



DEBATES

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

HANSARD

23 November 1989

Thursday, 23 November 1989

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

TAXATION (ADMINISTRATION) (AMENDMENT) BILL (NO. 3) 1989

MS FOLLETT (Treasurer) (10.30): I present the Taxation (Administration) (Amendment) Bill (No. 3) 1989. I move:

That this Bill be agreed to in principle.

This Bill amends the Taxation (Administration) Act 1987. The ACT Administration assumed responsibility for State-type taxation from the Australian Taxation Office on 1 August 1987. Administration of these tax laws was vested in the commissioner for ACT revenue collections, a statutory office established by section 5 of the Taxation (Administration) Act 1987.

Earlier this year, as part of the reorganisation of the ACT Treasury, the ACT Revenue Office was established to facilitate the integration of administrative areas responsible for State-type taxation and municipal rating laws. The Bill proposes to simplify the statutory office title by omitting "collections" to more accurately reflect the broader responsibilities of the office in such matters as land valuation and revenue policy. The remaining changes proposed in the Bill remove redundant subsections and correct the grammar of other provisions. I now present the explanatory memorandum to the Bill.

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

RATES AND LAND TAX (AMENDMENT) BILL (NO. 2) 1989

MS FOLLETT (Treasurer) (10.33): I present the Rates and Land Tax (Amendment) Bill (No. 2) 1989. I move:

That this Bill be agreed to in principle.

This Bill amends the Rates and Land Tax Act 1926. The Rates and Land Tax Act is currently administered by the commissioner for ACT revenue under delegated authority from the Minister. Earlier this year, as part of the reorganisation of the ACT Treasury, an ACT Revenue Office was established to facilitate the integration of administrative areas responsible for State-type taxation and municipal rating laws. The Bill brings the general administration of the Rates and Land Tax Act 1926 within the statutory responsibilities of the commissioner.

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Matters for which the commissioner is to assume responsibility under the Act include the determination and redetermination of unimproved values of land and the recording and notification to owners of the values; the assessment of rates and land tax; the enforcement of rates and land tax payments provisions; and the remission of interest on unpaid rates and land tax in appropriate circumstances.

The amendments do not affect the Minister's powers to exempt an owner from the payment of rates and land tax; refund or remit amounts of rates and land tax; determine the rate of discount for the payment of rates in full; or determine the rate of interest on unpaid rates and land tax. I now present the explanatory memorandum to the Bill.

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

CONSERVATION, HERITAGE AND ENVIRONMENT - STANDING COMMITTEE Reference

MRS GRASSBY (Minister for Housing and Urban Services) (10.35): I move:

That the following matter be referred to the Standing Committee on Conservation, Heritage and Environment for inquiry and report -

The future use of the tracking stations in Namadgi National Park.

Mr Speaker, members will be aware that two deep space tracking stations located in the ACT played a major role in the United States' space exploration program. When the space program ended, the tracking stations were handed over to the then Commonwealth Government free of charge. They are now an ACT responsibility.

I wish to bring to members' attention the current state of disrepair of these facilities and the need to make a decision about the future of these facilities. I have moved a motion to have the House of Assembly Standing Committee on Conservation, Heritage and Environment conduct an inquiry and make recommendations on the future of the tracking stations.

The buildings are in a state of gross disrepair. Vandals have smashed windows, damaged doors and walls, and ripped up floorboards, while copper piping and even bricks have been stolen. This, coupled with the possible presence of asbestos and other dangerous chemicals and structures in the buildings, makes them a substantial health hazard. Since the completion of the Apollo program, the Namadgi National Park has been established, and these two sites now represent a safety hazard to park visitors and an eyesore in the national park.

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My purpose in referring this matter to the committee is to ensure that a wide range of views on the future of these sites can be canvassed as part of the Government's commitment to community participation in the decision making process.

While the tracking stations are of some historical significance, their current vandalised state, coupled with the purpose-built nature of the buildings, right down to the use of American fittings and fixtures, has made alternative uses very difficult and expensive. If demolition were recommended, the work would be done under guidance from the ACT Heritage Committee. The site would be documented. An appropriate display and commemorative plaque could be installed.

I have therefore moved that the future of the deep space tracking stations at Orroral Valley and Honeysuckle Creek be referred to the House of Assembly Committee on Conservation, Heritage and Environment for its consideration and the presentation of recommendations to the Assembly.

MR MOORE (10.38): I move:

That the debate be now adjourned.

Mr Collaery: Mr Speaker, I rise on a point of order. Mr Humphries is chairman of this committee and there should be some convention in this Assembly.

MR MOORE: Mr Speaker, I am quite prepared to defer to Mr Humphries. He appeared to me to be remaining seated, which is why I stood. But I am quite happy to defer to the chairman of that committee.

MR SPEAKER: Do you seek leave to withdraw your motion?

MR MOORE: I seek leave to withdraw my motion.

Motion, by leave, withdrawn.

MR HUMPHRIES (10.39): I do not propose to adjourn this matter. I intend to accept the motion and support it. It was discussed with me the other day by Mrs Grassby. I believe that this is a more worthwhile reference to the Legislative Assembly's Standing Committee on Conservation, Heritage and Environment than was the reference proposed the other day by the Deputy Chief Minister, namely, all the UN conventions passed since 1948. I have nothing further to add than that. I believe that this is a matter that properly comes before this committee. We will be looking at those issues.

Question resolved in the affirmative.

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APPROPRIATION BILL 1989-90
Detail Stage

Consideration resumed from 22 November 1989.

Schedule 1 - Part II

Proposed expenditures - Department of Education -

Division 70.1, \$171,738,900

DR KINLOCH (10.42): Mr Speaker, I do not wish to take too much time on this because we have a huge amount to do through the Appropriation Bill but there are some matters which have budget implications which have not been fully addressed, and some of these have come up either since the original discussions on the budget or since the discussions in the Estimates Committee. I will cut some of these very short. I have the following worries about matters related to education. The first matter arises from subprogram 7.5 in budget paper No. 5. I am worried about any unjustifiable attempts to cut preschools, especially where there are at least 14 or 15 youngsters in the local situation. That matter has already been canvassed. I welcome a recent statement by the Minister to assure us that there will be no such attempts until at least 1990-91. So I will therefore set that aside.

The second matter relates to subprogram 7.3 in budget paper No. 5. There have been several closures of primary schools, as reflected in the budget paper. There is much worry now. I have had a recent reaction this week in the Belconnen community, in particular, about the immediate future and about the future of primary schools during the next few years.

The Rally, of course, applauds moves to keep those schools open, unless there is an absolutely watertight, clear case for closing them. I would here applaud the intention to move towards early intervention programs and the funding of those programs. Some of us have a particular concern about Down's syndrome. I prefer that term. This is very good news.

I turn now to subprogram 7.2: high school education. Since the original budget discussions and the Estimates Committee discussions there has been one proposed initiative which has budget implications not yet discussed. This is the suggestion made some time ago, but certainly still under discussion, that high schools need a new administrative structure, not only with principals but also with assistant principals. I understand that there is some worry within the Schools Office about what is happening in high schools - the identity of them, the morale of them. We hear about enforced transfers from colleges to high schools, the loss of sense of institutional identity, the creation of junior teenage gangs and dissident groups. I assure all members of the Assembly, reflecting what is

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happening in the Social Policy Committee, that we have considerable worries about teenage gangs - teenage groups - that seem to be of high school age.

Now, this discipline and morale problem, I take it, has to be addressed. I am not denying that the Schools Office should do that, but there are now new budget implications as a result of this move and they do not seem to have been dealt with in the budget.

I turn now to subprogram 7.1 - secondary college education - which is my main point. As a corollary, the worries related to high schools carry over into the secondary colleges. Let us, of course, immediately recognise their present excellence and innovativeness. If there is anything this Territory should be proud of in its educational system - as Mr Moore has said many times, and I echo his points - it is this college system. Other people in Australia are looking at it as well.

But that excellence and innovativeness may now be in some danger. I am not saying it necessarily is; I hope it will not be. Teachers who have usefully become part of that sector of schooling - that is the year 11 and year 12 schooling - are to be compulsorily transferred for up to two years at a time after a certain level of service. I think it is after about 14 years.

I do recognise the value of moving people around from time to time - that, surely, has happened to all of us - however, only if that is on a voluntary basis or at least on a basis in which there is some decision on the part of the individuals being moved and not only on the part of the institution which moves them. To be sure, if there is so-called dead wood, some such teachers may be restored to healthy and productive life by moving them from school A to school B. But this is not without administrative cost. Part of that administrative cost could well be some teachers who at that point resign from the service - that would be sad - and who take retirement far earlier than would be necessary because they are depressed and distressed by this particular effort to - - -

MR SPEAKER: Order! Dr Kinloch, I really think you are missing the point of this whole exercise. We are talking about funding.

DR KINLOCH: Well, this has funding implications and it has never been discussed.

MR SPEAKER: Certainly, but whether this is the appropriate time to do that, I am in doubt.

DR KINLOCH: I accept your ruling, Mr Speaker. Then the larger problem with budget implications is the reaction of dozens of teachers who are distressed at that being done to them. I have here, therefore, Mr Speaker, a whole speech about the benefits of staying put and the disbenefits of

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moving people. I will perhaps leave that for another time, although I do think it has budget implications.

I will just make one last comment, and I will not make this comment in relation to section 80. I am aware there is one new budgetary consideration which is to do with the possibility of a new Protestant school somewhere in the Tuggeranong area. That, of course, is not in the present budget. I do hope that there will not be any move to disbar that school from coming into existence.

MR HUMPHRIES (10.48): Mr Speaker, I want to take this opportunity first of all to clear up a misapprehension which occurred yesterday. An amendment was circulated in my name referring to this division. We are dealing with division 70 now, are we not?

MR SPEAKER: Yes.

MR HUMPHRIES: It was an amendment dealing with division 70, suggesting that a \$5m reduction would be proposed by the Liberal Party. I should indicate at the outset that it was never my intention that that be the case. An amendment was prepared in my office to amend the allocation for the Department of Community Services and Health. When that was redrafted here in the Assembly, unfortunately division 170 became division 70, which gave rise to some concern, I understand, in some quarters about the position of education funding. I make quite clear that no amendments were ever intended in respect of this part of the budget. Whether they are still intended in respect of Community Services and Health, I think I will leave that until we reach that point in the debate.

A few things should be said about government schooling. First of all, I think it is a matter of regret that there is no indication in the budget documents or in the Government statements to date that the Government intends to deal decisively with the question of the relationship between government and non-government schools and in particular in regard to the relationship between their relative funding in the ACT. We in the Liberal Party would very much like to see that addressed very soon. The uncertainty which still bedevils non-government schools is a matter of great regret and cannot assist in any way the cooperation between those two sectors of our school system.

I think my colleague Dr Kinloch has already referred to the problem of preschools in the Territory. Again, I welcome the Government's attempt, albeit belated, to settle the dust on that particular question. But I hope that we do considerably better next year when it comes to making sure that preschool communities can deal with certainty.

Division agreed to.

Division 70.2, \$840,000, agreed to.

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Division 80.1, \$50,236,300, agreed to.

Division 80.2, \$3,898,600, agreed to.

Proposed expenditures - Office of Industry and Development -

Division 90.1, \$40,113,400, agreed to.

Division 90.2, \$600,000, agreed to.

Division 100, \$5,620,800, agreed to.

Division 110, \$4,472,400, agreed to.

Division 120, \$7,819,600

MRS NOLAN (10.53): While the Liberal Party will obviously not be opposing this particular part of the Appropriation Bill, I would like to put it on the record that I have some very real concerns in relation to the way the money is being spent through the Canberra Tourism Development Bureau and the efficiency and effectiveness of those dollars. I would hope that we would see in the very near future that the amount of money spent in relation to administration is much less than the amount of dollars that is spent in the area of marketing this city in relation to tourism.

MR JENSEN (10.54): Mr Speaker, I wish to reiterate some comments that I have made in another place in relation to this matter. The Rally has no objection, Mr Speaker, to amounts of money being spent in the tourism area. In fact, I think it is important that that take place. However, what we do have some concern about is making sure that the dollars that are going to be spent in the promotion of Canberra are effectively spent. What is also important is that, if we are going to spend \$1m - nearly \$2m - on promotion, we make sure that the promotion that we do conduct hits the spot.

On that basis, therefore, Mr Speaker, it is appropriate that some form of monitoring and assessment process be established. I understand that the provision of only 5 per cent of the total budget will be made for that. I trust, Mr Speaker, that that 5 per cent is going to be well and truly efficiently spent because, as I said, it is important, if you are going to spend money, to make sure you know whether it has been effective or not.

MR WHALAN (Minister for Industry, Employment and Education) (10.55): Mr Speaker, in relation to the two speakers who have referred to the efficiency and the effectiveness of the expenditure in the Tourism Development Bureau I would just like to say that the bureau and its management are very conscious of this particular issue. They are professional managers, and I think that we can defend the percentage that is spent on administration as compared to marketing. But the most important changes which have been

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undertaken by this Government have been the close cooperation with the Canberra Visitor and Convention Bureau and the establishment of the Tourist Industry Advisory Committee with representatives from virtually every sector in the industry.

There is now much closer cooperation than ever existed in the past. It is quite a dramatic change. There is now much closer scrutiny, on an informal level, in the industry. I believe that the private sector, the industry members themselves, are the best judges of how to spend the money because they are the ones who reap the benefits or disbenefits of any marketing campaign. The marketing campaign has been developed very thoroughly. The full details of the marketing campaign have been referred to TIAC and have been discussed fully with them.

So, in conclusion, it is impossible to assess absolutely how effective any marketing campaign is. An enormous amount of value judgment goes into deciding how resources will be allocated. It will always be possible from a subjective point of view to criticise a campaign. It will never be possible to fully objectively assess the effectiveness of a campaign. But by establishing close links with the industry, the private sector itself, I believe that we have taken significant steps to ensure that the marketing is effectively and efficiently conducted.

Division agreed to.

Division 130, \$482,200

MR JENSEN (10.58): Mr Speaker, I want to make some brief comments in relation to the Bruce Stadium.

A member: Again?

MR JENSEN: Yes. I think it is important, Mr Speaker, as far as the development of the Bruce Stadium is concerned - and I will continue to call it the Bruce Stadium, despite what other people wish to call it - that we know what agreements were reached. What does concern me, Mr Speaker, is that that renaming was apparently one of the agreements that was reached between the ACT Government and the people that they were seeking to contract to go into the facility. Part of that contract was to rename the stadium, Mr Speaker.

I have some problems with that, as I am sure a considerable number of residents of the ACT do. I think it is important to note that these terms and conditions, which we still have not seen copies of and which the people of the ACT have still not been provided with, make some sort of agreement and arrangement that many of us may not agree with. I think it is appropriate, Mr Speaker, at this juncture, to remind the Government of the importance of the Bruce Stadium not just to the people of Canberra but to the nation. I think we have some difficulty with the proposal.

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The main difficulty is the fact that we are still waiting for any information as to the firm arrangements and agreements.

Once again, we have been told that it is commercial-in-confidence - that terrible term again. Everything is commercial-in-confidence these days, Mr Speaker. That causes some concern to the Rally, particularly when we see a government across the way that ran on a platform of open, consultative and accountable government. That, Mr Speaker, is the reason why the Rally has some concern about that particular issue. I will be raising other issues in relation to the Bruce Stadium in another forum.

MR WHALAN (Minister for Industry, Employment and Education) (11.00): I cannot let the previous speaker's remarks go by without making some comment. The speaker said you cannot overestimate the importance of Bruce Stadium not only to the people of Canberra but also to the people of Australia. What I say in response to that is: if it was so important to those people, why did they not go there?

Division agreed to.

Division 140.1, \$19,618,300, agreed to.

Division 140.2, \$1,180,000, agreed to.

Division 150, \$1,483,500, agreed to.

Proposed expenditures - Government Services Office -

Division 160.1, \$11,457,800, agreed to.

Division 160.2, \$155,400,000, agreed to.

Proposed expenditures - Department of Community Services and Health -

Division 170.1, \$221,748,200

MR HUMPHRIES (11.03): I cannot let this area go past without some comment. Never let it be said that the Liberal Party lacks compassion. Having heard the plaintive cries of the Chief Minister and others over the last few days about having lost \$5m in a thoughtless and careless act on Tuesday night - - -

Ms Follett: Stupid, I think it was.

MR HUMPHRIES: "Stupid", says the Chief Minister. I would put more far-sighted epithets on it. Having heard all those cries of dismay, the temptation came before my party to amend this division by reducing it by \$5m to provide that the Government might make up the \$5m it had lost. This would ensure that there was some opportunity for the Government to address the problems we have already more than amply identified in this area of overexpenditure.

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However, given the background to the approach we are taking to this budget and given the desire we have not to allow anybody else but this Government to bear the blame for this budget, we believe that that would not be an appropriate amendment, although naturally if the Government chose to do it itself we would be more than happy to support it.

The fact is that nowhere is the failure of this Government more apparent than in the area of health and, in particular, hospitals. Over the last few months we have seen a constant succession of failures by this Government, a constant succession of missed opportunities, of failure, of indecision to act, of inattention to detail, which add up unfortunately to a disaster in our hospitals and our health system generally. I readily concede that this Government inherited a hospital system which was not in good shape. It ought to have been able, I think, to have addressed some of the more fundamental problems quickly. Unfortunately, more than six months after self-government has arrived, we still have seen no decisive action in respect of those problems. Quite frankly, that is an unacceptably lackadaisical attitude for any government.

Moreover, we have seen the crisis blow up, in particular in respect of the hospitals problem. This budget, as allocated to the hospitals budget, will not cover the expenditure to be incurred in the hospital system if the Government is not able to decisively address problems of overexpenditure and cost blow-outs identified recently by the interim hospitals board. Now, I am still unclear as to whether or not any decisive action is going to happen in that area. Certainly we heard a more than clear cry for help from the hospital board. That cry was for political help in dealing with these problems, and frankly this Government was just not prepared to come to the party.

That board now founders in indecision and uncertainty, an indecision and uncertainty which is not helping our hospital system one iota. The fact is that there are significant areas where this Government could reduce expenditure, and it is not prepared to look at those problems at this stage. One, of course, is food services. A grossly inefficient food service system is used in our hospitals. Another problem is cleaning services and their unwillingness, from a not illogical point of view, to consider the advantages of privatisation there. And, of course, there is the classic question of cost of shift overlaps within the nursing profession and elsewhere.

It adds up to a litany of failure, and I do not believe that the community of the ACT should long tolerate this kind of failure. The fact is that this is the Government's bed, it will have to lie down in it and it will have to bear the price of having this kind of record of failure.

Division agreed to.

Division 170.2, \$6,926,000, agreed to.

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Proposed expenditures - Office of City Management -

Division 180.1, \$77,105,300

MR DUBY (11.08): I move:

That the proposed expenditure under division 180.1 be reduced by \$6,210,000.

Mr Speaker, I have circulated a motion through the house that the amount of expenditure in this item, in particular that relating to asbestos spending, be reduced by an amount of \$6.21m. I wish to make it clear in moving this motion that in no way am I trying to stop the removal of asbestos from Canberra homes. The people who have asbestos in their properties are entitled to have it removed at government expense. The question that remains of course is: which Government?

We are aware that the Chief Minister has entered into negotiations with the Commonwealth Government over asbestos and the iniquitous charges that have been imposed upon the ACT Government and, through it, the citizens and ratepayers of the Territory. The Chief Minister has maintained that she is seeking to have the current arrangements, which I regard as iniquitous, changed. At the least it should go to a situation of 30 per cent Territory costs, 70 per cent Commonwealth. Of course it is our view that the costs should be 100 per cent Commonwealth, but that is neither here nor there.

What we are trying to say is that, if this is the position taken by the Chief Minister and this Government, then the amount of expenditure that is to be accrued in relation to asbestos this year, which is in the order of \$16.3m in 1989-90, should be reduced. It is logical to me that, if the ACT Government is genuine in its attempts to impose this formula of 30 per cent Territory and 70 per cent Commonwealth, it should bite the bullet and say that the ACT expenditure on this matter will be 30 per cent of that figure. On this basis the Territory's share would be \$4.8m.

I suppose I should start at the beginning. The expenditure proposed this year is \$16.3m of which only \$5.2m will be funded by the Commonwealth Government. This means that the ACT Government and the ACT ratepayers and taxpayers are meeting asbestos removal expenditure costs to the order of \$11.1m. Mr Speaker, this is clearly not on a 30-70 per cent basis and is clearly an impost on the citizens of the ACT. I have no doubt that, should the ACT Government ever obtain an agreement with the Commonwealth, the money that has been spent will have gone like water under a bridge. Almost certainly the Commonwealth will say, "That's tough; we'll enter into new negotiations now from day one of this new agreement".

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This is really a motion to ensure that the ACT Government is serious in its negotiations with the Commonwealth. If they know that they have only got a certain amount of money to spend, namely 30 per cent of the \$16m-odd required this year, then perhaps they will put a little vigour and a little backbone into their arguments with the Commonwealth Government.

I also feel that, if this money is taken from the asbestos removal program vote, it will sheet the problem home loudly and clearly to the citizens of the ACT and put a great amount of publicity and pressure upon the Commonwealth Government to bite the bullet and to accept their true obligations in this matter.

Accordingly, I think I have made the situation comparatively clear. The purpose of the amendment is in no way whatsoever to reduce or cease asbestos removal programs this financial year, although they are going along at a snail's pace, as we are well aware. I think the whole situation is becoming totally scandalous. What this will do is sheet the problem home loudly and clearly to the Commonwealth Government and reaffirm in the Commonwealth's eyes the view of this Assembly that asbestos removal is a Commonwealth problem. As I said, it will add greater vigour to the ACT Government's arguments with the Commonwealth on this matter. I urge support of the motion.

MRS GRASSBY (Minister for Housing and Urban Services) (11.12): Mr Speaker, I understand the motivation behind the proposal put forward by Mr Duby. However, I do not believe that it is a practical motion. The question of funds for the asbestos program has been raised by the Commonwealth. The Commonwealth at the time said that it did not feel that it had to do this. A very good argument was put up to the Commonwealth by my department to prove that they felt they should come to the party over it, but the effect of the Duby proposal would be to reduce substantially the funds available to continue the program this year and enter into legal commitments, and we all know how long this takes to do. We must ensure that the work progresses as quickly as possible pending the resolution of the Commonwealth contribution.

Therefore, whilst I have some sympathy with the views expressed, it would be quite wrong to place the removal program in jeopardy while we resolve the funding arrangements, because people's homes and their lives are in jeopardy. People cannot sell their houses or move out of Canberra when they need to, because the funding will not be there to do their houses.

I do not think that, as a responsible government, we can do this to the people that put us here to govern this city. Therefore I feel that I have to oppose this motion completely.

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MR STEFANIAK (11.13): Mr Speaker, the Liberal Party supports the thrust of Mr DUBY's motion and the sympathies behind it and notes the points he raises in this very real issue. However, we will not be supporting his motion.

MR MOORE (11.14): Mr Speaker, I find myself in agreement with my good friend Mr Stefaniak on this. I think the ideas behind what Mr DUBY is putting up are correct and appropriate, and I think it is very important for this to be said so that the Government does take note that the Liberals support those ideas and that I support those ideas as well. But, as I said earlier, this is the Government's budget and so I will not be able to support the motion that Mr DUBY has put forward.

I would urge the Government to note the feeling of the Assembly on this particular matter and to take more steps to bring this matter to the attention of the Commonwealth, whose real responsibility it is.

MR COLLAERY (11.15): The Rally endorses the views of Mr Stefaniak and Mr Moore. The Rally believes, as we have stated, that there needs to be far more vigour on the part of the Government on this issue, but we take the view that it is typical of the many issues that have seen this Government failing to take the running up to the Federal Government.

MR DUBY (11.16): Well, Mr Speaker, it looks like there is only thee and me, and thee has been a bit doubtful lately. I am pleased to hear that the other members of this Assembly support the thrust of our argument. However, we have seen on a lot of issues that, unless this Government is pushed, it just does not take action. I would urge members to rethink their position.

