



**DEBATES**

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

**HANSARD**

15 February 1990

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

**DEATH OF MR JUSTICE G.J.F. YUILL**

**MR COLLAERY** (Deputy Chief Minister) (10.31): I move:

That the Assembly expresses its deep regret at the death of Mr Justice Gordon John Ford Yuill and tenders its profound sympathy to his widow and family in their bereavement.

Mr Justice Gordon Yuill was known to me and many members of the Canberra community for many years, and it is in the sense that, though a federally appointed judge, he had and retained a profound interest in the Canberra community. He sat on the bench of the Family Court of Australia here for a good number of years. It is in that context that the Government deems it appropriate to offer this message of condolence to his widow and family.

Mr Speaker, the Honourable Gordon John Ford Yuill was born on 12 April 1921. He was educated at the Sydney Church of England Grammar School at North Sydney, known as Shore, as my senior secretary informed me, and the University of Sydney. He was admitted as a solicitor to the Supreme Court of New South Wales in 1947 and then joined the Commonwealth Attorney-General's Department in Canberra in 1948.

During the Second World War, Mr Justice Yuill served in the Australian Army from 1941 to 1945, his unit being the Second-First Light Anti-Aircraft Battery.

After the introduction of the legislation that became the Matrimonial Causes Act 1959 he was in charge of the family law work of the Commonwealth Attorney-General's Department. Mr Justice Yuill was closely associated with the preparation of the present Family Law Act 1975, a momentous piece of legislative drafting with considerable impact, as we all know, world wide in the wealth of innovation it brought to that vexed area of social and legal impact.

With the establishment of the Family Court of Australia, His Honour went to the bench and was known in a wider sense throughout that time. In 1970, Mr Justice Yuill was awarded a United Nations Human Rights Fellowship to study family law reforms overseas - in particular, to review and report on family court developments in North America.

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In 1976, Mr Justice Yuill was appointed a member of the Family Law Council which has the function of advising the Attorney-General on the workings of the Family Law Act and other family law legislation. Mr Justice Yuill was appointed a judge of the Family Court of Australia in the ACT and New South Wales in 1977, and that culminated years of constant contribution to the development of family law in this country.

As we know, sadly, His Honour died suddenly on 10 February. He is survived by his wife, Joan, and stepson, Martin. A court ceremonial service was held for Mr Justice Yuill yesterday at the Family Court and was attended by many dignitaries.

Mr Justice Yuill was a highly respected member of the profession, and no doubt his wise counsel will be sorely missed. On behalf of the ACT Government, I offer condolences to his wife, Joan, and stepson, Martin. It was particularly poignant that I should have had an amusing and idiosyncratic exchange of correspondence with Gordon Yuill only a few weeks ago in relation to a proposition which he put to me and which I referred to my colleague Mr Duby. I would like to read this into the record because it displays his character and the type of person he was - humane, yet august, and at the same time interested in the smaller affairs of mankind. He wrote to me on 10 January as follows:

Dear Collaery,

You have probably never walked to the Family Court or Children's Court from Civic Centre. If you had done so, you would doubtless have walked, as most do, on the Workers' Club side of University Avenue after crossing Marcus Clark Street. You would have got on to a narrow strip of concrete, and been forced off from time to time by University students and others coming the other way, or by bicycles.

I do not think persons using these courts should have to be jostled off a narrow footpath. True it is that there is a good path the other side of the road, but it is little used.

Would you be so kind as to use your good offices to have someone do something about upgrading the footpath. Even concreting the untidy strip between the path and the Workers Club building would be a help.

Yours faithfully,

Gordon Yuill, Judge.

PS: If you had ever been knocked down by a bicycle and injured, the only recourse you

would have had, so far as I am aware, would be to sue the bicycle rider. Bikes on footpaths are a real problem.

That demonstrates the two sides of this judge - this man who discharged the complexity and the sensitivity of a court which has gone through great turmoil and, sadly, violence in terms of colleagues of Gordon Yuill.

I replied to the judge. My last conversation with him was at a church service only a fortnight ago, when he acknowledged the correspondence and said that perhaps he could have faith now in self-government. I wrote to the judge that, contrary to the premises of his letter of 10 January, I often walked to the Family Court, when appearing before him on a hastily reorganised brief, via the narrow strip of concrete on the Workers Club side.

