing the service do not do an excellent job; they do. But at present it is a 9.00 am to 5.00 pm, perhaps four days a week, service. Community nursing is usually required, as we all know, outside these hours and not only for the aged. However, it was specifically the area of the aged that we looked at it.

Respite care is also addressed in detail. The committee was able to visit the Burrangiri Crisis Care Centre in Rivett, and some of us were also able to be present at the official opening of the centre. It is only a very new centre. It is operated very efficiently by the Salvation Army. Some small changes are recommended. One thing that is absolutely astounding is that the centre has so much low fencing and such an enormous amount of unused land around it because of our current fencing laws. Perhaps our planners need familiarisation in dementia care, then I am sure that the height and amount of fencing would immediately be rectified.

While the committee recognises the excellent job that the Council on the Ageing does in its respite care program and

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the value of home based respite care, the recommendation that the program be extended, with the possibility of using Burrangiri as the co-ordinator, is considered important by the committee.

Transport for the elderly also appears to be an area that needs to be urgently addressed. The current waiting list for the taxi service is totally unacceptable for the aged. However, I also believe that 75 vouchers over five weeks for each elderly person could be cut down initially to allow more to have access to the scheme, given our times of economic restraint and while additional funding is being put in place.

The recommendation of a small pool of minibuses for group activity is, I believe, an innovative one, but should not be restricted to nursing homes and hostels. Individual groups, such as aged pensioner groups and stroke clubs, should have access on a very small fee system. Transport for those in institutions should not be left to those facilities which are able to raise additional funds for purchasing such vehicles.

The affordability gap is, I believe, well addressed in this report and the detailed area is addressed under both hostels and nursing homes. The recommendation that the ACT Government implement the Kearney report recommendation to build a new nursing home and fund this through the eventual sale of the Jindalee Nursing Home site is one that I commend. Those in this Assembly who are not familiar with Jindalee - and I hope there are none - should immediately take a trip out to the nursing home and see how totally inadequate the facility really is. The staff, and especially the director of nursing, are to be commended on the excellent job they do, but let us not lose sight of the location and the outdated layout which makes their task significantly harder.

While a further 40 nursing home beds will be available in 1990, the recent announcement by the New South Wales Government of the closure of 20 beds at the George Forbes Nursing Home in Queanbeyan has immediately eradicated half the increase. This information was not known to the committee until quite late in its inquiry but has highlighted how quickly things can change.

One of my concerns is the sometimes inappropriate reaction to aged persons units in our community. The majority of the aged, and rightly so, do not want to leave their area of residency, sometimes of many years' standing. However, many in our community react badly to the building of aged persons units. They become part of the "not in my back yard" thinking. This is very disappointing. Aged persons units must be built close to facilities and in inner Canberra where the majority of the elderly now reside in their own homes.

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Dementia and the scale of the problem in the ACT present an enormous challenge. It is one of the most critical issues, both in terms of scale and urgency, which the committee examined, and it is referred to in some detail in the report.

Mr Speaker, my visit to Peppertree Lodge along with other members of the committee was a highlight of our activities. Peppertree Lodge is the New South Wales innovation for dementia patients. My understanding is that it has been so successful that further facilities are going to be built in New South Wales.

The Peppertree Lodge approach, its staff and the patients are to be congratulated. The concept of involving residents in as much of the day-to-day running of the establishment is to be commended. I certainly recommend that hostel residents go down a similar path. The feeling of still contributing is really so important for those wonderful, warm, wise aged people in our community.

Without doubt, Mr Speaker, as I have already mentioned, the need for a convalescent home is of utmost importance. A hospice, both in terms of economic viability and patient need, presents a necessity. However, as the report mentioned, this is the recommendation while recognising that not all care takes place in an institutional setting. The report also looks closely into the needs of the ethnic ageing, and the powers of attorney and guardianship legislation passed this week is welcome, I am sure all members of the committee agree. Education and staffing issues are also addressed with the five-year plan and the 60 recommendations resulting from this inquiry. At this stage, Mr Speaker, I say that the Government is on notice: these recommendations must be implemented. (Extension of time granted)

I intend to ensure that there is continued close monitoring of the situation. We must not lose sight of the number of people this report will affect over the years to come. I am sure all members will welcome this report. They will want to be better informed about those very special people in our community to whom I referred earlier - those wonderful, warm, wise aged people that we really have learnt so much from over so many years.

DR KINLOCH (11.00): I am very much moved by Robyn Nolan's words and I would like to endorse them and thank her for them. I also warmly endorse our chairman's remarks in all that he has said and in all that he has done in his chairmanship of this committee. We have been a terrific team and I include in that, of course, Ann Scott, Chris Windsor and the people who helped us from the secretariat; that is a preliminary comment.

Mr Speaker, on behalf of the Residents Rally, I am happy to ask the Assembly to accept this report on the ageing. In thinking of the Rally's commitment in this area in our

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policies drawn up about eight months ago, I especially honour Joan Kellett, a member of our executive, for her work and leadership in these matters. She was then our spokesperson on the ageing and had a special role there.

I now ask both the Government and all members of the Assembly to act in concert to implement the 60 recommendations of the report. It is only a coincidence that there are 60 recommendations; this has nothing to do with anyone's age in this Assembly. The number of recommendations may, at first sight, seem excessive. There is no doubt, however, that many matters relating to the needs of the ageing must be addressed urgently and other matters gradually dealt with in terms of a five-year plan.

At this stage I point out that we had an excellent administration for many years; but we now have self-government. I am not criticising the previous administration at all, but at long last we have a parliament that is addressing this most urgent issue, and this surely is one of the justifications for our existence. The Rally will continue to press for action on all of these recommendations. The report will be worth nothing if it merely lies on the table.

Obviously, there are some priorities in the recommendations. In writing our statements this morning, we have not consulted each other, and it is interesting to see the ways in which we coincide in what we think are the priorities. The Rally stresses, for example, the need for a convalescent facility and a hospice. These could be either self-standing or attached to a hospital, and we commend those matters very much to those concerned, especially to Mr Berry.

The Rally very strongly endorses proposals for extending concessions, including travel concessions, to the ageing along the lines, for example, of what is done in Western Australia or New South Wales. In particular, we need to bring levels of travel concessions into line with those of our neighbours in New South Wales. Our Assembly committee will be monitoring that matter very closely. Here again, echoing Mr Wood's comment, I say that it is a special pleasure to be involved with this report because we do not come to the end of the line with the report; our committee continues, and the five of us will continue to monitor what goes on and to have a concern for it as long as we are in this place. In the case of my very young colleagues, Carmel Maher and Robyn Nolan, who are half my age, I hope it will be many years before they are forced to retire at 70, 75 or 80, whatever the case may be.

One could go on selecting item after item. There is one particular concern, however, to be stressed, and it has already been stressed. This is the growing incidence of and problems related to dementia. The five of us could not have known the fullness of that dilemma, could we? We commend that our colleagues come to terms with this; it is

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really an extraordinary matter in our society and it is well described in the report, which deals with it in some detail.

I would want to note here the very great benefit the committee found in consulting with authorities, not only in the ACT, and especially at the ANU and at the Woden Valley Hospital where Professor Sinnott again was present, but also in nearby New South Wales. This is a new lesson for us in our new Assembly. We have much to learn from experiences across the border.

One of the most rewarding and revealing of all our field trips was that at Peppertree Lodge in Queanbeyan. It is as though Robyn Nolan and I had been reading each other's speeches! The Assembly is already learning how close our relationships are with our sister city, and I am so pleased to see that we now take the Queanbeyan Age in the reading room upstairs. The visit to Peppertree Lodge is another example of what may be learned from close cooperation and consultation.

I could go on at length about the other people to whom we should express thanks - there are so many of them - for example, the devotion of people in the caring agencies, including the Council on the Ageing, as Bill Wood has already mentioned. One witness so impressed us with her truly loving and selfless service - which was obviously keeping her young and vibrant - that I passed a note to Bill to suggest that we nominate her for the Order of Australia. But we could have had the same reaction to dozens of the people we met.

However, I want to pay very special tribute to hard-working and caring general practitioners, two of whom appeared before us to give evidence. Their advice to us is reflected in the report in several places. We honour them for their front-line work. I am thinking in particular of a caring clinic of six GPs, all women, in Ainslie, the suburb with the highest number of aged people in Canberra.

I would now like to stress what the members of the committee learned from the experience - from field trips, formal hearings, informal briefings, extensive committee meetings and many talks in the corridors and offices of this building. We learned that our mounting and increasingly urgent concern about the needs of the ageing - for example, dementia - came about in a context which was essentially collegial, not related to parties or narrowly conceived politics, and I honour all my colleagues there.

Again I came to realise, as in an earlier committee assignment, that our work for the people of Canberra, and by extension therefore the people of Australia, is often at its best in our committee work. I have no doubt about that whatsoever. At times I am critical of what goes on in this chamber. Perhaps I need to learn to have more patience and understanding for modes of behaviour and conduct which

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sometimes seem to me to be counterproductive to good government, but I have no such worry about the work of committees.

In that context, we get on with the job in hand; we listen respectfully, and often humbly, to professional and technical advice although we then make up our own minds. I would commend, especially to the media, that this side of our work for our city be noted, discussed, reported and disseminated in order to give the citizens of the city the full feel of what we do here. I find that the work in connection with the report on the needs of the ageing justifies our presence here in this new experiment in self-government.

I reach out now to all those Canberrans who are in their 60s and older to say that we well understand that they now form an increasing percentage of the total population. I do commend the demographic figures in the report to all members of the Assembly and the public. They - that is, the 60-year-olds and over - must be heard and their needs must be given proper attention. Yet, at the same time - and I am now 61 myself - I recognise that we must always give priority to those who will be the future citizens of our city and nation.

We must not selfishly impose impossible economic and social demands on a society already under great pressure to provide welfare and educational and medical services. I do not believe that most of the aged, so well described by Bill Wood, do so. They are, indeed, not sissies; they do know what the hardships of life are.

Finally, I want to urge that the very best way for most of us who come under the category of "the aged" to survive, flourish, enjoy life and continue to contribute to our society is to keep well, maintain our daily lives at high levels of practical productivity and refuse to be a burden on society. One part of the report deals with that, but no matter how active those of us over 60 may be, there will come a time when we will all need help.

I come to another historical first for the Assembly. I wish to table a document which may be a little awkward to fit into Hansard but is of such significance - and I have checked with the chairman about this - that every member will wish to have it in his or her possession. Alas, it does not cover all members as it contains no reference to the four or five members in the chamber who are in their 30s. This document was obtained through a COTA meeting in Tuggeranong - in Tuggeranong, be it noted. I pleaded for a copy of it when I saw it on the wall. This document speaks to us all - except the youngsters of 30.

It says: "At 40, life begins; at 50, we are settling in; at 60, it is in full swing" - note that, Trevor.

Mr Kaine: You are right!

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DR KINLOCH: "And at 70, we are off and running again". I seek leave to table this document.

Leave granted.

MS MAHER (11.10): I rise to commend the other members of the committee for the work involved in this report. I also thank Christine and Ann, who helped us prepare it and did so much work for us. They were always changing appointments and what have you and succeeded in organising everything so well.

When I joined the committee, I did not realise the magnitude of the issues that the inquiry would encompass. When one sits back and thinks of the range of issues that presently affect our lives, one realises that the aged have just as many. Although these issues may be different and, in some cases, more difficult, the aged still have to survive just as we do.

According to the report, ageing begins when one retires. That is one definition. It is not my definition, but I believe that retirement is a start to a new way of life and it is important that it is prepared for correctly. I am pleased to say that the Government and many of the services and organisations around are now providing extensive programs on retirement so that people can prepare for it correctly.

The committee received a number of submissions from both private individuals and organisations. All of these submissions referred to a broad range of issues pertaining to the elderly and, from them and other sources, the committee was able to make 60 recommendations. These recommendations will, I hope, be implemented by the Government because they concern not only the elderly of today but also the elderly of the future.

The committee also made visits to many facilities for the aged and attended meetings held by organisations such as Handyhelp, the Voluntary Euthanasia Society and the Council on the Ageing. I certainly benefited a great deal from these visits. These organisations play a most valuable role in our society and I am of the opinion that we should give them all the necessary support so that they can continue to deliver a good standard of service and, in fact, we should be aiming at improving their existing services.

This report deals with what the committee considered to be the major issues, and there certainly were a lot of them. There are some issues that were not mentioned in the report, but then the committee was limited in its time and resources. My colleagues, Dr Kinloch, Mrs Nolan and Mr Wood, have spoken about many of the issues. I am just going to take up one of the issues, and that is transport.

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For many of the aged, transport is their link to the outside world. It is vital that adequate, appropriate and affordable transport be provided for the elderly. It has been recognised that the social needs of the elderly are as important as their medical needs; therefore, transport must be available not only for shopping, medical and professional visits, but also to allow the elderly to get out and socialise. Many of the services and schemes such as day care services for the elderly would not survive without adequate transport. Many of the aged miss out because it is too difficult for them to get to these functions and services.

That brings me to the issue of concessions for transport. I am aware that the Government is already looking into this issue and hopefully the conclusion of its report will be soon but in the meantime, as Mrs Nolan mentioned, the taxi scheme, which provides concession fares for the elderly and people with disabilities, has a waiting list of over 200 people. I feel that that is appalling. At one stage last year it nearly ran out of funds and the services were cut considerably.

Also the necessity for bus and rail concessions should be reviewed. The committee found that the ACT residents fare badly compared with their counterparts in New South Wales. I believe that, before people are able to use concessional travel over the border in New South Wales, the ACT Government is required to pay a sum of money to the New South Wales Government and I think that this situation should be rectified as soon as possible.

I said previously that I was aware that the Government is reviewing all concessions in the ACT and I know it is a mammoth task, but the issues of the taxi scheme and bus and rail concessions need to be reviewed urgently and the findings acted on now rather than waiting for the final report. There are many aged people who are relying on these changes so that they can lead a fuller life. I recall one instance of a couple saying to me that they had not seen their children or grandchildren for quite a few years because they could not afford to travel interstate.

Another issue I would like to speak on and acknowledge is that of voluntary help. There are many volunteers out there. Without their help, many of these services would not be provided and the Government could not afford to finance them. There is also a growing concern regarding the depletion of the number of volunteers. As the majority of volunteers are women and in our society today more women are working, the number of volunteers is decreasing.

I would just like to say that it has been a pleasure to be on this committee and I certainly have learnt a lot about the ageing and their needs.

MR STEVENSON (11.18): Mr Speaker, the inquiry was called "Needs of the Ageing" and perhaps that is a slight

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misnomer, because we are all ageing. Perhaps there are some who are getting younger. I really prefer the term "more experienced" and I think that once we are more experienced we deserve the rewards from society that we have put into society.

It is important to remember, of course, that only a small percentage of people require the sort of intensive care that we spent a lot of our time on, although there are other areas that would relate to anyone who is more experienced. As I have had an involvement with the aged in the past, I had some concern as to the type of care that people were getting in the ACT and it truly was a wonderful surprise to learn of the caring nature of those people who are caring for our elderly.

The committee was greatly assisted, of course, by Dr Ann Scott and Ms Chris Windsor, and that is no understatement at all. Much has been said, and well said, by other members of the committee. I would like to pick out a few points that I think could be highlighted. Robyn Nolan mentioned that many people stay in their own homes. Indeed, they do and this should be encouraged. One would like to see federal policies which do not work against home ownership.

On a humorous note, Robyn also mentioned compulsory retirement. Indeed, women supposedly have a retirement age of 60 and men 65. Looking at how long women live compared with men, I think that perhaps it should be the other way.

The visit to Peppertree Lodge has already been highlighted, and that was a remarkable experience. Dr Richard Fleming has a capable team and that team is different from those at most places we went to because they were not all qualified or professionally trained. Some of the residential assistants were basically untrained, but nevertheless wonderful carers. We saw that they truly worked as a team. It is a wonderful example of what can be done. Burrangiri, the Salvation Army home, was also a wonderful idea. Both these areas are innovations.

One of the areas to which I feel more attention should be given in the future - and no doubt it will be - is the health of all of us as we get more experienced. Professor Peter Sinnott reported that some remarkable advances had been made in health improvement by the restriction of certain things in our diet. I have also made mention at the end of the report of World Health Organisation information. It was quite remarkable that in 1988 the World Health Organisation reported that Medicare is spending \$20 billion each year on preventable diseases and \$6 billion worth is due to malnutrition. We can certainly do a great deal - not just from the financial point of view, but from the point of view of the health of the people in our society.

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There are a number of recommendations listed, particularly highlighted by Dr Ian Brighthope, and I am sure you will all take the opportunity to look through those. Indeed, within the committee we will have the opportunity in the future to give attention to that area as well. The Social Policy Committee is an all-party committee and it has really highlighted the operation of something we have come to know as collegiate government.

It was an absolute joy to be on the committee and work on the needs of the more experienced. It was a joy to work with the other members of the committee and the secretariat assistants. I commend the report to this house.