Amendment negatived.

Division agreed to.

Division 180.2, \$3,550,000, agreed to.

Division 190.1, \$44,968,800

MR COLLAERY (11.18): Mr Speaker, clearly this is a very important area for the people of Australia - the natural and cultural resources of the ACT. It is vital to good government that these natural and cultural resources be dealt with with the utmost integrity, competence and ability. Mr Speaker, we heard today a proposal by Minister Grassby to refer the future of the two former space tracking sites to the committee. We did not hear from the mover of that proposed motion the reasons why. We would be interested to know the reasons why. We would expect, in the response to my statement, that we would hear the reasons why it is deemed appropriate to refer that to the standing committee. The significance of those areas, in terms of their natural and cultural profile, is profound.

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They do go into history as part of the ACT history and we would like to hear from Minister Grassby what steps she may or may not have taken to protect those installations in the period since she has been in government.

We would be very interested to know the reason why a function was held out there in the early morning recently. We call upon the Minister to give us a very frank and comprehensive statement as to why this is proposed. It is another one of these mysterious Labor Party proposals that float in from the void somewhere, from out of space maybe. We would like to know what the Minister's reason was for that proposal.

MRS GRASSBY (Minister for Housing and Urban Services) (11.20): As usual, Mr Collaery is wrong. The substantial damage was done long before we took over the Government. The very first week I was the Minister I went out to have a look at both the tracking stations because I had already had requests from many groups in Canberra who had asked whether they could take possession of them for different things - camps for kids, and things like that. So I, myself, went out the first week to have a look at them. The damage was incredible. I could hardly walk through them; I would have fallen through holes. It was then explained to me, by the professional people who knew about it, the amount of asbestos that was in the building. It was so bad that even the toilets were smashed to pieces, windows were smashed, and things had been taken. This was all under the Commonwealth Government.

When I was told how dangerous the situation was, I then said that I would take it to Cabinet. The department suggested that they be pulled down but in some way we should commemorate the fact that they had been a very historic part of Canberra. I understand that we got the first message from the moon. It said, "A small step for man, a giant step for humanity" - and we got it before the Americans. Therefore there should be some way that we can commemorate that. The thing was that it was suggested by my department that before any more damage was done they should be pulled down.

I took it to Cabinet. Cabinet felt that because it was such an historic site the people of Canberra should be given the opportunity to say what they felt about it. It was then decided that the only way this could be done was to refer it to the committee. Once I got Cabinet's permission I approached Mr Humphries to ask him whether he would be happy to have the reference. There would be no sense in doing it if he felt the committee could not handle it. Mr Humphries said that they would be delighted to have it referred to the committee.

Mr Humphries: I did not quite say that.

MRS GRASSBY: So it was then handed over to the committee.

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Mr Humphries: That is a slight exaggeration.

MRS GRASSBY: Well, Mr Humphries, you said it in a very smiling, happy way when I asked you and, I, of course, thought you were delighted.

Mr Humphries: I am never delighted by more work, Minister.

MRS GRASSBY: It was nice to see a smiling face on that side of the house, Mr Humphries, very nice to see it. As I said in the beginning of this, Mr Speaker, there is far more damage out there than could ever have been done in the small time since we took over government.

Division agreed to.

Division 190.2, \$1,811,000, agreed to.

Division 200.1, \$20,162,900

MRS NOLAN (11.23): Mr Speaker, the Liberal Party will not be putting forward any amendments to reduce any of this figure, but I think it is important to again make a point in relation to the public transport system of ACTION. I draw the Government's attention to the Estimates Committee report where the recommendation was that the Government establish an independent review of the operations of ACTION. When we look at the enormous cost of this particular system to the community we realise that it is absolutely essential that this independent review take place as quickly as possible, and then we can actually say whether or not the costs involved are justified. If I remember correctly, the response was that several reviews have already taken place but there has been absolutely nothing done in this particular area since the Government was in place and self-government came to the Territory. We are responsible for our costs, and I think it is absolutely essential that this be given priority.

MR JENSEN (11.24): Mr Speaker, the Rally will be speaking on some aspect of public transport in the transport debate that we expect to come on later today. However, the Rally endorses the call by Mrs Nolan for an independent review of the operations of ACTION. I think it is clear that ACTION currently has a new and dynamic manager, and that is probably to its benefit, but I think there are a number of issues that we have to look at specifically in relation to the operations of ACTION. The Rally strongly supports the proposal by Mrs Nolan to have the whole issue of public transport in the ACT looked at by an independent inquiry.

Division agreed to.

Division 200.2, \$14,150,000, agreed to.

Division 210.1, \$6,045,500

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MR STEFANIAK (11.25): Mr Speaker, I wish to make some comments in relation to housing generally. Again, the Liberal Party will not be making any amendments to this. I will just reiterate a few points which I think were made during the Estimates Committee in relation to this and which have been made on the question of housing in the Assembly over the last few months.

Firstly, I think the Government would be well advised in relation to the fidelity trust guarantee fund to adopt a scheme which would, indeed, utilise existing funds and not cost it anything; to wit, the scheme suggested to the Government some months ago. Also, I think it is important for the Government to continue quite quickly to ensure that the 1,500 or so people who are able to pay full market rental for government housing do, in fact, pay that. I understand moves are afoot there. They should certainly be speeded up to ensure that those people who can afford to pay, pay a proper market rental. I feel that is most important in terms of getting funds into the housing area.

Division agreed to.

Division 210.2, \$23,608,000, agreed to.

Division 220.1, \$11,646,900, agreed to.

Division 220.2, \$810,000, agreed to.

Division 230.1, \$36,943,800, agreed to.

Division 230.2, \$40,000, agreed to.

Proposed expenditure - Advance to the Minister administering the Audit Act 1989 -

Division 240, \$10,000,000, agreed to.

Remainder of Bill, by leave, taken as a whole, and agreed to.

Bill agreed to.

**PLANNING, DEVELOPMENT AND INFRASTRUCTURE - STANDING COMMITTEE -
NEW CAPITAL WORKS PROGRAM 1989-90
Report**

Debate resumed from 26 September 1989, on motion by **Mr Collaery**:

That the recommendations be agreed to.

MR COLLAERY (11.29): Mr Speaker, I understood the Chief Minister had some statement to make on at least one of the recommendations in relation to whether the Government would consult with the standing committee on proposed government projects - recommendation 15.

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MR SPEAKER: Have you concluded, Mr Collaery?

MR COLLAERY: I will just talk for a little while. Mr Speaker, recommendation 15 of the new capital works program, which came from the committee that I chaired, was that the details of the new works program should be made available to the committee in May each year. We would like to hear whether the Government is going to commit itself to that. Also we recommended that the Government, in consultation with the committee, should develop procedures to enable detailed examination of particular capital works.

Members will recall that the committee examining the new capital works program was unable to look in detail at just about everything due to the time-critical nature of some projects and due to the short time available to the committee. In fact, the new capital works program as indicated by the report of the Standing Committee on Planning, Development and Infrastructure, a report brought down in August, was really an overview and the more important aspect of the committee's recommendations is just this very recommendation - that it does not happen again.

MS FOLLETT (Chief Minister) (11.31): Mr Speaker, the Government accepts the spirit of those two recommendations made on the capital works program and we will certainly be consulting with the committee on the question of timing and on the arrangements for making sure that the scrutiny of major projects is adequate in the forthcoming years.

Question resolved in the affirmative.

INTEGRATED TRANSPORT STRATEGY Ministerial Statement and Papers

Debate resumed from 26 October 1989, on motion by **Ms Follett**:

That the Assembly takes note of the following papers:
Integrated transport strategy - Ministerial statement, 26 October 1989.
Transport ACT - Consultation paper, October 1989.

MRS NOLAN (11.32): The ACT Labor Government claims it is committed to the implementation of an integrated transport strategy for the ACT. This commitment is not readily apparent in the recently released consultation paper, Transport ACT. The paper is neither a strategy nor integrated, as the Canberra Times editorial stated on 28 October. Transport ACT is supposedly offered as a component of the total transport strategy which will be addressed in the Territory plan.

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The statement is said to focus on commuter travel and major employment centres, with Civic as the initial priority. The statement is almost exclusively about Civic. Other major employment centres scarcely rate a mention. I would have thought it would have been appropriate to have addressed these centres as well as Civic.

The objectives of Transport ACT include encouraging the development and use of a high-quality public transport system and provision for freight and essential private car movements at minimum cost. This is to be achieved by discouraging commuters from using their own transport. It is difficult to understand how it would be possible to discourage the single-car commuter on the road without affecting multi-occupant vehicles, delivery vehicles, and other essential vehicle movements.

There can be no argument with the aim of a more efficient use of public transport and a reduction of the single-occupant commuter car travel. However, the statement that effective action is required to overcome the perception that travel by private car in Canberra is quicker and cheaper than public transport is one for concern. Travel by private car in Canberra is quicker and cheaper than public transport. The proposal to increase car parking fees by 50c per day while the adult cash bus ticket will only increase by 10c will cause little change to the current situation.

Canberra must have an efficient public transport system but it must be based on what is affordable by the community. Will school children be provided with adequate school bus facilities to travel to school? Planning in this area has been slow, and as yet announcements relating to next year have not been made. Can we afford a high-quality system? How do we provide a service that will comply with the principles of social justice? What is meant by addressing environmental issues in an equitable and socially just manner? These terms may be interpreted in many ways. Is it socially just to stop concession fares during peak periods? Will school children be permitted on proposed express buses? The words "equitable" and "socially just" must be tempered by what is affordable by the community.

The Liberal Party would consider aspects of public transport not canvassed in the consultation paper. We would encourage the development of private bus services in the ACT to supplement or replace some ACTION operations. There is merit in considering using taxis and minibus taxis to provide transport services on poorly patronised bus routes. The Sunday services, currently costing \$1m and patronised by about 800 patrons, is an area that could justify such a provision on some routes. Peak-hour usage of buses requires virtually all available existing buses. This must place a heavy demand on resources, particularly at times of industrial unrest when large numbers of buses are suddenly found to have developed faults. Private enterprise may be a cheaper and quicker way to keep the buses on the road.

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However, as recommended by the Estimates Committee, a full review of ACTION is absolutely imperative. This recommendation, if not given urgent attention by the ALP Government, will only hasten community concerns in relation to the cost and efficiencies of ACTION. The Estimates Committee noted that it is some years since there has been an independent assessment of the operations of ACTION. Given that its operations are such a significant budget item and that no review has been undertaken since self-government, the committee considered that an independent investigation should be undertaken into ACTION's cost-effectiveness and ability to meet community expectations. The committee recommendation was that the Government should establish an independent review of the operations of ACTION.

School buses place a heavy demand on available buses at peak hours and greatly add to the problem. School bus runs are another area that could be considered for greater participation by private enterprise. One of the main aims of the Transport ACT strategy is to encourage the use of the public transport system. This aim is to be achieved by a deliberate process of discouraging private commuter vehicles, particularly single-occupant commuter vehicles.

This result is to be achieved in two ways. One is by developing a road system that will favour public transport; the other is to ensure that private vehicle parking is not so attractive once commuters arrive at their destination. As I have already said, I do not know how you can discourage the single-car commuter on the road without having an adverse effect on multi-occupant vehicles, delivery vehicles and other essential vehicle movements.

I accept the need to provide alternative routes for through traffic that currently flows through the centre of the city, although, with the quoted costs of around \$1.8m per kilometre for a four-lane divided road and major grade separations costing between \$5m and \$10m each, I hate to think of the cost of upgrading roads like Limestone Avenue. The strategy also proposed the extension of bus lanes on some arterial roads at the expense of normal commuter traffic, although the use of such lanes by cars with three or more occupants, taxis and hire cars will be explored.

The reduction of available traffic lanes on Barry Drive, Northbourne Avenue, Commonwealth Avenue, Athllon Drive and Belconnen Way will do little to reduce the number of vehicles on the road but will certainly increase costs to motorists, increase fuel usage, increase pollution and increase the potential for road accidents. Traffic lights will be modified to favour public transport, pedestrians and cyclists. This again is at the expense of commuter traffic. However, when the commuter finally arrives at Civic the main deterrent force of Transport ACT is revealed: parking costs are increased by 50c. This should have a tremendous effect on the parking public! They will all be

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50c poorer. I cannot see many drivers being converted to the public transport system by such an impost. Transport ACT will reduce commuter parking in residential streets around Civic by 40 per cent. It will also become pay parking. However, as pay parking costs increase, so will the incentive to walk the extra distance to unrestricted residential streets. Parking would seem to me to be the key to the commuter traffic in Civic. I accept that parking should not be subsidised and that commuters should pay commercial rates. This would enable private enterprise to enter the market.

Parking controls in residential areas around all major employment centres are required to ensure that residents are not overrun with vehicles. While total bans do not appear to be the answer, I am sure that the problem around Civic would be greatly reduced if parking in the streets concerned lost the financial advantage of the current free parking situation. Other factors under consideration by the Government are the need for developers and leaseholders to contribute to the cost in providing city and town centre access and parking infrastructure. Methods being considered include special area commercial rating, developer levies and developer funded facilities.

I think it would be appropriate to see what is done in other capital cities and review this in some detail before a decision is taken. The Legislative Assembly inquiry into the Canberra Times site highlighted the fact that Civic is below its forecast level for employment. The committee conducting the inquiry was told that there are about 3,000 commuter car park spaces vacant each day, although this figure will be greatly reduced if the 2,000 vehicles that now park in residential areas around Civic are forced to relocate. There are obviously quite adequate facilities for those 2,000 vehicles that now park in residential areas around Civic to come into the city area. I realise the long lead time major work has taken from conception to commission, but we are considering the expenditure of many millions of dollars. In view of the fact that the work force in Civic is only expected to grow by little more than 1,000 people over the next three years, I think we have time to get it right.

The Liberal Party policy recognises that private motor vehicles provide the bulk of commuter and goods transport in the ACT. We consider that this would be unlikely to change. The question of off-street parking is not seen as a government responsibility, and we will encourage private development of parking facilities. While there is a need to review transport in Canberra, Transport ACT does not appear to have its priorities right. If Civic has reached its optimum size, the road system does not require expensive alterations. If car parking facilities are not overloaded, why spend the taxpayers' money? Let us look at the transport and parking disaster at Fyshwick. Let us look at why the existing bus service is not patronised. Let us get our priorities right.

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MR MOORE (11.42): In 1984, the then commissioner of the NCDC, Tony Powell, signed a far-reaching document about planning in the ACT, the metropolitan policy plan. It is now a statutory document. In the foreword Mr Powell stated:

In the final analysis the crucial judgments to be made about planning are whether or not Canberra provides a large measure of satisfaction as an environment for living so far as its residents are concerned, and as an effective seat of government so far as the Parliament and the executive government are concerned.

This report confirmed the use of the Y plan as a continuing and valid basis for guiding metropolitan development at capacities of up to 400,000 people. The same foreword warned that Civic was fast approaching employment accessibility thresholds and, without major investments in roads, public transport and parking facilities, there would be increasing congestion, air pollution and other adverse environmental impacts. It is no secret that Mr Powell failed to heed his own warnings, and we have witnessed the overdevelopment of office blocks in Civic at the same time as Tuggeranong has been ignored.

Mr Powell resigned before the full extent of what he had started became readily apparent. His replacement, Malcolm Latham, was unfortunately unable to stem the tide of office block development which was swamping Civic. The metropolitan policy plan, in its details, painted a very clear picture of what would happen if certain thresholds were reached. They have been proven correct. Knee-jerk reactions by the NCDC and the then Department of Territories resulted in some extra provisions in public transport and a huge number of surface car parks which decimated a large proportion of City Hill and other green spaces around Civic. This was simply not necessary. All that was required was to stick to the plan that had been prepared by the NCDC itself. Some would have argued that it must have been corruption, that money must have changed hands, but the only corruption that I am aware of is a corruption of personal goals, a weakening to the arguments and approaches of the land speculation and development lobbies.

We are fortunate that we still have the opportunity to save the situation. Over the last few years a small number of voices have been crying in the wilderness, trying to stop this madness, trying to draw it to the attention of the people of Canberra. Those who have raised their voices have suffered scathing criticism for putting their ideas on the advantages of the dispersed town centre system logically and professionally time and again. Thanks to them and a growing number of supporters, the situation is not lost. The Gungahlin external transport study, or GETS, notes:

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Creating the maximum number of jobs in Gungahlin town centre was selected by 83 per cent of respondents as being the most effective measure [of addressing the Gungahlin travel task].

That is on page 139. Eighty-three per cent said it was the most effective measure. The same applies to Tuggeranong. This notion was reinforced yesterday by Professor Black of the University of New South Wales who was speaking at a luncheon that I was fortunate enough to be able to attend. The real solution to future transport and environment problems lies in sticking to decisions. No more office blocks in Civic; they belong in the town centres.

Transport ACT is timely. Overdevelopment of Civic has created a number of problems, and this paper attempts to address them. We are fortunate that it is not too late. By combining a strategy of this nature to resolve the previous planning errors with the resolve to get back to a system which is planning driven rather than speculation driven, we still have a chance to retain Canberra as a city to be emulated. We cannot fall prey to the current spurious arguments that we now need more office workers to support the section 38 Canberra centre development. At one time I was one of the objectors to that development before the Joint Parliamentary Committee on the ACT. Section 38 was supposedly needed then to support office workers in Civic. The argument has gone full circle and will follow the same circular path all over again if we allow it. The time has come to get off the roundabout.

So what has the transport strategy got right? Let me say that I applaud the sentiments. The methodology, however, in some places creates problems. The first chapter is called "Why a Strategy?". We need a strategy because of growing peak-hour traffic, air and noise pollution, parking problems and heavy demands on traffic management systems. The proposed solutions are more people on public transport, more passengers in cars, and more people walking and cycling to work. These are admirable aims, which are served best by having jobs near where people live, and this is the cheapest solution for the community.

This introductory chapter talks about the better use of valuable land. We are back to the old supply and demand problem. The land, thanks to our leasehold system - which the Liberals would do away with - is valuable to the whole community, and the whole community can do with it as it wishes.

Further on through the document we see comparative pricing between roads and public transport, a valid and important comparison. The third factor, the one that I have already concentrated on, is having jobs near where people live. That point has not been included. Remember, it is proven. In the 1986 census and statistics, there is a 75 per cent correlation in Woden and Belconnen between where people work and where they live. The system works.

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I congratulate the Government on the transport objectives on page 5. These objectives would apply whatever system of urban planning had been adopted. The strategy develops further. Under the heading, "Civic, the Initial Priority", there we see:

- . promoting employment opportunities outside the Civic area by positive measures to attract development to other town centres -

This is good -

- . establishing mechanisms for developers and leaseholders to contribute to transport costs.

To me these ideas seem admirable. We seem to be heading in the right direction. That was pointed to quite eloquently by Philip Hobbs in the Canberra Times on 16 November this year. We might be able to get Civic back in balance with the rest of Canberra. Balance is what this is about.

What, though, is this next piece of nonsense? It says:

- . encouraging sufficient valuable inner city land to be available for economic development - recognising this will discourage location of commuter parks on valuable commercial sites.

Is this the hidden agenda, or has it just slipped in? What about the social value of land? Those sites are valuable as office blocks, which create peak-hour traffic, parking and transport demands. This seemingly innocent little dot point is one of the causes of our problems, not a strategy to resolve them. One day, when Civic is in balance with the rest of Canberra, there will be a different story. Not only that, but at that stage the land will be much more valuable to the whole community. For the time being, that dot point should be scrubbed from this strategy; it should be eliminated altogether.

So to the next chapter, entitled "What is the strategy?". By and large, it is necessary to have a series of measures which must be implemented to resolve the problems of speculation and development driven planning. These suggestions will need to be implemented, but we must recognise the cause of the problems and heed the warnings of the 1984 metropolitan policy plan which have now been recognised and reinforced by the NCPA in its most recent draft policy, volume 2.

The next section is on car parking, the first symptom which I recognised. This was the first indication that I had, over half a decade ago, that Canberra's planning was off the rails. It says:

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... the right of local residents to protection will be balanced against the need of other members of the community to use their cars to access town centres.

That is more nonsense. There is no need for a balance here. The two can coexist. There is simply no need for commuters to use residential streets as parking lots. In 1984 the metropolitan policy plan promised this to residents near the town centres, and I quote from page 192:

The amenity of residential areas adjacent to town centres and other employment centres will be protected from the intrusion of car parking by the application of development controls and traffic management measures.

Study after study has reinforced this. Mel Dunn, Nelson English and the Joint Parliamentary Committee on the ACT recognised the problem, as did the original ACT House of Assembly committee and the hundred thousand dollar Loder and Bayly local area traffic management study into Reid and Braddon. We know the solutions, and now they must be implemented. The map in this book simply legitimises commuter parking. Briefing after briefing from the ACT Administration on this strategy has failed to provide a good reason for it.

This motion is based on another study by Nairn and Partners, who originally recommended that parking be confined to Civic. There is now a report, the Civic accessibility study, which will apparently be made available to me shortly. It illustrates how suburbs can be turned into parking lots as a revenue-raising measure. I am happy to make available the leaked pages that I have - pages 14, 15 and 16 of this study - to members to illustrate that the map is simply a revenue raising measure with complete disregard for residential amenity.

Inner city residents are not selfish. They recognise the need for balance and for compromise, but those compromises have been made and it is now time for the Government to uphold its end of the bargain. I quote from the August 1987 Loder and Bayly summary report, the result of literally thousands of hours of residents' time in participation:

The residents of the study area were strongly opposed to any commuter parking in their streets.

(Extension of time granted)

However, a majority concurred with our view that in the short term, for reasons of overall community equity, parking should be allowed on one side only of most streets for a limited period during which structural parking is built.

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The residents willingly compromised and willingly kept their side of the bargain in the interests of community equity. There are now 1,200 to 1,600 cars parked daily at residential kerbsides while over 2,000 car parking spaces remain vacant in the city. Loder and Bayly added:

We recommend that all commuter parking be excluded in the long term.

It is time for this Government and this Assembly to recognise that residents have kept their end of the compromise reached between them and the combined ACT Administration and the NCDC in this study. It is time to accept the Loder and Bayly recommendations and the recommendations made to the Standing Committee on Planning, Development and Infrastructure. It is time to implement a system of no parking, nine to 11, throughout all residential areas adjacent to town centres.

My final comment responds to the section on traffic management on page 11. I draw the Assembly's attention to the increased flow of traffic and the impact it will have as residential streets become "rat runs". Traffic is like water poured into a bucket. When roads get full and the flow continues it will find the nearest line of least resistance. That was reinforced again by Professor Black in his speech at lunch yesterday. With this in mind, the Loder and Bayly study recommended some street modifications and closures in Reid and Braddon. They are relatively inexpensive. Some have already been carried out, but others must be implemented as an urgent requirement of the transport strategy. I draw particular attention to the closure of Currong Street and Anzac Parade in Reid and other street closures identified by the study. Remember that 70 per cent of the respondents favoured a street closure scheme.

The transport strategy must at least be given credit for trying to address some of the mistakes that have been made, but it is not enough and it is not good enough. I now quote from a submission from a former chief planner of the NCDC, who said:

The sole cause of the transport problem in Civic is abundantly clear, has always been entirely predictable and indeed was frequently predicted: it is the overload of the mislocated 12,000 Commonwealth office workers whose presence has proved most profitable for property speculation -

Note, not development but property speculation -

but serves no civic purpose. With their removal to more suitable permanent locations the strategy now adopted by the NCPA, transport problems will diminish ... no other strategy is needed.

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MR WOOD (11.55): The major problem for the ACT in its transport strategy is the public scorn for public transport. People just do not want to use buses. That is historical. Obviously, in earlier years it was based on a small population with ready access to the city and in later years it was because of the dispersed planning of the city, the Y plan.