I said to His Honour that I must say that I chose the Workers Club side not for any political leaning. I went on to indicate to His Honour that it was, of course, inappropriate for persons of a legal persuasion to be jostled off any footpaths and that I had referred the matter to my colleague Duby to address the issue because, if the speed with which he had banned parking in our inner reaches was of any encouragement to him, I imagined he would set a turnstile up quickly on that side of the road.

That is the passing note on a good judge, a good man, and I commend the motion of condolence to the Assembly. I might add at this stage that, due to some passing problems of consultation, I was unable to give correct consultative advice to the Opposition early enough for it to know that we were moving this motion of condolence this morning. In that respect, I apologise to the Leader of the Opposition, and note that she probably had inadequate time to prepare a response to this matter.

**MS FOLLETT** (Leader of the Opposition) (10.39): Mr Speaker, I will respond very briefly by saying that we in the Opposition join with the Government to regret the passing of Mr Justice Yuill, particularly as it appears to have been a sudden death. We all know that a sudden death like that can be very hard for a family and relatives to bear, much more so than when a person's death is long expected. We also note the significant work done by Mr Justice Yuill, particularly in the family law area, and acknowledge that that action was taken with the best interests of the Australian community at heart, that he was distinguished in his profession, and indeed that he graced it. We are happy to join with the Government in this condolence motion.

Question resolved in the affirmative, members standing in their places.

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## DEATH OF MR A.J. WOODS

**MR HUMPHRIES** (Minister for Health, Education and the Arts) (10.40): I move:

That the Assembly expresses its deep regret at the death of Mr Alan John Woods, AO, and tenders its profound sympathy to his widow and family in their bereavement.

Mr Speaker, unlike the death of Mr Justice Yuill, Mr Alan Woods' death was not unexpected. As members are undoubtedly aware, Mr Woods was appointed some while ago as the Chairman of the Woden Valley and Royal Canberra Interim Hospitals Board. It was a valued appointment and a position in which Mr Woods performed very capably and wisely on behalf of the people of the ACT.

Mr Woods was appointed to that position on 6 January last year, following a major review of the ACT hospital system. In his short time as Board Chairman, much of it unfortunately afflicted by illness, he earned the respect of many and provided leadership during a difficult, formative period for that board. His advice in that capacity, particularly to governments, will be much missed. At the same time he held the position of Chairman of the Civil Aviation Authority and numerous other appointments.

He was, in his time, one of the most highly regarded Federal public service permanent heads. During the period 1975 to 1988 he held the positions of Deputy Secretary to the Department of Industry and Commerce, Deputy Secretary to the Department of the Prime Minister and Cabinet, Secretary to the Department of National Development and Energy, culminating in his appointment as Secretary to the Department of Defence.

During his period in the Federal public service he was involved with some 68 overseas missions with the Prime Minister and other Federal Ministers. He was also involved in numerous bilateral discussions and negotiations with governments, organisations and companies on trade, industry, energy and defence matters. It is not hard to see why his membership, indeed chairmanship, of the hospitals board was so valuable to the people of the ACT.

He was made an Officer of the Order of Australia in 1985 and a Companion of the Order of Australia in 1989. He had a reputation as an expert manager and master fixer and was highly regarded in the ACT community, as well as by senior members of the Federal Government and public service.

I had the good fortune to meet Mr Woods before he died, unfortunately only once, at the December meeting of the Interim Hospitals Board, and I value that meeting. I also value the advice that he gave me on that occasion about a number of matters.

He had planned, I understand, to spend a long and happy retirement with his family, after a very long period of public service. It is sad indeed that he had little opportunity to spend that long retirement that he had long planned. But we are grateful for the fact that he was able to spend so much of that short retirement working in the service of the people of the ACT. His passing is much regretted.

**MS FOLLETT** (Leader of the Opposition) (10.43): Mr Speaker, we join with the Government in regretting the passing of Mr Woods. His service to the community, through so many roles as Mr Humphries has outlined, has been a particular feature of his life in Canberra and is very much valued within our Canberra community.

We also have the benefit here of senior public servants with long years of experience in giving service and advice to governments making themselves available to work for the community, often in unpaid and unmarked capacities and often after they have retired from their working lives or their careers. I think Mr Woods was such a man. We join with the Government in offering our condolences to his family and in regretting his passing.