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

SCRUTINY OF BILLS AND SUBORDINATE LEGISLATION - STANDING COMMITTEE

MS FOLLETT (Chief Minister) (11.25): I move:

That -

- (1) a standing committee for scrutiny of Bills and subordinate legislation be appointed;
- (2) the committee shall with respect to any instrument of a legislative nature (including a regulation, rule or by-law) made under an Act consider whether the instrument -
 - (a) is in accord with the general objects of the Act under which it is made;
 - (b) unduly trespasses on rights previously established by law;
 - (c) makes rights, liberties and/or obligations unduly dependent upon non-reviewable decisions; and
 - (d) contains matter which in the opinion of the committee should properly be dealt with in an Act of the Legislative Assembly;
- (3) the committee shall with respect to the clauses of Bills introduced into the Legislative Assembly consider whether such Bills -
 - (a) unduly trespass on personal rights and liberties;
 - (b) make rights, liberties and/or obligations unduly dependent upon insufficiently defined administrative powers;
 - (c) make rights, liberties and/or obligations unduly dependent upon non-reviewable decisions;
 - (d) inappropriately delegate legislative powers; or
 - (e) insufficiently subject the exercise of legislative power to parliamentary scrutiny;

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- (4) the committee shall consist of three members;
- (5) the majority of members constitute a quorum of the committee;
- (6) the committee be provided with the necessary additional staff, facilities and resources;
and
- (7) the foregoing provisions of the resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.

Mr Speaker, this motion proposes the formation of a Legislative Assembly Standing Committee on the Scrutiny of Bills and Subordinate Legislation. The Government has long recognised the need for an Assembly committee with the charter to examine delegated legislation and Bills introduced into the Assembly. In August I wrote to all the party leaders and the Speaker, providing a discussion paper on the role of Assembly committees.

Recognising the rather ad hoc development of the present committee structure, the paper sought to present a coherent philosophy for a strong and relevant committee system. As part of this overall examination, the paper proposed a legal affairs committee to deal with delegated legislation, Bills scrutiny and matters of legal policy.

Mr Speaker, you responded to this discussion paper earlier this month. In your paper you supported, as part of your suggestions for a general reorganisation of the Assembly standing committees, the need for a legal affairs committee as proposed by the Government. You saw a role for this committee in examining delegated legislation and Assembly Bills and in matters of legal policy.

Due to an immediate need for a Scrutiny of Bills and Subordinate Legislation Committee, I am proposing the formation of this committee on an interim basis pending Government consideration of suggestions for a broad re-organisation of standing committees.

The terms of reference for the proposed committee are based on those which apply to parliamentary committees formed for these purposes in the Commonwealth and the States. The terms of reference as they relate to subordinate laws will enable the Assembly to maintain a general oversight of the Government's subordinate law-making power and thereby play an important role in the protection of the civil rights of the residents of the ACT.

The terms of reference, as they relate to Bills of the Assembly, will enable the Assembly to examine effectively all matters relating to rights and liberties in legislation. Such matters as reversal of the onus of proof, retrospectivity and self-incrimination will fall within the committee's charter.

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I understand that in the Commonwealth Parliament the Regulations and Ordinances and Scrutiny of Bills Committees have the assistance of a legal adviser, independent of the Executive Government. I propose to discuss the need for such assistance with the chairperson of the committee. I ask that members join with the Government and support the formation of this committee.

MR HUMPHRIES (11.27): Mr Speaker, I might indicate that the Liberal Party is pleased to support this initiative. It is high time such a committee was seen in this place; certainly, this measure is long overdue. We welcome with open arms the creation of this committee. As the Chief Minister has indicated, this committee fulfils a role that has in the past been fulfilled by the Standing Committee on Regulations and Ordinances and of course also the Parliamentary Committee on Scrutiny of Bills. It is ironic that, to some extent, with the advent of self-government, the role of those committees in the Federal Parliament which were so important for monitoring the performance of subordinate legislation in the ACT had to go by the board and that the ACT Assembly has not before now picked up that role in any way. For that reason, among others, we are very pleased to see this motion put forward.

Although it was not mentioned by the Chief Minister, the experience of recent weeks in the fluoride legislation debate has also highlighted the need for legislation of that kind and others to be examined carefully by appropriately constituted committees - in this case this committee.

Now I want to emphasise one point made by the Chief Minister. She mentioned that such committees in other places generally receive independent advice. They have a fairly well constituted backup of committee support with proper advisers and lawyers to give advice. I think that is a very important point to make in this context as well. We cannot allow ourselves to think of this committee in quite the same way as any other committee where the bulk of the work is done in a sense by members hearing evidence. We very much need this committee to have good technical backup and good technical support staff, able to provide expert advice on the form of legislation, the way it affects other legislation, what happens in other States and territories, how this will impact on the rights and liberties of individual citizens, and matters of that kind.

I hope that the Chief Minister, who is glowing with good intentions in moving this motion, does not at the same time forget the need to provide this committee with the necessary resources to do its job properly. I emphasise again: this committee, above many others we have set up, does need that support and backup. With those words, Mr Speaker, I would simply commend this motion to the Assembly.

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MR COLLAERY (11.30): I endorse the comments of the Chief Minister and my colleague Mr Humphries on this matter. The question of such a committee has entertained the minds of the members for some time, particularly since last May. Regrettably, we did not have it put to us as a package by the Government at the time, but now the Chief Minister has come forward with this committee. I am especially grateful that she has moved it this week, as I indicated to her privately last week that this would be a good measure to reassure the population that our Bills will receive proper scrutiny before being brought into law. That is particularly important. As members will acknowledge, we do not have second reading speeches; we do not have second chances with some of the legislation before us. There is a heavily taxed drafting and crown law office, and of course the Territory is new in terms of self-governance. In the view of the Rally, such a committee is and has been a vital requirement.

The tradition for committees of this type is that they be collegiate, professional, and largely peopled with persons of legal background. But I do note that the very successful Senate Standing Committee on Constitutional and Legal Affairs produced a report on 25 November 1982 on the burden of proof in criminal proceedings. I was interested to see who the members of that committee were. The chairman was Senator Alan Missen, a very great parliamentarian, a man I knew very well and with whom I worked in human rights areas. Other members were Senator Gareth Evans, Senator Noel Crichton-Browne, Senator Robert Hill, Senator Susan Ryan and Senator Michael Tate. That establishes that lawyers do not have a mortgage on committees of this nature but they seem to predominate. Hopefully, we can achieve in this committee a balance between legalism and the straight commonsense that lay persons often display on legal issues.

The establishment of this committee again taxes the resources and finances of this Assembly. It taxes the staffing of the Assembly's committee office and I trust that the Chief Minister will make a statement - after discussions with you, Mr Speaker, and you may wish to make a statement - about the current staffing resources of the committee structure of this Assembly.

The committee staff are extraordinarily dedicated and we must find a basis for keeping the experienced parliamentary staff who have come across to us from another place and not have them enticed back. I came back to this Assembly last night at quite a late hour and found persons working in the committee office on matters that will shortly be reported upon. Some of those staff were not receiving overtime for those hours; all that one person got was an escort to the car park.

Mrs Grassby: From you, Bernard?

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MR COLLAERY: I could not trust myself, Minister. Major Jensen took care of that. So we see that the committee staff are going to be vital to the success of this new committee. Because we do not have second reading speeches, another item that is vital is the filter of having an eminent legal consultant on these matters. We know that the other house has consultants employed almost continually on vexed issues of law that affect the Territory. Certainly, there should be scope within the budget of this house for us to appoint out of this committee at an early date a consultant to advise on matters of extreme complexity, matters of constitutionality and the like.

Once already in the life of this Assembly we have had to seek ad hoc legal advice on an issue, but it would be better in many respects if we had a consulting arrangement out of this committee with an eminent lawyer. With that and with the Government hopefully considering the appointment of a solicitor-general at an early date, we may find the Bills program and the legislative program of this house proceeding far more smoothly.

MR STEVENSON (11.35): I commend the principle of having a committee to look after these vital functions. We do not have, of course, an upper house as a house of review, and this will give us the opportunity to operate as an upper house, if you like. In the Senate, there is a Regulations and Ordinances Committee, formed in the 1930s, and also a Scrutiny of Bills Committee, formed some 10 years ago. In the New South Wales Parliament there is a Regulation Review Committee. I am sure that our committee will be able to ensure that there are no problems in any legislation that comes before this Assembly.

MS FOLLETT (Chief Minister) (11.36), in reply: I welcome the support of other parties in the Assembly for the formation of this committee. I do think it is an important step for the Assembly to take, but I should stress at the moment that it is an interim measure and that our final position on this sort of a committee might await the outcome of the general reorganisation of committees that I referred to earlier. Partly for that reason I am inclined to oppose Mr Stevenson's proposed amendment to increase the number of members of the committee. I feel that while we have limited the terms of reference of the committee in the way that we have, and - - -

MR SPEAKER: Chief Minister, there was no proposed amendment.

MS FOLLETT: Was there not? Did he not move it?

MR SPEAKER: No, he did not move the amendment.

MS FOLLETT: In that case, I will not refer to the matter. I simply thank members for their support for the proposed committee.

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Question resolved in the affirmative.

HOUSING POLICY REVIEW 1989-90
Ministerial Statement and Papers

MR SPEAKER: I understand it is the wish of the Assembly to have a cognate debate on the housing policy review 1989-90 and order of the day No. 17 dealing with the ministerial statement on youth housing measures. If that is the case, I will allow that course to be followed.

Debate resumed from 27 September 1989, on motion by **Mrs Grassby:**

That the Assembly takes note of the following papers:

Housing Policy Review 1989-90 -
Explanatory notes;
Ministerial statement, 27 September 1989.

MR STEFANIAK (11.40): Firstly, Mr Speaker, I say that I am pleased to see a housing review and I am also pleased to see the Minister's statement in relation to youth housing measures, some of which I think may well have resulted from certain issues that I have raised over the last week or so. In the time allotted to me I do not propose to go through the entire paper because there are some statements within that which I do not think necessarily need covering by me. However, I intend to highlight certain areas, especially those of concern, and I will put forward certain suggestions where I believe things can be done better. I certainly hope the Minister takes note of that.

I turn to page 2 of the 1989-90 housing policy review, relating to public rental housing. In the second paragraph on page 2 the Minister states:

This year we will see a 2.6 per cent increase in the stock of Housing Trust dwellings and this is about equal to the estimated household formation rate.

She goes on to say:

The objective is to maintain the waiting time for a house at about the current level and this can only be achieved in a socially just manner if the size of the program is related to the growth rate of new households.

Now, it is interesting to note that in the last month or so the Minister has indicated that she now realises there is private as well as public housing in the ACT. It is good to see certain points being made by her in this respect in the last month or so.

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I am a bit concerned about the 2.6 per cent increase in the stock of Housing Trust dwellings being equated with the estimated household formation rate because that household formation rate includes public as well as private housing. It is my belief and the belief of my party that most people certainly would prefer private housing - if they can possibly have it. On that basis that figure may be too high and inaccurate if we are simply talking about Housing Trust dwellings and not about private household formation as well.

I move now to rental policy. Again on page 2 of her review, the Minister states:

There will be a 20 per cent increase in rent for higher income tenants, taking them towards market levels.

On the figures I have, I understand that about 15 per cent of public housing tenants in the ACT are people on very good incomes indeed, people who certainly can afford to pay the market rate. There is no real reason why people who can afford it should not pay the full market level.

We then come to the question of how that market level is to be determined. I know that there are some fears in the private housing sector that the criteria used by the department may not be quite as accurate as they should be. I would strongly urge the Minister, when assessing market levels, to use the expertise in the private sector to the greatest possible extent to ensure that a true market level is ascertained and charged to government tenants who can pay that full market level.

I think it is particularly important that people who can afford to pay the proper price for public housing should do so because there is, as the Minister has also stated in her program, a series of upgradings of many public houses. Many of these houses are now 25 or 30 years old, an age at which the wires need replacing and certain other renovations are needed. I understand that in many cases those renovations cost between \$30,000 and \$40,000. Indeed, I have seen a few homes which are being renovated and most capably so. But this all costs money; it has to be paid for, and it is essential that public housing be made to pay its way as much as it possibly can.

At the bottom end of the scale in terms of rent we have people who are destitute, receiving either unemployment or sickness benefits or some type of benefit from the Government. Accordingly, presently 20 per cent of their income is spent on rent. I think it is essential that this is collected. A couple of statements that the Minister has made recently about people going into arrears concern me. I think it is most important that this Government ensures that people contribute - even if it is only 20 per cent of their income - towards the cost of their housing. If they

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do not contribute they should be evicted. Steps should be taken to ensure that rent is collected.

That is absolutely essential because if people are given something for nothing they tend not to look after it. That is just a fact of human nature. I think that 20 per cent of income is probably a very reasonable figure, given that there are many people in this community who are probably paying 35 to 40 per cent of their household incomes on housing.

I turn now to the question of homelessness. This incorporates the two thrusts in the Minister's papers - first, the recent ministerial statement we are debating cognately and, secondly, references made on pages 3 and 4 of the housing policy review. Youth homelessness is indeed a great problem; we are all aware of that. Many of us have seen examples of numbers of youths who are homeless and the problems that they face. It is certainly something that I saw in my job both as a private solicitor and as a prosecutor.

It is something that needs to be addressed and I am pleased to see the Government is attempting to do something, but there have been problems in relation to the way the Government has gone about this. The Minister indicated on page 3 of her housing policy review that she wished to remove restrictions on persons under 18. That is the first point relating to youth housing. On page 4 she indicates:

Housing services for young people should aim to reduce housing related poverty by providing affordable and secure medium- to long-term independent housing and group housing options for those unable to live independently.

The Minister has also indicated more recently - after I raised some problems in relation to unsupervised youth housing - that there is also no upper age limit on persons over 16. Sixteen is the lowest age at which people are considered. Also, on page 2 of her supplementary statement she talks of individual tenancies within the context of the group tenancy and also the provision - this breaks up some of the figures provided in her initial statement - of up to 20 houses under a head tenancy arrangement where people, and young people especially, will be supervised. She then indicates that 30 dwellings would be allocated to groups which are capable of living independently, and this is perhaps where some of the problems have arisen in the past and where I have certainly raised a couple of points in relation to that recently.

I turn to the statement the Minister made yesterday, which I was certainly happy to hear. I think this probably needs saying, so I will read a report about a group house situation involving young people which went wrong because there was no supervision. In a report in the Chronicle on Tuesday, 20 June, journalist David Kirkpatrick stated:

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A \$400,000 complex for homeless youth has been described as a "mistake" after it was severely damaged by residents, left vacant for long periods and finally handed over to the CCAE for student accommodation.

This revelation is a major embarrassment for the ACT Government and ACT Administration and comes at the start of a review of youth housing in the ACT and amid calls for more low-cost accommodation.

The complex, consisting of two 10-bedroom houses in Bowman Street, Macquarie, was built by the then Department of Territories and Local Government in 1984 at a cost of \$400,000 as low-cost accommodation for disadvantaged young people aged between 16 and 25.

The houses were leased as an annexe to the Ainslie Village Hostel, but soon fell into disrepair with reports of windows and doors being broken, and the grounds left in a filthy and unkempt state. After \$10,000 was spent repairing the complex, the lease was relinquished last year and handed over to the CCAE, and is now used as a students' residence.

A spokesperson for the Housing Trust said he admitted Bowman House was a "mistake".

"In retrospect, the problem was building two 10-bedroom houses so close together with homeless, unsupervised young people in close proximity to three licensed premises", he said.

A spokesperson from the office of the Minister for Housing and Urban Services, Di Ford, said Bowman House was a case of the "right concept in the wrong place". I think the Minister has made a few comments recently to indicate that she certainly does not want that to happen again and I certainly hope that she will indeed follow through there.

Supported houses have been in existence for young people for some time now. There are many groups which do this very well, such as the Richmond Fellowship, the Salvation Army and CANA. I saw one recently - the YWCA, for young girls between about 16 and 18. There was a young girl of about 20, a mature student, who worked there, who was sort of responsible and the operation worked very well. Indeed, it seems that the 20 dwellings referred to by the Minister might be a similar project to that and its potential is excellent.

I am concerned about the 30 dwellings to be allocated to groups living independently and I think, if we do get groups of young people, certainly in the 16 to 18 age bracket, with no supervision, there is a great potential for damage to be done to the house and for those kids, who

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are often from disadvantaged backgrounds, emotionally troubled and with a lot of problems, not to have that very important guiding hand and shoulder to cry on when they need it. Kids in that situation need some form of supervision. It does not have to be full-time supervision, but they need supervision. They need a guiding hand.

When I asked a question in relation to this issue yesterday, Mrs Grassby replied: "No way will we put 16- year-olds into houses without supervision". I was very pleased to hear that and I certainly hope that she follows through on that. She could not tell me how many households would be linked to an existing network of supervision provided by community groups as a result of the 30 houses that are being provided. I look forward to receiving that information because I think that is very important. Again on this point, I stress the need for young people to be in houses where they are supervised.

Finally, I wish to make one major point about the housing review. I am pleased to see the Government adopt some Liberal policies, although it has not got them quite right. I refer to the provision of stamp duty exemptions for first home buyers and also mortgage relief. I am pleased to see the Government has taken notice of what we have been saying in relation to that and what has occurred in other States.