For so much of our history there was the luxury of parking just where you wanted it. That was until the last five or 10 years. There was and there still is in the community an expectation that people can park close to their work. Times have changed but the expectation still exists. That expectation and the fact of the former easy access to parking are a clear result of planning, and very careful planning at that. In this most well planned of cities the car was king and still is. As a result, we have an excellent road system. As the city has grown, it has presented us with the problems that we now face. The planners are now telling us, "Get out of your car" - and we must agree with that - "The car is no longer to be king. It must abdicate". That is especially the case in Civic. We were told this repeatedly in our committee as we looked at the future of the Canberra Times site. Civic is at the limit of what is environmentally acceptable. I do not think it matters much whether we have Commonwealth public servants there, Mr Moore, or people working in law firms or whatever; they are still people, they are still taking a place in a building, and their cars are still taking parking places.

Mr Moore: Yes, but we can have some influence over who goes where.

MR WOOD: We certainly can, and I would support you on that. Any of the decisions we make should properly be part of the integrated transport study. That is why this document is so important and so useful. The integration of our strategy is something I want to develop. It seems to me that, with this document and the plans of this Government, we are taking measures to solve the problem. But, while we do so, there are other measures being taken in this city to compound that problem further.

In the last week or two I have been reading - and I encourage others to do so - the community consultation report of the Gungahlin external travel study, or GETS. I refer to another document, the former NCDC Gungahlin plan, and how that is to develop. Gungahlin is most likely - not certainly, yet - the next major development in this city. What is going to happen with Gungahlin and the road connections to Gungahlin is going to have a very major impact, Mr Moore and the Assembly, on what happens in Civic.

What is happening with the planning of Gungahlin as I read GETS and as I read the Gungahlin document is only going to confound what is happening in this Government's policy

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document on transport. They are conflicting. The National Capital Planning Authority is continuing to plan for Gungahlin and it is planning in the same way as it has planned other parts of Canberra; that is, it is planning for the use of buses and cars, obviously, on roads.

The GETS survey indicates that some 12,000 vehicles at peak times will move out of Gungahlin, almost 10,000 of those in a southerly direction. For that this Government will need to provide 10 arterial lanes or six freeway lanes. And where are they going? All over town, but mostly to Civic. If you have not seen the maps in this GETS document, have a look at them because they draw the roads - Dedman Parkway, the Monash Parkway, the Northbourne Avenue route - and they are all heading for Civic. They average 1.2 persons per vehicle, and, if these documents are to be believed, the occupants are going to be working in Civic.

So somewhere down the track before the year 2000 it would seem to me that, according to the NCPA planning, we are going to be expanding Civic considerably; otherwise what is the purpose of all those roads leading to Civic? It is not for shopping, because we do not need those 10 arterial lanes for shopping purposes.

So we have this trouble where other bodies are considering their planning. While the current plans - the ex-NCDC plans that are still binding on us - restrict Civic to a certain level, the plans now in development will considerably expand Civic. I would certainly seek that the Government's integrated transport strategy be followed. But how do we do that? There are great difficulties in following that through, because it is beyond the control of this chamber.

The joint parliamentary committee from the Parliament House over the lake was meeting this week, considering the national capital plan. The joint parliamentary committee will have more input and more decisions to make on the access to Civic and the roads to and from Gungahlin than our planners will. The NCPA will be the planning authority, and that raises some very interesting questions. We are the elected local representatives of this Territory.

I know Mr Moore has been closely involved, and I am sure Dr Kinloch has been, with those groups who see threats from major roads. I know I have been on my side of the old north. We are the local representatives, yet I do not know how much input we are going to have into the final planning of these roads. It is an interesting question. I think most of us in this chamber would disagree with the notion of the NCPA having so much authority in the planning of this Territory. I hope that good commonsense and sound planning will come through and there will be some changes in the proposal.

I want to make some comment about what is needed, whoever does the planning. I was very interested in one comment in

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GETS, that if we considerably increased the number of people who used buses, from about 12 per cent, I think, to 25 per cent, we could do away with about one lane of traffic. So a considerable increase really makes very little difference to what we need in roads. The logical, sensible solution seems to me to be that, if we do not want cars, then we have to be serious about providing public transport. Obviously we need to go to the O-bahn system or to light rail, but to do that we have to ensure that the commuters are in a position where they can use it.

It seems to me to be a simple matter of planning. I am sure I could sit down and in 10 minutes draw up a configuration of a major town area that would take a rail through and would enable people to use a rail system that would take them to Civic, where most of them are going, and maybe to other places as well. It is a planning matter, and I am sure that we can plan to get people off the roads.

The starting point should be the transport system, not the documents that I have referred to - the former NCDC plan. The starting point should not be putting a suburb there and then holding to the traditional major transport modes. (Extension of time granted)

The traditional starting point should not be used. Do not put the suburb there and think how to connect it, but draw your transport links first and then develop the suburb. I am sure that that can be done, and I would urge that measure on our planners. If that is done, Mr Moore, Dr Kinloch and I will have a much more comfortable task with our constituents whose environments are threatened in the future with this massive freeway connection that will otherwise be necessary.

To conclude, I want to make again a very important point. The document that we have here says it properly: we need an integrated strategy. It has to be integrated. At the present moment it is going to be very, very difficult to achieve that, given the division of planning that we have in this city.

MR JENSEN (12.07): Mr Speaker, in my opening comments I think it is appropriate to indicate to the house that the Rally supports the comments and the remarks made by Mr Moore. I will be coming to some of the comments made by Mr Wood later on, towards the end of my speech.

Mr Speaker, the consultation paper, Transport ACT, has been released presumably as a means of stimulating debate in the public arena on the whole issue of developing public transport and traffic management strategies which will serve all of Canberra into the twenty-first century. There is no doubt that it has done that. At least it has got one part of its strategy correct. Unfortunately, it falls lamentably short of meeting these ideals. While it contains a few short-term proposals for regulating parking and encouraging less single-occupant car commuting and more

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multi-use vehicles and public transport, it fails to deal with the more fundamental issues of planning, transport movements, through traffic, residential amenity and public transport interchange.

In the area of public transport, a number of the proposed strategies, such as park-and-ride options and transfer ticketing, are laudable and we will be encouraging them in the future. However, one of the fundamentals of an adequate public transport system for Civic is, as the report suggests, an adequate interchange facility with a design and location that actively encourages bus travel. We certainly do not have that at the moment. In fact, it has been suggested that the current interchange will very shortly be running out of space to continue its operations and there is some possibility that it may have to move around into Northbourne Avenue.

Indeed, if all the proposed extra bus commuters were to leave their cars at home and use ACTION, it is doubtful that the current bus interchange could cope with the increased numbers, particularly in peak hour. The question remains, Mr Speaker: where and when will a new purpose-built bus interchange be located, and how will it fit in with an overall plan for the movement of people and traffic in, around and through Civic and with the overall public transport system for Canberra?

Mr Speaker, members may or may not be aware that there was originally a proposal to construct a bus interchange in Civic, but my understanding is that, because of a shortage of funds or because of the inability of the Commonwealth Government to get its act together, it was decided to initiate the temporary proposal that we have at the moment. We in this town have some indication as to how temporary things can be. We just have to look at the temporary Parliament House to realise that some of these things can go on and on for years. So let us hope, Mr Speaker, that the Government has some plans a little further forward for a permanent interchange in Civic.

So, by sticking doggedly to the proposed development on section 19, for example, and against considerable planning advice to the contrary, the minority Labor Government is closing off an important option in this transport debate. In my view, no major new developments ought to be contemplated in Civic until a plan for the whole is finalised.

The winning design in the recent competition sponsored by the Royal Australian Institute of Architects and the ACT Administration, by Mr Roger Pegrum and his associates, at least attempted to address this urgent problem of a unified Civic plan, one which has a vision for the Canberra of tomorrow and which attempts to grapple with transport needs of the future. If we cannot approach the future with some sort of vision, then Canberra is going to go the way of most other cities, with short-term bandaid solutions to

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problems as they arise. Unfortunately, problems have a habit of getting out of control in the long run. We owe it to the residents of Canberra and the nation to ensure that we get it right and that we do not end up with the sorts of problems associated with traffic that the cities of Sydney, Melbourne, Brisbane and even Adelaide and Perth have experienced in recent years.

As the Canberra Times editorial of 28 October so aptly put it, the strategy "should address fundamental traffic and siting issues, the most urgent being, perhaps, the future of City Hill, the question of development along Constitution Avenue and how through traffic is to be handled". They are important, Mr Speaker, and relate to the development of Civic as a whole, not piecemeal development.

The citizens of Canberra, including the residents of the inner city suburbs, are entitled to a more visionary approach from their Government than a superficial, short-term one that does not meet their needs. The Rally calls on the Government to immediately revise its proposal to entrench commuter parking in the suburbs of Reid, Turner and Braddon. It is surely inappropriate for the Government to be marking out kerbs and parking bays in those suburbs when it has not yet received the comments it has sought in its process of - and I use the term advisedly - public consultation.

Urgent consideration should be given to implementing the major recommendations of the Loder and Bayly report of 1987, especially the closure of some streets, as Mr Moore has already indicated, and the banning of commuter parking by restricting parking in these areas from 9.00 am till 11.00 am. Such a restriction would return the amenity of those streets to the residents and casual visitors.

A quick check of the parking areas opposite the Reid TAFE and opposite the Lakeside Hotel shows that there is ample space to take the overflow from the suburban streets. We were given an indication of that in a briefing from government officials. The so-called strategy for Reid, Turner and Braddon, outlined in the document and shown on the map, seeks to legitimise forever this form of urban blight on residential areas. Once legitimised, Mr Speaker, it would be very difficult to remove it.

Another related area that is not covered by the so-called strategy is the failure to address the problems of residents in suburbs surrounding the Woden Town Centre, particularly Lyons. There are other areas where the problems have manifested themselves around group centres such as Kingston, Dickson and Manuka. Where does the strategy talk about addressing these problems, Mr Speaker? It does not. Is there a plan to encourage greater use of buses for workers and shoppers, or are we going to have to accept parking in suburban streets as par for the course? Surely we can do better than that in this national capital.

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Let us not make the same mistakes as other urban areas and cities have made.

I would like to make one suggestion. I know it has been considered by ACTION and has worked successfully in other capital cities. I am referring now to a bus service that transports shoppers, city workers and tourists around the precincts of cities like Adelaide and Perth, to name at least two. These services are free, Mr Speaker, because the cost of collecting fares is almost equal to or more than the fares that would be collected. I am sure that the bright marketing minds in ACTION could come up with a suitable promotional campaign to sell this service.

I want to address very briefly the comments made by Mr Wood in relation to Gungahlin and its effect on Civic. It may be, Mr Speaker, that in making these comments on Gungahlin the National Capital Planning Authority was not prepared to accept the suggestion that, if the dispersed centre or Y plan is to work, employment must be provided in the town centres. We know that, despite the alleged efforts of the member for Canberra, Mrs Kelly, to encourage Federal offices into Tuggeranong, the time scale that was established by the NCDC for the development of the town centre was not adhered to by the Government. By "time scale" I mean the time scale for establishing the working opportunities for people of the Tuggeranong Valley to use. These undertakings were not kept.

Even in recent times we saw the same member, at the opening of the work on the Churches Centre, indicating or hinting that it would be possible in the future that members of her department - the Department of Defence - would be moving into that building. What did we have, Mr Speaker? We had empty words. It did not happen. The work has now stopped, and I understand that some 200 workers are currently waiting for work on that particular site. That is possibly why the National Capital Planning Authority was not keen. In the past it has had its recommendations and ideas ignored by Government, ideas and suggestions made on very important planning issues.

We have to remember that the centre of Tuggeranong is some 25 kilometres from Civic but the proposed Gungahlin centre will only be 12 kilometres away. So the pressure on Civic to have people travel just a short distance down the road to work in Civic will be considerable. (Extension of time granted)

Mr Wood: Watch out, Civic!

MR JENSEN: That is the point, Mr Wood. It is a case of "Watch out, Civic", and that is why it is important that, if Gungahlin is going to go ahead and if it is going to develop - and I think there is no suggestion that we are not going to need areas for an expanding population in the ACT - we do not make the same horrific mistakes that were made in Tuggeranong in relation to the provision of working places for people who live in that area.

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Mr Speaker, let me conclude by saying that, while the document, Transport ACT, does contain some good general concepts, it does little more than establish what the problems are or are likely to be. There is little real examination of the overall transport needs of Canberra and no attempt to come to grips with some of the fundamental planning concepts that will be vital to our future.

I would like to finish with a quote from the same Canberra Times editorial to which I referred before. I think it really sums up the problems with the so-called strategy. Maybe this is one of the editorials that the Deputy Chief Minister did not agree with, but I know he was agreeing with one. Maybe he does not agree with this one. Let me just read to the house for the benefit of those present this statement:

The basic problems will not go away and the forces generating the problems - Civic development - suggest they will probably get worse. Nothing in the ACT Government's plan points the way to a solution. Indeed, with public transport capacity in Civic already close to exhausted, one could imagine that some elements of the strategy would actually increase the clogging of Civic's arteries.

MRS GRASSBY (Minister for Housing and Urban Services) (12.19): The provision of an efficient and effective transport system is critical to the well-being of the community. Transport underpins economic development. Transport is essential for social interaction. Good transport policy and design are central to the protection of our environment.

The ACT Government has, for the first time in Canberra's history, grappled with the issue on all fronts. It has developed a policy by which many government decisions will be guided, whether planning, capital, operational or financial. It is a plan which deals with the present but also provides guides for the future.

Canberra is a beautiful city. It is a great place to visit and to live in. People who come here remark on its setting, its built attractions and its facilities. In all this, Canberra is moving away from being a large country town to becoming a city. Becoming a city has brought Canberra many benefits, and under the guidance of this Government those benefits will continue. However, the costs of becoming a city have also become evident in the last few years, and this transport policy is clear evidence that this Government will not shirk its responsibilities in dealing with the difficult issues.

For any city in the world, transporting those people who work in it, play in it or live around it is a crucial and difficult issue. Canberra is now experiencing some of

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those difficulties: a number of roads are approaching capacity during peak hours; some residential roads are becoming inappropriate traffic bypass routes; some areas are experiencing noise and air pollution generated by traffic; the provision of parking is becoming more expensive and difficult; some residential areas are experiencing considerable commuter parking; bus facilities, and in particular the Civic bus interchange, are approaching capacity; through traffic is making Civic a difficult destination and is splitting its development.

While all this is particularly true for Civic, it applies to other areas in some degree and will apply even more so in the future. The ACT Government has in its first year already committed some \$30m to roads expenditure. This is clear evidence of its commitment to improving access. Indeed, some \$14m of this is directly related to gaining access to Civic. But the time is now right to evaluate the transport directions of Canberra. The community cannot afford, and the environment cannot stand, a rapid growth in roads investment. Canberra relies heavily on the car, but the strategy aims to reduce this reliance.

The Government has put a number of transport propositions to the ACT community. These propositions present an integrated approach to the issues. The strategy covers planning issues, capital formation, operational matters and financial incentives. Over the coming weeks the Government will be talking to a wide range of groups concerning the overall strategy. Consultation on particular issues will continue to occur for the life of the Government.

Sound transport strategy is a central planning issue. Transport strategy can only be sensible in supporting planning objectives, but, equally, planning principles can only be realised on the basis of a sensible and flexible transport strategy. What is an appropriate city or town centre size is usually not a question of numbers of people, but rather the ease of access to such centres and the impact on surrounding centres.

This transport policy will change the terms of that planning debate by improving access and amenity in and near city and town centres in Canberra. However, the Government will promote employment opportunities outside the Civic area to attract development to other town centres. Part of this involves ensuring developers and leaseholders contribute to transport costs so that investment decisions include some recognition of their cost to the community.

It is important to note that such a policy will not substantially reduce the transport task. It will provide a wider range of local employment opportunities. However, it is also true that dispersed development will improve the efficiency of our transport system. Roads can be better used in both directions in morning and evening peaks. Buses can have passengers in two directions rather than being nearly empty on half of a round trip. Such planning

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of transport issues underpins successful economic development, and the Government is proposing a range of strategies.

Civic, in particular, does have some transport problems, but they can be solved. Some 60 per cent of the workers in Civic travel to work in single-occupant cars. The ACT Government is proposing to the people of Canberra that changing this emphasis to more bus travel, to more people per car, to more people riding bicycles or walking, and more park-and-ride from non-town centre locations will benefit them and the community as a whole. It will cost less, improve amenity and have less negative environmental impact.

To bring such objectives to life requires a number of positive steps. The Government has approved a major program of bus purchase for ACTION in 1989-90. Some 49 buses will be bought at a cost of some \$11m. ACTION will improve its service in a number of areas. Already network 88 has seen a significant improvement in services and an increase in patronage on inter-town services. Building on this, ACTION is now seeking public comment on a range of new express bus services to outer suburbs.

ACTION has been consulting this week with Tuggeranong residents concerning services in Tuggeranong to both existing and new suburbs. Most importantly, these services include new express bus services. These services will provide a fast alternative for people in those areas needing to travel to Civic. For example, residents of Theodore will be able to catch one bus to the city taking 45 minutes, instead of two buses taking 60 minutes. Such services will also provide opportunities for park-and-ride at a number of locations such as Chisholm, Erindale, Kippax and Charnwood.

ACTION will also be reviewing the way that it structures its fares to ensure that journeys involving transfers are not penalised. Service improvements to public transport can also be significantly enhanced by a number of road system and traffic management measures. Public transport will be given priority over commuter traffic at a number of locations. This can be achieved by giving buses priority at traffic signals and by providing more bus-only lanes. This does involve some difficult decisions as such arrangements will congest those roads for car commuters. However, we will be examining the possibility of taxis or cars carrying three or more passengers being able to use bus lanes as well as providing an attractive public transport option. In the longer term, this policy will benefit the whole community.

Many of the difficult issues of service and road use come together when considering the needs of the Civic bus interchange. I am committed to having a bus interchange arrangement in Civic which is attractive to commuters, is convenient and easy to use, and facilitates efficient bus

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operations. A decision is required soon though some limited expansion of the current interchange is possible as an interim measure.

The long-term future for public transport is not being ignored. Work is now being undertaken to clearly identify and reserve a rapid public transport route between town centres and to re-examine the economic threshold of such a service. Short sections of the route could become bus-ways in the first instance. The route through Civic is important to the bus interchange.

The management of traffic is also an important aspect of the Government's strategy. Planning has already commenced to provide alternative routes for traffic travelling through Civic. Whilst options for diverting such traffic are not numerous, there are alternatives that are being actively pursued. Indeed, expenditure in a number of locations this year has been made with an eye to future possibilities. This area also involves some difficult decisions. (Extension of time granted)

Bypass routes are longer but ultimately quicker. Traffic lights in the city and elsewhere will, where possible, be phased to favour pedestrians, buses and cyclists. Indeed, cyclists will be favoured in a number of ways. The Government has committed \$1m in 1989-90 to cycle path construction. Some of this money is to improve access through town centres. Further, I have already announced that I will be releasing in the near future a public discussion paper which will form the basis of a cycle policy. The Government will maintain its commitment to cycling as a viable, safe and economic commuting alternative.

It is also important in a car commuter based city such as ours to pay particular attention to parking issues. The most vexed issue in this area, of course, is that of commuter parking in residential areas. Ideally, residents in areas close to any of the town centres should not have their residential amenity compromised by commuter parking, but neither should the residents of outer suburban areas have their ability to access town centres substantially reduced. Some people need cars to get to work; they may have daytime study commitments. They may have children to drop off at school; or they may have after work commitments of various kinds. Some parking flexibility is needed for these people.

Streets in suburban areas are a public resource well able in many cases to take parked cars safely. Any short-term surplus of car parking spaces in Civic will be accounted for by current building refurbishment or developments under way or approved, such as building 6 in the White Industries complex or the office building in section 38.

Replacing parking spaces in Civic would mean building a car parking structure at some \$10,000 per space. The ACT

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Government proposes to tackle the residential amenity issue on a number of fronts. Street parking has already been banned in over 50 per cent of Reid, Braddon and Turner. It is also proposed to extend those bans in some areas to provide short-stay parking in other areas. This further reduces remaining long-stay parking opportunities by some 40 per cent. It also provides visitors of residents in those suburbs with kerbside parking. Where commuters park, a charge will be introduced to encourage the use of other readily available spaces in the city or the use of public transport.

The Government believes that this is an appropriate compromise which recognises the total community benefits, but we will over the coming weeks consult widely on the strategy and the detail of these arrangements. The general community cannot continue to subsidise provision of parking. Charges for commuter parking will progressively rise to a level where necessary parking structures are viable. This also includes some recognition of the road costs parkers generate.

We will, of course, continue to favour provision of short-stay parking and ensure that charges for such parking are structured to provide for shoppers and those doing business in town centres. The correct balance of financial incentives is an important element of our policy, and our commitment to the strategy is nowhere better evidenced than in the new parking fees and bus fares to take effect in January.

Bus fare increases have been well below what could have been expected, given the changes in the consumer price index. At the same time, parking fees will be increased by a substantial 50c a day in most cases, with further such rises in the future.

It is important not only that car drivers see the direct costs of car travel, such as petrol and tyres, but that they have some understanding and even experience of the costs the community bears for them, such as roads and parking areas. The new structure of fare and parking increases, particularly the decision not to increase pensioner and unemployed fares, is a substantial contribution to social equity. Indeed the whole policy, emphasising as it does public transport, favours the less well off in the community.

Mr Speaker, I am proud of this policy. It is far-sighted; it is equitable; it draws together a wide range of government policies; it deals with the environment in a positive and very active manner; and it is sound long-term financial planning. It touches on planning, economic development, capital creation, operational management, residential amenity and social equity.

The Government will be encouraging the community to recognise its overall benefits. However, we are also very

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keen to get community views. It does involve some difficult decisions. The strategy must be discussed and, if necessary, modified to take account of total community requirements and benefits. I commend the strategy to the Assembly.

Debate adjourned.

Sitting suspended from 12.34 to 2.30 pm

MR BERRY (Minister for Community Services and Health), by leave: I would like to offer a welcome from the Assembly to three students, a coordinator and a teacher from Barnado's Kaleen cottage, who are in the gallery today.

Members: Hear, hear!

DR KINLOCH: Mr Speaker, may I, as a former Barnado's boy, especially welcome them.

QUESTIONS WITHOUT NOTICE

Grass Mowing

MR STEVENSON: My question is addressed to the Chief Minister. Is it correct that grass has grown in many areas of the city so as to become a fire hazard? Can the Chief Minister please tell me who is responsible for high grass on Nos. 5, 7 and 9 Wild Street, Narrabundah?

Mr Duby: God.

MR STEVENSON: I am advised that it is posing a fire hazard to the premises of Mr Rowan of 40 Walker Crescent, Narrabundah. Can the Chief Minister please explain why Mr Rowan has been unable to find out from five different departments of the ACT Administration who is responsible for controlling the alleged fire hazard on these blocks of land?

MS FOLLETT: I thank Mr Stevenson for the question. I would like to say that Mr Duby was absolutely correct. I think we have heard, on many occasions, my colleague Mrs Grassby speaking about the question of grass in various areas in the ACT, and she has alluded on numerous occasions to the particular weather conditions that have given rise to the grass. If your constituent is seriously concerned about the grass in that area being a fire hazard, he should report it to the fire brigade. I would suggest that you take the matter up with Mrs Grassby's office as soon as possible.

ACT Bush Fire Council

MRS NOLAN: My question is directed to the Minister for Housing and Urban Services. Given that the previous Bush Fire Council's term expired on 28 October, what is the Minister doing to expedite the appointment of the new council? What is the legal position of bushfire fighters and controllers carrying out their duties without a council in existence? Will the Minister guarantee to this Assembly that the appointments will be made forthwith so that urgent planning and policy matters may be dealt with before the onset of the expected extreme bushfire season?