Question resolved in the affirmative, members standing in their places.

### **CLINICAL WASTE BILL 1990**

**MR DUBY** (Minister for Finance and Urban Services) (10.45): I present the Clinical Waste Bill 1990. I move:

That this Bill be agreed to in principle.

Clinical wastes are those wastes arising from the treatment and care of people and animals. These wastes include such things as hypodermic needles, scalpels, human tissue and fluid specimens, some drugs, and material such as bandages and dressings that have been in contact with these sorts of substances.

Clinical wastes can pose a serious risk to public health and the environment if disposed of through conventional garbage disposal methods. This risk has received increased attention in recent years, and there is now great concern about the risks presented by used needles and other clinical waste, particularly in these days of great community concern about such public health issues as AIDS.

In 1987 a number of incidents concerning the disposal of clinical waste at household garbage tips became the source of considerable industrial action by the workers exposed to this waste at those sites, which I feel typifies the extent of the problem. Existing ACT legislation does not adequately regulate the disposal of such material.

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In 1988 a consultant was commissioned to determine the amount and type of clinical waste being generated in the ACT and to define a management strategy to deal with it. This study was undertaken in consultation with the ACT City Engineering Section and the then ACT Community and Health Service and the Trades and Labour Council of the ACT. The final report was circulated to concerned union, private sector and departmental agencies at the end of 1988 for comment.

This Bill is based on that report and the need for legislation in the ACT. This legislation is the culmination of work that was initiated prior to self-government, under the Commonwealth Government, carried on by the Follett Labor Government and the good offices of Minister Grassby and now actioned immediately by the Alliance Government.

This legislation will cover all institutions and premises in the ACT generating, transporting, storing or disposing of clinical wastes. The Bill defines the nature and identity of clinical wastes and sets down procedures for the storage, transport and disposal of such materials.

The Bill provides for minimum requirements for procedures covering various aspects of the storage, treatment, transport and disposal of these wastes. Licences will be issued under the legislation to permit transport and disposal of these wastes. The Bill also provides for the appointment of a clinical waste controller to oversee the operation in the ACT.

The controller will appoint inspectors to enforce the Act's provisions, and they will be able to enter and inspect premises connected with the storage, treatment, transport or disposal of these wastes. Special procedures will be required for the disposal of this waste material. In most instances incineration will be required.

Penalties are provided for by the Act for handling, transporting, storing or disposing of such wastes in a manner likely to cause injury or disease or for obstructing inspectors in the execution of their duties. The controller's decisions relating to licence provisions will be appealable to the Administrative Appeals Tribunal.

Detailed procedures for the management of clinical wastes will be laid down in a manual under the Bill. The manual will be based on the findings of the consultant's report and on similar documents produced by clinical waste authorities in other States. A consultation process, similar to that utilised on the draft Bill, will also be undertaken on the manual. This manual will be subject to disallowance by the members of the Assembly.

The introduction of this legislation is consistent with initiatives being taken in a number of Australian States.



The definitions, control measures and approach to waste disposal are in accordance with guidelines produced by the National Health and Medical Research Council.

The Bill will complement existing legislation. It does not, for example, cover the disposal of human remains covered by the Cemeteries Act 1933 or the Cremation Act 1983. It does not cover disposal of radioactive materials which are covered by the Radiation Act 1983.

Mr Speaker, I believe this Bill is an important initiative in ensuring not only that workers in the ACT have appropriate protection in the workplace, but also that both the environment and the health of the ACT community in general are safeguarded. I now present the explanatory memorandum for the Bill.

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

### **TRUSTEE (AMENDMENT) BILL 1989**

Debate resumed from 28 September 1989, on motion by **Ms Follett**:

That this Bill be agreed to in principle.

**MR SPEAKER:** Before debate commences on this Bill and orders of the day Nos. 2 and 3, could I point out to the Assembly a matter concerning the right of reply of the member who moved that the Bills be agreed to in principle. The circumstances are quite unusual, and it has been very difficult to find any precedents that are directly relevant.

Standing orders 48 and 49 provide that a member who has moved a motion that a Bill be agreed to in principle has the right of reply and that reply by a mover of such a motion closes the debate. In the case of orders of the day Nos. 1, 2 and 3, Ms Follett moved that the Bills be agreed to in principle, as she was the responsible Minister at that time. Technically, under the provisions of standing orders, Ms Follett would close the debate should she speak on the in-principle stage of these Bills. Is it the wish of the Assembly that the provisions of standing orders 48 and 49 be waived for the debate on Executive business orders of the day Nos. 1 to 3 as listed on the notice paper?