In relation to the stamp duty, though, I wonder how far it really will go. The Government has indicated it will provide a full exemption up to \$90,000 on a dwelling for a first home buyer. That will cover probably the majority of homes which first home buyers are likely to purchase. Unfortunately that is income-tested and the upper limit of the income test is \$33,000 taxable income for a household. I am worried - and I have asked the Minister to get me those figures - about the percentage of first home buyers that will actually cover.

I am also interested to see, on page 7 of the housing review, the proposals for the Government setting up its rental bond trust and the fidelity guarantee fund. Now it would seem - and this is consistent with an answer the Minister gave me to a question in the Estimates Committee - that income from those two bodies would not necessarily be used to cover the first home buyers scheme; rather that would come from revenue.

Indeed, let us look at what this guarantee fund will be used for. Apart from providing compensation to those who suffer a loss as a result of a real estate business or stock and station agent being unable to account for moneys held in the trust account, the moneys will be used to improve landlord and tenant relations, to provide information on the rights and obligations of both landlord and tenant, to provide education and assistance to industry on residential real estate and to meet the costs of dispute settling and administration. Nothing in relation to that or indeed on page 7 in relation to the rental bond trust -

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and I will not go through that - covers the costs of the first home buyers scheme.

I gave Mrs Grassby's department details of our scheme in relation to this, which not only would cover all first home buyers but also would provide between about \$500,000 and \$800,000 additional revenue to the Territory by means of setting up an agents fidelity guarantee fund. I again commend that scheme to the Government. (Extension of time granted)

I will briefly flag this scheme which, on current figures, would bring in \$2.25m from funds currently lying idle and from the investment of those funds, which would pay for a first home buyers scheme covering all first home buyers, regardless of the means test, and would mean having additional money left over.

I suggest that the Government investigate and indeed incorporate into its policy a fidelity guarantee fund which is run by the industry. The Housing Industry of Australia has been putting out papers on this for several years. The aims of the fund should be to protect consumers against possible loss of moneys due to defalcation - I think that is where the agent hops off to Buenos Aires and we do not see him again - to provide stamp duty exemptions to first home buyers and to provide protection and assistance to home buyers and tenants.

The source for this fund should be investment by the fidelity guarantee fund of, firstly, bond moneys held by landlords and agents. For agents, we would suggest a figure of 80 per cent of minimum quarterly balance in trust accounts and for all others 100 per cent of bond moneys. Also, in the case of deposits held under contracts for sale, for agents, 35 per cent of the minimum quarterly balance they hold and for others 35 per cent of each individual deposit where settlement is said to occur in excess of two weeks after exchange of contracts.

I am told by the experts in that area that those are about the ideals and are figures which can be easily operated and which will work quite satisfactorily. The suggestion for the application of the moneys from the fund would be - and bear in mind the estimate here is that, invested at a current rate in safe investments, it would net \$2.25m per annum - five per cent for community interest groups such as tenants welfare rights and the legal centre to help with dispute resolution; five per cent for education of industry and the consumer; 50 per cent for stamp duty exemptions for first home buyers; and 35 per cent for a fidelity fund built up in the initial years to put further money back into the fund to ensure that the income there increases; and finally five per cent for administration.

I will not go into the setting up of the board, but industry representatives, government representatives, consumer representatives, a representative from ACOSS and

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other such bodies should be included. The number on the board could be about 10 and the scheme could be operated by the industry, the Real Estate Institute, which could manage the day-to-day running and, of course, it all should be subject to audit.

If this scheme were introduced immediately, stamp duty exemptions could start from as early as 1 June 1990. The average stamp duty for a first home buyer is about \$1,600. Of the 2,000-odd people who buy homes in Canberra - and I believe that figure is falling - 1,000 at most would be first home buyers. That would require about \$1.6m from a fund which would have moneys available for first home buyers of, I am told, \$2.25m. Indeed, it is probable that the number of first home buyers is fewer than 1,000.

This scheme - and I am quite happy to give the Government further details on that any time it wants them - would ensure that first home buyers are given incentives, that there is no cost to the ACT community and that the scheme is run efficiently, with necessary safeguards and fewer administrative costs, I would think, than there would be in what the Government is proposing. The various points the Government has flagged in relation to the rental bond trust and the fidelity guarantee fund are really adequately covered by this proposal, and the net saving to the ACT community would certainly be in the vicinity of at least \$2m a year, comparing what the Government has here and what I have suggested.

In the Territory, where we really do have to look at every available scheme to save money to ensure that we can continue to provide services, not just in housing but right across the board to the community, it is important for schemes such as this to be seriously examined so that we can maximise whatever income we can receive from sources rather than spending money needlessly when it does not have to be spent. I commend that scheme to the Government and will quite happily see Mrs Grassby, give her further details and discuss them with her.

I look forward to receiving the additional information I have asked for. I reiterate the potential problems I can see arising from certain aspects of the youth housing scheme, although it appears she is taking that seriously and addressing some of those problems; I commend her for that. I will be interested to see further developments arising from the housing policy review and the adoption of government policy in that area. I will certainly be closely monitoring it.

MR WOOD (12.01): Mr Speaker, in an earlier debate on a matter of public importance on the housing policy review I spoke at length about the issue of youth homelessness, a subject in which I continue to take a close interest. Therefore, I was pleased with the range of measures which the Minister has put together to enable the Government to make a start on this problem, and it is a problem that has

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become more controversial because of the circumstances surrounding those houses in Macquarie. It is not acceptable, however, for the Government to delay taking action because of the worries that Mr Stefaniak and others may have about that policy. It is too important to wait with nothing happening.

The Minister's supplementary statement on youth housing earlier this week should have put to rest the reservations which had been expressed about that housing arrangement. Among other matters I will consider today I will respond to some of the concerns that have been expressed on housing generally. The Minister's policy is being carefully planned and it will fit in well with the initiatives of the Commonwealth Government in this area.

Debates on housing must consider the relationship between the ACT Government and the Commonwealth. When I read opposition comments on the ACT budget I wondered whether members fully understood the respective roles of the ACT and the Commonwealth in housing policies and programs, and therefore it is on that area that I wish to focus most of my comments in this debate.

All members of the Assembly will be aware that in her statement to the Assembly on the housing policy review the Minister announced that the ACT would become a full party to the Commonwealth-State housing agreement this year. This is a milestone in the ACT's history. It will be the first time that the Territory has been able to take its place as an equal partner with the States in the funding and other arrangements provided for in the agreement.

Through participation in this agreement the ACT will gain access to an increased level of grant funding. That funding from the Commonwealth in 1989-90 will increase by about \$7m over grants provided for in 1988-89. In addition, the ACT will be required progressively to match the Commonwealth grants contributing to improved funding for housing in the ACT. The emphasis of the agreement is on direct funding into rental housing acquisition so as to address the housing requirements of low-income families and individuals in most need.

I believe that these are the right priorities. I understand also that the new agreement recognises the needs of home purchasers. To ensure that the capacity of available funds to assist people into home ownership is maximised, the agreement requires a more efficient approach to the management of these funds. To this end, the value of home ownership funds will be required to be maintained in real terms. Additionally, the funds will need to be used to complement private sector mortgage funds so that more people can be assisted.

In the ACT, this will require not only the restructuring of the commissioner for housing loan scheme but also the development of additional home ownership schemes. I was

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pleased to hear the Minister say that the housing policy review will be examining the options this financial year.

These will include schemes such as shared equity and rental purchase, as well as other initiatives. The ACT will also benefit from the improved planning processes of the new agreement. Each State and territory will be required to develop jointly with the Commonwealth an annual housing plan. This process will allow the priorities of the ACT Government, the Commonwealth and the community sector to be incorporated into public housing planning and ensure consistency with the principles of the agreement.

It would also promote needs based planning and provide an opportunity for greater scrutiny and involvement by the ACT community. I am also pleased that the Minister has given an undertaking that the housing needs of aged people will be examined in the next stage of the housing policy review. We well know that the Social Policy Committee of the Assembly has been examining the accommodation needs of the aged. I am optimistic that the new planning arrangements of the housing agreement, the report that we brought to this Assembly today and the work of the housing policy review can come together to provide even better programs for the aged.

One aspect of the agreement which I fully support is its emphasis on tenant participation in decision making and in the development of public housing policies. I know that the Housing Trust has commenced a process of tenant involvement, but it still needs further development and I hope that the Minister will keep a close watch on that.

The agreement also guarantees public housing tenants the right to security of tenure provided they meet their tenancy obligations. Should the ACT Housing Trust require a tenant to move from one dwelling to another, it will be required to offer the tenant a choice of dwelling and location appropriate to his or her needs. This is an important principle and a key part of ALP policy which is different from that of the opposition.

Members might recall an opposition proposal that higher-income tenants should not have security of tenure. Such a policy would provide substantial disincentives to those who are on a benefit or who are seeking improve their circumstances by either part-time work or a return to full-time work. It would also place at risk those people who are now working but are approaching retirement.

The agreement incorporates a number of important principles designed to ensure equality and equity in the delivery of housing assistance throughout Australia. These include a prohibition on discrimination while ensuring that those in most need are assisted first, the principle that applicants should have a choice between the differing forms of assistance available and that public rental dwellings should reflect general community housing standards and be accessible to community and other services.

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I believe that the ACT already has a good record in many of these areas but further development is required, particularly in broadening the range of choice available. I would urge the Minister to ensure that these matters are addressed by the housing policy review.

I understand that the legislation is being drafted and the principles of the new CSHA will be incorporated into the ACT Housing Assistance Act to further emphasise the need to observe them in delivering housing assistance to those in need in the ACT community.

In summary, I believe that the formal participation in the CSHA will be of great benefit to the ACT and that it will offer significant advantages and challenges to the public, private and community sectors. It is a further demonstration of the benefits of self-government.

Mr Speaker, while I have been so far concentrating on public housing issues, I must also acknowledge that the Minister has announced a substantial range of other measures to assist those seeking homes in the private sector. The safety net scheme of mortgage relief which has been designed by the ACT Government to suit the circumstances of people in trouble in Canberra is welcome. I am aware that the ACT scheme was one of the first announced.

I believe that the stamp duty exemption has the right features. We are directing the exemption to those first home buyers most in need of assistance. There was a proposal to introduce deferral concessions on stamp duty for first home buyers. Not only would such a scheme be administratively cumbersome but it would only be of marginal assistance. These are the reasons why the Government rejected this proposal and adopted the superior method we have announced. I congratulate the Minister on the progress that has been made in the review and I look forward to further improvement in the housing policy.

MR COLLAERY (12.11): I resolved this week not to speak first but it seems that I do not even speak second, third or fourth any more. It is just the slide of things.

The Rally has had a long interest in public housing; it developed policies on that issue almost at the same time as it developed policies on planning. Therefore, I take with good humour Mr Stefaniak's claims to have stumbled upon stamp duty exemptions first. I add that I think the speeches here today reveal a good deal of bipartisanship on the subject of public housing. There do not appear to be any ideological differences to confound the proper development of policy in the ACT. That is very, very welcome.

I come from New South Wales where I recall the housing commission having a lot of problems at the time with the

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then Liberal-dominated council in Wollongong. Later that council became Labor-dominated and then fibro houses went up everywhere. So it went the other way. But, here in the ACT, there appears to be developing an excellent public housing policy. I have some reservations, of course, which I will mention in a moment, but this type of policy is one which we, in government, could quite easily adapt to and further refine.

The Rally welcomes the release at this stage of the 1989-90 housing policy review and we note with pleasure some of the initiatives contained in this review. Firstly, we welcome the proposed increases in the stock of public housing, increased measures to attend to maintenance issues, and the provision of public rental housing in the ACT. We note that the commissioner has resisted the temptation to compete in a certain market, and that is welcome.

The problem of high interest rates, unemployment and falling real wage levels means that there is increasing demand for this type of housing, and we commend any attempts to meet this demand. However, we would like to see the future stages of the housing policy review examine the potential for a shared equity participation program to be instituted in the ACT. Such a scheme, which is also being introduced interstate, would have the advantages of allowing tenants to bridge the deposit gap by progressively taking up small shares in their homes as their circumstances permit. Smaller deposits then would be necessary to purchase the home outright, and tenants would have a vested interest in maintaining their homes. Therefore the Territory capital asset would directly benefit from any proper improvements that tenants made and from their good maintenance. Also, some of the enormous capital investment that the Housing Trust has would be freed up to provide activities in other priority areas.

The Rally also commends the introduction of stamp duty exemptions for first home buyers as well as the establishment of a rental bond trust, initiatives which have long been Rally policy. However, we trust that when further details are available for those schemes - and we do await some more detailed statements - it will be clear that the money deposited by private rental tenants will only be used to assist these tenants by, for instance, setting up a tenants advisory service and dispute settling mechanism, and not for any cross-subsidisation of home purchases by being used to offset duties lost in stamp duty exemptions. We do not see a subsidy mechanism as being appropriate in an essentially free-moving market.

I also welcome the commitment to undertake much needed improvements at Ainslie Village and other Housing Trust complexes and dwellings. The poor levels of maintenance and general dwelling standards in some Housing Trust properties are a source of considerable unhappiness in some areas. Likewise, the undertaking to rehouse the residents of Melba Flats in more appropriate accommodation is a

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welcome one. However, I do caution - and I am sure the Housing Trust is fully cognisant of this - that decisions regarding these matters must be made with full consultation and participation by all the tenants concerned.

The housing needs of the young in our community have received considerable attention in the media in recent times. Let us not leap onto any band wagon here, but let us consider the special needs for crisis care and for medium- and long-term supported and unsupported accommodation in the most appropriate fashion. There are too many youngsters in exit crisis, as we call it in our city; young people who, without our help, will not reach their full potential as fulfilled, contributing adults in our city. They are part of our future and it is up to the whole Assembly, as caring legislators, to consider not only the initiatives brought forward by this Minister but also other initiatives brought forward by her colleagues as ways of providing support and ensuring that their education and employment opportunities are not squandered due to inadequate or even non-existent housing. In that respect the Rally welcomes some of the accommodation policies that have direct conjunction with educational institutions, particularly a group housing project which is proceeding in Narrabundah adjacent to Narrabundah College, for example.

The proposed singles share accommodation scheme and the supported accommodation assistance program are welcome first steps in this progress. But let us be under no illusions, they are first steps only. Our community is going to have to think long and hard about the support that is or is not provided to families and to youth and to those who, with inadequate resources, attempt to support them. Those matters are probably outside the province of the housing review, but I would suggest that when budgeting becomes closer to our minds, when we really have full control over our forward expenditures, unlike this recent budget, we will be able to look in a more global and holistic context to both funding and healing in these areas.

On the subject of the Commonwealth-State housing agreement, we are pleased to see that the ACT has achieved equal status in housing negotiations. It is certainly a change from the situation that applied before self-government when the Federal Labor Government, unlike the States and the Northern Territory, did not apply its full \$58m from the Grants Commission to housing in former years.

We expect that there will be welcome initiatives coming forward out of a number of the aspects mentioned by my colleagues in their speeches here, particularly in aged accommodation. This clearly is of interest to all members of the Assembly and we expect that the success of housing for the aged will very much depend upon the equity with which it is developed and the sensitivity with which it is introduced.

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On home ownership, the Rally, apparently like the Liberal Party, agrees with the establishment of a rental bond trust. We have some differences on how we would like to see the scheme administered. We believe that the trust should be administered in particular ways and we will be communicating our views after full consultations with the Real Estate Institute and other parties who have already contacted us. But essentially the initiative is sound; it is the execution that in practical terms we would like to look into further.

The mortgage relief measures, of course, are a drop in the ocean of the current distress in the community. Nevertheless, one should not be churlish about the attempts to provide relief in that area. Real reforms lie with the Federal Treasury.

We have some reservations about a lack of commitment to a more adventurous approach to public housing, and that should be really related to the progressive equity participation scheme that I mentioned earlier. We believe it is time for the trust to venture out a little bit on those issues.

I was pleased in recent times to receive full consultation with and cooperation from both the Minister responsible in this portfolio area and the members of her administration, particularly Mr Horsham. I believe in a hands-on approach to some of the issues confronting the Assembly, because we are not a remote parliament, and I have had the advantage of looking at places, both under my own steam and accompanied by the Minister's officials. There are views and ideas on which we can pool our common objective in ensuring that there is a spectrum solution to the options facing the community in the housing area.

The context in which the Assembly approaches this subject will determine, I am sure, the response that the public servants give to their initiation of the policy areas, and the Rally endorses broadly the initiatives brought forward by this Minister and her officials.

Debate adjourned.

Sitting suspended from 12.22 to 2.30 pm

QUESTIONS WITHOUT NOTICE

Assembly Budget

MR HUMPHRIES: Mr Speaker, my question is directed to you. I refer to the answer the Chief Minister gave yesterday to a question relating to the setting of the Assembly's budget. You will recall the Chief Minister denied sole responsibility for determining the Assembly's final budget. I ask: is it not a fact that you made bids to the

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Government for funding for this Assembly which were rejected and in respect of which counter-offers were made? Is it not a fact that in the most recent round you requested approximately \$4.5m, which offer was rejected, and \$4.43m approximately was counter-offered by the Government? Who ultimately has the final say in the setting of the Assembly's budget - you or the Government?