MRS GRASSBY: I thank Mrs Nolan. Before I start I would like to say that, when a bushfire does start out, the fighters do not rush to the council to ask how they should fight it; there are already policies in place for fighting bushfires. So the fact that the council has not been appointed has nothing to do with bushfires breaking out. As I told you yesterday - and I will repeat the answer - I have put to Cabinet the names and will announce in the coming week exactly who will be on the Bush Fire Council. This will be after the people who are going to be on it are informed. Legally we do not need the council in order to fight fires.

Education Budget

MR KAINE: I direct a question to the Minister for Industry, Employment and Education. This morning we completed the debate on the budget. Over recent weeks, since the initial budget was announced, there has been a lot of toing-and-froing in the Education Department about whether your announced cuts were going to take place or not. I understand that you have backed away from making some of the cuts that you originally said you were going to make. Just how has that affected the bottom line of the education budget? If it has affected it, why was there no change in the budget that we have just finished debating, compared with the original one that was put to the parliament?

MR WHALAN: The Leader of the Opposition has asked a question in relation to the education budget but has made no specific reference to any specific item. In the circumstances of that, it is impossible to respond. I know that the Leader of the Opposition will jump to his feet and say, "This is once again an example of the Government not answering one of my serious questions", but in fact it is a fatuous, empty question. It has no specific details - - -

Mr Kaine: I take point of order, Mr Speaker. The Minister is quite right; I am going to jump to my feet and claim that he is not answering the question. The Minister said, after his budget was released, that he was going to make cuts against the budget of the order of some \$5m, and he

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was quite specific about where those cuts were going to fall. He later negotiated, after the teachers complained, and he backed away from certain of those announcements that he made and put \$2.5m back into the budget, I understand, as a result of the negotiations. These are the figures that the Minister has quoted. My question is quite specific: if there is a change to the bottom line of his budget, compared with what was originally announced, why did it not show up in the budget that was finally approved by the Assembly this morning?

MR WHALAN: Mr Speaker, first of all, let us get it quite clear: the document which was passed by this Assembly this morning is the Appropriation Bill. It has been on the table of this chamber for quite some weeks, so there is nothing new or novel about the document. I would have thought that, if this concern were genuine, it would have been raised during the appropriation debate itself, rather than during question time.

The fact is that this Government went through a process of consultation in relation to the budget. In relation to the education part of the budget the consultation process included, first of all, consultation at the level of the main consultative group which was established by the Chief Minister
- - -

Mr Kaine: Which was a sham.

MR WHALAN: It was not a sham. At the final meeting of that particular consultative group, Mr Collaery and Mr Kaine stormed out in a tantrum and were not present, but all the - - -

Mr Kaine: On a point of order, Mr Speaker; that is a misrepresentation of the facts, and the Minister knows it. Mr Collaery and I announced our intention to the Chief Minister that we would not attend the final meeting long before it took place. We did not storm out in a tantrum.

MR SPEAKER: Order!

Mr Kaine: I am sick of being misrepresented, Mr Speaker.

MR SPEAKER: Mr Kaine, you will have an opportunity to claim to have been misrepresented. That is not a point of order. Please proceed, Minister.

MR WHALAN: We had to send ambassadors to the first floor to persuade Trevor to come back again at one stage, so it was - - -

Mr Collaery: On a point of order, Mr Speaker; this is the flavour of the Government we have. Look at them, Mr Speaker; look at him. Shame! We sent a letter to the Chief Minister.

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MR SPEAKER: What is the point of order, Mr Collaery? Please proceed to answer the question, Minister.

MR WHALAN: Mr Speaker, I will resume the answer which I have been prevailed upon to give, and I will give that in full detail. A draft budget statement was presented to the Assembly on 25 July of this year which detailed proposals in relation to the ACT budget generally. As part of that, there were specific references to the education part of the budget. In that education part of the budget there were proposed budget savings.

The circumstance which caused the Government to arrive at that position was a general situation in which we had seen the Commonwealth contribution to the States and territories reduced by 4.4 per cent; we were in a situation in which the Commonwealth Government reneged on its previous arrangements to maintain the real level of expenditure in the ACT for a period of three years; and, finally, a requirement on the part of the Commonwealth that we deal with the overexpenditure identified by the Commonwealth Grants Commission.

So, in the context of all of those preconditions, it was necessary to engage in some expenditure savings in the budget. After those expenditure savings were stated on 25 July, there followed a process of consultation through the main consultative group which was convened by the Chief Minister. In addition to that, there was a detailed and lengthy consultation with a specially convened schools consultative group, which contained representatives of the ACT Teachers Federation, the Public Sector Union, the ACT Council of Parents and Citizens, the Canberra Pre-School Society and students from the government school system.

In addition to that group, as the responsible Minister, I participated in considerable direct discussions separately with the principals of colleges, the principals of high schools, the principals of primary schools and representatives of principals of the preschools.

MR SPEAKER: Order! Minister, I believe you are sort of skirting the questions asked.

Mr Kaine: He's squirming around the answer.

MR SPEAKER: No; skirting the questions posed. Please get closer to the question on the money.

MR WHALAN: Mr Speaker, with respect, the Opposition has complained on occasions that my answers have been too brief and have not been complete and comprehensive. I intend to give the Opposition a complete and comprehensive answer to its question.

Mr Kaine: As long as you answer the question, I do not mind, but you have not yet.

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MR WHALAN: Just give me time. I will get to it. The answer then is that, in addition to that consultation, there was a very substantial program of visits. They included, for example, visits to Birrigai in the company of Tony Fleming and Meg Keen, both of whom had commented on the budget. We had visits to special schools - - -

Mr Jensen: On a point of order, Mr Speaker; I refer the members of the house to standing order 118 which states:

The answer to a question without notice

- (a) shall be concise and confined to the subject matter of the question; and
- (b) shall not debate the subject to which the question refers ...

MR SPEAKER: I take that as a valid point of order. Please get to the point of the question, Minister.

MR WHALAN: Mr Speaker, as a result of this process of consultation, as the Government had undertaken, then there were modifications to the budget which was presented to this chamber and which was the subject of debate in the last couple of days and passed by the Assembly this morning in the form of the Appropriation Bill.

If the Leader of the Opposition takes the trouble to go to the draft budget statement of 25 July and then goes to the Appropriation Bill, he will see that amendments were made. Those amendments have been spelt out quite clearly, and they result from the consultation process. To say that they amounted to a figure of \$2.5m is totally incorrect and inaccurate. That is not the figure, Mr Speaker.

Vietnam Veterans Centre

MR JENSEN: Mr Speaker, my question is directed to the Minister for Housing and Urban Services. I understand that she has received a request from a group representing service veterans organisations in the ACT which has been allocated funds by the Commonwealth for the establishment of a halfway house for veterans. It is waiting for the allocation of a house from ACT Housing Trust stock. Can the Minister advise when this allocation might take place, as the board of management of the Phil Thompson Centre, as the centre is to be called, is ready to commence operations?

MRS GRASSBY: Thank you, Mr Jensen. I have received a submission from the Vietnam Veterans Association of Australia, and I am writing to them expressing my congratulations on their obtaining funding from the Commonwealth Minister for Veterans' Affairs for this worthwhile project. I have referred the matter of the allocation of a house to the Housing Trust and I have written to the association informing them of this. As soon

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as a suitable house is available, they will be contacted to have someone come and look at the house to see whether it is the sort of thing they wish to take on.

Donation to Political Party

MR COLLAERY: My question is directed to the Attorney-General. On the Pru Goward program this morning she twice said, "As soon as Bernard asked our office about the donation, I said yes", or, "As soon as my office was asked about a donation, we said yes". Would she confirm to the house that the first contact between me and her office on the subject of a donation was from her principal adviser, Mr Grant Hehir?

MS FOLLETT: As far as I know, Mr Speaker, that is correct.

Mr Collaery: So why did you tell the ACT people a total untruth?

MS FOLLETT: Mr Speaker, I would ask that he withdraw that remark.

MR SPEAKER: Under the circumstances I wish you would withdraw that remark.

Mr Collaery: I withdraw all the words after "total".

Mr Whalan: That is a qualified withdrawal, Mr Speaker.

MR SPEAKER: The withdrawal should be unqualified, Mr Collaery.

Mr Collaery: I make an unqualified withdrawal.

MS FOLLETT: Mr Speaker, the member opposite knows the facts of this matter as well as I do. He has continually sought to muddy the waters on the whole question.

Mr Humphries: Tell us the facts. You declined to answer a question the other day on this. Tell us the facts. You said, "It's not your business".

MS FOLLETT: The fact is that it is a matter for the party. Mr Humphries interjects that I did not answer a question. I did indeed answer that question, and my answer was that donations to my party are a matter for the party. I believe, Mr Speaker, that this particular matter has been fully aired. There has never been any attempt to cover it up - none whatsoever. If we can be accused of any fault, it is of being too honest with the member opposite, who seems to have very little concept of the notion of frankness in dealings with people - very, very little concept of that. He has sought continually to twist, manipulate and turn this situation into something which it is not. The party and I have never sought to cover up that

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donation. If you want the complete list of donations, it is available to you. It is a public document.

Mr Collaery: Why suggest that I asked about it?

MS FOLLETT: I cannot comprehend Mr Collaery's attitude to this whole question, Mr Speaker. I believe he has been treated with complete honesty and forthrightness, and in those circumstances he has no idea - - -

Mr Collaery: Was that honesty on the Pru Goward program this morning?

MS FOLLETT: It was. He has no idea how to behave in those circumstances. He does not understand the concept.

Donation to Political Party

MR KAINE: Mr Speaker, since the Chief Minister is making much of honesty and openness, I would like to ask her: why was it necessary for her senior private secretary to address Mr Collaery on the issue when she did not find it necessary to address me? What was her purpose in having her senior private secretary go and advise Mr Collaery of this matter? If it is a party matter, why did she go to that trouble?

Mr Whalan: On a point of order, Mr Speaker; as this matter is sub judice, as a result of defamatory statements made on radio this morning, I submit that it is totally inappropriate for further questions to be considered on it.

MR SPEAKER: I will take advice on that matter. I request that the Deputy Chief Minister give the Assembly some proof that this matter has been presented to legal counsel.

Mr Whalan: Both Mr Berry and Mrs Grassby have issued instructions to their solicitors in relation to this matter.

Mr Kaine: On a point of order, Mr Speaker; unless they are in relation to the particular question that I addressed to the Chief Minister - and I submit they are not - then the question that I asked the Chief Minister is not sub judice and I would like an answer to it.

MR SPEAKER: I take your point, Mr Kaine. I believe that that question, as asked by you, was not the subject of the discussion on the radio this morning. Would the Chief Minister care to answer the question.

Mr Whalan: On a point of order, Mr Speaker; did you actually hear the program on the radio this morning?

MR SPEAKER: I did, thank you, Deputy Chief Minister.

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Mr Whalan: Have you read the transcript? Do you know of the subsequent legal action which has been taken?

Mr Kaine: On a point of order, Mr Speaker - - -

MR SPEAKER: Certainly I do not, Deputy Chief Minister. Mr Kaine?

Mr Whalan: I would submit then, on the basis of that - - -

Mr Kaine: The Minister is trying to intimidate you, Mr Speaker. He hasn't the right to interrogate you on this matter.

MR SPEAKER: Thank you, Deputy Chief Minister. I request Mr Kaine to ask the question again so that I can again listen to the point raised.

MR Kaine: I am quite happy to do so, Mr Speaker. My question is: why did the Chief Minister have her senior private secretary directly approach Mr Collaery on this matter - and why only Mr Collaery, out of all of the members of this Assembly - if it is a party matter that is of no concern to the Government?

MS FOLLETT: Mr Speaker, I am happy to answer the question. The officer to whom Mr Kaine refers is an office holder in the party. It was in that capacity that he became aware of the donations in his weekend perusal of party records. He asked me whether I believed he should bring it to the attention of parties which we believed, on the best possible advice, would be voting with the Government on the video tax Bill, and I asked him to do that. He spent a couple of days trying to contact Mr Collaery for that purpose, and he also contacted Mr DUBY and, I think, Ms MAHER to alert them to the fact that there was this donation. It was just a routine matter.

Mr Humphries: Mr Moore?

MS FOLLETT: I do not know whether he contacted Mr Moore. But he did not contact only Mr Collaery. It was only Mr Collaery who demonstrated a total incapacity to deal with honesty and a total incapacity to understand a sensitive issue and who sought to make total political capital out of it.

MR Kaine: I have a supplementary question, Mr Speaker. If this donation was a party matter and had nothing to do with the Government's policy of putting forward an X-rated video Bill, I repeat: why did the Chief Minister attempt to influence Mr Collaery?

MS FOLLETT: Mr Speaker, I object to the terms of that question. There was absolutely no attempt to influence anybody, but merely to inform them, and I would ask that that inference be withdrawn.

Mr Kaine: I withdraw the inference, Mr Speaker.

Hospitals

MR HUMPHRIES: My question is addressed to the beleaguered Minister for Community Services and Health. I refer to the letter from the acting chairman of the Interim Hospitals Board of Directors, Mr Ian Meikle, to the Minister, and in particular the section of that letter concerning the tough options facing the Minister in the area of hospital management. It states:

I know you are not entirely comfortable with the industrial consequences, but the choices, short of additional funding, are running short.

I ask the Minister: if the tough choices demand the elimination of some existing privileges of hospital staff or the privatisation of some hospital services, can he give an unqualified assurance that these options will be pursued by this Government?

MR BERRY: I think I have answered this question before, Mr Speaker.

Mr Humphries: No, you have not. You have never answered it.

MR BERRY: The question has been answered fully before, Mr Speaker.

Lease Purposes

MR MOORE: My question is directed to the Minister for Industry, Employment and Education as Minister for development. Given the information that has already come to light in question time about approaches made by the YMCA for a further lease purpose change in relation to the building across the road, which is used for taxation offices, does the Minister recall that the initial lease purpose change was conditional on the provision of recreational sporting facilities at least equivalent, but I think additional, to those which would be lost through the redevelopment for office accommodation? If so, what has the Minister done, or what will he do, to ensure that that long outstanding condition is honoured?

MR WHALAN: It is correct that a concession was received from a former Commonwealth Minister in relation to the payment of betterment on the site which has been referred to, and that was conditional upon those funds being applied to the provision of further community facilities. The YMCA has undertaken to meet that commitment with the establishment of facilities within the Territory.

Award Restructuring

MR STEFANIAK: My question is directed to the Minister for Industry, Employment and Education. The Government stated in, I believe, its draft budget statement that it would enter into negotiations on condensing 97 industrial awards within the ACT government service to fewer awards. How many awards have been condensed? How have the trade unions reacted to that move? What savings has the Government achieved if it has proceeded at all?

MR WHALAN: It is quite an important issue and it is part of the restructuring process. I would like to give Mr Stefaniak a very detailed response on progress. Negotiations are proceeding with all the unions in relation to award restructuring, but I do not have a progress report on them. Of course, these are not the sorts of things that are achieved overnight. There is a commitment, and we would be very happy to give a detailed report to Mr Stefaniak on that.

Road Upgrading

MR JENSEN: Mr Speaker, my question is directed to the Minister for Housing and Urban Services. I understand that there has been another accident on the Fairlight and Mountain Creek Road. Minister, in view of the fact that the New South Wales Government has just allocated about a quarter of a million dollars to upgrade the New South Wales section of the road, will you advise whether the ACT Government proposes to upgrade the ACT section of the road, as the residents have advised me that, despite your assurances of 24 October that the road is still "in a good condition", this is not the case?

MRS GRASSBY: Yes, I do know about the road. It is not as bad as a lot of others that we are looking after. It is on the list, and we will get to it. With the amount of money we have available for the roads and, as you cut back our money the other day, I am not quite sure when it is going to be done.

MR JENSEN: I have a supplementary question, Mr Speaker. Minister, will you be prepared to meet with representatives of the Fairlight and Mountain Creek Road Action Association to discuss their concerns about the current condition of the road?

MRS GRASSBY: Mr Jensen, I have never refused to meet with anybody. My office door is always open. If they wish to make an appointment, they can see me, just as you or anybody else in the opposition can, when you make an appointment.

Mr Jensen: A simple yes or no will do, Minister.

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MRS GRASSBY: I just told you. I do not refuse to see anybody.

Children's Services Council

MR DUBY: My question is directed to the Minister for Community Services and Health. It concerns the Children's Services Council. I have a number of questions about that organisation. First of all, I would like to know when the current membership will expire on the Children's Services Council and when the new membership of the council will be announced. Does the Minister consider that two community representatives out of nine members on the council is sufficient? How much weight is placed on community views within the council? Will there be more community representation on the council next time?

MR BERRY: I think the best response I can give to that is to undertake to respond to the question in detail as soon as possible.

Adult Video Industry

MR KAINE: I also address a question to the Minister for Community Services and Health. It is in connection with the statement yesterday that a representative of the pornographic video industry is so anxious to pay tax that he intends to donate \$500,000 and that he cannot wait until the tax is actually levied. I ask the Minister: when this \$500,000 non-compulsory tax is paid how is he going to account for it and how is he going to determine which of the children's groups that are in need will take advantage of this money?

MR BERRY: One of the things that I am very pleased to observe is that there is another division in the Liberal Party. One believes that the Minister for Community Services and Health is beleaguered, and I am thankful that the Leader of the Opposition does not believe that.

Mr Kaine: I want to know what you are going to do with the \$500,000.

MR BERRY: It will not be going to me.

Mr Kaine: You are the responsible Minister, or is that not obvious to you?

MR BERRY: It will not be going to me. There has been no indication that the money will be given to me. It is not a tax; it is a donation. It will not be coming to the Government.

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Mr Kaine: It is a tax that they do not want levied, but they are going to give it to you anyway. That is the way it was put by Mr - - -

MR SPEAKER: Order, Mr Kaine!

MR BERRY: You could ask a supplementary question. I think that the answer to the question, Mr Speaker, is that it is not a tax; it is a donation. Therefore it will not be a tax imposed by the Government. I think that has been pretty obvious in all the publicity that has gone on with the opposition's refusal to allow the Government to tax this industry in the ACT properly and to use those funds for appropriate purposes in the ACT. The people of the ACT are aware that, if the funds that would have flowed to the Government continue to be prevented from entering our coffers, pressure will go onto services. The members opposite will have to take the responsibility for that. But going back to the \$500,000 - - -

Mr Kaine: On a point of order, Mr Speaker; we drew attention to standing orders before. We are not in the business of debating the question. The Minister is supposed to answer the question. Again I will be specific. How does the Minister propose to account for the money?

Ms Follett: It's not his money; he's not getting it.

Mrs Grassby: It's not his money; he's not getting it. It's going to other organisations.

MR SPEAKER: Order!

Mr Kaine: I repeat, Mr Speaker, the proposition that was put was that, since they were not going to be levied the tax, they want to pay it anyway, and it will be paid to the Government, I presume. My question is: how does the Government - and he is the Minister responsible - propose to account for it and how will he determine who the beneficiaries of this money are going to be?

MR SPEAKER: Order, Mr Kaine! I believe the question has been answered.

Mr Kaine: It has not been answered, I submit, Mr Speaker.

MR BERRY: I would not mind responding to it. Mr Speaker, I was going to have a lash at the question that was just put to me.

MR SPEAKER: Thank you, Minister Berry. I just supported you on that.

Mr Kaine: This is a red-letter day, Mr Speaker. He is actually going to have a lash at the question.

MR SPEAKER: Minister Berry, please proceed.

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MR BERRY: One of the difficulties is getting through to you over there. I repeat: it is not proposed that the money would be going to the Government. It is a donation and - - -

Mr Kaine: Could you give us the details of how it is going to be dealt with?

Mrs Grassby: We do not know. They're going to make their minds up as to who they give it to.

Mr Kaine: Well, you just said it wasn't going to come to the Government; you must know.

MR SPEAKER: Order! Mr Kaine, please address your comments through the Chair.

Mr Kaine: My apologies, Mr Speaker.

MR BERRY: Mr Speaker, I know the money will not be coming to the Government. It is a donation to selected charities, I suggest. I have about as much information as you do, I think, and mine all comes from the media.

Welfare Services

MR HUMPHRIES: Mr Speaker, my question is addressed to the Minister for Community Services and Health. I refer to the crisis meeting convened by the Minister's colleague Mrs Kelly on Monday night to discuss the failure of the ACT welfare system and, in particular, the failure of this system to protect young people. I ask: is the Minister aware that the kinds of complaints against the ACT welfare bureaucracy, which were raised at the meeting, are not new and have been raised many times in the past few years? Can the Minister tell us how long he has been aware of the problem in welfare services? Can the Minister confirm that welfare workers have long been complaining about the overallocation of welfare resources on administration rather than the actual delivery of welfare services?

A member: Like the nurses.

MR HUMPHRIES: Like the nurses, yes.

MR BERRY: Thank you for the question, Mr Humphries. Mr Speaker, it has been stated in this morning's press, by the youth advocate, that there is no gap between the two agencies. Of course, in the delivery of these sorts of services, differences of opinion arise from time to time and, of course - - -

Mr Humphries: "Conflict", it is called.

Ms Follett: Do you want to answer the question as well?

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MR BERRY: It has got to the stage, Mr Speaker, where the Liberal Party in opposition would seem to prefer to not only ask the question but answer it as well.

Mr Kaine: Well, we do better than you do.

Mr Humphries: That is right; we get some answers that way.

MR BERRY: What you would get, Mr Kaine, is the answer that would suit you, but you might not always get the truth unless, after telling yourself fibs for a long period, you believe the lie.

Differences of opinion arise from time to time, as they do anywhere. The issue of welfare and its provision is a sensitive one, and there are often concerns about the delivery of that service.

Mr Humphries: I didn't ask about that.

MR BERRY: I will throw that one in for free. What my department and the welfare department are on about is delivering services. When a question arises about the delivery of a service anybody who wishes to consult the agency does so, and welfare workers attempt to address the question.

Some of the issues currently being discussed between the two agencies stem from a lack of a clear role definition in the working of the Children's Services Act, the document to which Mr Doby referred just a moment ago. This lack of clarity in the wording of the Act is to be addressed by the Children's Services Council also, and I expect that it will do that at its next meeting, on 5 December. You might like to repeat the tail end of the question.

MR HUMPHRIES: Are you aware that they have been complaining about overallocation of resources - - -

Ms Follett: Stand up; answer the question, Gary.

MR HUMPHRIES: I would be happy to answer the question, Chief Minister, if I had the answer. Can the Minister confirm that welfare workers have long been complaining about the overallocation of welfare resources on administration rather than the actual delivery of welfare services?

MR BERRY: Mr Speaker, no.

Use of Contractors

MR STEFANIAK: My question is directed to the Minister for Housing and Urban Services. I refer the Minister to page 20 of the Estimates Committee report on the Appropriation Bill, where it refers to program 19, natural and cultural resources, use of contractors. At paragraph 6.9 it states:

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The Committee concludes that the Government needs to constantly review the relative costs of using contractors to carry out work compared with the cost of paying ACT Government Service employees.

My question is: has the Government reviewed the relative costs of using contractors to carry out work compared with the cost of paying ACT government service employees, as recommended by the Estimates Committee? If the answer is yes, by whom is the review being carried out? Is it a non-government group, for the sake of impartiality?

MRS GRASSBY: Thank you, Mr Stefaniak. It is a pity you did not bring this up in relation to the Estimates Committee report. You always seem to be a week or hours behind.

Mr Stefaniak: I did. It was quoted.

Mr Humphries: He did.

MRS GRASSBY: No, you did not bring up this question; no, he did not bring it up at all.

MR SPEAKER: Order! Address the question, please, Minister.

MRS GRASSBY: This morning it was not brought up.

Mr Humphries: This morning?

MRS GRASSBY: Yes.

Mr Humphries: He raised it during the estimates.

MRS GRASSBY: We have looked at it, Mr Stefaniak, as I have said to you before. We found that what the contractors will do it for and what we can do it for is about the same. As I have no intention of putting staff off from my department, the work will be given to my department first and, as we need contractors, we will bring them on.