**Members:** Yes.

**MR SPEAKER:** That being so, I will allow this course to be followed.

**MR STEFANIAK (10.51):** Mr Speaker, I support this Bill, as it will allow a wider range of opportunities for trust fund investments in the Australian Capital Territory. It will

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also give encouragement to newly established and reputable building societies by allowing them to be approved for trustee investments.

The Bill provides amendments to the Trustee Act 1957, which regulates the activities of trustees, including how they invest trust funds. It is essential that we have such laws so that those who manage the financial affairs of another person, on a trustee basis, do so in a responsible manner.

Under the law as it now stands, a trustee may invest in only a building society which is approved by the Minister, being the Attorney-General, by notice in the Gazette; has carried on business in the Territory for a period of not less than 10 years; has withdrawable funds of not less than \$50m; and, finally, has, to the satisfaction of the Minister, complied substantially with the Co-operative Societies Act 1939 during the immediately preceding period of five years.

The amendments in the Bill will remove the 10-year rule while retaining measures to protect trustee investments. For example, a newly established building society will not be approved for trustee investment status unless it can furnish an irrevocable undertaking of \$50m which is issued by another long established and reputable building society. This measure will ensure that, as far as possible, trust funds are protected.

Clause 3 of the Bill contains a proposed new subsection (2AA) which permits that undertaking, which is similar in effect to a guarantee, to be given by a building society located either in the ACT or elsewhere. The proposed new subsection (2AA) stipulates the requirements that must be satisfied by a building society before its undertaking is acceptable.

This Bill is neutral in terms of revenue and expenditure. It is only a minor Bill but it will allow useful changes to this area of trustee investment.

Question resolved in the affirmative.

Bill agreed to in principle

Leave granted to dispense with the detail stage.

Bill agreed to.

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

Debate resumed from 23 November 1989, on motion by **Ms Follett**:

That this Bill be agreed to in principle.

**MR SPEAKER:** Is it the wish of the Assembly to debate this order of the day concurrently with order of the day No. 3, the Rates and Land Tax (Amendment) Bill (No. 2) 1989?

**Members:** Yes.

**MR SPEAKER:** There being no objection, that course will be followed. I remind members that, in debating order of the day No. 2, they may also address their remarks to order of the day No. 3.

**MR STEFANIAK (10.54):** I wish to speak in support of these Bills amending the Taxation (Administration) Act 1987 and the Rates and Land Tax Act 1926.

As part of the process towards self-government, the ACT Administration assumed responsibility for State-type taxation from the Australian Taxation Office on 1 August 1987. Administration of the tax laws was vested in the Commissioner for ACT Revenue Collections, a statutory office established by section 5 of the Taxation (Administration) Act 1987. At that time responsibility for rates, and later land tax, was vested in the Minister for Arts, Tourism and Territories and administered by a separate rates section within the department.

In 1989, as part of the reorganisation of the ACT Treasury, the ACT Revenue Office was established, bringing the areas responsible for State-type taxation and municipal rating laws under the administrative control of the Commissioner for ACT Revenue Collections.

The tabled Bills legally establish that arrangement by bringing the general administration of the Rates and Land Tax Act within the Commissioner's responsibilities. They also amend the Commissioner's statutory office title by omitting the word "Collections" because the functions of the office of the Commissioner for ACT Revenue are broader than "Revenue Collections" implies. For example, the functions include revenue policy and land valuation matters.

Administrative matters for which the Commissioner is to assume responsibility under the Rates and Land Tax 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 payment 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.

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Other changes are proposed in the Bills. However, these merely remove redundant provisions and make technical amendments. I commend the Bills to members.

**MR DUBY** (Minister for Finance and Urban Services) (10.57): Mr Speaker, the essence of the Taxation (Administration) (Amendment) Bill and the Rates and Land Tax (Amendment) Bill is that they will facilitate the general administration of taxation and municipal rating laws by the Commissioner for ACT Revenue. Principally, the amendments are to make the Commissioner responsible under the Rates and Land Tax Act for general administrative matters which are of a similar nature to administrative functions which the Commissioner already performs in respect of other taxation laws.