MR SPEAKER: I take that point, Mr Humphries. The Government does allocate the funding for the Speaker's use for the Assembly at this time. However, we will look to an alternative arrangement so that the Speaker's budget is outside the control of the Government as, I believe, is the case in the other place. This is something that we will look to when the time permits. At this time the Government certainly does control the allocation of funds, but I must point out that it is in agreement with the Chief Minister. So it is a debatable point and agreement is reached on what is an acceptable limit to the funding available.

Cosmetics Manufacturer

MR WOOD: Mr Speaker, I address my question to the Minister for Industry, Employment and Education. I refer to an article in today's Canberra Times under the heading "\$10m Revlon Project for Site in Hume", which article contained reference to the lack of an environmental impact statement. Can the Minister provide an assurance that all approvals for the development of the Revlon facility at Hume have been handled according to the customary processes?

MR WHALAN: I thank Mr Wood for that question. I think that the people of Canberra and this Assembly have good cause to be proud of the achievements in having the Revlon plant established at Hume and I would hope that our support for economic development and the creation of an employment opportunity is unanimously supported within this Assembly.

There has been a range of individual processes leading to the approval of Revlon's commencement of work on the site. In particular, there has been an assessment of the handling of effluent produced on the site. Stage 1 of the development has been approved on condition that the necessary works are carried out for the processing of that effluent on site. Stage 2 of the development has not yet received design and siting approval, and when such an application is received environmental requirements will be similarly addressed.

It should be emphasised that the development is taking place in an area planned and set aside for industrial development of this type in respect of specific environmental problems which could arise, such as noise pollution, air pollution and water pollution. There is legislation in place that clearly spells out the developer's responsibilities, which will be enforced. In

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relation to sewage treatment, the Hume industrial site is connected to a package sewerage system which treats all effluent on the Hume estate itself.

Mr Kaine: I rise on a point of order, Mr Speaker. I would ask the Minister whether he got the answer to the question along with the question since it seems to be written out so comprehensively.

MR SPEAKER: The objection is overruled, Mr Kaine. Please proceed, Minister.

MR WHALAN: ACTEW is at present upgrading the capacity of the package system to meet increased demands as the Hume estate develops. This work is not directly related to the Revlon project, although some capacity will be available for that purpose. It serves the entire Hume industrial estate. There have been ongoing discussions and negotiations between ACTEW and Revlon for the last 15 months. These discussions have related to a number of aspects, including the ACTEW costs and the standards of effluent. In addition, ACTEW has sent experts to the Revlon Sydney installation to take samples of the effluent currently being produced and has tested this to assess the requirements for treatment within the ACT.

ACTEW is confident that it will be possible to meet the dual requirement of the Canberra sewerage and water supply regulations and also to limit other chemicals to levels below which they can be successfully treated initially at Hume and eventually at the Lower Molonglo Water Quality Control Centre.

Negotiations are continuing on the extent of treatment that needs to be carried out by Revlon to ensure ACTEW requirements are met. At this stage ACTEW has indicated that Revlon would almost certainly be required to pre-treat its waste to remove or reduce concentrations of certain chemicals prior to discharge into the Hume package treatment system.

ACTEW has also offered to provide technical assistance to Revlon to ensure that the discharges from the Revlon factory will meet all current and potential future discharge requirements. Discussions also have been held with the firm regarding the possible introduction in the future of liquid trade waste regulations and charges. I wish to stress that Revlon is cooperating fully with ACTEW in meeting specified requirements for effluent quality and treatment.

Mr Kaine: On a point of order, Mr Speaker; would you please ensure or require that Ministers, if they wish to make a statement about government policy, do so outside of question time and not use up question time to make such statements.

MR SPEAKER: I take that on notice, Mr Kaine.

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Private Sector Rentals

MR KAINE: I would like to address a question to the Minister for Housing and Urban Services, and I did not provide her with the answer to this question beforehand. Minister, this morning we were debating the question of housing policy and your housing policy review report. Included in there is a section dealing with the private sector rental housing trust. I have two questions. First of all, how do you see that the intrusion of Government into what is essentially private sector business is going to add to the efficiency and effectiveness of the provision of housing? Secondly, what exactly do you intend to expend the \$210,000 on this year? Is it going to be spent on staff or is it actually going to be spent on housing?

MRS GRASSBY: In the housing review we have also looked at the question of whether the housing department should be involved in helping people who want to own their own homes and do not have the opportunity to do so and whether we as a government can help people in the lower income scale. This is what we are looking at in the housing review. That money will not be spent on staff. It will be spent in some way so that we can enter into private housing. We are talking to banks and to building societies about ways in which we can get into the market to help people on that very low rung of the ladder who are unable to afford houses of their own.

MR KAINE: I ask a supplementary question, as that did not really answer my question at all. The first part of my question was: how do you see the intrusion of the Government into this private sector business adding to the efficiency and effectiveness of the provision of housing? The answer did not address that question at all.

MRS GRASSBY: Seeing that the housing department is so efficient, I think it can enter into it very well and do a very good job. That is how I see it doing it, Mr Kaine.

Mr Kaine: A statement does not answer the question. I asked how it will do this.

MRS GRASSBY: As I said, Mr Kaine, we are looking into it in the housing review and no decision has been made on that yet.

Mr Kaine: Mr Speaker, we are back to the old business where Ministers simply decline to answer questions.

MR SPEAKER: Order! Mr Kaine, the situation is that you were about to debate what was said.

Mr Kaine: On a point of order, Mr Speaker; that was not my intention. I asked a specific question. The Minister, as has been the case many times in the past, simply has not answered the question. We are back to the old days where

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Ministers seem to believe that they can make any comment in response to a legitimate question and we in opposition are supposed to accept that as an answer to our questions. It is a travesty, Mr Speaker.

Cosmetics Manufacturer

MR COLLAERY: I hope my situation does not become a travesty, Mr Speaker. My question is directed to the Minister for Industry, Employment and Education, who will recall his response to a question asked on two days about the Revlon development when he said that he would table the files and the papers relating to it. He replied yesterday and tabled two crown leases which, of course, are obtainable by members of the public for a fee, and indicated that the deed of agreement would be available to members of the Assembly in his office. Does he intend to table the files as he indicated in his first response?

MR WHALAN: I have given an undertaking to the Assembly in response to an answer yesterday that on an in-confidence basis I would make available the arrangements between the Government and the Revlon corporation, and that undertaking stands. The arrangement was that it would be in confidence, and I am sure that any member who took the opportunity of that particular offer would observe the undertaking that such an arrangement was in confidence. We have here the opportunity of bringing into Canberra one of the world's leading manufacturers of cosmetics, relocating its Australian plant and locating in Canberra its national and international distribution centre for Australia, South-East Asia and the Pacific rim. It worries me that, rather than being supportive of these developments which create employment opportunities for a range of people in our community, we find continual harassment by the Residents Rally party in relation to economic development. I thought that there had been a change in the Resident Rally party in relation to economic development along the lines that they were now supporting developments of this sort. However, it seems that there has been some reversion to previous policies on the part of the Residents Rally party, and that is to be regretted. But notwithstanding that, the Government remains committed to its policies on economic development and I reiterate the undertakings given in relation to - - -

Mr Collaery: I rise on a point of order, Mr Speaker. It just needed a yes or no answer: yes, he will produce the files, or no, he will not, and we have not had an answer yet, Mr Speaker.

MR SPEAKER: Order! Mr Collaery, I put it to you that, if a yes or no answer were given, you would object.

Mr Collaery: Well, let us start with a yes or no, Mr Speaker, and I will ask a supplementary question. In that

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case can we have the file to look at? We are elected members of this Territory.

Mrs Grassby: He said you could in his office.

Mr Collaery: He said a deed of agreement would be made available.

MR WHALAN: In relation to any undertakings that have been previously given in relation to this matter, they stand.

MR COLLAERY: I ask a supplementary question, Mr Speaker.

MR WHALAN: I am sorry, Mr Speaker; he has asked his supplementary question.

MR SPEAKER: Order! If this is a supplementary question and not the same question in a different manner, Mr Collaery, please proceed.

MR COLLAERY: It is a supplementary question. In view of your answer, Minister, in view of the general support that the development has for the economy of the ACT, may I ask - - -

Mr Whalan: I rise on a point of order. The purpose of question time is to ask questions, not to make policy statements.

MR SPEAKER: Thank you, Deputy Chief Minister. Get to your point, please, Mr Collaery.

MR COLLAERY: Minister, in view of your reluctance to produce the files and in view of the wholehearted support for the economic development of the Territory - - -

MR SPEAKER: Order! Mr Collaery, I ask you to retract that statement. The Minister has offered the files, as I understand it.

MR COLLAERY: I do not understand that, Mr Speaker. Has he offered the files? If he has, very well.

MR WHALAN: I will just state once again that that was not a supplementary question. I will state once again that I will undertake to honour all commitments given in relation to Revlon.

Construction Industry

MR KAINE: I would like to address a question to the Minister for Industry, Employment and Education. I refer the Minister to 3 July, when he issued a media release and said that there had started a review into the use of Australian and imported rainforest timber in the ACT government construction industry. He indicated that this

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was a matter of great importance and an important element of the Government's environmental policy. Well, four months have elapsed, Minister. Could you tell me who is conducting this review and when this Assembly can expect to be advised of the results of the review?

MR WHALAN: This is a matter which relates to the public works aspect of the portfolio, in which matters of design and supervision of construction and management of construction projects take place. We are very fortunate in having some highly skilled and experienced public servants working in that part of the Government's operations. It is within that area that the development of this policy is being undertaken. Because of the importance of this specific issue and our general commitment to environmental matters, we believe that these policies should be developed carefully and not be presented in a superficial way. When that policy development is complete, it will be presented to the Assembly.

MR KAINE: I have a supplementary question, Mr Speaker. I would again ask the second part of my question. Is this going to be this time next year or the year after? This is an important part of the Labor Government's policy, and I would like to know whether the benefits of this review will be soon, or later.

MR WHALAN: I submit, Mr Speaker, that I have answered that part of the question, in that it will be forthcoming when it is duly completed, and that will be as soon as possible within the circumstances.

Land Development

MR JENSEN: Mr Speaker, my question is directed to the Minister for Industry, Employment and Education. In view of the fact that deeds of agreement for land developments - for example, the Calwell group centre and Gordon land developments, where lots were being auctioned - are readily available, could the Minister advise whether it is only when arrangements for land purchase or rent are by direct grant that they are not being made available to the public?

MR WHALAN: Mr Speaker, in relation to a deed of agreement and its availability, it will vary according to the contents of the deed of agreement, particularly in relation to dealing with matters of a nature that are commercial-in-confidence. Any deed of agreement which is publicly available because it constitutes part of the conditions of an auction or part of the conditions of a public sale obviously falls into that category.

Other deeds of agreement might be appropriate for tabling in this Assembly under certain circumstances but there will be from time to time confidential negotiations between officers of my department and potential developers of

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factories and other employment creating activities which clearly are anathema to the Residents Rally party. From time to time deeds of agreement of that type do contain information which I am sure Bernard Collaery, as a senior lawyer, would recognise is appropriate to be kept confidential. In those circumstances, if the commercial activities of potential institutions involved in the economic development of this Territory are going to be continually harassed by members of the Residents Rally party, we can see that there can be a substantial undermining of confidence in the process of economic development - a most regrettable development. But notwithstanding that, we have seen the undertaking by the Government in relation to the Revlon group, a commitment to make available to the leaders of the parties in this place on a confidential basis in my office the deed of agreement. It can be examined there by those people on that basis.

Cosmetics Manufacturer

MR COLLAERY: Mr Speaker, my question is directed to the Minister for Industry, Employment and Education. In view of the fact that apparently the Assembly is not going to see the file in relation to Revlon, may I ask whether a document containing these statements is an authentic document from those files. I read, amongst other things:

ACTEW engineer ... says he is awaiting further discussion with Revlon regarding the cost of off-site works to enhance the sewer system. He understands that Revlon will contribute ...
A/S Peter Kearns says if \$100,000 is found for industry training then he sees no problem arranging it.

Let me read on:

ACT Administration believes these offers are most favourable because the prices asked are well below market value, possibly half real value.

And I could read on, Minister. Are we going to be allowed to authenticate documents that we have before us? Are we allowed to see the file?

MR WHALAN: Mr Speaker, the Revlon file held within the department is probably as thick as the ASIO file that Mr Collaery has observed in relation to me. In fact, I have never opened the cover of the Revlon file and so I do not know what is contained within the folds of that particular document. But I reiterate my undertaking which was given yesterday, the willingness on the part of the Government to make available to the leaders of the parties on a confidential basis the deeds of agreement in relating to the arrangement between the Government and the Revlon corporation.

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Asbestos Removal

MR STEFANIAK: My question is also to the Minister for Industry, Employment and Education, and it has got nothing to do with cosmetics.

Mr Kaine: The answer might be cosmetic.

MR STEFANIAK: It could be, too. Mr Speaker, is the Minister doing anything to alter the totally inappropriate prescribed safety procedures set down by the ACT Administration for the removal of asbestos cement sheeting in buildings and houses and, if not, why not?

Mrs Grassby: That was a question yesterday, because I have the answer.

MR WHALAN: Do you want me to read that?

Mr Kaine: Is this another dorothy dixer that has gone to the wrong Minister?

MR STEFANIAK: I think it is a different question?

MR WHALAN: Thank you, Bill. My answer to the member's question is as follows: the current legislation was enacted before self-government and requires removal of asbestos sheeting by a licensed asbestos removalist. The number of removalists is determined by market forces. Asbestos sheeting may contain 20 to 30 per cent asbestos and, if not handled carefully, could pose a risk to public health. While it remains in place, it does not present any significant risk to health. The current removal procedures may have been appropriate at the time they were introduced, but ACT builders now have a better appreciation of the problem. I am aware of the demands of the current requirements and have asked my department to review them, bearing in mind the need to ensure worker safety.

Mr Kaine: Your department?

MR WHALAN: Your department. She has asked her department to review them, bearing in mind the need to ensure worker safety. A draft building note detailing possible future procedures is being discussed with industry and unions. She believes that the suggested procedures should meet the wishes of all groups while ensuring that public health is not jeopardised. She sees no reason at this stage for the Government to consider meeting the relatively small cost of asbestos sheeting removal required by owners who are undertaking extensions or renovations.

MR STEFANIAK: I ask a supplementary question, Mr Speaker. I am not quite sure whether that question was the same, Minister. However, I ask either you or Mrs Grassby: when can we expect that review to be completed and will the Minister justify what she refers to as "a minor cost"? On my information, it is a potentially huge cost.

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MRS GRASSBY: I will get back to Mr Stefaniak with a reply.

Tourism Industry

MR DUBY: My question is directed to the Minister responsible for tourism, and I am asking this question as a member of the Tourism Industry Advisory Council. Has the Minister seen an article in today's Canberra Times concerning jobs in the tourism industry of the ACT headed "Jobs in Tourism are no Security"? Does the Minister consider that there is a legitimate long-term career structure in the tourism industry of Canberra?

MR WHALAN: I thank Mr Duby for the question. I hoped that there might be a question in relation to this article, because I know that, unlike support for economic development, there is unanimous support for the growth of tourism among Assembly members. That has been demonstrated on a number of occasions when it has been debated here. So I found the article on page 6, written by the city reporter, in reporting a speech by the assistant editor of the Canberra Times, Mr Waterford. It is a rather strange sort of article. It does jump about from place to place.

Mr Kaine: You should have heard the speech.

MR WHALAN: Certainly, if the article follows the speech, then there seems to be some lack of flow. The article suggests that particular jobs are based around speculative guesses about the potential of the tourist industry as an economic saviour of the city. The Government rejects the inference that is contained there, but there is also a further reference to employment in the tourist industry as being short-term jobs. The suggestion totally misunderstands the dynamics of the tourist industry and indeed the multiplier effects on other areas of employment.

Over recent years Canberra has demonstrated dramatic growth in all industry sectors associated with visitors to the ACT. More than 1,000 new hotel or motel rooms have been completed in the last several years, plus substantial investment in the refurbishing of existing premises such as the Country Comfort, Lakeside, Olims, Canberra Rex and the Travelodge. Associated with this has been the creation of hundreds of new permanent and part-time jobs in the accommodation industry. These jobs are not short-term jobs.

Visitor numbers at major attractions have grown steadily and received a strong boost during 1988. The new Parliament House and the National Science and Technology Centre have recently added substantially to Canberra's attractiveness. The new National Convention Centre, the Canberra Centre retail mall and the proposed Civic redevelopment will further broaden Canberra's appeal. A

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very major part of the new tourist facilities has been provided by the private sector without the need for any government assistance.

Tourism generates each year \$4m in turnover and the industry directly employs about 8,000 people. It is Canberra's second largest private industry. Civic is being established as the focal point for visitors to Canberra. It is the location of the Convention Centre, it contains a substantial number of the hotel and motel rooms, and it will soon offer a more extensive range of shopping facilities. The tourist industry is labour intensive.