MR STEFANIAK: I ask a supplementary question, Mr Speaker. I ask the Minister to answer this: by whom is the review being carried out? She has not answered that yet.

MRS GRASSBY: My department.

WANT OF CONFIDENCE IN CHIEF MINISTER Notice of Motion

The Clerk: Notice has been received from Mr Collaery that, on Tuesday, 5 December 1989, he shall move the following motion:

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That this Assembly no longer has confidence in the Chief Minister of the ACT and the minority Labor Government and has confidence in the ability of Mr Kaine to form a government.

SUSPENSION OF STANDING AND TEMPORARY ORDERS - DAY AND HOUR OF NEXT MEETING - ADJOURNMENT OF ASSEMBLY

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

That so much of the standing and temporary orders be suspended as would prevent Mr Collaery from moving motions to fix the day and hour of the next meeting and for the adjournment of the Assembly.

Question resolved in the affirmative.

DAY AND HOUR OF NEXT MEETING

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

That the Assembly, at its rising, adjourn until Tuesday, 5 December 1989, at 2.30 pm, except that in the event that the Government resigns the Speaker may fix an alternative day or hour of meeting on receipt of a request in writing from an absolute majority of members.

MR WHALAN (Deputy Chief Minister) (3.10): Mr Speaker, it is always the right of members of this Assembly, under the legislation, to move the motion which is now placed on notice, and certainly it comes as no surprise to the Government that Mr Collaery has moved it. What is of concern to us, however, is that we are precluded from considering in the Assembly important matters which should continue to be the business of the Assembly.

I refer you to the matters which are on the business paper for today. They include consideration of Executive business relating particularly to the Civic Square project and the selection procedure involved. There has been some public discussion on this, and it is much better that this matter be aired in the Assembly in the appropriate way so that we have the opportunity to hear the views of all members who have a view on this matter. The selection procedure is quite important in terms of how the process of selection and the allocation of the casino licence will proceed. Part of that is related to the propriety of the allocation of that particular licence. So it would be inappropriate, I believe, Mr Speaker, to have the house adjourn.

The fact that this motion is now on the notice paper is no source of embarrassment to the Government. As I said, it

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has always been the right of the members opposite to proceed in this way, and we have known for quite some time - - -

Mr Humphries: It's not on today's program.

MR WHALAN: Today's program, Mr Speaker, is the notice paper - - -

Mr Humphries: No, it's not. This is the daily program here. It says "Daily Program".

MR WHALAN: There is the notice paper. Mr Speaker, on the notice paper for today's business, in addition to the items which have been dealt with, which have been - - -

Mrs Grassby: He doesn't even know what a notice paper is, and he wants to be in the Government.

MR SPEAKER: Order, Minister Grassby!

MR WHALAN: In addition to the items which have been dealt with, we have the Appropriation Bill which has been dealt with today; we are in the middle of discussion on the integrated transport strategy resolution, the paper which has been presented by Mrs Grassby; in addition to that, we have a proposal about the Civic Square project and the selection procedure in relation to the granting of the casino licence. In addition to that, Mr Speaker, we have important legislation which is due for discussion and which can be completed.

Mr Humphries: And that betterment tax.

MR WHALAN: On the notice paper there is no reference at all to betterment tax.

Mr Collaery: That's the shame of it.

MR WHALAN: That Mr Collaery, who has chosen to use the ABC radio, Mr Speaker, to defame members of this Assembly today, should be talking about shame is absolutely scandalous, and it says something about the man there.

Mr Kaine: On a point of order, Mr Speaker; if the Deputy Chief Minister wishes to speak to the motion, I have no objection. If he is going to use the opportunity to attack a member of this Assembly, I suggest that he had better sit down and let somebody else speak.

MR SPEAKER: Thank you, Mr Kaine. Please proceed to the point, Deputy Chief Minister.

MR WHALAN: I was responding to a defamatory interjection by Mr Collaery. Mr Speaker, I was hoping that you might have taken a point in relation to that, but you failed so to do. It is only normal that one would respond.

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Mr Jensen: On a point of order, Mr Speaker; I believe that the Minister is casting aspersions on your ability to carry out your duties by his implying that you failed to carry out your duties in a full and impartial manner.

MR SPEAKER: Thank you for your vote of confidence, Mr Jensen. I take your point. Please proceed to your point without further comment along those lines, Deputy Chief Minister.

MR WHALAN: The agenda items, Mr Speaker, which are on the business paper and which should be considered, notwithstanding the motion which has been moved by Mr Collaery, include the question of multicultural marketing in relation to tourism. This matter is of fundamental importance to the development of tourism in the ACT. What we have seen is the significance of tourism as an important generator of employment and economic development within the ACT. That situation is one which should be allowed to be discussed so that the opportunity is there for members to comment upon this initiative of the Government in relation to this area of economic development in the ACT.

Another matter which is fundamentally important, Mr Speaker, is the question of the University of Canberra. The University of Canberra is a very important component in the total educational infrastructure within the ACT. This educational infrastructure is an important part of the direction in which we seek to proceed in relation to providing the basis of a highly educated, skilled work force for the future development of industries related to the technological development of the ACT.

Mr Humphries: So why is it not in the daily program?

MR WHALAN: The interjection, which has come from Mr Humphries, is that it is not on the program. It is on the program; it is on the notice paper. It is on the notice paper there, Mr Speaker, and we are being denied the opportunity to discuss this matter in the Assembly today. Other items which are - - -

Mr Collaery: Your first thought was the casino.

MR SPEAKER: Order! Mr Collaery, please address your statements through the Chair.

MR WHALAN: Mr Speaker, Mr Collaery, the famous defamer - - -

MR SPEAKER: Order! That is not acceptable, Deputy Chief Minister, and I request that you - - -

MR WHALAN: I am sorry, the infamous - - -

MR SPEAKER: I request that you withdraw the statement.

MR WHALAN: I withdraw "infamous", Mr Speaker.

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MR SPEAKER: That is a qualified withdrawal, Deputy Chief Minister. Please withdraw the original statement.

MR WHALAN: I withdraw the reference to Mr Collaery's defamatory tendencies. Mr Speaker, the interjection - -

MR SPEAKER: I would still request that you remove the original words as spoken, Deputy Chief Minister.

MR WHALAN: I withdraw the words "famous defamer".

MR SPEAKER: That is close. Thank you, Deputy Chief Minister.

MR WHALAN: Mr Speaker, what we have here is an interjection from Mr Collaery which is relevant to the motion that we have before us now for the adjournment and gagging of the business of the Assembly. He interjected and said, "The first thing that you thought about was the casino". It was as though there is something dirty about the casino; as though there is something illegal about the casino; as though there is something fundamentally wrong about the casino, Mr Speaker. This person has chosen to raise this matter in this way, and it is just so typical of his style.

Let me place on record, Mr Speaker, that the next item of business which is up for consideration today is the Civic Square project, order of the day No. 3. It was not only up for consideration today, based on this order, but it was also on the agenda by agreement with Mr Collaery. Mr Collaery agreed with this order of the business. So for him to raise this issue in this way is absolutely scandalous. To reflect upon the Government in this way is absolutely scandalous.

So what we are faced with then, Mr Speaker, is a situation in which, in an effort to gag the debate of this Assembly, we find Mr Collaery's gag motion denying us the opportunity to debate the Schools Authority (Amendment) Bill. Mr Collaery is laughing at the fact that we are being denied the opportunity to debate education. It is so typical of the man's total and absolute disregard for the children of the ACT. The man is laughing and gloating at the fact that, if his resolution is carried, we will be denied the opportunity, Mr Speaker, to debate this question of the Schools Authority and education in the ACT. It is so typical of this man. This is typical of his total and absolute disregard for the children of the ACT. This is the sort of person who was on radio this morning and defamed members of this Assembly in this particular way.

Mr Stevenson: On a point of order, Mr Speaker; the Deputy Chief Minister is persisting in making remarks that are not becoming of this Assembly.

MR SPEAKER: Thank you for your observation, Mr Stevenson.

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Mr Collaery: Mr Speaker, I ask that this man remove the word "defame" from his comments about me. If there is to be a defamatory conclusion, that is to be made elsewhere, not usurped by the likes of this man.

MR SPEAKER: Thank you, Mr Collaery. I would again ask the Deputy Chief Minister, considering his allusion to the sub judice situation, to withdraw that statement that he made regarding the word "defamatory".

MR WHALAN: Yes, I withdraw that reference to defamation. I find it interesting that the person who defended Mr Collaery was Mr Stevenson. I look forward to the Pryor cartoon in which we see Bernard Collaery in bed with Dennis Stevenson.

Mr Humphries: You're in bed today with Rosemary Follett and Wayne Berry.

MR WHALAN: I am proud to be portrayed in the cartoon. With Wayne there cramping the style it was a bit awkward. But I look forward to the cartoon from Pryor with Mr Collaery in it. It will not be a cartoon of a film set; it will be a cartoon of a brothel.

MR SPEAKER: Order!

MR WHALAN: It will be a cartoon of a brothel, Mr Speaker.

MR SPEAKER: Order! Deputy Chief Minister, this is not becoming of the Assembly.

MR WHALAN: With Mr Collaery having prostituted himself - - -

MR SPEAKER: Order! Resume your seat, Deputy Chief Minister. You will be named if you keep this up. Please resume your seat.

Mr Collaery: This man is bringing discredit on the Assembly throughout Australia by his performance here this afternoon. I ask that he leave the chamber if he is unable to conduct himself appropriately. He is bringing shame on this Assembly once again.

MR SPEAKER: Deputy Chief Minister, I have terminated your speech on this matter.

Mr Whalan: Under what standing order, please, Mr Speaker?

MR SPEAKER: On my ruling, thank you.

Mr Whalan: On a point of order, Mr Speaker; on what standing order? There is no standing order under which you can terminate my speech.

MR SPEAKER: Please resume your seat until I take - - -

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Mr Whalan: I am sorry, Mr Speaker. I want you to stop the clock, if that is what you are going to do.

MR SPEAKER: Yes, we will do that, thank you.

Mr Whalan: Do you agree to that?

MR SPEAKER: Yes, Deputy Chief Minister. My ruling on this matter is as I suspected: I have the right to terminate this speech if you continue in that matter. I believe that, when you did not resume your chair when asked to do so and I had to speak over you, you were persistently and wilfully disregarding the authority of the Chair. If you look at standing order 202(e) you will see that I have that prerogative. However, under the circumstances of this debate, I will allow you to proceed, provided that you adhere to directions when given by the Chair. You now have two minutes in which to deliver your speech.

MR WHALAN: Thank you, Mr Speaker. The legislation which is on the program is quite important and fundamental to the sound government and administration of this Territory. There will be considerable speculation as to whether or not Mr Collaery's bedtime motion will be successful, so there is no reason why the orderly government of the ACT should not proceed and this Assembly should not continue to sit for the time for which it was scheduled to sit.

I cannot see what Mr Collaery is frightened of. Is he afraid to stand up in this chamber and debate? I know that he is rather ashen-faced today, and I do not know whether that is from fear or illness or what. But I wonder, and I pose to Mr Collaery the question, what is he so afraid of that he wants to adjourn and gag this Assembly. Is he afraid to get to his feet here and speak on matters which are on the agenda? Is he afraid to demonstrate his lack of concern for the administration and government of the ACT by denying this chamber the opportunity to debate matters that are of considerable importance to the citizens of the ACT?

This is fundamental to the human rights and the civil liberties of the people of the ACT. We know that Mr Collaery makes a big play of the fact that this is an area with which he is deeply concerned, as a civil rights lawyer in the great tradition of the civil rights lawyers, defending the rights of individuals and defending the rights of citizens who are not in a position to defend their rights. (Extension of time granted)

The fundamental issue that we face is the motion which we have before the Assembly, which has two parts. It is an adjournment of the debate and a setting of the next day of sitting. What it is seeking to achieve in this process is to deny to the members of this Assembly the opportunity to debate legislation.

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I wonder, for example, whether Mr Collaery would be concerned about why we do not sit next week. I think that would be an appropriate course of action - that, instead of adjourning for a week, in light of the circumstances, we sit next week, so that there is the opportunity to consider the enormous amount of government business which is on the business paper and which the citizens of the ACT have the right to see being discussed.

The Optometrists (Amendment) Bill, for example, Mr Speaker, is one in relation to which we see the people of the ACT suffering all manner of effects of problems resulting from the administration of the industry of optometry in the ACT. This legislation is an effort to rationalise some of those issues. We will be denied the opportunity to consider this matter. It is a classic case of the application of the gag.

Mr Collaery: Oh, come on.

MR WHALAN: Bernard Collaery, the great civil rights lawyer, Mr Speaker, is swearing and is using - - -

Mr Collaery: On a point of Order, Mr Speaker; I did not swear.

MR SPEAKER: I did not hear that either.

MR WHALAN: He profaned.

Mr Collaery: I did not profane, Mr Speaker.

MR WHALAN: He said, "Oh, God!".

MR SPEAKER: Order! I request you to withdraw that statement from the record, Mr Collaery. Would you withdraw that statement?

Mr Collaery: Whatever I said - and I do not recall it, quite honestly, Mr Speaker - I withdraw it. I am sorry it offended the sensibilities of our present Deputy Chief Minister.

MR SPEAKER: Thank you, Mr Collaery.

MR WHALAN: Do not worry, Bernard, you will have the opportunity, with Dennis Stevenson's support, right up - - -

MR SPEAKER: Order! Order!

Mr Collaery: On a point of order, Mr Speaker; I heard you rule just two days ago about the patronising use of Christian names in this Assembly.

MR SPEAKER: Thank you, Mr Collaery.

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Mr Collaery: This man, Mr Speaker, is going through a whole catalogue of breaches of the orders.

MR SPEAKER: Please proceed, Deputy Chief Minister.

MR WHALAN: Mr Speaker, I apologise for using Mr Stevenson's Christian - if that is the appropriate appellation - name. We look forward to seeing that cartoon, to which I referred earlier, of Mr Collaery in bed with Mr Stevenson.

MR SPEAKER: Order! Order, Deputy Chief Minister!

Mr Collaery: On a point of order, Mr Speaker. I object to that; anyone else would. Although Mr Whalan is prepared to be portrayed in bed, I am not. More to the point, Mr Speaker - - -

MR SPEAKER: Order, Mr Collaery! Deputy Chief Minister, please stick to the point, and be warned that you are running close to the wind again.

MR WHALAN: Mr Speaker, in defence of the comments that are being made, this is an adjournment debate and - - -

Mr Jensen: No, it's not. It's not an adjournment debate.

MR WHALAN: It is an adjournment debate, Mr Speaker.

Mr Kaine: On a point of order, Mr Speaker; it is not an adjournment debate. No motion for the adjournment has yet been put.

MR SPEAKER: It is a special adjournment debate, and therefore we should stick close to the point.

MR WHALAN: Yes, of the adjournment. Thank you, Mr Speaker, for supporting my point.

MR SPEAKER: No, that is a misinterpretation, Deputy Chief Minister. I was not supporting your point. It is a special adjournment debate; therefore the discussion must be relevant to the point being discussed.

Mr Collaery: Hear, hear! Got the hint?

MR WHALAN: Do not worry, Mr Collaery; do not worry.

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

MR WHALAN: There will be plenty of opportunity. I see you in a fluoride bottle, also in one of the cartoons. We look forward to the rapid removal of fluoride from the water system after next week, if your motion is successful.

MR SPEAKER: Order, Deputy Chief Minister! That has an imputation as well attached to it, and I ask you to please stick to your point. Please proceed.

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MR WHALAN: Mr Speaker, the point that we have under consideration is the denial to the citizens of the ACT of their right to have an Assembly which sits as it is programmed to sit and to discuss the business paper as it is programmed to discuss it. This is the matter which we have before us. Quite clearly, the denial of their rights, as citizens of the ACT, by this gag motion which Mr Collaery has moved is a fundamental breach of the rights of the citizens of the ACT.

The sorts of opportunities which will be denied by this gag motion, which has been moved by Mr Collaery, include discussion on the fundamentally important issue of the public hospital redevelopment. There has been nothing of greater concern in recent public controversy within the ACT than this issue. There is no reason why this Assembly should not continue to sit today and next week. I believe that the Assembly should sit throughout next week to discuss this particular issue. I believe that what we should be considering is providing the citizens of the ACT with the opportunity to see these people in operation - these people who have become very greedy for power over recent times, who have now obviously struck a deal with you and no doubt, Mr Speaker, we will see - - -

MR SPEAKER: Resume your seat, Deputy Chief Minister.

Mr Jensen: On a point of order, Mr Speaker; I suggest that the Deputy Chief Minister has cast considerable aspersions against you, and I suggest that if he is not very careful, Mr Speaker, he may come under the bounds of standing order 205, which states that when the conduct of a member is of such grossly disorderly nature that the procedures provided in standing order 203 would be inadequate to ensure the urgent protection of the dignity of the Assembly he should be suspended.

MR WHALAN: Mr Speaker - - -

MR SPEAKER: One at a time, thank you, Deputy Chief Minister. Thank you, Mr Jensen, for your observation. I call the Deputy Chief Minister.

MR WHALAN: I move for the suspension of standing orders.

Mr Kaine: Mr Speaker, the Deputy Chief Minister's time has expired.

MR SPEAKER: Order, Mr Kaine!

MR WHALAN: I move for the suspension of standing orders to allow me to canvass the issue, which is that it has been proven by a conversation between you and Mrs Grassby that there have been prior conversations in relation to this motion which has been put on notice today and that it does involve arrangements which have been made between you and Mr Collaery in relation to the future. I submit that there has been - - -

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MR SPEAKER: There is a point of order.

MR WHALAN: I submit that there have been discussions about the removal of fluoride - - -

MR SPEAKER: There is a point of order.

MR WHALAN: - - - from the water as part of those discussions, Mr Speaker.

MR SPEAKER: Deputy Chief Minister, resume your seat.

Mr Collaery: On a point of order, Mr Speaker; I do not know what that imputation meant - whether it was that I had made prior arrangements with you as Speaker or that you had made them with me. I regard that as the grossest allegation I have heard in this chamber to date. It is a gross allegation and highly improper.

Mr Whalan: The mud-slinger, and he talks about allegations!

Mr Collaery: I ask that the Deputy Chief Minister withdraw that allegation.

Mr Whalan: The corrupt mud-slinger, and he talks about allegations!

MR SPEAKER: Order, Deputy Chief Minister!

Mr Jensen: On a point of order, Mr Speaker; I draw your attention to standing order 205. I would suggest, Mr Speaker, that the Deputy Chief Minister has had ample warning about his conduct in this house, and I would suggest that it is about time that we brought his disgusting and disgraceful activities to a close.

MR KAINE (Leader of the Opposition) (3.39): Mr Speaker, I can understand the - - -

Mr Whalan: I moved the suspension, Mr Speaker. I had the call to move a suspension motion.

MR SPEAKER: Please resume your seat, Mr Kaine. I will take advice.

Dr Kinloch: On a point of order, Mr Speaker - - -

MR SPEAKER: Just a moment, Dr Kinloch. I request, Deputy Chief Minister, that you place your notice in writing with the Clerk.

Mr Wood: We have never done that before with the suspension of standing orders.

MR SPEAKER: Allow me to follow through on this one first. I have not done this before either. Order! Deputy Chief Minister, do you wish to speak to your suspension motion?

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Mr Whalan: Yes, please.

Mr Jensen: On a point of order, Mr Speaker; before the Deputy Chief Minister commences, I request that he be asked to withdraw the words "corrupt mud-slinger" which he said in reference to Mr Collaery before I rose on a point of order which resulted in the motion that the Deputy Chief Minister brought forth.

MR SPEAKER: Deputy Chief Minister, would you so withdraw those remarks?

Mr Whalan: Mr Speaker, those words are not on the record. I called Mr Collaery "a corrupt mud-slinger" from my chair. It was just an aside, across the chamber to Mr Collaery.

Mr Collaery: You were on your feet.

Mr Whalan: I was not on my feet; I was sitting down. It was not on the record, Mr Speaker.

MR SPEAKER: Order! Thank you, Deputy Chief Minister. I will take your word that you spoke from the seat. It was not heard by me at the time. Now, Deputy Chief Minister, do you wish to speak to your motion?

Mr Kaine: On a point of order, Mr Speaker; is the Deputy Chief Minister moving a suspension or is he seeking leave to move a suspension?

Mr Whalan: I do not have to seek leave to move a suspension of standing orders.

MR SPEAKER: He is moving a suspension. Deputy Chief Minister, do you wish to speak to the suspension?

Mr Whalan: Yes, please, Mr Speaker.

Suspension of Standing Orders

MR WHALAN (Deputy Chief Minister) (3.43): Mr Speaker, I move:

That so much of the standing orders be suspended as would prevent further discussion by the Deputy Chief Minister on the ramifications of the adjournment motion moved by Mr Collaery concerning the adjournment of the Assembly until 5 December 1989.

I have moved the suspension of standing orders in order to try to ensure that there is no violation of the rights of members of this Assembly to discuss the business which is before this house, as presented on the notice paper, and which includes the items to which I referred previously.

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It is quite fundamental, for example, to the economic development of the ACT at a time when - - -

Mr Jensen: On a point of order, Mr Speaker; might I draw your attention to standing order 69(h).

Mr Wood: That is the three hundred and sixty-eighth point of order from Mr Jensen.

Mr Jensen: Thank you, Mr Wood. It says, "Suspension of standing orders". I understood, Mr Speaker, that Mr Collaery had moved a motion for a suspension of standing orders. As I read that particular standing order, it says the time for the whole debate is 15 minutes. I am sure, Mr Speaker, that we have gone well past that.

MR SPEAKER: Thank you, Mr Jensen. I will take advice on your point. You are out of order there, Mr Jensen. We have voted on the suspension of standing orders moved by Mr Collaery. We are now debating the motion, and we have now had a second suspension proposal by the Deputy Chief Minister.

MR WHALAN: This suspension motion that I have moved does have importance because it relates to the whole fabric of democracy being practised in the ACT. What we saw this afternoon was an attempt by Mr Collaery to gag the discussions of this Assembly. It was a blatant, cold-faced gag denying the democratic rights of those of us who have been elected by the citizens of the ACT to debate matters of importance to the people of the ACT within this chamber.

In view of the close connections between people within the Residents Rally party of Canberra and the Queensland branch of the National Party, we will probably find that the sitting pattern of this Assembly in the future will be truncated. Mr Speaker, there is an undeniable connection between Dr Kinloch and Katharine West who headed the "Joh for Canberra" campaign. It is an undeniable and - - -

MR SPEAKER: Order, Deputy Chief Minister! That is really not to the point.

MR WHALAN: I am talking about the need to preserve the democratic rights of the people of the ACT by this Assembly continuing to sit. I do not know what they are afraid of by moving the adjournment, by gagging this Assembly. What are they afraid of? That is the question that I ask, Mr Speaker. If they are confident that they have the numbers, well and good. It has always been accepted that under the legislation there has always been the right of any member of the Assembly at any time to move the particular motion which Mr Collaery has moved. Well and good; if he has the numbers he has it. But what he should not do, and what is inexcusable, is the denial of the right of this Assembly to sit and discuss matters of importance to the citizens of the ACT. I suggest that we sit today for an unlimited

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period of time, that we just continue to work through this business paper and that we sit again next week.

Mr Humphries: Why?

MR WHALAN: If they are afraid, why? They want a National Party pattern. They want a National Party pattern of sitting. It is just so typical, Mr Speaker. They want a National Party pattern of sitting in which the whole - - -

MR SPEAKER: Order! Thank you, Deputy Chief Minister. Your time has expired. We will now take the vote on the suspension of standing orders. The question is that the motion as proposed by the Deputy Chief Minister - - -

Mr Moore: On a point of order, Mr Speaker. Mr Wood was on his feet before we - - -

MR SPEAKER: There is no debate at this stage. Thank you, Mr Moore.

Mr Whalan: On a point of order; you can debate a suspension motion, Mr Speaker. There is unlimited discussion.

MR SPEAKER: You can debate the motion; I apologise.