The Bills were previously introduced into the Legislative Assembly by the Follett Government and the Alliance Government accepts and supports them, as does the rest of the Assembly. I look forward to their being passed.

**MS FOLLETT** (Leader of the Opposition) (10.58): Like the last Bill, these two Bills were introduced by me, and obviously we will not oppose them. They are all, indeed, minor matters. But, Mr Speaker, I make the observation that if we are to be changing standing orders or in other ways making changes to my rights as a member here, it would be only common courtesy for me to be at least advised beforehand, if not actually consulted on the matter.

**MR KAINE** (Treasurer) (10.58): Mr Speaker, I will comment briefly on these two Bills and acknowledge the fact that they were introduced by Ms Follett when she was the Chief Minister and Treasurer. I note that this Government, as Mr DUBY has said, has taken up these Bills in the form in which they were presented and is adopting them. That is a sensible thing to do, and it is consistent with the philosophy of the Government, that there should be equity in the assessing and the collection of taxes, that there should be an effective means of performing that assessment and the collection of taxes, and that the interests of the community at large should be taken into account in the way in which these things are done.

As part of our budgetary objectives over the next couple of years, we will be aiming to maximise our revenues. That means that we have to make sure that the ACT Administration is properly organised and has the resources to carry out the proper assessment of rates and taxes of all kinds, not only the kinds of taxes that are envisaged in this Bill. We have to make sure that it has the ability and the resources, first of all, to do the assessment, and then, where a tax or a charge of any kind has been assessed as being payable, that the machinery is in place and that it has the capacity to collect that tax so that the burden falls where it should and there is no avoidance or evasion of such taxes.

So these two Bills, taken collectively, change the machinery by which the processes of tax assessing and collecting are carried out. I believe that they strengthen the arrangements that were previously in place. Mr Speaker, the Leader of the Opposition was talking before about courtesy. If they want to have a chuckle and a conversation, they might give me the courtesy of doing it somewhere else.

**Mr Whalan:** Certainly you don't have a sense of humour.

**MR KAINE:** Thanks very much for your cooperation and courtesy, Mr Whalan. I will keep that in mind when you think you should have it.

**Mr Whalan:** Yes, you do not have a sense of humour. When have you ever cooperated with us? You tell us of one instance when you have cooperated with us.

**MR SPEAKER:** Order! Mr Whalan, please!

**MR KAINE:** I think under the circumstances, Mr Speaker, I have made the points that I wanted to make. I will leave the floor to Mr Whalan and allow him some courtesy if he wishes to take the opportunity of enjoying it.

**MR COLLAERY** (Attorney-General) (11.02): Mr Speaker, I sympathise with you in your difficulties in controlling the group who sit opposite me. Nevertheless, we are determined today not to be deflected by the disinterest in normal parliamentary procedures shown by some of the members opposite. I will not be drawn, I assure you. That is my fondest hope today.

**Mr Wood:** If you are talking about disinterest, have a look at those benches there.

**MR COLLAERY:** That is a silent disinterest, if anything, Mr Wood. Mr Speaker, the Leader of the Opposition has indicated to you that she would prefer to be advised or consulted on matters that affect her as a member of the Assembly.

**Mr Berry:** On a point of order, Mr Speaker; I just ask you to draw the member's attention to the requirement to deal with the matter which is before the Assembly and not wander off the track.

**MR SPEAKER:** Thank you, Mr Berry. Please stick to the point, Mr Collaery.

**MR COLLAERY:** The Leader of the Opposition registered that complaint, as it were, that these were her Bills or "my Bills", I believe, or words to that effect. That type of possessive, adjectival language fails to recognise, Mr Speaker - - -

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**Mr Berry:** Mr Speaker, I previously raised a point of order on this issue. The matter before the Assembly is two taxation Bills, not the complaint by Ms Follett.

**MR SPEAKER:** Your point of order is upheld. Please address the motion before the house, Minister.

**MR COLLAERY:** Mr Speaker, the Bills in question were brought forward by the Administration. Importantly, the Rates and Land Tax (Amendment) Bill was brought forward as a matter of automatic review of legislation by the Administration, not as a result, I would suggest, of any political direction. To claim, as politicians, that we bring forward such important legislation as the Rates and Land Tax (Amendment) Bill with this level of complexity, as members will appreciate, is to underestimate the role and the continuing monitoring role of the Administration. Clearly, Mr Speaker, these Bills do not belong to any particular political persuasion. The constant attempt of the other side to put a political, ideological complexion to legislation and the normal machinery of government moves in this Assembly is leading to further disruption in the Assembly.