Mr Collaery: I rise on a point of order, Mr Speaker. This is question time and this is another ministerial statement. Some of us have only asked one or two questions. I think I have had more than anyone else. What are we going to do about this Minister, Mr Speaker?

MR SPEAKER: Minister, would you please proceed, but be brief.

MR WHALAN: Mr Speaker, there have been times in the past when I have been attacked by this very person over here, this senior lawyer, for making my answers too short. Now, when I try to give a substantial answer to a very important issue on tourism, where tourism has been misrepresented as an employer in this town, when everybody in this chamber supports the thrust of the growth of tourism, Mr Collaery seeks to interrupt and to deny us the opportunity to speak on it. Be consistent, Bernard.

The tourist industry is labour intensive and will provide substantial job opportunities spanning full-time, part-time and casual employment, which are particularly attractive and available to young people and women. Tourism covers a broad range of industry activities and visits are stimulated by physical attractions such as Parliament House, by festivals and events such as Floriade and the Canberra Festival, by conventions, by private and government meetings and even by the more routine visits of friends and relatives.

It is, therefore, broadly based and not limited to short-term factors such as interruptions to airline services. Though the latter has had some effects, surveys show that about 80 per cent of Canberra visitors arrive by car and thus the ACT has been less affected than other States. There is a clear trend showing long-term growth in visitor numbers to the ACT. Canberra visitors currently exceed one million annually. Tourism is clearly a substantial, permanent and growing industry in Canberra.

Currong Flats

MR MOORE: I would like to address my question to Mrs Grassby as Minister for Housing and Urban Services. During the Estimates Committee hearings Mrs Grassby referred to the Currong Flats and the residents of Currong Flats. I will read from the transcript. She said, "No, we only formed the committee and I had them in to morning tea - we had a chat - and I asked them were they happy with this and they said yes, they were all happy. There were one or two tenants who were not happy, but the majority of the tenants were happy with the idea". Last Saturday I attended a meeting of the Currong Flats tenants and was then sent a letter from the chairman of that committee, who pointed out that there were actually 41 tenants present. I did not count them myself but it was in that order, and it appears to me that they are not happy. Can the Minister please explain to the house how we can be sure that the tenants in Currong Flats - there are about 200 tenants in Currong Flats, so I am referring to about a quarter of them - are going to be given the information that they claim they have not been given about renovations to their heating systems, and how are you proposing to take their opinions into account?

MRS GRASSBY: We did form a committee. I went to a meeting of 200 and we asked them to form a committee. The committee came to see me and we explained the problem with the sort of heating they had. The heating they had has broken down. It was central heating with hot water, and they paid between \$14 and \$17 extra a fortnight on their rent. To replace that sort of heating as they would like, I am afraid, is impossible in terms of costs. What we intend to do is to put in electrical heating, and tenants will have their own meters. Let me read from the report that was done on the flats:

Zig-zag building designs with large unprotected living room areas create alternative hot and cold spots, with the results that the tenants complain about some flats being too hot while some are too cold. In the consequence, energy is wasted and some tenants are frequently disgruntled. A further problem identified is the old substandard electrical wire in the individual units of the complex. Over the next five to 10 years this will have to be progressively replaced. It has been recommended that if any work is undertaken within the units themselves it would be prudent to replace the wiring at the same time.

So in the long run not only will we be putting the heating into each flat but we will be replacing the wiring, which will not have to be done again, so that the tenants will have it all done in one go. As for gas, I would like to table a letter that the gas company wrote to the editor of the Canberra Chronicle denying that it said that it could do the job that the tenants said the company could do. I

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could read out the letter to the Assembly, but as the Deputy Chief Minister is getting blamed for doing so, I will not take up the time of the house. I shall table this letter, Mr Speaker.

Mr Kaine: The three-minute answer will do.

MRS GRASSBY: Thank you, Mr Kaine.

MR MOORE: I ask a supplementary question. Minister, at the time that the heating is put in you are also intending to replace the hot-water services. I understand that that 160 litre off-peak hot-water service is taking up, in relatively small flats, a quite large amount of cupboard space. Have you any intention of providing alternative cupboard space to the tenants in Currong Flats?

MRS GRASSBY: I would like to make sure that the tenants in Currong Flats, like all the tenants of the Housing Trust, have everything they want. One of my aims is to carpet all the floors of all houses tenanted by the Housing Trust. I think it is rather sad that anybody goes into a house in this climate without floor coverings.

Unfortunately, I cannot do everything I would like to do because there is only a certain amount of cake, and once you have cut it up a certain way that is pretty well all the cake there is. So unless we can find some more money, then I will not be able to do it, I am afraid. So I must be honest with you and say, no, we will not be able to do it.

Road Upgrading

MRS NOLAN: My question is to Mrs Grassby as Minister for Housing and Urban Services. Has the ACT Government, along with the New South Wales Government, placed its joint submission for the upgrading of the Kings Highway to the Federal Government yet? If not, when will it be done, given your statement of 13 September?

MRS GRASSBY: No, it has not been put in to the Government. We are working on it now and we will work with a joint submission. We will be contacting the New South Wales Government, because I do not think it would be a very good idea to put our submission in without theirs. The two forces together may be able to get some money from the Federal Government to upgrade the road. We are working on the best way of getting the money.

MRS NOLAN: I ask a supplementary question. So when will it be done?

MRS GRASSBY: As soon as it is done, Mrs Nolan, I will inform the house. At the moment I cannot give you a day or a date or an hour or a minute on it, but I will inform you as soon as it is done.

Cosmetics Manufacturer

MR KAINÉ: I would like to address another question to the Minister for Industry, Employment and Education, and perhaps he can give me the same seven-minute answer that he gave to the other two questions without notice that he has received from members on the other side of the house. My question has to do with the \$200,000 that is being made available to Revlon to cover part of its resettlement costs. Since the proposed budget for industry incentive this year is only \$350,000 and \$200,000 has obviously been committed to Revlon, could we be informed as to what the other \$150,000 is being spent on in this fiscal year as incentives to increasing the private sector business in the ACT?

Mr Collaery: Good question.

MR WHALAN: Yes, it is a good question, as Mr Collaery says, and it will get a good answer as well. The problem in answering this question, Mr Speaker, is that it is impossible for any of us to look into the future. None of us knows what is going to happen next Monday or indeed next Tuesday. It is very difficult indeed then on the basis of this limited capacity of us mere humans - "hupersons" - to have this facility, and then to be able to give a response to something that has not yet happened. As nothing has yet happened and no commitment has been made in relation to the \$150,000 that has been referred to, then I cannot give a more appropriate answer than that.

Schools Administration

MR MOORE: My question is directed to the Minister for Industry, Employment and Education, just for a small change. With reference to the article in this morning's paper headed "More control for schools", could the Minister explain the projected savings, both in money and staff, that are expected to be made with this shift in administrative responsibility from administration to schools?

MR WHALAN: Mr Speaker, it is not appropriate, I think, to talk about the development of self-management in schools in terms of savings in either resources or staff. It is probably more appropriate to think of it in terms of increasing the benefits to the school community, the opportunities that are there for the school community to determine their own priorities and to derive a greater satisfaction from their involvement in the educational process.

The Government has always believed that schools should manage their own affairs as far as practicable and within the context of government policies and priorities. The

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further devolution of management responsibilities is consistent with trends in educational management in the ACT and indeed elsewhere in Australia. We have seen that happening in New South Wales and it has the Government's full support. The proposed extension of school self-management will provide schools with increased opportunities to allocate their resources in accordance with their own educational priorities and through increased efficiency to increase their real spending power.

The issue is a complex one and will require a great deal of research and consultation. The rate at which the transfer of responsibilities can proceed and the particular functions can be managed by schools will depend on these consultation processes. Training programs will be provided to assist schools to carry out their responsibilities. The Department of Education is also providing schools with enhanced technology which will help streamline these procedures.

Housing Trust

MR STEFANIAK: Mr Speaker, my question is to Mrs Grassby, the Minister for Housing and Urban Services. What consultation took place with the residents of Currong Flats; was the tenants' association consulted on their preference for heating and water systems; and what do you know about the Housing Trust home at 59 Blackman Street, Macquarie?

Mr Kaine: And where is Blackman Street, Macquarie?

MRS GRASSBY: And where is Blackman Street, Macquarie, yes. Thank you, Mr Kaine; you are very good. There were discussions with the residents of Currong Flats but, as I explained before, the cake is only so big, Mr Stefaniak, and when you cut it up there is only so much of it to give out. As for 59 Blackman Crescent, I will have to check that one out for you, Mr Stefaniak. I do not even know where 59 Blackman Crescent is; I am awfully sorry.

Mr Stefaniak: I am sure you know where Macquarie is.

MRS GRASSBY: Yes, I know where Macquarie is.

Planning and Land Management

MS MAHER: I direct my question to the Chief Minister. I refer to an article in the Canberra Times of Wednesday, 11 October, stating that some major problems have been highlighted in parts of the ACT (Planning and Land Management) Act 1988. Some parts of the Act are ambiguous and open to different interpretation. Since this is a Commonwealth Act, if the flaw is to be corrected the

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Commonwealth will have to intervene. Can the Chief Minister advise the Assembly whether the Commonwealth Government has been approached to this end, and when does the Minister anticipate the flaws will be corrected?

MS FOLLETT: I thank Ms Maher very much for the question. It has been a long wait. Indeed, I did see the report in the Canberra Times that Ms Maher has referred to and I believe it refers to defects that were associated with the granting of leases to the ANU, the CCAE and certain churches. It is true that section 29(3) of the Act limits the right of the ACT Government to grant leases for periods of greater than 99 years unless the Commonwealth Government by regulation under the Act has provided for leases to be granted for greater periods.

It is also true that legal advice has been received that perpetuity could not be considered to be a period as provided for in the Act. There is a bit of a difficulty there. Regulations have been made to allow for terms of leases of 999 years for the Australian National University, CCAE and some churches. The current leases to the ANU, CCAE and churches already granted in perpetuity remain valid and the restriction only applies to new leases.

The other allegation that was contained in that article refers to matters concerning the proposed redevelopment of the former Canberra Times site. As members know, that is a matter that is currently under consideration by the Assembly's Committee on Planning, Development and Infrastructure so I do not think it is appropriate for me to comment any further on that.

Ms Maher asked finally whether I had taken this matter up with the Commonwealth Government. No, I have not, but I think, subject to some further advice on the matter, I will consider whether that would be appropriate.

Road Upgrading

MR JENSEN: My question is directed to Mrs Grassby, the Minister for Housing and Urban Services. I have received some representations concerning the poor condition of the Fairlight and Mountain Creek Roads in the Uriarra Crossing area. Can the Minister advise when much-needed improvements to these roads will be undertaken?

MRS GRASSBY: Unfortunately, I am not sure whether that is in our budget, and I will check that out and get back to you tomorrow. I do not think it is in the budget. If it is not, they will not be done this year.

Road Upgrading

MR JENSEN: I have another question to the Minister for Housing and Urban Services on a related matter. It refers to the condition of the Boboyan Road, which links the ACT to Adaminaby from the Naas Valley and Tharwa. As this road has considerable tourist potential and is currently in a deplorable condition, could the Minister advise when the road will be upgraded, and preferably sealed, to the border?

MRS GRASSBY: As it is not in our commitment for this year, it will not be done this year because there are other roads we think are more important.

Assembly Budget

MR HUMPHRIES: My question is to the Chief Minister. Given that it is the Chief Minister's view that it is not up to the Government to set the Assembly's budget, and given that it is the Speaker's view that it is up to the Government to set the budget, will the Chief Minister either issue a press release clarifying her position, particularly to viewers of Channel 10, or move for the sacking of the Speaker on the basis that he gives improper advice to the Assembly?

MS FOLLETT: I thank Mr Humphries for the question. Mr Speaker, I believe that both you and I have made it clear that the Assembly's budget is set in negotiation between us and - - -

MR HUMPHRIES: He said you set it, that it is your responsibility. The Hansard will show that.

MS FOLLETT: I believe that Mr Speaker said that we had negotiated that budget between us.

MR HUMPHRIES: He also said that the Government was responsible for the budget.

MS FOLLETT: The Government is indeed responsible for the budget. I have never denied that at all, but the Assembly's own budget - that is, what it costs to run the Assembly in terms of staff for committees, stationery, transport and what have you - has been negotiated between me and Mr Speaker. Mr Speaker administers that budget. The actual quantum of that budget was negotiated between us, and I will not issue a press release as required for Channel 10 or indeed anybody else.

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Gowrie Hostel

MR JENSEN: Mr Speaker, my question is directed to the Chief Minister. Can the Chief Minister advise what discussions have been held with the Commonwealth Government and when can we expect to hear the results of the discussions regarding the future of the Gowrie Hostel site, as I understand that under the terms of the ACT-Commonwealth agreement such national land may revert to the ACT if no longer required by the Commonwealth?

MS FOLLETT: I thank Mr Jensen for the question. Mr Speaker, I advise the Assembly that I have not had discussions with the Commonwealth Government on the sale of the Gowrie Hostel. There is no doubt whatsoever that the loss of the hostel would adversely affect the lower income earners who might use that accommodation because it is close to Civic, to employment centres and, of course, to public transport. So we as a government would object to the loss of that facility as it is obviously contrary to our principles of social justice in relation to the provision of low-cost accommodation.

We would also be concerned about the loss of Gowrie Hostel because it is used by interstate visitors to Canberra, particularly school groups. It is a budget-priced accommodation facility for tourists visiting Canberra and we are keen to promote tourism in Canberra, as Mr Whalan has quite rightly stated earlier, and youth tourism which is an aspect that Gowrie Hostel caters for particularly well. We will be drawing these concerns to the attention of the Commonwealth. I have not met with them yet. I think it is appropriate that we also question whether it is fair that a facility like that, which is of joint Commonwealth and territorial concern, should be proposed for redevelopment and sale only, I believe, some 19 weeks after it was gazetted as national land.

Woden Valley Hospital

MR COLLAERY: My question is directed to the Minister for Community Services and Health. Minister, you have seen reports in the press of problems at Woden Valley Hospital affecting the wardsmen. On the subject of tourism, could you advise us whether the situation in the wards is to become a tourist attraction in terms of the fighting and other allegations that are being made about the situation? Seriously though, what do you intend doing about the unrest at the hospital and allegations by the HEF that its members are being intimidated?

MR BERRY: I thank Mr Collaery for the question. I think the most important issue that arises in answering this question is, of course, the rather flippant approach that Mr Collaery takes to the management of our hospital system. I must say that I have a great deal of concern about

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statements which tend to talk down our hospital system, which, of course, is well regarded by the people of Canberra. I must say the snigger from the Liberal bench is, of course, indicative of the talking down that they have done on the hospital system in the past.

Mr Kaine: What you heard was an echo from the Canberra Hospital, Mr Berry.

MR BERRY: Well, I am not quite sure that Mr Kaine has directed that much of his attention to the Canberra Hospital but I am sure that those people who want to keep the hospital open do it for some good reason, and it is because perhaps they have some regard for the system and are not prepared to talk it down like members of the Liberal Party are.

In terms of the HEF matter at the Woden Valley Hospital, I understand, or it is alleged, that 10 members of the Hospital Employees Federation have resigned from their union. I must say that that is something that is up to the members of the union and, provided that they do it in accordance with their rules, I suspect that there is nothing in that. In terms of the alleged intimidation and violence at the hospital - and it is a serious management matter, not a tourism matter; it is not something to be laughed at - management of the hospital have indicated that, if there is evidence which requires the attention of the police, the matter will be reported to the police, and I suspect that the police would deal with it appropriately.

In relation to the hospital system and the issue of industrial relations, industrial relations can at times develop into a situation of conflict and, as is the policy of the Labor Government, this will be dealt with in the normal management way. Where it cannot be settled between management and unions it will be settled in the Industrial Relations Commission appropriately.

Personal Explanations

MR MOORE: Mr Speaker, I claim to have been misrepresented. In one of his answers Mr Whalan pointed to the Residents Rally. I took this personally. I might point out that this is the first time I have claimed to be misrepresented. He suggested that we were anti-development, and that means that I am personally anti-development. On the contrary, Mr Speaker, we appreciate the developments such as the Revlon one he talked about and the National Aquarium, but we do expect that there be some public participation in some form of environmental comment. That is not anti-development. That makes the Canberra community aware that development can go on and can be encouraged in an open and honest way.

MR WHALAN (Minister for Industry, Employment and Education): I wish to make a personal explanation. During

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question time Mr Collaery alleged that I had given an undertaking that I would table in this Assembly the files in relation to the arrangements between the Government and the Revlon corporation. He then implied that I had failed to honour that undertaking. On two occasions - yesterday, Wednesday, and on Tuesday - I have spoken on this particular matter and at no stage was there any undertaking given to table any files whatsoever in this chamber. To allege that that undertaking was given is quite false, and I wish to have it corrected in the record.

There was an undertaking given on Tuesday that details would be provided, and details were provided in a very long statement at the end of question time yesterday. As part of that statement, there was reference to the deed of arrangement, referring back to Mr Collaery's question of the previous day. It was pointed out that that is a commercial-in-confidence document which I am not prepared to table here in the Assembly. However, I would be happy for any member of the Assembly to read that document on an in-confidence basis in my office. I have since had discussions with Mr Collaery and I will be showing that deed of arrangement document to Mr Collaery in my office at 5 o'clock this afternoon when the Assembly rises.