MR WOOD (3.48): Thank you, Mr Speaker.

Mr Humphries: It is a procedural motion, Mr Speaker. I move the question - - -

MR WOOD: I have the call, I think.

Mrs Grassby: He has the call. Sit down, Gary.

MR SPEAKER: Please, Mr Humphries. Mr Wood - - -

Mrs Grassby: Are you doing the gag act, Gary?

MR SPEAKER: Order! Minister Grassby!

Mr Whalan: Gary, are you going to gag debate?

Mr Humphries: Yes, I am, Minister. I move:

That the question be now put.

Question put.

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The Assembly voted -

AYES, 9

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

NOES, 7

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

Question so resolved in the affirmative.

Question put:

That the motion be agreed to.

The Assembly voted -

AYES, 7

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

NOES, 9

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

Question so resolved in the negative.

Mr Stevenson: Mr Speaker, I would like to speak on the motion of Mr Collaery.

MR SPEAKER: Thank you, Mr Stevenson. We now go back to the motion as proposed by Mr Collaery. Ten minutes is allowed to each member. Two members have already spoken on that - the Deputy Chief Minister and Mr Collaery. I call Mr Stevenson.

MR STEVENSON (4.01): I had intended to vote against the motion, as I saw no valid reason to suspend debate on matters before the Assembly. However, after Mr Whalan's various statements, my opinion on that has changed, and I will now vote for the motion.

MR KAINE (Leader of the Opposition) (4.02): Mr Speaker, I can understand why the Deputy Chief Minister was perhaps a little emotional in responding to this motion. He recognised that this is almost the last opportunity that he will have to speak in this house as a Minister of the Government, because it must be clear to him and the Chief Minister that, when we return on 5 December, the motion

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that has been put will be passed and the Government will cease to be the Government.

However, for him to suggest that what we on the opposition side are doing is in any way a gag motion is quite absurd. I suppose in a way you could say it is the ultimate gag, in the sense that the matters that remain on the notice paper are essentially the Government's business, and after we adjourn today that business becomes irrelevant because there will be a new government and there will be new business on the agenda. So, in effect, it is the ultimate gag in terms of what the Government has put on this notice paper.

For him to talk at length, however, about the importance of all these matters that are on the notice paper puts a rather false note into the debate, because, Mr Speaker, the Deputy Chief Minister knows well that most of these matters would probably not be debated in the normal course of events before the house went into recess on 14 December anyway. They were certainly not listed for debate today, as he implied. The only matters listed for debate today are the matters on the green daily paper. The only one that we have not got to is an item that the Deputy Chief Minister intended to add to it. It is not already on the daily paper; he intended to add it to it. That is the Civic Square project selection procedure.

So for him to argue that the opposition is in any way gagging the debate of business that was set down for business today is of course a spurious claim and quite wrong.

Mr Moore: Rubbish, we are halfway through the transport strategy.

MR KAINE: I suppose Mr Moore is quite distraught also because he was sidling up alongside a government and now he has discovered that that government is about to disappear. I can understand why he is a bit distraught too, Mr Speaker.

I submit that not only is there no truth in what the Deputy Chief Minister was saying about applying the gag but it is most appropriate that further debate on the Government business should cease because, as I have said, once the Government ceases to exist on the next sitting day of this Assembly, it will not be Government business. The new Government will introduce its own program and that will be the matter on the agenda for debate.

Of course, a lot of the matters that are on there will be taken up by the new Government because they are matters of some concern. So the present Government, which will soon be the Opposition, will have every opportunity to debate the matters because they will remain on the agenda. They are matters that are not going to go away simply because the Government changes. So there is no truth whatsoever to

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the proposition that there is any gag on the debate. It merely means that the debate ought to be deferred, as would have been done today anyway. Once we adjourn after this debate is over none of these matters would come up before 5 December. As it is, they will come up, but they will come up on a different agenda, and it will be the agenda of a different government.

So I suggest, Mr Speaker, that we should adjourn as soon as this debate is over. I am sure the Government will want to go away and lick its wounds and determine what its course of action is going to be over the next few days. Of course, the opposition will want to do the same to sort out a few procedural matters and to determine just how we will proceed when we take government on 5 December. I think it is appropriate that we go into recess for those few days so that we can go away and order our affairs.

MR WOOD (4.06): This is remarkable. In one day we have had a resounding vote of confidence in the Government, as we did this morning when we passed the Appropriation Bill, and now we have tabled a vote of no confidence. I find that most surprising. In the one breath Mr Collaery has tabled a motion of no confidence and then asked for the suspension of standing orders. This is an unfortunate combination of motions that we should not support.

I want to express the view that the people opposite should now give some reason for the steps that they have taken. We will go out, presumably shortly, into the community and there will be intense speculation about the reasons for this. No reason has been given in here. Indeed, in six months here I have seen no possible reason. We have had, from a member temporarily absent, lots and lots of innuendo, but we have never had a sound reason expressed.

I would have thought that when he moved his motion on the grounds of logic, on the grounds of good sense, on the grounds of plain, sensible propaganda, if you like, Mr Collaery would have got up and given some indication of the background for it. He might have found some support from his partner, Mr Kaine, who might have stood up and said something about his views of this.

But nowhere have we had that indication and so we have a fortnight's speculation about the reasons for this challenge ahead of us. You are quite entitled to your challenge, but along with it you are also obliged, I believe - not in the standing orders - to specify some reasons. That motion, like any motion of no confidence I have ever heard, should specify some reasons.

Mr Humphries: Read the self-government Act. It does not say that.

MR WOOD: I said that, Mr Humphries. I did say that and I made it clear that it is not in the standing orders, but you presume to be around the place just a little.

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Mr Berry: On a point of order, Mr Speaker, I would call on you to keep members opposite in line. Mr Wood is speaking to the Assembly on a very important issue and all that we hear from Mr Humphries and those of his ilk - - -

MR WOOD: As Mr Humphries often asserts that he is familiar, and he sometimes shows evidence of being familiar, with parliamentary procedure, he might explain when he has ever seen a motion of no confidence that does not go into some detail outlining the factors behind it. Perhaps you will answer that one when you get a chance. It is not in the Act; it is not in the standing orders; do not tell me what I already know. I do believe that you have an obligation, as you do these things, to indicate what it is about.

But, of course, it could be typical of so many other things that have been moved across there - just said without any prior thought at all. Now that you have all got the chance in your debate, let us have, before we close today, some indication of reasons perhaps for what you see the Government has not done. You did not give it to us in the Appropriation Bill yesterday and today. Give us some indication. I have certainly seen nothing that has come from the other side of the house in six months that would indicate great stability of government from that side.

You mentioned X-rated videos, where Mr Collaery changed his mind in his chair yesterday, fluoride and other matters, but you have not demonstrated great ability in putting an act together, not only within your own parties but between your own parties. So let us get something expressed before we move out of this chamber today, or is this just like everything else that comes up from the other side, just a sudden rush of blood to the head without prior thought?

Mr Moore: On a point of order, Mr Speaker; I wonder whether you can clarify this. According to standing order 101, a notice of motion must be signed by the member and show the day proposed for the motion. Now, the motion I have got in front of me, which I believe we are speaking to, has got DCM and no signature which I recognise as a standard signature of anybody that I recognise. I wonder whether it has been signed or whether I am misinterpreting the standing orders.

MR SPEAKER: I will take advice on that order.

I am advised that your point is out of order, Mr Moore, in that we suspended standing orders to debate the motion before us.

MR MOORE (4.13): Now let me speak to the motion. Mr Speaker, I suppose the potential nature of this motion is that we are now going to see a nice, brand new government in the ACT. As far as that goes, it matters little to me whether, in fact, the Government is a Labor or a Liberal

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one. On their background, I do not feel any great personal grief in a Labor Government going down and a Liberal Government coming up. That is of no particular personal pain to me. What is important to me is the way that this possible government is going to be formed.

First of all, you and the people sitting on that side of the house who are about to change to this side of the house are going to give the balance of power to Dennis Stevenson. I have a serious worry about what demands he is making now or what demands he will make to keep you in power, and I ask you, over the next 10 days, to consider that very, very closely. I think it will be a very interesting thing to watch.

But even more serious, I think, in some ways, is the fact that the Liberal Party members are now going to have to find out what it is like to work with the Residents Rally - the Residents Rally who simply do not know how to keep promises.

MR SPEAKER: Mr Moore, please speak to the motion being debated.

MR MOORE: Mr Speaker, I am certainly intending to, because what I am looking at is a situation where we are looking for the most stable form of government in the ACT. What I suggest is likely to happen is that Mr Collaery is going to be the Deputy Chief Minister. This is the same Mr Collaery who is - - -

Mr Collaery: Who was not with you on 8 May when you had your secret meeting with Mr Whalan.

MR SPEAKER: Order! What we are speaking to, Mr Moore, is that the Assembly adjourn until 5 December. That has got nothing to do with the forming of a government.

MR MOORE: Not at all, Mr Speaker, if I may disagree; the motion actually says, "except ... in the event that the Government resigns". Can I draw your attention to that part of the motion as it is that part of the motion that I am speaking to. That is in the motion, Mr Speaker.

MR SPEAKER: Certainly, yes.

MR MOORE: In that case, if the Government resigns, I am presenting what the likely alternative might be. That is what I am suggesting. At a special general meeting of the Residents Rally that I was fortunate enough to attend and at which I actually resigned my membership I heard Bernard Collaery assuring the meeting that he would have no intention of ever forming a government - -

MR SPEAKER: Order! Mr Moore, you are really not speaking to the point. Internal politics are irrelevant.

MR MOORE: Yes, I am, Mr Speaker; I am illustrating - - -

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Mr Jensen: On a point of order, Mr Speaker; I would suggest that Mr Moore is disputing your ruling. I think he has done it at least twice and I think it is about time he got on with the business in hand and spoke directly to the motion, as you have directed.

MR SPEAKER: Relevance is the objective.

MR MOORE: Mr Speaker, I do not know how Mr Jensen could say such a thing when just a short while ago I explained to you what I was doing and you agreed with me. Now, surely that is quite appropriate.

MR SPEAKER: Please proceed to the point, Mr Moore.

MR MOORE: That meeting is most relevant because what we are going to deal with is a situation where Mr Kaine may form a government with this man and the Residents Rally. I feel it is most appropriate that I warn him that the man does not keep his promises. That is most important, Mr Speaker, because he promised at that meeting that he would go back to another general meeting - - -

Mr Jensen: I am sorry, Mr Speaker, but I will have to keep rising on a point of order while Mr Moore continues in the way he is doing. Mr Moore has implied that Mr Collaery is a liar, and I do not think that is appropriate. I think he should be asked to withdraw it.

MR SPEAKER: Please withdraw that comment, Mr Moore.

MR MOORE: Mr Speaker, I certainly did not do that. I am not implying; I am giving an example of where Mr Collaery is not keeping a promise, and I think that that is a very important thing for Mr Kaine to understand.

Mr Jensen: On a point of order, Mr Speaker; that is a qualified withdrawal.

MR MOORE: I have not made a withdrawal.

Mr Kaine: On a point of order, Mr Speaker; I believe that Mr Moore is being quite speculative. In fact, I could be intending to form a government with the Labor Party. He has no way of knowing what my intentions are.

MR SPEAKER: That is a valid point; you are speculating, Mr Moore. Please proceed to the debate.

MR MOORE: Of course, Mr Speaker, I am speculating. Everybody is speculating; this is speculating; the motion is speculation. Of course, it is speculation, Mr Speaker, and what we have is a case where Mr Collaery promised to his party that he would go back to a general meeting - - -

MR SPEAKER: Order! Mr Moore, I am not interested in the internal politics of the Residents Rally. It is not what we are debating.

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MR MOORE: Mr Speaker, it is about keeping promises.

MR SPEAKER: Order!

Mr Jensen: I raise a point of order, Mr Speaker; once again Mr Moore has disputed your ruling.

MR SPEAKER: I can handle this, thank you, Mr Jensen. Please debate the issue, Mr Moore.

MR MOORE: Mr Speaker, I wonder whether you could ask Mr Jensen to nominate the actual standing order under which he calls a point of order, because so far this has just been a - - -

Mr Jensen: I will set 205 onto you, Michael, if you do not behave yourself.

MR MOORE: Now, Mr Speaker, what I am talking about is this particular motion, which says that the Assembly should adjourn until a date, 5 December, except in the event that the Government resigns. If the Government resigns there must be some form of government in this Assembly. What I am trying to say is that, in the event of a government being formed, we may have a very awkward situation. There is going to be a need to form a government and Mr Kaine should know, because it is clear that Mr Collaery mentioned in his speech that he has confidence in Mr Kaine to form a government.

I am very pleased that he has that confidence, but what we have here is Mr Jensen trying to stop me from pointing out to Mr Collaery that Mr Jensen, Dr Kinloch and Mr Collaery do not keep their promises. This is what it is all about. This is the case and this is the sort of government that we are going to have - one that does not keep its promises. He is going to have that sort of problem. That is as far as I want to go on that, Mr Speaker. Thank you very much for your indulgence, because I had to point that out and I appreciate the opportunity to do so.

We are talking about fixing an alternative day or hour of sitting, on receipt of a request in writing from an absolute majority of members. That is also part of the motion. What I am saying is that a new government will have to be formed. It is very interesting that Mr Kaine suggests that he could actually form a government with the Labor Party. Of course, we did have a situation with an unusual vote one day when Mr Stevenson, you, Mr Duby and Ms Maher voted with the Liberal Party along with one other person. I remember thinking and I said to Mr Kaine, "This could be the form of the new Government".

This is in the motion, Mr Speaker, and it is under these circumstances that I think Mr Kaine needs to very, very carefully consider whether he should call on Mr Collaery to withdraw the motion. I think there would be some sense in

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withdrawing the motion and negotiating first. We know that Mr Collaery has given his word to his party that he will not go on with negotiations until they have been informed, and that is one of the features of the Residents Rally. That will make it very, very awkward to form a government.

Mrs Nolan: We will talk to you next week.

MR MOORE: Mrs Nolan interjects and says we will talk on it next week, and that brings me to the next point. Mr Whalan has suggested - - -

Mrs Nolan: To you.

Mr Humphries: "Talk to you", she said.

MR MOORE: Mr Whalan has suggested exactly the same thing as Mrs Nolan said, that this talking should occur in this house next week.

Mr Humphries: "Talk to you", she said.

MR MOORE: She said that she would talk to me next week? Mrs Nolan, you and I talk often, so that will not be anything out of the ordinary and I greatly appreciate that.

Now, one wonders whether the request in writing is just a signature on the same piece of paper for everybody or whether they individually require a letter with that. I suppose, since no details are given, we can always check with the Clerk to see whether that is a possibility.

To come back to the point, Mr Speaker, Mr Whalan has suggested that we should sit next week. I for one am prepared, if we have a good enough reason, to request an alternative day - according to this motion - to bring us back to sitting. I am quite content to do that should it be necessary, even though of course it is much harder work and a much tenses time.

MR DUBY (4.23): Mr Speaker, we are talking to the motion which states:

... except that in the event that the Government resigns, the Speaker may fix an alternative day or hour of sitting on receipt of a request in writing from an absolute majority of Members.

Mr Jensen: It is a standard clause.

MR DUBY: That is an absolutely standard clause, as Mr Jensen has said. However, I must point out that this has not been a standard afternoon in the meetings of this Assembly. One has visions of vehicles waiting behind bushes in Dunrossil Drive and places like that, or the Clerk of the house reading proclamations in front of this Assembly, or whatever. One never knows what has been going on in the backrooms of power.

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One of the points that has come out in this debate which has struck me as being extraordinarily interesting is the comment made by Mr Wood. Mr Wood, of course, is a senior member of this house and I think it goes without saying that he is the one person in this house who commands respect from every member in the house and, I dare say, from the regular attenders in our Assembly here, particularly amongst the press. He is a man of great wisdom and experience in matters political and his counsel has often been sought by me and I dare say by quite a number of the other members of this Assembly.

Mr Wood made quite a few interesting points. I think, like a lot of people here, and particularly of course like the members of the press here today, this matter came out of the blue. It came out of the blue to quite a large number of people in this Territory and in this Assembly. But the point that Mr Wood made, I think, is quite a valid one: on what grounds has this motion of no confidence been tabled?

Mr Collaery: Cumulative.

MR DUBY: I hear the word "cumulative". Well, I suppose, if you throw them in an ounce at a time you eventually wind up with a pound, do you not? But I am quite surprised, especially in view of the fact that, as Mr Wood commented, today we had the peculiar situation where the Appropriation Bill was passed by all members of this Assembly, passed in a manner that barely raised a whimper. As a matter of fact I commented to some people later that, after I had moved my motion to reduce asbestos spending by a certain amount, it was defeated although, strangely enough, all members of the Assembly, with the exception of the Government, agreed with the sentiments. They agreed with the concept; they thought the idea was good; they just would not vote for it, out of, I believe, some irrational fear that voting that amount of money out of the budget would lead to a call for a general election. It was expressed to me by a number of persons that they felt that would provide the Chief Minister with grounds to seek an election. (Quorum formed)

Where was I exactly, Mr Speaker? That is right, we were talking about the well-voiced fear amongst a number of members of this Assembly that by reducing the budget by the \$6.2m-odd that you and I proposed, Mr Speaker, it would provide grounds for Ms Follett to call an election. As I was furtively told in the corridors, "Of course, we know what that means. She would be returned with a thumping majority by the people of the ACT".

So in a lot of ways the whole concept of this motion, it seems to me, has almost been laid on the table in a fit of pique, as if someone has not taken his valium in the morning and it has just got too much for him after lunch. It is quite an amazing sort of motion. As Mr Wood said also, there have been no matters raised in this house which would justify a motion of no confidence, unless I have missed some matters of great importance. Strangely enough,

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also, Mr Speaker, I find it absolutely remarkable that a motion of censure - or what was the "slap the wrist" word we wound up using once before - - -

A member: Admonishment.

MR DUBY: The "admonishment" or "reprimand" had to spell out in full detail exactly where the person being so admonished, reprimanded or censured had fallen down in the game.

Mr Humphries: We are not moving the motion yet.

MR DUBY: But the point of the matter is, though - - -

Mr Humphries: Wait until 5 December.

MR DUBY: I know Mr Humphries, but the fact of the matter is that the people of the ACT are going to want to know what is the basis of this. I think if we had a fair dinkum motion of no confidence, something which indicated that the persons involved in this motion had the guts to put it on the line, then we could let people know what it was all about and let the community debate the matter for two weeks, until 5 December. I have not got a calendar on me, but I assume - - -

Mr Humphries: It is 12 days.

MR DUBY: Well, the Act requires that the matter can be put in seven days, and I suppose in a lot of ways I am intrigued, if it is a matter of such importance, why this no-confidence motion is not being heard as quickly and as appropriately as possible. What we do have now, of course, is 12 days of hiatus in government with senior public servants - look at them - sitting here in the Assembly - - -

Mrs Nolan: We have had six months.

Mr Humphries: We have had six months of it already.

MR DUBY: They are sitting in the Assembly quaking, worrying about their futures, wondering what is going to happen to their programs. I dare say they are sitting up there in their offices now, slowly but surely, page by page, tearing up the very budget papers that we passed today. The simple fact is that they will not know what is going to happen, because - Lord knows - to date, I believe, we have not had any indication from the people who have moved this motion as to what exactly the heck they are going to do. It seems to be that it is just a matter of personal pique.

Mr Wood: We have not had one good reason yet, have we?

MR SPEAKER: Order! Mr Moore, if you wish to leave the chamber to address members in the gallery, you may do so.

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MR DUBY: Stop the clock, please, Mr Speaker.

Mr Moore: Certainly, Mr Speaker.

MR DUBY: As I was saying, once again Mr Wood has just reaffirmed his opinion, which he stated before, that we have not had one good reason. Instead, what we have had is a series of snide remarks, attacks, things which have all relied on what I know for a fact is Mr Stevenson's favourite - innuendo. Things like this just go on and on with not one firm basis or genuine claim of concern that any reasonable person would want to know about this matter of no confidence.

Mr Humphries: Wait until the adjournment.

MR DUBY: What are we going to be doing? "Wait until the adjournment", I hear from Mr Humphries. Well, what exactly are we going to have? Are we going to have the trial of this Government by media over the next 12 days? The media will want to know and the people of Canberra will want to know the basis for this matter.

If it is such an important, urgent matter, surely we should not be adjourning it until 5 December. We should be adjourning it till the soonest possible moment. I hear him say, "Wait until the debate". There may well be extraordinarily serious and important matters of public concern that will be raised in the debate. If that is the case, so be it. By all means, we will look at the issues then and look at them very carefully and closely. In the meantime, I am very, very disappointed with the behaviour of the people who have put this motion on. They have left the Territory in a period of absolute hiatus and ungovernment, for a much longer period than required.

MR HUMPHRIES: I move:

That the question be now put.

Question put.

The Assembly voted -

AYES, 8

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

NOES, 7

Mr Berry
Mr DUBY
Ms Follett
Mrs Grassby
Mr Stevenson
Mr Whalan
Mr Wood

Question so resolved in the affirmative.

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MR COLLAERY: Mr Speaker, I move that the Assembly do now adjourn.

Mr Whalan: Mr Speaker, on a point of order; we were voting on the gag. Come on; here is a man trying to usurp control of this Assembly. We know that he has put together an unholy alliance and coalition, but Sir Robert has to come into the gallery to tell you, Mr Speaker. Sir Robert needs to come into the gallery. Sir Robert could be - - -

MR SPEAKER: Order! Deputy Chief Minister, please resume your seat. Mr Collaery obviously made a mistake, as you have done in the past.

Question put:

That the motion (**Mr Collaery's**) be agreed to.

The Assembly voted -

AYES, 9

NOES, 7

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

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

Question so resolved in the affirmative.

MR WHALAN (Deputy Chief Minister) (4.46): Mr Speaker, I move that you call on order of the day No. 3.

MR SPEAKER: According to the suspension of standing orders that was voted on earlier, I must now go to Mr Collaery to move that the Assembly do now adjourn.

Mr Whalan: On a point of order, Mr Speaker; there was no suspension of standing orders moved earlier which prevents this Assembly from resuming debate on the business paper. What we have gone through is a process to set the date for the next day of hearing. That is all that we have done. There is notice that there is going to be a no-confidence motion. It in no way precludes my motion, which seeks you to call on order of the day No. 3. It is consistent with the standing orders.

MR SPEAKER: Thank you, Deputy Chief Minister. I will take advice on that.

I draw your attention to the motion that was passed around, Deputy Chief Minister. The motion was to fix the next day of sitting and that the house do now adjourn. That was the motion that was voted on. So we will now go to Mr Collaery.

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Mr Moore: I claim to have been misrepresented.

MR SPEAKER: Order! I call Mr Collaery.

ADJOURNMENT

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

That the Assembly do now adjourn.

Residents Rally Member

MR WHALAN (Deputy Chief Minister) (4.49): Mr Speaker, the debate on 5 December is going to be an interesting one because it will provide me with an opportunity to raise the matters which I have in this file and which I have had here for the last few months. They relate to a certain member who has been one of the prime movers in this. I have, in fairness, kept these matters confidential, but I think that they should be revealed to the Assembly and to the community of Canberra. The debate on 5 December will provide us with an opportunity to consider some of these issues.

Among the issues that will be raised, Mr Speaker, is a particular court case which is proceeding in relation to a bribery allegation and the question of the issue of an attempt to pervert the course of justice.

Mr Collaery: On a point of order, Mr Speaker; this has ominous overtones. It seems to be coming very close to a sub judice rule. I am certainly not the person affected by it.

Mrs Grassby: What is the point of order?

Mr Collaery: The point of order is that there is an impending breach of the sub judice rule. I ask the Deputy Chief Minister to consider very carefully what his next words are, because this is a public arena and he is speaking about a matter which he claims to be currently before the courts. I ask that he consider that very carefully. I have no idea what he is talking about, no idea.