This rates and land tax Bill, which is taken concurrently with another piece of legislation, reflects the move and integration of the administrative areas responsible for State-type taxation and municipal rating laws. These Bills recognise the move towards self-sufficiency and self-regulation in this Territory.

They indicate that our under-treasurer, his staff and others in the stamp duties collection service are now no longer reacting to Federal Treasury or Federal Finance initiatives in the area of the collection of revenue. The Territory is now starting to look to ways of raising revenue, and I compliment the administrators behind moves to bring these draft Bills forward for the attention of the Assembly as a whole.

The Bills may be minor, as was described by one speaker; they may be machinery Bills, but they are the first message to the people of Canberra that clearly there will be bipartisan support for the collection of revenue and the tightening up of any systems of evasion or avoidance activities in the nature of sales tax and other rating collection activities.

There is an interesting aspect to one of the Bills to which I should draw attention, and that is that powers of inspection have been expanded in section 6 of the Taxation (Administration) (Amendment) Act to provide for an inspector to inspect an X-rated video on premises and to seize any X-rated video that the tax officer believes on reasonable grounds to be connected with an offence against the tax law. I think that is significant because there are some references there to the Business Franchise ("X" Videos) Act 1989 in section 6, paragraph (d), of the Act. That Bill is yet to receive the support of this Assembly.

I must speak for the Government in that regard. That section of the legislation, which was inserted by the former Government, is anticipatory, but it is clearly an indication that there was a considered attempt to raise funds from the X-rated video process. In that regard, clearly this has significance as a step along the way in ensuring that were this community and this Assembly to legitimise in any way the X-rated video industry there would be machinery in process which indicates that there can be some purview - I did not say preview, Mr Speaker - of the X-rated videos on premises.

Certainly, Mr Speaker, you cannot take it from the Government's point of view - and perhaps I speak for others in this house - that this in any way acknowledges, legitimises, predicts or anticipates the outcome of any legislation this Assembly may make on the X-rated video issue. It is interesting to see that this law is anticipatory. Just to ensure, Mr Speaker, that this Assembly does not cop any criticism for acting in that way, clearly it is of interest that our revenue gatherers prepare legislation in anticipation of social changes, in anticipation of new products coming on the market which could be open to taxes. But by anticipating that, it in no way means that the Government will proceed to open that area up for taxation or regulation. It is simply there as a backstop, as we interpret it on this side of the house.

The Opposition, in declining to comment upon this Bill and describing it as minor, showed again that it does not understand the significance of the early legislation coming through this new, historic Assembly. The fact is that this is efficient, revenue gathering machinery work. Clearly, the Administration is to be congratulated for facilitating a process whereby any Bill that partly regulates X-rated videos, or any legislation of that kind, can be accompanied by legislation of this kind. I make no comment on the X-rated video issue, on behalf of the Government at large or, for this matter, myself at this stage. I merely point out the interesting fact that included in here is a product which is yet to receive any official recognition from this Government.

The Rates and Land Tax Act 1926, along with a lot of legislation in this Territory - and we saw earlier an amendment passed to the 1957 Trustee Act - is dated in its drafting and language. Whilst there have been statute law revision moves in recent years to fix up some of the expressions in legislation that are offensive to women at times, a lot of our laws in the Territory, like the Rates and Land Tax Act 1926, are old-fashioned and in need of review, and today's debate points up again that we will end up with a very large challenge facing us in the area of law reform in the Territory.

We need to redraft completely a lot of this legislation. Whilst today we can bring in some band-aid changes to it,

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which will assist the integration of any possible legislation and fix up loopholes, given our budgetary limitations, given the enormous pressure at the moment on the Law Office generally of this Government and its legislative drafting function, we should realise that down the track considerable funds will have to be found somewhere to effect a general law revision activity. The Rates and Land Tax Act 1926 aptly recognises that. If members referred to that Act, they would see some quaint and old-fashioned language dealing with issues that have since passed in the Territory.