MR KAINE (Leader of the Opposition): I would like to make a personal explanation on the ground that I have been misrepresented. It seems to be the season for it. During question time - in fact, only a few moments ago - Mr Berry in response to an answer, first used my name and then went on and said that I was talking down the Canberra Hospital. Neither I nor the Liberal Party have at any time talked down the Canberra Hospital. What the Liberal Party is about and what I am about is producing for this Territory a health delivery system that meets the needs of this community and a system that they can afford. A health delivery system is one part of our delivery system that has been identified.

Mr Berry: I rise on a point of order, Mr Speaker. I think it is appropriate for Mr Kaine to explain where the misrepresentation took place, not go into Liberal Party politics.

MR SPEAKER: Please proceed briefly, Mr Kaine.

MR KAINE: I will come to that, Mr Speaker, but since we have Ministers who take seven minutes to answer simple questions when they are supposed to be on notice, I presume that I can have the same latitude. The Grants Commission identified our health delivery system as one of the two areas which is significantly overfunded as compared to any other health system in the Australian Capital Territory, yet it is the worst in terms of the delivery of service. That is the system that Mr Berry presides over, Mr Speaker. It is not the Liberals that are talking down the health delivery system in this city. It is the Labor Party that has not yet attempted to address the question of a health

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delivery system which is inefficient, ineffective and lacks the confidence of the community that it is supposed to serve. Yet the Minister and the Government have done absolutely nothing about it, except in their budget to nibble around the edges a little bit - - -

MR SPEAKER: Order! Mr Kaine, please get to the point.

MR KAINE: I am getting there, Mr Speaker. They have nibbled around the edges a bit in terms of overlap of nurses' shifts and such minor things as that. Mr Speaker, I would like to see, instead of the Labor Government simply perpetuating an efficient, ineffective health delivery system - - -

MR SPEAKER: Order!

MR KAINE: I am talking up the system, Mr Speaker.

MR SPEAKER: Mr Kaine, please resume your seat. I will point out to all members that, if you are claiming to be misrepresented, you must not debate the issue. You must state where you have been misrepresented. Please proceed, Mr Kaine.

MR KAINE: I am simply stating my position and that of the Liberal Party. If anybody, at the end of my exposition, can say that I or the Liberal Party have been indulging in talking down the Canberra Hospital, I would like the Minister who made that statement to justify it. We are not talking down the health delivery system; we are not talking down the Canberra Hospital. What we are trying to do, Mr Speaker, is to talk it up. We know the significance of the Royal Canberra Hospital, and we know its significance in the context of a total health delivery service. Instead of making derogatory remarks about me or the Liberal Party and our attitude to health delivery service, I would like the Minister to do an analysis of the health delivery service over which he presides. Let him provide some answers that produce a delivery service that this community has some confidence in, at a cost not greater than that same service costs somewhere else. If he can prove that the Liberal Party has ever said anything other than that in connection with the Royal Canberra Hospital, I would like him to produce the evidence now.

MR BERRY (Minister for Community Services and Health): Mr Speaker, like Mr Kaine, I claim to have been misrepresented.

MR SPEAKER: Please proceed, Mr Berry.

MR BERRY: Mr Kaine made some very serious allegations and very hurtful allegations against the Government about its treatment of the health system.

Mr Kaine: I regret that, Mr Berry.

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MR BERRY: So you ought to regret it, Mr Kaine, because it is entirely untrue. The Government has taken a very serious view of the way that it handles the health system. Rather than go into all of the details, which are regarded by many as very progressive in the way that we have dealt with the health system, I will just bring one matter to your attention which might put the lie to the allegations which you made. I refer to the issue of the steering committee's assessment of the hospital system, which has been a very involved process.

MR SPEAKER: Order! Please do not repeat the same error that was made earlier. Please indicate where you have been misrepresented.

MR BERRY: Indeed, Mr Speaker, and with the greatest respect, I am trying to draw to the attention of the Assembly only one of the areas - only one, and there are many - where the Government has acted appropriately and progressively to put the lie to the allegation made by Mr Kaine in his misrepresentation of my position and that of the Government.

The position clearly is - and just on this one issue - that the Government has supported wholeheartedly the assessment of the hospital system by the steering committee, and of course we are currently assessing that position. We will report on the public health system in the ACT before the end of October, and of course the development of the hospitals which occurs as a result of that announcement will take us well into the next century. I think that in the light of that development alone Mr Kaine should withdraw his allegations that the Government has done nothing about our top-quality health system and our efforts to ensure that it delivers a first-class health service to the people of the ACT.

Legislative Program

MS FOLLETT: I would like to respond to a couple of questions taken on notice. During question time on Tuesday, 26 September 1989, Mr Humphries reminded me of his question of 6 July in which he asked whether I would undertake to provide opposition parties with a weekly or fortnightly legislation program. Mr Humphries then went on to ask whether the Government could provide a list of Bills which it intends to introduce into the Assembly. Mr Speaker, I would like to point out that for some time now the Government has made a practice of informing party leaders of the Bills to be introduced in each sitting week. This information has been conveyed by the Deputy Chief Minister in his regular consultations with party leaders at the start of each week. In other words, Mr Speaker, the Government has taken action to respond to Mr Humphries' request of 6 July. But to formalise this process and to assist party leaders to convey this information to other

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members, the Government will now provide its weekly legislation program in written form to party leaders during their regular meetings with the Deputy Chief Minister.

I now turn to the question of the Government's broader legislation program for the remainder of the year. The Government has under development a substantial volume of legislation which it has made a practice of introducing to the Assembly at the first opportunity following its completion. Of the legislation now under development, a significant proportion is expected to be introduced into the Assembly this year. The thrust of the legislation program reflects the Government's policy commitments made both before and since the election.

Members will be aware that private members' Bills being drafted by the legislative counsel are treated in confidence. Neither the title of such Bills nor any details regarding their contents are available to the Government until the private member concerned so wishes. Consistent with this practice, the precise details of the Government's own legislation program also remain confidential. However, I am able to advise in general terms that amongst the legislation currently under development are laws relating to privacy; anti-discrimination and domestic violence matters; the regulation of vehicle size and weight in the ACT; establishment of a register of vehicle encumbrance; revenue measures associated with the budget; the control of dangerous weapons; the control of clinical waste; measures to contain legionnaire's disease; and a range of other measures designed to address issues of significance to the ACT.

Tuggeranong Community Centre

MS FOLLETT: Mr Jensen asked me a question on 18 October 1989 concerning the difference between the visual arts facility and the Tuggeranong Community Centre in documents that he referred to. My answer to Mr Jensen's question is as follows: the two facilities are not the same thing. The reference to the Tuggeranong Community Centre on page 22 of budget paper No. 5 is incorrect. The \$2m allocation referred to is to provide studio space for up to 60 visual artists on two separate sites within north Canberra.

This information has been supplied to the Estimates Committee by way of a breakdown of allocations within the community development fund. The funds allocated for the Tuggeranong Community Centre are shown in budget paper No. 6, page 35.

Multiple Sclerosis

MR BERRY: Mr Speaker, I have the answer to a question asked by Ms Maher on 17 October when she asked what steps the Government was taking to provide the Multiple Sclerosis Society with financial assistance so that its respite care house could be utilised. The second part of the question was: "Can the Minister give an indication as to whether or not funding will be made to the society in the near future?".

As I indicated then, the Multiple Sclerosis Society is an important society for the assistance of those people in the ACT who suffer from that disease. The Multiple Sclerosis Society is currently receiving funding under the community services and health grants program administered by my department. In 1988-89 it received \$21,060 to assist in the operational costs of its respite care house.

Under the new funding arrangements the Multiple Sclerosis Society has been identified for annual funding. However, it will have the opportunity to negotiate for inclusion as a recurrent service during the current grants process. Applications for new and expanded funding are now being called by the department, and the Multiple Sclerosis Society is encouraged to apply. I hope to announce the outcome of grant applications by the end of December this year.

The Multiple Sclerosis Society has also lodged an application for funding under the Commonwealth-Territory home and community care program. The home and community care program provides funding to maintain frail aged and younger people with disabilities in the community who are at risk of premature admission to inappropriate long-term residential care and to assist their carers. Over 50 applications have been received for funding under this program as part of the current funding round and are under consideration by my department. I and the Commonwealth Minister for Housing and Aged Care, the Honourable Peter Staples, expect to make announcements on successful projects within the next two months.

The Multiple Sclerosis Society's application is for respite care for members of the society and people with other disabilities. The form of respite care described by Ms Maher - that is, a respite care facility - is not eligible for funding under the home and community care program. This program is designed to keep people in the community, not to provide accommodation in an institutional setting. I would add that, under the home and community care program guidelines, services which are available only to a specific disability group, such as the multiple sclerosis group, are also not eligible for funding.

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SAN FRANCISCO AND SANTA CRUZ EARTHQUAKE
Ministerial Statement

MS FOLLETT (Chief Minister), by leave: Mr Speaker, I would like to pass on the Government's sympathy to the people of San Francisco and Santa Cruz for their loss in yesterday's tragic earthquake. I am sure that all members of the Assembly will join with us and with the rest of the people of Canberra at this time in passing on our concern for the citizens of San Francisco and Santa Cruz. It has been distressing for us all to see the scenes of devastation caused by the earthquake. I have sent a message to the United States ambassador expressing the sympathy of the Government and the people of the ACT.

GOVERNMENT LEGISLATIVE PROGRAM

MR HUMPHRIES: Mr Speaker, I seek leave to make a short statement concerning the Chief Minister's recent announcement on provision of a legislative program.

Leave granted.

MR HUMPHRIES: I have to express on behalf of the Opposition my grave concern about the inadequacy of the Minister's long-delayed reply to my question of 6 July and about the inadequacy of what the Government proposes to do in response to the question I asked on that day. Let me make it perfectly clear that what the Minister refers to when she offers to supply information to other parties in this Assembly about the Government's plans for introducing legislation is a far cry from a legislative program. It is simply not a legislative program.

I asked the Minister on 6 July, three and a half months ago, to provide a legislative program. I had in mind at that time a legislative program somewhat akin to what occurs and is provided by the Government in the Federal Parliament to other parties in that place. I assumed that three and a half months would have been more than enough time for the Government to set out, in some kind of vague detail, the sort of legislation it planned to bring in up until the end of this year. It is not a very long time to go, but still enough to allow some time for us to discuss the issues which the Chief Minister might raise in those Bills. Are we to get that? No, we are not. We are to get a vague statement - - -

Ms Follett: Mr Speaker, I rise on a point of order. I believe that Mr Humphries is debating this matter, and at any rate I refer him to the answer which I have given him which lists - - -

MR HUMPHRIES: Four bits of legislation.

Ms Follett: That is not so.

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Mr Kaine: On a point of order, Mr Speaker; are we listening - - -

MR SPEAKER: One point of order at a time, please, Mr Kaine. Complete your point of order, Chief Minister.

Ms Follett: Mr Speaker, Mr Humphries is debating this matter when he is supposed to be making a statement.

MR SPEAKER: Order! Chief Minister, I cannot see how one person can debate it. He is making a statement. Please proceed, Mr Humphries.

MR HUMPHRIES: Mr Speaker, what the Government proposes to put forward is not a legislative program. I want to remind the Government of one thing. The Chief Minister talks at great length in this place and elsewhere about the principles of consultation - how important it is for people to be talking about issues in this place, to be talking about proposals the Government might have to make. She forgets that it is not only the Government that needs to consult; it is also the other parties in this place. It is also the Liberal Party, the Residents Rally, the No Self Government Party and the Abolish Self Government Coalition. All those parties need and have a right to consult about legislation coming before this place.

Some Bills have been introduced with minimal notice - in fact, with no notice - in this place. We have been expected in short periods to debate those Bills. There was one Bill, Minister, that we debated within 48 hours of its introduction. Do not tell me it does not happen. It does happen, and we are expected in some fashion to consult our constituents and our communities about those Bills. It is simply not good enough. We are entitled to more notice. We are entitled to have some idea of what this Government plans, if it has any plans.

The Minister comes into this place and says "Well, I'll give you a rough idea of what we are going to do. I have got four particular Bills in mind, but there will be other Bills. We do not know what they are at this stage, but we will bring them forward when the time comes". That is a disgrace, it is unacceptable, and I ask the Chief Minister to change her policy now. It is simply not appropriate.

Three weeks ago the Government introduced two Bills, the Optometrists (Amendment) Bill and the Trustee Companies (Amendment) Bill. Both Bills were due to be debated this week in this place but they have been put off by arrangement between the parties because there has not been time for the parties in this place to sit down and talk to people concerned about those Bills. It transpires from discussions that the Government has not arranged any consultation between itself and the Australian Optometrical Association with respect to the optometrists Bill - an extraordinary omission. Yet, if the Government does not do

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it, who else is going to do it? Clearly, only one group; that is other parties in this place.

If the Government provides us with no opportunity of advance notice of these Bills and brings them on two weeks from when they are to be debated and interposes an Estimates Committee to tie up all our energies in that period, how are people supposed to arrange for the proper debating of these issues and proper consultation? Clearly they cannot. The Government stands condemned for its action. I give notice to the Government that, if it does not change its policy and provide the same information that its colleagues in Federal Parliament provide and a proper detailed legislative program, it can expect dire consequences in this place.

MS FOLLETT (Chief Minister): Mr Speaker, I claim to have been misrepresented. Mr Humphries has accused me of being vague, of providing less information than is provided in other parliaments with regard to our legislative program. I can only repeat what I have said in the answer that I just gave to Mr Humphries' former question. In fact the information has been conveyed to party leaders on a regular basis in a meeting that is held each sitting week with the Deputy Chief Minister. I am now formalising that process to assist party leaders to convey the information to their other party members by providing a weekly legislation program in written form to party leaders during those regular meetings. I refer also to the final part of the answer which I just gave to Mr Humphries' question, and I will repeat the laws that we plan to introduce before the end of this year.

Mr Humphries: You said "including". There are only those four you mentioned. There are others too, are there not, Chief Minister?

MS FOLLETT: I will read the entire answer again, Mr Speaker, if that is what is required. Mr Speaker, the legislation which is currently under development is privacy; anti-discrimination; domestic violence matters; the regulation of vehicle size and weight in the ACT; the establishment of a register of vehicle encumbrance; revenue measures associated with the budget - and if you have read the budget you will see that there are quite a number of matters there - the control of dangerous weapons; the control of clinical waste; and measures to contain legionnaire's disease. Now, when you take that together with the number of Bills that are already on the notice paper, I would point out that I wrote to every party leader in this Assembly to offer them a briefing on all of the Bills which are on the notice paper in my name. I have not had a reply.

Mr Kaine: I rise on a point of order, Mr Speaker. The Chief Minister is grossly misrepresenting the situation. She said that she has had no reply to her offer to brief. We have had briefings from several departmental officers on

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a number of the Bills. What she is saying is simply not true.

MS FOLLETT: If that sort of consultation has taken place, it is contrary to the impression that Mr Humphries has just conveyed to the Assembly and I therefore claim to have been misrepresented.

SUSPENSION OF STANDING ORDERS

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

That so much of the standing orders be suspended as would allow the appointment of members to the Standing Committee on the Scrutiny of Bills and Subordinate Legislation to be determined forthwith.

SCRUTINY OF BILLS AND SUBORDINATE LEGISLATION - STANDING COMMITTEE Membership

MR SPEAKER: I wish to advise that I have received four nominations for the committee: Mr Dennis Stevenson, Mr Bernard Collaery, Mr Bill Stefaniak and Ms Carmel Maher. We will therefore have a vote on the issue. I ask members to list three names of those they wish to have on the committee.

Mr Collaery: Mr Speaker, I should notify the house that Dr Kinloch, to my knowledge, is unwell this afternoon and will not be present. So I seek leave of the Assembly on his behalf.

MR SPEAKER: Thank you, Mr Collaery.

A ballot having been taken -

MR SPEAKER: The result of the ballot is: Mr Collaery, 16 votes; Ms Maher, 15; Mr Stefaniak, 15; Mr Stevenson, 2. I declare Mr Collaery, Ms Maher and Mr Stefaniak appointed.

CIVIC SQUARE PROJECT - SELECTION PROCEDURE Ministerial Statement and Paper

MR WHALAN (Minister for Industry, Education and Employment), by leave: This is a statement about the procedures being followed by the Government for the selection of a developer and casino operator for the Civic Square project. I make this statement today because several questions have been asked in the Assembly this week concerning these processes.

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Because the nature of those questions has demonstrated some misunderstandings about those processes and the requirements of the relevant legislation, I thought it appropriate to advise the Assembly in some detail of the Government's approach to the matter.

The broad principles which have dictated the adoption by the Government of the procedures are as follows:

The Government is determined to ensure that the matter is handled with absolute probity. We have adopted mechanisms which provide checks and balances, independent advice and supervision.

Due to the unique nature and size of the project, the Government has decided that all but the final decision will be taken at arm's length from Ministers. This means that decisions made to exclude submissions on experience, ability, financial and design criteria will not involve Ministers. Clearly, Ministers will not be involved in any way with the statutory processes to be undertaken by the Casino Surveillance Authority.