MR WHALAN: Mr Speaker, Mr Collaery is understandably very nervous about this particular issue. The other issue, which we will have the opportunity to canvass on the occasion of 5 December, will be the issue of the false swearing of statutory declarations. Evidence will be produced in this Assembly in relation to the false swearing of statutory declarations. That evidence will clearly demonstrate the particular measures which people have gone

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to in order to conceal true facts from the community and from the proper authority.

There are other matters which will be raised. There is the question of sources of funds in order to acquire second houses and the procedures which were followed in relation to the acquisition of such property. The other allegations will relate to the use of payment in kind as a mechanism for the avoidance of the proper payment of taxation. A whole series of issues will be raised and they will be properly considered by the Assembly on the occasion when we next meet. It will be, I think, something of an eye-opener to the community of Canberra when the details of these issues are raised. I find it is quite interesting that the person who has made an art form of mud-slinging, of blackening the name of public servants through the use of parliamentary privilege within this establishment, should be the person who has today moved the motion of no confidence - - -

Mr Collaery: I raise a point of order, Mr Speaker. It now appears, given the conjunction of the Deputy Chief Minister's words, that he has been referring to me throughout his comments. Now, I ask him whether he has the courage to name me. He has said, "It is the person who has moved the motion". That is me. I ask him to have the courage to name me and to table the documents in his hand. I refer to standing order 213 or thereabouts. I ask him to table the documents that he has in his hand right now. He opened them up; he referred to them; he looked at them. He is caught by that order. He did it to me once. Allow him, Mr Speaker, to table those documents right now, and have them right out now.

MR SPEAKER: Order! I will take advice on this matter.

According to standing order 213, the Deputy Chief Minister has not concluded his speech. Please proceed, Deputy Chief Minister.

MR WHALAN: Also, Mr Speaker, the - - -

MR SPEAKER: Order! Your time has expired, Deputy Chief Minister.

Mr Collaery: I ask, Mr Speaker, that the Deputy Chief Minister table those documents under standing order 213.

Mrs Grassby: No, you have got it wrong, Bernard. For God's sake, learn the rules of the house.

Mr Collaery: This matter must not be allowed to run for the next 12 days.

MR SPEAKER: Do you so move that motion, Mr Collaery?

Mr Collaery: Yes, I do.

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Mrs Grassby: You cannot under 213. He never quoted from them. You have to quote from the documents before you have to table them. God, I would hate to have you as a lawyer, Bernard.

Mr Berry: On a point of order - - -

MR SPEAKER: Order! Let us sort out one thing at a time. Deputy Chief Minister, did you quote from the documents?

Mr Whalan: Mr Speaker, I quoted from no documents while I was speaking.

MR SPEAKER: I believe your motion is out of order, Mr Collaery.

Mr Wood: Mr Speaker - - -

MR SPEAKER: Just a moment, Mr Wood.

Mr Wood: Well, you have got to be quick here or you are dead.

MR SPEAKER: I call on Minister Berry to make his point if he still wishes to do so.

Mr Berry: My point of order has been satisfied by your generous judgment.

Confidence in Government

MR WOOD (4.55): I want to express my confidence in the Government of the ACT, this historic first Government of the ACT. Let me point out, if it needs to be pointed out, that that Government initiated all proceedings for the governmental activities that have occurred in just over six months. This Government took control of the ACT when no-one else was able to do so and it has performed in a magnificent fashion for six months. Let me tell you again. Six months ago there was a broad outline of how departments and the Government, and the opposition too, might run, but it required people to get in there and put it all together.

I have heard no criticism of the Government outside in the community but I do not, perhaps, mix in every corner. I have heard great criticism of the shambles that comes from the opposition from time to time. The Chief Minister of the ACT stands in high esteem in the ACT and beyond, and I have heard no criticism today of the Chief Minister or of her programs.

Mr Collaery: Have you not been reading the papers?

MR WOOD: It may do you well to read them, Mr Collaery; perhaps read today's paper. The Chief Minister took over control just over six months ago and with three other

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excellent Ministers worked hard. They established the four broad departments of government under four Ministers, and in that time the administration of the ACT has proceeded extremely well. Not always, can I say, have the affairs of this parliament, as distinct from the Government, gone on as well. Let me point out the difficult circumstances in which this excellent job has been done. We have framed the budget - Chief Minister Rosemary Follett's budget - which was passed today - - -

Mr Duby: Without a whimper.

MR WOOD: Thank you, without a whimper. The budget was framed; it was taken from a low starting point six months ago and, bearing in mind some excellent departmental pre-work on it, it has proceeded since in unique circumstances where the Government could never be assured of a majority. It has proceeded with extensive consultation - a whole new concept of how to bring a budget through - and it has been achieved magnificently with a rounding vote of confidence this morning and then this afternoon.

Incidentally, as soon as that was done, we got this motion of no confidence. It is also a motion of no confidence in themselves because it is a free concession that they would not have been able to make a budget and to get a budget through.

So, today there has been a motion of confidence in the Government. I am sure that in the next fortnight, if you will not express it yourself, if you are incapable of finding an argument, you will find there will be strong arguments in the community out there to sustain this Government. I rather expect that your ranks will shatter even before we come back on 5 December, because the strength that this Government has shown is recognised in the community and it is freely acknowledged that the same acknowledgment cannot be given to the other side of this chamber. We have not seen that evidence. I believe that the strength of the Government has already won the confidence of the community - - -

Mr Berry: Let us go back to the fluoride vote.

MR WOOD: Yes, that was an example. This Government has won the confidence of the community. This confidence will bring great pressure on you in the next 10 days to come up with something a little bit better than you have been able to show today and in the last six months. This Government has got the record, and I am afraid you have not. I rather suspect that in 10 or 14 days' time the Government will be able to continue.

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Independent Member's Speech Writer

MR MOORE (5.00): It is interesting, Mr Speaker, that today should be the day that this motion of no confidence has been moved. I am delighted to see my wife, my sister and my child here, a situation that has not happened before. I would just like to say how delighted I am. We also say that today is what I refer to as my first independence day. It is exactly a month today since I went independent and I will be very pleased to be able to go back into the community knowing that I have not broken what are to me my own promises to that community. I shall remain independent regardless of whoever is in government.

It is also even more interesting that today should be the day that my very able assistant, Peter Wise, to whom I cannot give too much credit, is leaving to go to Murwillumbah where he can continue as a professional writer, a plan he has had for a long time. I have always known that he was employed temporarily. I must give a great deal of credit to him not only for encouraging me over the last few months but also for providing me with a tremendous number of speeches. His written words in press releases and so forth are absolutely exceptional. I must give credit there.

One of the things he has written is sitting on the door of my office at the moment. I read it as I left. I think the first couple of words are incorrect but the wind-up is important. He says something along the lines of "it is interesting that I should leave on the day that the lunatics take over the asylum". Mr Speaker, to say "the asylum", I think, is terribly unfair. He is saying that partly tongue-in-cheek.

So let me say about Peter Wise that here is a man of astute character, of great judgment, of writing ability, who has given his time over the last six months to this Assembly in more ways than members of this Assembly could really know. He has made many contributions, whether it be in terms of budget, in terms of education or in terms of many other things. I have often had the opportunity to sit down and discuss many issues with him. Interestingly enough, let me tell some of you who feel that occasionally I am a little outspoken or something to that effect, often it has been Mr Wise who has actually modified and moderated my tone. That being the case, I leave to your imagination just what that tone would have been.

Mr Speaker, I have been attempting to say this afternoon that I have been misrepresented. I have been unable to do so because of the way the debate is going. I hope that you will give me the opportunity at the end of this adjournment debate to make my statement. I will seek leave from you at that time and I draw your attention to that.

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Want of Confidence Motion

MR HUMPHRIES (5.03): Mr Speaker, I indicated in the course of the earlier debate that I would give at least one reason, in the course of this adjournment debate, for the moving of this motion today by the opposition.

Mr Wood: You have had time to think about it, have you?

MR HUMPHRIES: No, there are many reasons, Mr Wood.

MR SPEAKER: Order! Mr Humphries, the adjournment debate is irrelevant. It is not relevant to previous decisions taken in this house.

MR HUMPHRIES: I have no intention of reflecting on previous decisions, Mr Speaker, but I will indicate clearly, for the benefit of members, at least one reason why members opposite can expect to be thrown out on their ears in 12 days from now.

Mr Wood said that he has not spoken to anybody who has expressed dissatisfaction with this Government. Where was he on the day that crowds of people congregated outside this Assembly protesting about the policies of this Government? What did he do on that day? Did he crawl out of this building in a tunnel or something? I have spoken to many people, Mr Wood, who have expressed grave dissatisfaction with the way in which this Government has been run and I think you have too.

He said, quite strangely, in yesterday's debate, that for the opposition to reduce the Government's budget was a vote of no confidence in the Government. He said today that the passage of the Government's budget was a vote of confidence in the budget. In fact, I heard the words "a massive vote of confidence".

Mr Wood: But you pulled those out.

MR HUMPHRIES: What is an opposition to do in order to express neither confidence nor lack of confidence - - -

Mr Wood: No; is it not the case that you pulled those out? You do not want to acknowledge that. You want to talk over it.

MR SPEAKER: Order! Resume your seat, Mr Humphries. Order! Mr Wood, rise from your backside if you wish to address the Chair. You will not speak - - -

Mr Duby: Mr Speaker, that is unparliamentary language.

MR SPEAKER: I apologise to those members I have so offended. Please do not get into a free-for-all across the floor. If you wish to speak, rise from your chair.

Mr Wood: I just wanted to make a point; that is all.

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MR SPEAKER: Well, do it in the correct parliamentary manner.

Mr Wood: He did not want to recognise it; that is the point.

MR HUMPHRIES: According to Mr Wood, there is no way for an opposition to express a neutral approach to the Government's budget. The fact is that this Government will have to stand or fall on its own budget.

Now, you want a reason. You want a reason for this motion of no confidence in this Government by the opposition. I will give you one reason. It is the farce which is this Government's handling of the hospital crisis in this Territory. It is so severe that the interim board of the hospitals had to write to this Government imploring it to come and help it out of the politically difficult position in which it found itself, where it could not control the budget because of cost blow-outs. What support, what help, did this Government give to that hospital board? Absolutely none.

There is a crisis in our hospitals system. Ministers, you are apparently not prepared to acknowledge it, but it is there. Go and have a look in our hospitals; it is there, and you should be dealing with it. The fact is, Mr Speaker, this Government does not have the strength of vision, and in large part I might say that the absence of such a strength of vision - - -

Mr Berry: On a point of order, Mr Speaker; we have all heard this drivel before. I do not have the standing order in front of me but this seems to me to be a matter that is relevant to questions and debate in this place before, therefore it does not seem appropriate for it to be discussed again.

MR SPEAKER: I will take Mr Berry's point on this, Mr Humphries. I believe that the adjournment debate really should be around irrelevant issues. We should not debate things that have been debated on the floor in this chamber earlier today.

MR HUMPHRIES: Mr Speaker, my time is being used up by this. The standing orders say quite clearly that there is no requirement of relevance in the adjournment debate. It does not say that I have to speak on an irrelevant topic. The issues I have raised have already been spoken on by both previous speakers. I do not see why I cannot address it as well, and I will do so.

The fact is that the Ministers opposite do not have the strength of vision to carry out a program which is going to deal with the fundamental problems facing this Territory. You just do not have it, and part of the reason stems from the fact that you do not have the numbers on the floor of

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this Assembly. We need a government in this Territory which is able to command the respect of this Assembly to get a program which is going to deal with the problems of this Territory - not put them to one side, not leave them on the shelf, not deal with them in the indecisive fashion that we have seen from this Government. We need to shift strongly, and it can come from somewhere on this side of the chamber.

Confidence in Government

MR BERRY (Minister for Community Services and Health) (5.08): It is very interesting to sit on this side of the house and listen to the cockies on the fence over there sniping at the Government about the way that it handles matters. It is very interesting, Mr Speaker, if we compare their words with their actions in the last couple of days about the Government's budget. What a bunch of losers!

First of all we heard from Mr Stefaniak. He attacked the women, absolutely attacked the women, and tried to extract \$250,000 out of the budget in an attack on women's issues. Now that is, of course, consistent with his earlier moans when the budget was being delivered. He repeatedly moaned about the support that this Government was giving to women in its approach to its social justice commitment.

Mr Humphries, of course, is now bolting out of the chamber because he is about to hear a few things that he will not like. What about the \$5m that Mr Humphries was going to suck out of the education system? Of course, he said that his motion was wrong. It was wrong all right; it stunk. Then he changed it to the health budget, and then of course he changed it to nothing at all, because he really could not make up his mind. They look like a bunch of fools, and that is precisely what they looked like in the budget debate. These are the people who are lining themselves up to take government.

I noticed from the words of Mr Kaine that he has presumed that he has the numbers. I suspect that that includes Mr Stevenson and Mr Speaker. I would be very interested to know of any commitments that have been made in that regard. Those sorts of presumptuous statements demonstrate the arrogance of the Liberals with their "born to rule" mentality.

Another thing I should add is that I am not quite sure that the Liberals will be able to maintain the pace - in particular, their leader. I think he has treated his whole period in opposition as a bit of a holiday, and from my knowledge of what is required of Ministers I think the pressure would be too great, let alone that which is required of the Chief Minister. So I think Mr Kaine is probably hoping that he will not get the job because he is getting it pretty easy where he is. If his performance in

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the house is any demonstration of the amount of work that he is prepared to put into it, then I am sure that he will not have the stamina for the Chief Minister's job. In relation to the Residents Rally - -

Mr Moore: That is okay. Bernard will take over.

MR BERRY: Well, obviously, Mr Collaery today suspects that he knows what he is doing - - -

Mr Duby: Well, he cracked the whip and they jumped, didn't he?

MR BERRY: I must say that my impression of Mr Collaery is that there is evidence of some instability in his character. I have not been able to get a consistent view out of him on anything since he came into the place, and I have been involved in negotiations with Mr Collaery in one way or another since the day this Assembly was elected.

Mr Moore: I have found the same over two years.

MR BERRY: I see that Mr Moore shares this view about the lack of consistency in the approach of Mr Collaery.

Of course, the numbers have still to be counted, and a lot of water will pass under the bridge between now and then. I think that by the time it comes to the crunch people who have a responsibility to the people of the ACT will, of course, have considered the behaviour of Mr Collaery and the Residents Rally and the ability of those people in the Liberal Party who target government as one of their ambitions and will have decided that they are not up to it in any shape or form. I feel confident that even Mr Stevenson might reflect upon the behaviour and the ability of all the people on the other side of the Assembly and even though he is committed to abolish self-government I am sure he would have more sympathy for the people of Canberra than to inflict the people opposite upon them.

Confidence in Government

MRS GRASSBY (Minister for Housing and Urban Services) (5.13): Mr Speaker, I find it incredible that Mr Kaine and Mr Collaery walked out of the committee meetings when we were discussing the budget because they could not understand the process. Yesterday we saw that they could not even understand the budget. Yet they expect to run the Government. They were going to walk out of the Assembly again because they could not understand anything. I heard members of the Treasury say, "My God, you know who the Government is and you know who the opposition is".

Mr Speaker, I would not be sure that they had the numbers. I have got a little bit more faith in you than other people in this house. I think that, when you see how the people

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outside feel, there could be a very different line taken here.

I remember the dealings with Mr Collaery when we were trying to decide on a government, when we thought we would have to go in with a coalition government of some kind. I know all the dealings because I was the one that took all the notes, and I can tell Mr Kaine, who is not here at the moment, that if he is thinking of getting into bed with Mr Collaery he wants to think twice about it. Mr Collaery changes his mind many times. I am sure he changes it more times than he changes his clothes. I think Mr Collaery would be in anything but a bath, Mr Speaker. So, I would think - -

MR SPEAKER: Order! That is quite inappropriate, Mrs Grassby.

MRS GRASSBY: I withdraw it, Mr Speaker. I thought it was rather good, but I will withdraw it if it upsets you.

As for the hospital, these hypocrites who sit on the other side and tell you about the hospital are the people that would mow it down very quickly and put whatever they thought they could make money out of there. We have seen what the New South Wales Government is doing to hospitals. It is selling off the farm to pay the bills. God help the people of Canberra if these people get to govern. God knows what they will sell off to pay the bills.

I can tell you, Mr Speaker, the Treasurer that I have sitting in front of me - who is the Chief Minister - has done wonders with the budget. It has been said, even by her own department, that it has been amazing what we have been able to do with the money we have. Even though we were denied a tax that would have enabled us to do more, we have still been able to form and have passed a budget that has been able to satisfy and keep this city the beautiful city it is.

But God help Canberra if they survive to be the Government. I am just trying to think of what they would sell off. Well, thank God, they cannot sell off the new Parliament House because it is in the Parliamentary Triangle. There was a lovely story yesterday. I am not sure whether it was Mr Jensen who got up and spoke about wanting a new parliament house. I am sorry; it was Mr Collaery. They denied us a tax. They did not give a damn about the hospital or the people in Canberra but they thought we should build a new parliament house. I thought it was absolutely incredible. Before we build a new parliament house, may I say to Mr Collaery, I would suggest that we build a new hospital for the people of Canberra. I would be the last person who would want to sit in a new parliament house and deny the people of this city the right to have a decent, good health system and a new hospital.

Staff Members' Farewell

MR JENSEN (5.16): Mr Speaker, it will be a pity if the Chief Minister leaves, because what I am about to do is pay a tribute to three very hardworking members of the committee staff who are leaving us tomorrow. I refer specifically, Mr Speaker, to Cameron Kent, Chris Windsor and Susan Johnson who have, over the six-month period that this Assembly has been in operation, provided sterling service to the members of the Assembly, particularly in relation to their support. They have put in long hours in helping the members of the Assembly get their reports out on time and made available. I think it is appropriate that this matter should be recorded in Hansard, particularly as these members are leaving. I enjoin all members to join them at their farewell tomorrow.

Staff Members' Farewell

MR DUBY (5.17): Let the record show that I also endorse the comments of Mr Jensen and will sorely miss the services of those persons mentioned.

Personal Explanation

MR MOORE (5.17): Mr Speaker, I claim to have been misrepresented. I have been trying to make this claim for some time today, Mr Speaker.

On 24 October this year, a television news broadcast implied, in its manner of presenting visual images and voice overlays, that I had interfered in an illegal manner with the locks and safes in the Residents Rally office. I have the Monitair transcript of that broadcast and I quote:

Mr Moore's exit ends months of tensions in the party. Last week Police were called in after Mr Collaery's safe was tampered with and late last night locks in the Rally Offices were changed. The feeling in the Rally office today was one of relief.

Of course, those things did not happen. After this broadcast I approached the reporter responsible on a one-to-one basis. It was apparent that this reporter had not checked the facts, and I wonder where she got those facts from.

A further misrepresentation occurred on 3 November, at which time I pointed out the defamatory nature of the journalism and requested a retraction and an apology. That was not forthcoming. That request was put in writing and faxed to the journalist. I then attempted to contact the

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news director of the channel in question to repeat my request. Again, there was no response. My telephone messages were not returned. Mr Speaker, I then felt obliged at that stage to seek legal counsel. I must say at this point that I do not subscribe to the belief that journalists should be the subject of legal free-for-alls. However, in this case I cannot allow my reputation and integrity to be impugned in this fashion.

Acting therefore, on the advice of my solicitor, Mr Peter Hohnen of Macphillamy, Cummins and Gibson, I advise the Assembly that on my instruction a letter has been sent to the station concerned. Because of the lack of positive response to this letter, I will be issuing a writ of defamation against WIN Television tomorrow morning. I hope that WIN Television will be aware that by my presenting this information to the Assembly in this fashion I am affording them yet another chance to avoid legal action.

Mr Speaker, I also claim to be misrepresented on another matter. On the second matter, on a number of occasions Mr Collaery has referred to a secret meeting between me and Mr Whalan on 8 May. I refer back in my diary to 8 May, and I would suggest that perhaps Dr Kinloch and Mr Jensen do the same. It says, "3 o'clock, Labor". I presume that what Mr Collaery is talking about is one of the negotiating meetings we had prior to the formation of this Government. The Labor Party, in particular, and I imagine others, will remember that at many of those meetings Mr Collaery arrived very, very late - often up to an hour late. I presume that what he is talking about as a supposed secret meeting was a prearranged, timed, diaried meeting at which everybody turned up. There was simply no such thing as a secret meeting or whatever he is referring to. I deny it categorically.

Question resolved in the affirmative.

Assembly adjourned at 5.21 pm until Tuesday, 5 December 1989, at 2.30 pm

ANSWERS TO QUESTIONS

The following answer to a question was provided:

Public Service

Ms Follett: On 2 November, **Mr Duby** asked, "What is the cost to the ACT Government of the 6 per cent pay rise for ACT public servants announced on 2 November 1989?".

My answer is as follows: the Australian public service (APS) industry agreement under the structural efficiency principle (SEP) of the August 1989 national wage case decision was concluded between the Federal Government and the ACTU and federal public service unions on 2 November 1989. It will extend to staff employed in all ACT government agencies with the following exceptions where negotiations are being conducted separately:

- . members of the ACT Fire Brigade
- . members of the ACT Teaching Service
- . registered nurses and medical staff of the ACT Department of Community Services and Health
- . Non-Public Service Act employees of the ACT Gaming and Liquor Authority and Canberra Theatre Trust
- . ACT Institute of TAFE teachers
- . journalists and lawyers
- . senior executive service officers

The first structural efficiency adjustment will be 3 per cent on existing rates of pay. A further increase of 3 per cent is available under the wage principles but no earlier than six months after the initial increase. The second adjustment will be subject to a separate application to the Australian Industrial Relations Commission based on further negotiation under SEP.

The Industrial Relations Commission ratified the APS industry agreement on 22 November 1989 and the first structural efficiency adjustment of 3 per cent will be paid from 23 November 1989. The estimated cost of the initial 3 per cent structural efficiency adjustment to the ACT Government is expected to be \$4,532,000 in the 1989-90 financial year. Assuming the second 3 per cent structural efficiency adjustment becomes available in six months time this will add an estimated \$615,000 to salaries costs in 1989-90. The estimated full year cost of both 3 per cent structural efficiency adjustments is expected to be \$15,946,000.

On 19 October 1989 the Industrial Relations Commission agreed to a variation of the award for school teachers employed by the ACT Department of Education to enable a 3 per cent structural efficiency adjustment on existing rates of pay from 26 October 1989. The commission also agreed to

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a catch-up increase of 4 per cent for a small group of teachers of evening classes whose hourly rates were not dealt with in the second tier agreement. The estimated cost of these increases to the ACT Government is expected to be \$2,100,000 in 1989-90. Assuming the second 3 per cent structural efficiency adjustment becomes available in six months time this will add an estimated \$509,000 to salaries costs in 1989-90. The estimated full year cost of both 3 per cent structural efficiency adjustments is expected to be \$6,521,000.

On 16 November 1989 the Industrial Relations Commission agreed to a variation of the award for ACT TAFE teachers to enable a 3 per cent structural efficiency adjustment on existing rates of pay from 23 November 1989. The estimated cost of the initial 3 per cent structural efficiency adjustment to the ACT Government is expected to be \$365,000 in 1989-90. Assuming the second 3 per cent structural efficiency adjustment becomes available in six months time this will add an estimated \$50,000 to salaries costs in 1989-90. The estimated full year cost of both 3 per cent structural efficiency adjustments is expected to be \$1,284,000.

The dates of effect for those structural efficiency adjustments still subject to negotiation are not known at this stage. However, the estimated cost in 1989-90 of the structural efficiency adjustments already agreed together with those still subject to negotiation will be accommodated within the budget provision for national wage case and other award increases.