No Minister in the Government will therefore have access to any information about the number or identity of those companies making expressions of interest for the project, nor the substance of any submissions, until the completion of all administrative and legal processes leading to a short-listing of applicants.

Initial analysis of expressions of interest will be undertaken solely on the basis of financial capacity, a proven track record in projects of this size and nature, as well as the experience and nomination of key personnel.

Stage II will involve an analysis of detailed design and financial submissions undertaken by separate independent committees of experts in financial and design matters respectively. These committees will be chaired by eminent persons from the private sector.

Following that, in accordance with the provisions of the Casino Control Act 1988, the Casino Surveillance Authority will then investigate exhaustively the suitability of all casino operators and developers who are short-listed on financial and design criteria.

A central statutory function of the authority is to inquire into and make recommendations to the Minister on the suitability of proposed developers and operators. The Government must have regard to any authority

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recommendations before making a decision. However, this does not mean that the authority must directly participate in the process which leads to the short-listing of submissions for the site. The short-listing process relates principally to financial and design criteria.

I must emphasise that there is nothing to limit the nature and extent of the authority's inquiry processes, and there would be nothing to prevent the authority reviewing some of these essential preliminary steps. The initial object of the exercise is to select a consortium which offers the best possible design solution and the highest premium for the site. The process will then address the overriding issue of probity and fitness. I repeat: no decision can be taken until the Government has before it the recommendations of the authority on the probity and fitness of developers and operators to be involved in the project and hold a casino licence.

The Government considers that it would be a waste of resources to require a formal investigation of every applicant and developer prior to the short-listing stage. To put it simply, it would be irrelevant and expensive to investigate an operator and developer who may be ejected from the process on financial or design grounds. Investigations only become necessary when they reach the financial and design short list. The ACT government solicitor has advised that this process is consistent with the provisions of the Casino Control Act 1988.

I now wish to outline the details of the process leading up to the short-listing stage and the role of the Casino Surveillance Authority. The Government has agreed that the selection process involve three stages as follows. The first is the expression of interest stage, open to all interested parties. I table the expression of interest document for the information of members. This will involve the submission of financial and development capacity and experience, nomination of all key personnel to be involved with the project and nomination of proposed developer and casino licensee.

Assessment of first stage submissions is being undertaken by officers of the major projects group according to predetermined selection criteria set out in the expression of interest document. This activity is being supervised by a panel comprising an independent expert from outside the public service from the commercial financial sector. He is Mr Peter Holland, senior partner of Jebb Associates. Others include the secretary to the Chief Minister's Department and the general manager of the major projects group. I am advised that this panel is consulting with the under treasurer and chief law officer as it undertakes its work.

The second is the design and financial assessment stage. This stage is restricted to those who satisfy the stage I selection criteria and will involve the submission and

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assessment of detailed design drawings and site premiums. Separate independent expert assessment panels will be established to assess the merits of design and financial submissions.

As I indicated earlier, the panels will be chaired by eminent independent experts from the private sector. Conforming financial bids will be required from each developer and will be in the form of a straight front-end premium bid. In addition, developers may, if they wish, submit a non-conforming financial bid. This will be optional and will allow scope for developers to propose a financing scheme that may provide greater long-term benefits to the ACT community.

Subsequent negotiations with the parties would be undertaken by the general manager of the major projects group, as the Government's chief negotiator, in conjunction with the independent chairpersons of the design and financial panels and expert advisers to refine design schemes and site bids where appropriate. This process has been used with success by the Darling Harbour Authority and the Sydney Cove Redevelopment Authority.

A report setting out the proposals of the three or four proponents assessed as most acceptable by the expert panels will be compiled by an interdepartmental committee chaired by the secretary to the Chief Minister's Department.

The final stage is the final assessment and selection. The results of the preceding stages will be referred to the Casino Surveillance Authority for consideration and recommendations to Government in accordance with the ACT Casino Control Act 1988. The final selection of the successful developer/casino licensee will be considered by Ministers, having regard to the assessments of the expert panels in relation to final negotiated design and financial proposals and recommendations by the authority on suitability.

As I have already mentioned, Cabinet has instructed that supervision of each of the selection processes will be by an interdepartmental committee chaired by the secretary to the Chief Minister's Department, and including the under treasurer and the chief law officer.

The interdepartmental committee has met and is supervising the first stage process. The committee will scrutinise the method and reason for any proposal being recommended for rejection by the independent expert assessment panels to ensure that fairness, ethics and due process are followed.

The functions of the Casino Surveillance Authority in the selection process for the ACT casino developer/licensee are established in division I, part III of the Casino Control Act 1988. It is to inquire into and make recommendations to the Minister on the suitability of a proposed casino developer/licensee.

Under the Act, a person shall be taken to satisfy the suitability requirements if the person:

- (a) has a reputation for sound business conduct;
- (b) in the case of a natural person, has a reputation for sound character;
- (c) is not associated, and has not entered into any business or financial arrangements, with any person who does not have a reputation for sound character and business conduct;
- (d) has a business reputation demonstrating the capacity to achieve -
 - (i) in the case of the developer, the successful development of the casino, and
 - (ii) in the case of any other person, the successful operation of the casino;
- (e) in the case of the developer and proposed casino licensee -
 - (i) is not associated in business, and has not entered into financial arrangements, with any person who has conducted business with inadequate financial resources, and
 - (ii) has, or is able to obtain, financial resources that are adequate to develop the casino successfully in accordance with the development agreement, or to operate the casino successfully as the case requires;
- (f) in the case of the proposed casino licensee, has, or is able to obtain, the services of a sufficient number of persons who -
 - (i) have a reputation for sound character, and
 - (ii) have adequate relevant experience to achieve the successful operation of the casino;
- (g) in the case of the developer, is, in relation to any other matter relevant to the development of the casino, suitable to participate in that development; and
- (h) in the case of a person other than the developer is, in relation to any other matter relevant to the operation of the casino, suitable to participate in that operation.

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The Government intends working to establish the Casino Surveillance Authority in the next two months. The authority will be provided with necessary resources and time to complete its checking process. Costs associated with this process will be funded by the consortia and, following the establishment of the casino, an annual casino licence fee will fund the ongoing work of the authority.

The Government has already undertaken in its information to potential consortia that information about their proposals will be regarded as commercial-in-confidence. The process will produce by mid-March 1990 a short list for investigation by the Casino Surveillance Authority. It will be a matter for the authority to determine the time and resources that it needs to complete its checking process.

I indicated at the commencement of this statement that the Government wished to conduct this process with absolute probity and at arm's length. The Government has no intention of departing from any recommendations of the Casino Surveillance Authority. In addition, the Government undertakes to provide private briefings on the process to party leaders if requested and is happy to make available for private scrutiny by party leaders all documents available to Ministers. I present the following papers:

Civic Square - Expression of interest document;
Civic Square project - Selection procedure - Ministerial statement, 19 October 1989.

I move:

That the Assembly takes note of the papers.

Debate (on motion by **Mrs Nolan**) adjourned.

PESTICIDES ACT **Ministerial Statement and Paper**

MRS GRASSBY (Minister for Housing and Urban Services), by leave: Mr Speaker, I would like to draw the Assembly's attention to the fact that the Pesticides Act came into force on Friday, 6 October 1989. The ACT now has legislation similar to that of the other Australian States and the Northern Territory for the safe and responsible use of pesticides. I have appointed a registrar of pesticides to administer this Act. From the date of the commencement of this Act, those manufacturers of pesticides which are registered in NSW and Victoria have been given six months in which to register their products in the ACT. After this period only pesticides specifically registered for use in the ACT will be able to be used in the Territory.

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Pesticides banned for use in NSW and/or Victoria will not be registered in the ACT and must be handed in within 21 days from the commencement of the Act; that is, by 27 October 1989.

The environment protection section is providing a "hand in" service for both householders and industry to ensure that these chemicals are taken out of the system. This will be one step towards the long-term protection of the environment. Mr Speaker, during the early stages of this new law, the staff of the environment protection section will provide every possible assistance to the public and pesticide users. A meeting has already been held with the representatives of the Pest Controllers Association and one is proposed with Australian Environmental Pest Managers Association to develop transition arrangements.

I am aware of the intense public interest in the safe use of pesticides. I propose to set up an advisory committee to advise me on the operation of this legislation. I intend that there will be broad representation on this committee. This representation will be drawn from users, unions, government, conservation groups and the community.

Mr Speaker, I would like to outline the procedures which will now apply in the administration of the Pesticides Act. Where offences such as illegal use or possession of pesticides occur, prosecutions may proceed under section 71 of the Act. The costs of disposal of the pesticides may be payable by a person convicted of the offence. In some cases, a pesticide which is not registered may be required for a specific purpose. In these cases, a permit system has been included in the Act to allow the use of unregistered pesticides for restricted, experimental and emergency situations only. These permits will be issued by the registrar only when the applicant can show that he or she is a fit and proper person to hold such a permit and that there are no registered products capable of performing the task required.

Another important aspect of the commencement of this Act is that the ACT may now join the other States and the Northern Territory in the national scheme for the assessment, clearance and registration of agricultural chemicals. The ACT will now be represented on the committees and council serving this scheme. This will provide the ACT with the opportunity to continually assess new and old pesticides and receive first-hand scientific information on pesticides.

I am proud of what the Government has achieved in this legislation. The Act will remove a potential danger to public health and the environment, a danger which we could not properly address without self-government.

The monitoring of maximum residual limits in food and development of legislation relating to the registration and health of the operators will be handled by my colleague the

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Minister for Community Services and Health. The Pesticides Act, which is now in force, is part of this Government's continuing commitment to action and not just words on environmental issues.

I present the following paper:

Pesticides Act - Ministerial statement, 19 October 1989

and move:

That the Assembly takes note of the paper.

Question resolved in the affirmative.

HOUSING POLICY REVIEW 1989-90 Ministerial Statement and Papers

Debate resumed.

MR SPEAKER: Before we proceed with the debate, I remind members that the Assembly has agreed to have a cognate debate on this order of the day and order of the day No. 17, dealing with youth housing measures.

MR BERRY (Minister for Community Services and Health) (4.17): Mr Speaker, the ACT Government has a strong commitment to social justice. Of course, we have announced that several times. I am sorry to see that Mr Humphries is not here to agree with me, because I think that the last time I mentioned our social justice policy he did mention that he had heard about it before.

We are about improving access and equity in all aspects of government administration. We have a great opportunity to achieve success in implementing social justice strategies and a social justice policy focus for the benefit of the whole Canberra community. Access to safe, appropriate and affordable housing options for all of our population is, and must be seen to be, fundamental in this process. The housing policy review statement presented by my colleague the Minister for Housing and Urban Services represents one of our major priorities in achieving our social justice objectives.

The youth housing measures announced three weeks ago are just the beginning, but they indicate the commitment and the broad and coordinated approach we have adopted. The Government's housing review is covering a very wide range of housing issues. It includes financing housing, planning, land supply, housing affordability, industry regulations, appropriate design, housing information and advice, and measures to protect discriminatory or unfair practices in public and private housing provision.

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It also, of course, recognises and it provides for people with special needs. Housing policy and programs must be sensitive to the needs of people: that is our number one priority in government. The Government will be examining how all its policies are meeting the needs of older people, people with disabilities, Aboriginals, youth, women and families in crisis, and people from non-English speaking backgrounds. I suggest that those groups of people are the ones who will be most disadvantaged by the recent announcements by the Liberal-National Party coalition at Federal level in terms of tax policy.

In meeting the needs of these people, it will be essential to improve links between programs run by different agencies. This is being facilitated in government through the initiative that the Chief Minister has taken in establishing the Social Justice Unit within her portfolio. This is not a process to increase or complicate bureaucracy. It is an essential part of our planning and commitment. We aim to achieve a good quality of life for all Canberra people at a time when resources are limited. To achieve this, we know how important it is to monitor the coordination and delivery of services.

The recent national housing policy review by the Commonwealth Government identified the need to improve coordination between housing and support programs as one of its four priorities for action. In my portfolio there are programs like home and community care and the supported accommodation assistance program which are closely linked to housing and provide an excellent basis for continued coordination of caring and support for people most in need.

Let me illustrate this point by detailing the arrangements for planning the supported accommodation assistance program - which is within my area of responsibility and which I have mentioned, as members of the Assembly may recall, in a previous ministerial statement to the Assembly - and the crisis accommodation program which is administered by Mrs Grassby.

We have agreed with the Commonwealth Government that we will develop annual strategic plans for the operation of these programs. The plan will be based on available data and indicators of need, including advice from the community. Officers of my department, the Housing Trust and community representatives have been working hard in recent months to identify the target groups and priorities for 1989-90. The committee is working to examine access, equality, equity and participation issues in the delivery of services.

The coordinated plan will help ensure that homeless people in crisis in Canberra will have access to adequate and appropriate transitional supported accommodation and related support services. I welcome this review of the housing policy as we prioritise and plan from a social justice perspective. I am also concerned to remind Mr

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Stefaniak - unfortunately, he is not here to be reminded but, should he take the trouble to read Hansard later on, this reminder might be helpful - that he should not look at bits of programs or initiatives without seeing them in context. I refer to his comments about unsupported young people. This Government is about providing a whole range of services to assist the whole range of needs in the community. We are making careful decisions, and we are committed to working together across our portfolios.

Let me take another example of the care we are taking to ensure that programs are carefully considered. Mrs Grassby announced three measures which are interconnected. They were the rental bond trust within the housing portfolio, the fidelity guarantee fund as part of Mr Whalan's responsibilities, and stamp duty exemptions which are the responsibility of the Treasurer.

Earlier in the year, the Liberal Party said it would introduce a fidelity guarantee fund which would provide a source of funds for stamp duty concessions. What was not made clear at the time the Liberal Opposition floated this proposal was that the funds would largely come from the bond money of people renting in the private market. The Government could not accept that lower income people who are on the waiting list for Housing Trust accommodation and renting in the private market should subsidise the scheme. But I must say that I welcome Mr Collaery's opposition to this type of cross-subsidisation, as he described it. It was the interest earned on the bonds of these people that would have financed the stamp duty concessions for higher income people purchasing their first home.

This proposal was one of the most regressive measures that could have been introduced. It would simply not be fair for lower income renters to subsidise higher income first home buyers. The measures announced in the housing policy review have no such regressive or inequitable features - and, of course, I am pleased that the Residents Rally party appears to have the same view as the Labor Government in this respect.

The income generated from rental bonds will largely be returned as housing assistance to those people in financial difficulties renting in the private market. The funds generated from the Government's fidelity guarantee fund will be able to be used for a wider range of housing related purposes.

The Government decided that the whole of the ACT community should contribute towards home ownership and the stamp duty exemptions. For this reason the stamp duty exemptions announced by the Government will result in a lower level of revenue from stamp duty.

The Government's proposal for a rental bond trust, a fidelity guarantee fund and stamp duty exemption are therefore to be financed in a much fairer way than the

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proposal from Mr Stefaniak, who has now returned to the chamber, as the Opposition proposals would have breached social justice principles. I see that Mr Humphries has returned to the chamber as well to be reminded of our social justice principles, which of course do not appear in the Liberal Party policy document.

Mr Humphries: You did not have any clues; you had to crib them from us, Wayne. You made a few cosmetic adjustments so your policy did not look as though it was ours.

MR BERRY: Ours, of course, does not look like yours. But it is a good example of the difference between the well considered proposal of the Government and the partly considered suggestions of the Opposition. Let there be no doubting this Government's determination to achieve our social justice objectives. Mr Collaery did say that he did not identify any ideological difference between the parties in the house in relation to this matter, and I think the issues that I have just raised in my speech on this issue very clearly demonstrate the ideological differences that exist between the Labor Government and the Liberal-led opposition.

I am concerned, however, about the changes that the Greiner Liberal Government has made to housing in New South Wales. For example, they have reduced the choices available for tenants of the Housing Authority, they have abolished planning provisions which protect vulnerable tenants. (Extension of time granted)

They have abolished 21 community based housing advisory services. It is a great shame on the Liberal Government in New South Wales for carrying out - - -

Mr Humphries: It would save lots of money.

MR BERRY: As Mr Humphries said, the Liberal Government has set out to save a lot of money in New South Wales without any particular regard to the people of New South Wales. In particular it has demonstrated the total absence of any perception of social justice by the New South Wales Government. I can assure you that the ACT Australian Labor Party Government is determined - - -

Mr Stefaniak: The economic action plan was pretty popular.

MR BERRY: Well, you should have been here earlier, Mr Stefaniak, to interject when I was serving up a few reminders. But I can assure you that the ACT ALP Government is determined to establish long-lasting and beneficial policies to set a pattern for all future development. I would hope that the ACT never follows the path being set in the housing policy by the New South Wales Liberal-led Government.

I wholeheartedly support the initiatives outlined by my colleague the Minister for Housing and Urban Services, and I look forward to the next part of the housing review.

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MR WHALAN (Minister for Industry, Employment and Education) (4.29): The new measures announced by Mrs Grassby have a significant impact for the private sector. Within my portfolio we have promised to introduce a fidelity guarantee fund to improve consumer protection. Mr Stefaniak has expressed concern about the cost of the administration of the Government's proposals for the rental bond trust and the fidelity guarantee fund. However, Mrs Grassby has indicated that the proposed rental bond board will comprise representatives of the community and private sectors. The existing agents board which will be responsible for the fidelity guarantee fund already has a - -

-
Debate interrupted.

ADJOURNMENT

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

That the Assembly do now adjourn.

Mr Whalan: I require the question to be put forthwith without debate.

Question resolved in the negative.

HOUSING POLICY REVIEW 1989-90 Ministerial Statement and Papers

Debate resumed.

MR WHALAN: The existing agents board already has a mix of community, private and government members. I cannot comprehend how Mr Stefaniak can claim that the costs of administration are going to be excessive. Indeed, I am sure that all of the members of these boards will have a concern to ensure that administration costs are minimised, and, if they do not, the Government will make sure they do.

The debate about the cost of public or private sector administration has its origins in political ideology. The real estate industry is not suggesting that it is ready for self-regulation - it is seeking forms of co-regulation between government and industry. That is precisely the model that we are proposing for the rental bond board and the fidelity guarantee fund. The industry has been waiting for a long time for the fidelity guarantee fund, and it is the prompt action of this Government that will deliver it, in association with the rental bond trust.

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The 1989-90 ACT budget noted that most of the future growth in Canberra's economy will rest in the private sector, which with government financial and regulatory support will provide the stability and activity in employment that the ACT needs.

The annual public housing program also contributes to this. The public housing expenditure alone will provide employment for over 550 people this year. Furthermore, the Government has given support in principle to the establishment of a private sector sponsored rental housing trust in the ACT. This trust will provide up to 500 additional rental dwellings over the next five years, representing another measure to inject greater stability into the ACT housing construction industry.

At question time, Mr Kaine asked the Minister for Housing and Urban Services how the Government intended to spend the \$210,000 set aside in this year's budget and whether it would be on staff or housing. If Mr Kaine had carefully read Mrs Grassby's housing policy review he would have found the answers. The information tabled by Mrs Grassby in this Assembly clearly said that the role of the ACT Government is to pass on the Commonwealth subsidy and the subsidy is intended to ensure an adequate return on invested funds. That clearly means that the money will be spent on housing and not on staff.

It appears to me that Mr Kaine is out of step with the private sector views on this proposal. The Housing Industry Association has described it as an exciting proposal. Is Mr Kaine suggesting that this - - -

Mr Humphries: It is not as exciting as our proposal.

Mr Kaine: They have not realised yet they have been brainwashed.

MR WHALAN: Is Mr Kaine suggesting that this community should deny itself an offer of \$1m per annum in housing expenditure in five years' time? I respectfully suggest to Mr Kaine that he should discuss this proposal with the private sector. He will find that their views support the Government's action - adequate supply of rental housing.

The problems facing first home buyers, particularly at the lower end of the market, are well recognised. The ACT Government has entered into two joint ventures with the Housing Industry Association and the Master Builders Construction and Housing Association aimed at providing more affordable house and land packages for first home buyers at the lower end of the market.

The two sites at Calwell will ultimately provide some 350 dwelling units, and indications are that the joint venture packages are achieving their desired aims with land starting at about \$22,000 and house and land packages starting at around \$80,000.

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Given that these initiatives are now in the process of being implemented, the Government is now taking on the broader and perhaps the more difficult area of reviewing a number of other issues that need to be addressed.

Regulations in the area of housing are being reviewed. We are likely to see the introduction in Canberra of the national standard building code of Australia in this financial year. The first edition of the model residential code has already been published by the joint venture for more affordable housing. The code provides models for more cost-effective subdivision and housing. Already we have seen very significant improvements in the building approval process within Mrs Grassby's Office of City Management. They have streamlined the procedures, and the private sector has been very complimentary.

The Commonwealth Government has started a significant research program into housing and land production costs, and we will closely watch the results of this research.

In the ACT the Government has an ongoing commitment to ensure that there are adequate supplies of serviced land to meet forecast housing needs. The Commercial Research Bureau provides regular reviews of employment and population forecasts for the ACT, and these form the basis for the monitoring process to ensure that this commitment can be achieved.

Land settlement strategies and residential land development programs are prepared on a regular basis in conjunction with the Interim Territory Planning Authority and other agencies. We are very conscious of the need to ensure that we have a steady supply of land to the housing industry and the need to avoid land price escalation.

The Chief Minister has put out a very substantial discussion paper on an integrated planning, heritage, environment protection and leasing system for the ACT, and the views of the community on the fundamental overhaul of these processes have been sought.

When implemented, the legislation will provide a sound basis for development in the ACT and a means by which the commitment to open and accountable government can be served.

Mr Speaker, the opposition has been given an opportunity to offer constructive criticism in the current housing policy review by way of suggesting alternatives, and I must acknowledge that there have been significant contributions to this current discussion. In the next stage of the housing policy review the Government will have the opportunity to consider and, if appropriate, implement any practical suggestions from the opposition.

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MRS GRASSBY (Minister for Housing and Urban Services) (4.36), in reply: Mr Speaker, I would like to thank those members of the Assembly who have made a constructive contribution to the housing policy debate during the course of the consideration of my ministerial statement on the housing policy review.

I wish to highlight to this Assembly the community's reaction to the first stage of the housing reform that I outlined in my statement. The ACT Council of Social Services noted that the statement included important measures that would assist in reducing the housing related poverty in the ACT; the ACT Youth Accommodation Group praised the Government for getting serious about addressing the pressing needs for young homeless people; and the Real Estate Institute described the stamp duty exemption as a ray of sunshine for the housing hopefuls. The Housing Industry Association said this statement presents some long-term and exciting opportunities for the housing industry. The Canberra Times on 28 September described the review as a radical overhaul of ACT housing whereby a number of formal policies have been overturned and replaced with policies consistent with the Government's social justice priorities.

I do not, however, wish to concentrate on the measures we have so far announced. The Government has acted decisively and stated the progress of reform. We must now proceed to put in place these new schemes but at the same time continue to examine the outstanding policy issues. There are some basic factors which should always guide decisions in housing policies, and these will continue to influence the decision of the Government. Housing policies at the local level cannot be isolated from the national economic policy. It will affect the capacity of individuals to obtain access to appropriate and affordable housing.

The cost of land and houses and the cost of borrowing would impact upon both the number of people seeking home ownership or rental housing assistance and the length of time they may have to wait for this assistance. The creative skills of the private sector and the lending practices of the private financial institutions will also influence the demand for assistance.

The economic, taxation and investment policies of the Commonwealth will influence the extent of the investment in private rental dwellings and hence the supply and price of rental housing. Shifting population, family formation and social change factors will influence the need for special forms of assistance.

These private sector issues will, in turn, profoundly influence the direction that the ACT Government housing policy must follow. We must also be concerned about the effective operation of those agencies charged with the administration of housing responsibilities. The resources provided by the Government will need to be provided to

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individuals in the fairest way. Our housing agencies must act as fair and responsible landlords but also recognise that they are the custodians of large levels of public investment. We must recognise, above all, that the housing assistance programs are really about helping people to avoid poverty and to be able to find appropriate and affordable housing.

The measures that I announced on 22 September must be seen in the context that we have taken significant steps forward. In essence, they will improve social justice by improving targeting of assistance to those most in need, improving the capacity of individuals to obtain their own housing, and improving consumer protection.

These principles also guide the next stage of the housing policy review. Over the next few months we will be looking at ways to foster consultation and participation in the housing review and in delivery of the housing program, to improve the operation of the Housing Trust, to improve the housing services for particular sectors of the community, and to improve our home ownership policies. We will be seeking the views of the community on matters of concern, and I invite members during the next phase of the review to give me their views on how to improve housing in the ACT.

The Government is committed to achieving changes and we will need to - - -

Mr Humphries: Will you acknowledge them?

MRS GRASSBY: We always acknowledge you, Mr Humphries, I am afraid, always, in the most pleasant ways. I would hope that I would get them back in the same way.

We will need to continually refine our housing policies. Before my next report to this Assembly we will be considering the ways in which we can ensure that the review of housing policies is an ongoing process.

Mr Speaker, I would like to thank again those members, particularly Mr Collaery, who so kindly said nice words about the Housing Trust and me as the Minister, and who have contributed to the debate today. Of course, I thank my colleagues who also spoke extremely well on this matter.

Mr Collaery: Do I get this job you promised me?

MRS GRASSBY: You never know, Mr Collaery. Just wait around and see. I will not promise too much. I give them my assurance that I will carefully consider the opinions they have expressed.

Question resolved in the affirmative.

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YOUTH HOUSING MEASURES Ministerial Statement and Paper

Consideration resumed from 17 October 1989, on motion by **Mrs Grassby**:

That the Assembly takes note of the following paper:

Youth housing measures - Ministerial statement, 17 October 1989.

Question resolved in the affirmative.

ADJOURNMENT

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

That the Assembly do now adjourn.

San Francisco Earthquake

MR Kaine (Leader of the Opposition) (4.43): The Chief Minister earlier made a statement in connection with the tragedy of San Francisco and I would like to say a few words on that subject myself during this adjournment debate.

This matter, for me, is not a remote thing. I have some very good and longstanding friends in the city of San Francisco, a number of whom live in the Marina area which seems to have been badly affected by the earthquake in San Francisco. I also have very good friends who live just south of the city, in San Jose, which is closer to the epicentre than the city of San Francisco itself. I have been unable to contact any of those people and I am gravely concerned about their situation. I am sure there are a lot of people like me in Australia who have friends and relations in that city who are equally concerned.

San Francisco, of course, is a city which, apart from the personal relationships, has had a long association with this country of ours. In the city of San Francisco there is a suburb of Ballarat, and that of course was named by those goldminers who came from the United States to Australia during our gold rush years and who went back to the United States later and named that suburb. Of course, for many decades, particularly in the last century, whaling ships out of the port of San Francisco hunted for whales in our waters.

There has been a long, long relationship between that city in the United States and Australia, and for such a tragedy to pass unremarked upon, I think, would be a very bad

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thing. I do wish to join my comments with those of the Chief Minister. Even recognising the fact that it has long been predicted that there would be such a tragedy in San Francisco, it is sad to realise that at the last count - and I have not heard the latest figures - 271 people were going about their normal business not realising that that was the last second of their lives. I think that, although this country is very fortunate in terms of natural disaster, we cannot entirely discount the fact that the same thing is highly possible in some of our Australian cities, not quite to the same degree, perhaps, but one never knows when some natural disaster like that is likely to befall us.

So I would like, just briefly, Mr Speaker, to record my own words in terms of that tragedy and perhaps to suggest to the Chief Minister that it would not be a bad thing for the Government to send a message of sympathy and condolence to the mayor of San Francisco and perhaps also to the governor of the State of California on this matter.

Question resolved in the affirmative.

Assembly adjourned at 4.46 pm until Tuesday, 24 October 1989, at 2.30 pm

ANSWERS TO QUESTIONS

The following answers to questions were provided:

Traffic Safety

Mrs Grassby: Yesterday **Mrs Nolan** asked the following question:

Is the ACT Government proposing to carry out a program of minor traffic and safety improvements in Fyshwick? Can the Minister tell me how the closure of access between Canberra Avenue and Geelong Street, Fyshwick, can be an improvement in safety, traffic flow or convenience? Is the Minister aware of how the proposed road closure will impact on business in that area?

My answer to the member's question is as follows: A number of improvements in traffic safety and parking provisions have been proposed for Fyshwick. Measures may include such things as traffic islands, pedestrian refuges and parking controls. A consultant has been engaged to identify safety and parking deficiencies through consultation with Fyshwick traders.

One proposal on which comments are being sought is the possibility of closing access from Geelong Street onto Canberra Avenue and to signalise the intersection of Whyalla Street and Canberra Avenue. This complex intersection comprising a closely spaced T-intersection and crossroad has a poor accident history of 65 accidents over the past three years at a cost of over \$400,000 to the community.

I understand that concern has been expressed about the short time given for comment. I can assure Fyshwick traders that I have asked my department to extend the time available for comment to ensure that there is opportunity for full discussion on the matter. No action to implement this work will be undertaken until comments from the traders and business association are evaluated and impacts identified.

Asbestos Removal

Mrs Grassby: Yesterday **Mr DUBY** asked the following question:

At present, only licensed asbestos removalists are permitted under the ACT building code to handle and remove asbestos sheeting ... from Canberra residences undergoing renovation or extension. There is no such restriction placed on New South Wales builders when removing asbestos sheeting from residential properties.

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Canberra residents who wish to have asbestos sheeting removed prior to work being completed are forced to use the services of a few licensed asbestos removalists. Can the Minister advise as to why licensed ACT builders should not be permitted to remove asbestos sheeting by following approved removal procedures and observing the necessary safety precautions, as occurs in New South Wales?

My answer to the member's question is as follows: The current legislation was enacted before self-government and requires removal of asbestos sheeting by a licensed asbestos removalist. The number of removalists is determined by market forces.

Asbestos sheeting may contain 20 to 30 per cent asbestos and, if not handled carefully, could pose a risk to public health. While it remains in place it does not present any significant risk to health.

The current removal procedures may have been appropriate at the time they were introduced but ACT builders now have a better appreciation of the problem.

I am aware of the demands of the current requirements and I have asked my department to review them bearing in mind the need to ensure worker safety.

A draft building note detailing possible future procedures is being discussed with industry and unions. I believe the suggested procedures should meet the wishes of all groups while ensuring that public health is not jeopardised.

I see no reason at this stage for the Government to consider meeting the relatively small cost of asbestos sheeting removal required by owners who are undertaking extensions or renovations.

Burnie Court Flats

Mrs Grassby: In question time yesterday the Leader of the Opposition, **Mr Kaine**, asked whether the ACT Housing Trust has yet examined ways of improving living conditions at some of its major flat complexes. I asked the Housing Trust to undertake this examination following media coverage in August of a problem at Burnie Court, Lyons.

In relation to Burnie Court, officers of my department have since met with a range of government and non-government representatives - including the police - who have some involvement with Burnie Court.

Much of the problem at Burnie Court relates to the high concentration of low-income, young single residents. Any major solution would seem to require some diversification of the household mix at the flat complex. The Housing Trust is examining how this might be achieved. At present

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consultation with tenants is proceeding to ensure tenant views are taken into account.

Increased social activities are being encouraged by both my department and community workers involved at Burnie Court, and with some success. The provision of further community facilities at the flats is also being examined.

Burnie Court is not an old complex and is in a good physical condition. Given other priorities any major works will not be able to be undertaken in this financial year.

However, other management solutions, for example increased external support services, and increased tenant involvement will be pursued.

In relation to other public housing flat complexes provision is made in this year's budget for the engagement of a consultant to advise the trust on the preparation of a flat management strategy which addresses both physical and social problems. A longer-term management plan will be developed in the light of this work. In the meantime, the following high priority work is to commence this financial year:

- upgrade of Throsby Court, Narrabundah
- upgrading of Red Hill flats
- improved security at Fraser Court, Kingston
- provision of heating at Kanangra Court, Reid, and Burnie Court, Lyons
- replacement of the heating and hot water systems at Currong Flats, Braddon

and, of course, the major redevelopment of the Melba Flats is to commence this year.

Consultation with tenants is a key feature of these developments.

In all, I think you will agree that the work I have just outlined represents a significant commitment by the Government to improving conditions for tenants of government flat complexes.

APPENDIX 1

(Incorporated in Hansard on 17 October 1989 at page 1727)

COMPARISON OF SOME NSW AND ACT PREMIUM RATES

Industrial Activity/Occupation	Rates %	
	NSW	ACT
Abattoirs	8.4	21.21
Asbestos removalists	*	54.72
Asbestos sheet manufacturing	5.8	29.70
Bakehouse factory and/or delivery	4.0	16.45
Barber Shops	1.1	1.10
Brickworks	5.8	15.90
Building	8.4	40.13
Butchery	3.3	13.87
Carrying and Carting	5.8	19.92
Cleaning industrial/contracting	4.0	7.28
Clerical (Financial institution)	0.5	1.5
Farming and Grazing	5.8	17.31
Grocery manufacturing	4.8	17.50
Laundries	4.0	17.08
Motor omnibus services	1.9	4.73
Motor vehicle - selling	1.3	2.72
Motor vehicle - garage and service station repairing	2.7	6.84
Painting	8.4	22.75
Poultry processing	8.4	35.13
Restaurants	2.3	5.67
Sanitary and industrial waste disposals services	8.4	33.61
Sawmilling - mills and mill yards	8.4	41.75
Security services	2.3	5.65
Theatres	1.1	8.66
Undertaking services	2.7	9.41
Wine and spirit merchandising	3.3	15.09

* No specific rate in New South Wales

Notes: Maximum rate in NSW 8.4%.

Compensation for the first week of disability and the first \$500 (includes medical expenses) must be paid by an employer and are excluded from the workers compensation scheme. Option available if premium under \$2,000 to opt out of this excess.

Insurers carry no risk (they act as agents under the State compensation scheme).

There is cross subsidisation of rates between the various classifications.