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APPENDIX 1 (Incorporated in Hansard on 21 November 1989 at page 27191)

ACT GOVERNMENTS RESPONSE TO THE REPORT BY THE ESTIMATES
COMMITTEE ON THE APPROPRIATION BILL 1989-90

Recommendation (1)

Agencies provide additional supporting information to future Estimates Committees at the time of introduction of an Appropriation Bill;

this information must, at minimum, include detailed breakdowns of the following items:

- grants
- repairs and maintenance
- minor new works
- minor plant and equipment
- other operating costs
- major plant and equipment
- other capital acquisitions; and

this information must also be available at a sub-program level (paragraph 2.10). Government Response

The Government is conscious of the need to provide sufficient information to enable the Committee to adequately assess expenditure proposals.

As the Committee noted in its Report, it may not be practical to include this level of information in material tabled in the Assembly at the time an Appropriation Bill is introduced. The expenditure amounts associated with the specified items at subprogram level will vary significantly between sub-programs.

In providing information for budget purposes, the Government also believes it is necessary to balance the amount of information so provided with that which can be presented in a way that is readily understandable. To provide the information suggested, may mean significant additional resources being devoted to the compilation of that information in the budget context.

An overall review of budget documentation and systems necessary to support that documentation will be undertaken in the light of the initial experience in 1989-90 and the issues identified by the Committee will be taken up in that process. Another factor which also needs to be taken into account is the importance of not tying managers hands at the sub-program level early in the financial year.

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Recommendation (2)

the Treasury, as a matter of priority, examine methods of reporting agency transfers in accordance with section 8 of the Appropriation Bill;

the reporting include how often that section of the Appropriation Bill was used and for what purposes; and

such reports be included with the quarterly financial reports to be tabled in the Legislative Assembly (paragraph 2.23). Government Response

While it is possible for receipts and expenditures incurred under these appropriation arrangements to be included in financial reports, the development of the necessary systems capability to achieve that objective will take some time. Currently, the Governments highest priority in this area is the timely production of the quarterly financial statements. Significant financial management resources are being devoted to ensure that objective is met. The Government will investigate the possibility of introducing a reporting arrangement as part of the 1990-91 Budget Papers. The Governments review of the Budget Papers will take into account recent innovations by the Commonwealth to publish estimates of receipts which may in effect be credited to appropriations, that is, Table 7 of the Commonwealths Budget Paper No. 2.

Recommendation (3)

rent and associated costs be allocated to the relevant agency and, where possible, allocated to particular programs; and

superannuation costs be allocated to particular programs (paragraph 2.26). Government Response

Arrangements are in hand to identify ongoing rent of office space and associated accommodation costs against specific programs for inclusion in the 1990-91 Budget. However, once-only expenditure for any major relocation work impacting on more than one program will continue to be shown against the Agency Planning and Resource Management Program (Program 23) for the Office of City Management.

In 1989-90, those agencies which are making employer superannuation contributions to the Consolidated Fund are those which, prior to self government, made similar contributions to the Commonwealth Consolidated Revenue Fund. These contributions are being retained in the ACT Consolidated Fund to provide for future liabilities. In general, these agencies are of a commercial or quasi-commercial nature with significant own source receipts.

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The estimated payment to the Commonwealth in 1989-90 meets the costs of benefits in respect of service from 1 July 1989 of retiring ACT Government employees on an emerging cost basis.

Current arrangements may vary when future superannuation financing policy is finalised. This includes the method of funding liabilities, that is on a fully funded or emerging cost basis.

Arrangements presently in place generally reflect those budgetary and reporting practices of state governments. Reflection of superannuation costs against all programs would make financial comparison of like functions between States extremely difficult.

Recommendation (4)

the status of the Department of Education, the Department of Community Services and Health, the ACT Institute of TAFE and the Legal Aid office be changed from statutory authority to department (paragraph 2.31).

Government Response

The Government agrees that it is appropriate for the Schools Authority and Community and Health Service to be transformed from statutory authorities into public service departments. As the first step in this process, Departments of Education and Community Services and Health were formally created by Administrative Arrangements Order dated 4 August 1989. This had the effect of creating a clear public service reporting relationship between the Ministers and their respective Agency Heads.

Because the Acts creating the Schools Authority and Community and Health Service contain specific enabling powers in relation to staffing and financial management, it will be necessary to prepare replacement legislation before these Acts can be repealed. It is expected that legislation will be prepared prior to Assembly consideration of the 1990-91 budget.

It is inappropriate for the Legal Aid Commission to be transformed from an independent statutory authority to part of a Government Department (logically the Government Law Office). It is essential that decisions to grant or refuse legal aid be independent of Ministerial direction. There would also be the potential for conflict of interest to arise in the administration of legal aid in circumstances where such aid was sought to enable an individual to sue the Crown or a Government official. (In such circumstances the Government Law Office would be defending the Crown/Government official against such a suit).

Statutory authority status for Legal Aid Offices is the norm in the States. Any change in the current status of the Legal Aid Commission would require negotiation with the Commonwealth under the terms of the funding agreement between the Commonwealth and the ACT.

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on balance, the Government believes that there are more arguments to support continuing the statutory authority status of TAFE than there are for changing the Institute to a Government Department. A growing percentage of TAFE operating costs are being drawn from the business community and it is essential that continuing steps be taken to strengthen links between TAFE and the business sector. Furthermore, Government Department status would be inconsistent with the role of TAFE as a tertiary education institution. The recent Scott Report in New South Wales recommended that N.S.W. TAFE become a statutory authority.

In deciding not to alter the status of the Legal Aid Commission and the Institute of TAFE, the Government recognises that:

it is important to review the adequacy of current reporting mechanisms and controls for these and other budget dependent statutory authorities to ensure an adequate level of financial accountability. A review of audit arrangements has already been undertaken; and

it may well be appropriate for such authorities to be part of common service arrangements for the ACT Government Service where this offers potential benefits in terms of economy and/or co-ordination.

Recommendation (5)

the Public Accounts Committee inquire into and report on ACT statutory authorities, including number, reason for establishment and whether the non-budget dependent bodies should continue to remain off-budget (paragraph 2.33). Government Response

The question of whether or not the PAC should inquire into the issues raised by the Committee is one for the Assembly to decide.

Recommendation (6)

the revenue and expenditure of the Community Development Fund be incorporated in an additional Budget Paper from 1990-91 and that procedures be implemented to ensure that expenditure from the Fund is accountable to the Legislative Assembly (paragraph 2.37). Government Response

The Government notes that members of the Committee have had difficulty in gaining an understanding of the activities embraced by the Community Development Fund. Given the importance of expenditures to community organisations, the Government will include, as a high priority in its review of the Budget Papers, the need for clearer and more fullsome reporting on receipts and expenditure through the Fund. Due to the timing and nature of grants to individual organisations, information at this level of

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detail will need to be supplementary to that which can be contained in the annual Budget Papers.

Recommendation (7)

the Government investigate the feasibility of co-ordinating advertising to enable it to be located together in the print media; and

the Government report to the Legislative Assembly the results of this investigation (paragraph 2.40)
Government Response

A feasibility study looking at the scope and potential benefits from co-ordination of ACT Government Service advertising is currently being undertaken by the Government. Assembly Members will be informed when the review is finalised and implementation is decided upon.

Recommendation (8)

the Government review its decision relating to fencing Stage 88 and develop alternative proposals for the funds consistent with the grant (paragraph 3.3). Government Response

The Government agrees and will advise the Assembly of the outcome of the review as soon as it is completed.

Recommendation (9)

in future all but major capital expenditure by the Canberra Theatre Trust be financed from non-Budget sources (paragraph 3.6). Government Response

The Government notes the Committees recommendation and will be examining future funding arrangements for the Canberra Theatre Trust in the lead-up to the 1990-91 Budget.

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Recommendation (10)

anew program for the Legislative Assembly be created with three sub-programs for:

- Secretariat support
- Non-executive Members
- Executive Members (paragraph 3.20)

Government Response

The Government agrees that all costs of the Assembly and the Executive, should be readily identified. Program 3 currently incorporates the costs of the Executive and associated public service support to the Executive (for example the Cabinet Office, Chief Ministers Division etc). The Government proposes that for 1990-91 a separate sub-program will be established under this Program.

Identification of Executive costs in this way will ensure full disclosure in a manner consistent with the practice adopted by the Commonwealth and the States.

Program 1 - Support to the ACT Legislative Assembly will therefore continue to comprise funds which are under the control of the Speaker. The full costs of the legislature and the Executive could then be obtained by aggregating the Legislative Assembly Program and the Executive sub-program.

Recommendation (11)

the Treasurer table, on a monthly basis, a statement outlining use of the Treasurers Advance (paragraph 3.23). Government Response

The Public Accounts Committee is currently conducting an inquiry into the principles relating to future financial administration and audit legislation for the ACT. As the principles governing the operations of the Treasurers Advance are covered by the audit legislation, the Government considers it appropriate that this recommendation be considered within the ambit of that inquiry.

Recommendation (12)

the Government review and report to the Legislative Assembly as soon as possible whether it would be more appropriate for a direct subsidy to be paid to ACTION for both Government and non-Government school bus transport rather than a transfer payment through the Department of Education (paragraph 4.2).

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Government Response

In the Governments view, it is essential that the Minister for Education be able to determine priorities and levels of service in respect of all aspects impacting on the delivery of educational services.

Expenditure on student transport represents a cost of providing education and the level of service to be provided should therefore be considered in the context of the education budget, rather than public transport.

On the other hand, the management of public transport should not be expected to operate as a commercial entity and simultaneously address government policies on the provision of concessional public transportation to certain sectors of the community. School students are simply another client of ACTION. The subsidy appropriated for ACTION should therefore reflect the effectiveness of commercial style management.

For similar reasons the cost of providing bus fare concessions to pensioners and other welfare beneficiaries is reflected in the budget of the Department of Community Services and Health. This ensures that the Minister for Community Services and Health can determine priorities and entitlements in relation to the provision of concessional public transportation to those in need. ACTION management should not be required to make these assessments.

Payments for school bus transport are not only made to ACTION. There are a number of rural services operated under private contracts for reasons of cost-effectiveness. It is desirable that the total cost of student transportation be reflected in the one program area rather disaggregated.

National accounting standards adopted by the Australian Bureau of Statistics classify school student transportation as an educational cost. These standards are progressively being adopted by State governments in the presentation of budgetary information.

For these reasons, the Government believes it is appropriate for school student transportation costs to be included in the education budget.

Recommendation (13)

the Government institute procedures to assess the effects of the reduction in education funding on teacher numbers, class size and the curricula offered by schools; and

the results of these assessments be detailed in the Department of Educations annual report (paragraph 4.4).

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Government Response

In formulating the Budget, the Government was mindful of the need to ensure services, including education, were not adversely affected. With the further development of performance indicators by all agencies, the Assembly will be able to assess agency performance as well as the budgetary effect on service delivery.

Publication of student and teacher numbers is routinely available in the Department of Education's annual report. An assessment of the impact of Government policy on these matters will be published in the Report. Recommendation (14)

the Government provide to the Legislative Assembly a notional list of projects which can be identified against the forward design program; and

these details must be available during consideration of the Appropriation Bill 1989-90 (paragraph 4.18). Government Response

The total estimated cost of \$5.0m with expenditure of \$2.5m in 1989-90 identified in the 1989-90 Budget for the Forward Design Program is to allow preliminary design work to proceed on major new works that are planned to be commenced in subsequent financial years. Because of the long lead-times associated with the design and development of major capital works, it is necessary for such a provision to be made in the Budget. If this provision was not-made, it would be virtually impossible to commit to construction those projects in the year planned.

The 1989-90 Budget provisions have been based on the past experience of the former NCDC and the likely level of funds to be available in the future for capital works.

Under the existing arrangements for the formulation of the construction program, agencies have been requested to submit details of the projects they wish to be considered for forward design as part of their Four Year Forward Intentions to the Treasury by 24 November 1989. Treasury will then consolidate agencies proposals and prepare a submission to Government for consideration.

As the Government is yet to consider projects for inclusion in the 1989-90 Forward Design Program, it is not possible to provide a definitive list. Recommendation (15)

the Government provide details to the Legislative Assembly on the final refund arrangements reached for current contributors of the ACT Ambulance Service who will, from 1 January 1990, be contributing through private health insurance schemes; and

such detail be provided for consideration prior to the passage of the Appropriation Bill 1989-90 (paragraph 5.5).

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Government Response

In order to ensure that nobody is charged twice for ambulance cover, the Department of Community Services and Health will be sending each member of the ambulance subscription service a refund of the unexpired value of their membership once the ambulance levy legislation is in place.

The refund will be accompanied by a letter informing the subscriber of the new arrangements. The letter will advise that those with private hospital insurance will no longer need to take out separate ambulance cover as they will be covered automatically.

Subscription scheme members who are not members of health funds will be advised to take out ambulance only cover. This cover will be offered by one of the health funds on an agency arrangement. Negotiations with the funds are presently under way.

Improved arrangements will apply in the case of pensioners. Pensioners will automatically be entitled to free ambulance travel irrespective of their hospital insurance status.

The health funds will not be required to pay a levy in respect of their pensioner members. Pensioners who do not have private hospital insurance will not need to take out ambulance only insurance. Pensioners, who pay \$4.50 per annum membership under the current ambulance subscription scheme, will not receive a refund.

Members of the current ambulance subscription scheme whose membership expires after the legislation is passed, but prior to the levy arrangement being put into place, will not be expected to pay their renewal. The Department of Community Services and Health will advise affected members that they will receive free coverage for that period, after which they should consider taking out ambulance only cover depending on their private hospital insurance status.

Recommendation (16)

the Government report to the Legislative Assembly as soon as possible on any decision to fund Galilee past March 1990 (paragraph 5.7).

Government Response

Accept recommendation.

Recommendation (17)

the Chief Minister seek a commitment from the Commonwealth to accept full financial responsibility for the removal of asbestos (paragraph 6.4).

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Government Response

The Government has taken up with the Commonwealth the question of the Commonwealths liability for removal of loose asbestos from Canberra houses as part of a range of financial issues to be negotiated and resolved between the two governments.

Recommendation (18)

the Government establish an independent review of the operations of ACTION (paragraph 6.12).

Government Response

Reviews of ACTION were conducted in 1985 (Efficiency Audit by the Commonwealth Auditor General), 1986 (Review of Efficiency Audit by the Commonwealth Parliamentary Joint Committee of Public Accounts) and 1987 (a private consultant oversighted by the then NCDC/Department of Territories).

This latter study, which was delivered in July 1987, has been used as the basis for changes in the operation of ACTION. This combined with the recruitment, in February 1989, of a new General Manager with significant private transport experience suggests it is somewhat premature to conduct a further major external review of ACTION at this time.

The Treasury will conduct a Resource Review during this financial year which will provide an overall assessment of the success of changes made so far.

Recommendation (19)

prior to the presentation of the 1990-97 budget the Government provide the Legislative Assembly with details of:

- the costs of refurbishing "heritage value" Housing Trust properties;
- the additional costs associated with maintaining refurbished buildings; and
- the manner by which these additional costs will be financed (paragraph 6.21).

Government Response

Accept recommendation. A consultant has been appointed to advise on these matters and to make recommendations on how such costs should be financed.

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Recommendation (20)

the Housing Trust annual report provide details on:

- each property purchased and sold during the year;
- the value;
- the date of the transaction; and
- the real estate agent used (paragraph 6.25).

Government Response

The Trust will ensure that its annual report in future provides details on dwellings purchased for adding to the stock of government housing, having regard to the need to maintain commercial confidentiality.

The Minister for Housing and Urban Services is responding separately to the additional comments made by Mr Collaery (Attachment C to Estimates Committee Report).

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APPENDIX Incorporated in Hansard on 21 November 1989 at page 2738

PORNOGRAPHY AND THE ABUSE OF WOMEN

It is now well established that pornography plays powerful role in causing physical and sexual violence in women. Work done by a Canadian psychologist James Check, in association with various co-researchers, is very important in this area. Check has set out to examine the role of pornography in verbal and physical abuse of women.

Research of J. Check, E. Sommers on Pornography and Violence:

Check and his associate Evelyn Sommers studied a group of 44 women who had suffered severe battering by their partners, and compared them with a group of women who had not been battered. Very clear differences emerged between the groups.

Among other tests carried out, each woman was given a Pornography Questionnaire. Pornography was defined simply as "sexually explicit or sexually arousing" materials. Clear differences emerged between the groups, as can be seen from Table 1.

TABLE 1: Estimated Frequencies of Consumption of Pornography by Battered Women and Comparison Groups (percentage) (from 0.203 Sommers/Check report).

Question Battered women Comparison group

1. As far as you know, how often does your partner read or view Playboy, Penthouse, Hustler, or other magazines of this type?

Several times a week 11 0
Several times a month 14
Once a month 31 7
Once or twice a year 28 28
Never 17 31

2. As far as you know, how often does your partner watch sexually explicit (pornographic) movies or video tapes?

Several times a week 7 0
Several times a month 11 3
Once a month 19 0
Once or twice a year 44 34
Never 19 02

A clear link was established between pornography and pan-sexual violence against women. Here are some comments from the report page 204):

"A total of 39% of the battered women versus only 3% of the women in the comparison group reported that they had been upset by their partners asking them to imitate pornography. In addition, the battered women reported much more frequent pornography consumption by their partners than did the women

in the comparison by their partners than did the women in the comparison group ... 24% of the battered women reported that their partners had used physical force to obtain intercourse, whereas only 15% of this group said that they had been "raped". This apparent under-reporting of rape was not found in the comparison groups. There are a number of possible explanations for this finding.

It might be argued, for example, that the battered women in the present study may have endured a great deal of forced sex for the sake of preserving their relationships or marriages, and if these women had labelled forced sex as rape, the act would have been removed from the realm of social acceptance and the marriages or relationships might have been at risk. In addition, after she has experienced physical abuse over a long period, an individual's distinctions between sexual and non-sexual abuse may become blurred. The outcome of the abuse (e.g., sexual intercourse) may have appeared to the women to be unrelated to the force. On the other hand, it may have been that, after being beaten, the women had no strength to resist and they may have regarded their lack of resistance as the unwanted sexual act as agreement to participate, despite their physical or psychological inability to resist. Perhaps forced sex was simply viewed as less serious in the women's lives than other life-threatening incidents. In contrast, the comparison group may have been more willing to identify the incidents of forced sex as rape, precisely because they had not been preoccupied with life-threatening violence. °

Sommers and Check conclude as follows (at page 205):

"Although the results of the present study do not provide direct evidence of a causal link between the use of pornography and violence against women, certain observations can be made specifically about the data collected for this study. These observations are consistent with a link between pornography and violence against women and may ultimately add to the growing body of evidence showing that the use of pornography increases males' aggressiveness toward women. Since other studies have suggested that certain forms of pornography contribute to aggressiveness against women, it was assumed that a higher consumption of pornography among the partners of the battered women than among the partners of non-battered women would be reported. This assumption was in fact confirmed. Second, it was expected that a significant difference would be found between the two groups in their response to Russell's question, "Has your partner ever upset you by trying to get you to do what he'd seen in pornographic pictures, movies, or books?" As expected, a significant difference was found between the two groups in their response to this question. (39% of the battered women and 3% of the comparison group answered yes) And, finally, the results of this study provide the most direct evidence to date that battered women are frequently also the victims of sexual abuse by their partners."

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APPENDIX 3

(Incorporated in Hansard on 21 November 1989 at page 2738)

Shop. Distributive & Allied, Employees Association -

REGISTERED OFFICE: NINTH FLOOR, 53 QUEEN STREET, MELBOURNE. 3000
TELEPHONE 0141500

NATIONAL PRESIDENT
J.B. Maher

NATIONAL SECRETARY
J. de Bruyn

3rd November 1988.

Dear Parliamentarian,

VIDEO MATERIALS

Please find attached the decision of the National Council - the largest union in Australia.

You will note that, contrary to impressions you may have gained from the press, the Union is fully aware of the nature and content of videos which bear the X classification.

Although physically not violent or coercive, this material, according to evidence cited by the joint Select Committee on video Materials, engenders in the habitual viewer "a sexually calloused and manipulative orientation towards women" depicting women in general as being highly promiscuous and available.

We agree with the observations made by Dr. J. Zubrzycki, Emeritus Professor (Sociology) at the ANU, that pornography functions quite similarly to anti-semitic or racist propaganda: it serves as a tool of anti-female propaganda. The intent of all three is to distort the image of a group or class of people, to deny the fullness of their humanity and to depict them as objects for exploitation.

Most of our Members are women. This is union business. We ask that urgent action be taken to ensure that "X"-rate videos and their "R" equivalents be made prohibited imports and placed in the refused category. The Labor Council of New South Wales has expressed its support for this action.

The argument that these videos have been now available for some four years and that a ban will create a black market will not wash. This argument is being advanced by those who refused to accept the recommendation of the Senate Select Committee four years ago requesting the Federal Government to place a moratorium on the sale and hire of these videos. It should also be recalled that most of these come from the United States where pornographic video production companies are substantially in the hands of organised crime.

Yours faithfully,

J. DE BRUYN
NATIONAL SECRETARY-TREASURER

23 November 1989

PORNOGRAPHIC VIDEOS

National Council congratulates the Womens Committee on preparing a submission for the Joint Select Committee on Video Material and congratulates the Secretary on cogently presenting evidence to the committee.

National Council notes that the Majority Report of the joint Select Committee on Video Material referred to this submission as follows:

"13.116. In view of pornographys attack on the status of women, and the workplace sexual harassment theme of some video pornography, the Committee was not surprised to receive a submission from the largest affiliate of the Australian Council of Trade Unions. The Shop, Distributive and Allied Employees Association summed up a comprehensive submission thus:- .

If video material of the (pornographic) nature is widely available for home viewing, thousands of Australian men will be encouraged to regard women generally as targets of sexual harassment.

The availability for sale and hire of pornographic video material is therefore likely to undermine attempts by unions and others to eliminate problems of sexual harassment at work.

(Evidence, pp. 564-565 j .

13.117. The Shop, Distributive and Allied Employees Association was expressing the concerns of its members, the majority of whom are female.

National Council notes that this issue is Union business and draw attention to the fact that the majority of the Committee recommended that X-rated video material (and their R-rated equivalents) be refused classification.

The majority also strongly opposed the minority Recommendation contained in the Report that a new NEE category containing "X" rage material be established.

As the majority of the Committee observe this proposal "would entrench "X" rated video pornography described officially as "hard core pornography") in the community under the guise of the misleading title of NVE".

The majority of the Committee went on "The proposal runs counts to the overwhelming burden of evidence submitted to the Commit to concerning the harmful effects of th- material and is in consistent with the findings of the committee thereon .

The video material that we are concerned with here treat women "a sexual commodities to arouse the sexual desires of its target audience" and reduce persons to objects or occasions of sexual pleasure.

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Although physically non-violent this material portrays women as eager for sexual experience of any kind and ever ready for any opportunity for sexual activity. This is frequently manifested in the group sex scenes depicting diverse sexual activity, which are a feature or much of the material

According to the evidence sighted by the Committee such material engenders in the viewer a "sexually calloused and manipulative orientation towards women. It mediates in the minds of the habitual viewer a perception of women in general as being promiscuous and available and therefore more to blame if raped.

It is interesting to note that at least four of the researchers saw the non-violent pornographic "videos" as more harmful in this regard even than the violent pornography.

National Council calls upon the State and Federal Attorneys General and Censorship Ministers to give effect to the majority recommendation of the Joint Select Committee on Video Material to:-

- * Reject the proposal for a new NVE category.

- * that "X-rated" material and their "R" equivalents be refused classification.

- Insist that the Federal Government make regulations under the Postal Services Act to prevent such material from being sent from Canberra by post.

- * Require the Film Censorship Board to refuse classification to videos of the "Slasher" variety containing "relished" violence and generally to tighten its interpretation of the guidelines on violence.

- * Legislate as recommended unanimously by the Committee "... to ensure that video outlets are registered; that videos restricted to those over 18 years ("R" rated videos) and promotional material relating thereto be displayed only in a separate room restricted to those over 18 years or in a catalogue made available to them over the counter; that no video should have a trailer of a higher classification than the titled feature and that it be an offence to show a minor a restricted video without the consent of the parent or guardian.

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