The Rates and Land Tax Act 1926 allows, through this amendment that may be passed today, for the remission of interest on unpaid rates and land taxes in appropriate circumstances. Members may recall complaints, at the time the budget of the former Government came in, that there were changes going on in the rating area to impose penalty rates of interest in certain circumstances on late payments. This Bill gives certain discretions to deal with that situation. It is incumbent on me generally, Mr Speaker, as Attorney to draw attention to those matters.

People may think this is minor, pedantic, but in the early life of this Assembly I think it is important that I point out the significance of the legislation, particularly that which passes through in a perfunctory fashion because of its complexity, and because this house is probably blessed with enough lawyers as it is and the others are not interested particularly in becoming bush lawyers. I ask the members to look at the added significance of pieces of legislation of this nature.

I also point out that as the Bills committee, which we will no doubt re-form and reharness, becomes operational in this Assembly we will be able to give more concerted attention and perhaps more informed comment across the political spectrum in this Assembly on legislation. But at this stage the Bills committee is in its infancy and has not seen the legislation that has come forward today, although I imagine that the Clinical Waste Bill will certainly be looked at by it to determine whether any of those issues are relevant.

Mr Speaker, I commend these machinery changes to the house but additionally commend to members some contemplation of the significance of having an administration that can think of the loopholes, such as on the X-rated video issue, inform government of them in timely fashion, and at least have some legislation in place were Bills of that nature to be passed.

**MR MOORE** (11.15): That was a very informative speech from Mr Collaery. Let me make a couple of comments in response to his statements rather than specifically on the Bill, although I will refer to what he was saying about the Bill. With reference to the X-rated classification, now that Mr Collaery has made his point about the Labor Government's



donation from the X-rated video industry by knocking back the franchise tax because he held the balance of power in that instance, we are all waiting for him to change his mind so that some of that \$100m a year, to which the Chief Minister keeps drawing attention - at least \$5m a year, give or take a little bit - can be handled. That can be done by Mr Collaery changing his mind and accepting the reintroduction of the video industry franchise Bill after Mr Stevenson's extremist Bill is defeated in this house.

The other point that I would like to take up is to do with bush lawyers. Many of us do not have any wish to become any form of lawyer at all and are quite horrified at the prospect. However, we are quite happy to take advice from others and to deal with the legislation as normal people, as average citizens, in just the way in which this democracy should work. Heaven forbid a democracy that is led by lawyers!

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

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

Debate resumed from 23 November 1989, on motion by **Ms Follett**:

That this Bill be agreed to in principle.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

#### **PRIORITIES REVIEW BOARD Ministerial Statement and Paper**

Debate resumed from 13 February 1990, on motion by **Mr Kaine**:

That the Assembly takes note of the following paper:  
Priorities Review Board - Ministerial statement, 13 February 1990.

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**MR BERRY** (11.18): I think the first and most important issue that needs to be discussed in relation to this ministerial statement is the fact that the Government has again run out of business, and it was not until just a few moments ago that we were informed that this matter would be brought on.

**Mr Kaine:** It is on the notice paper.

**MR BERRY:** Have a look at this paper here. Have a look at this.

**Mr Jensen:** You did it to us a couple of times, Wayne.

**MR BERRY:** We did not do it at all. These sorts of things were never sprung on those opposite. These people are demonstrating their own incompetence. The 111 Bills on the legislation priority list that was put out by the Government is a clear demonstration that they are still floundering around window-dressing, and this is just another example of that.

**Mr Kaine:** He was talking a minute ago about addressing the subject. Why don't you address the subject?

**MR BERRY:** Mr leader, you can jump to your feet and raise a point of order. Otherwise, I suggest you be quiet and let me speak. Mr Speaker, the issue, of course, is an important one for the operation of this house, and it is a very important one for the people of Canberra to observe, in terms of the performance of the Government members opposite. It is a dismal performance, because after more than two months of rest they are not able to provide sufficient government business to fill the agenda without springing issues on the Opposition. Of course, they would not have the courage to scrub a day or so of sitting because they do not have the business. They have to play silly fellows - - -

**Mr Whalan:** Silly what?

**MR BERRY:** Silly fellows.

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

**MR BERRY:** I am on the point, Mr Speaker, which is about the performance of this Government. The establishment of the Priorities Review Board is just another issue that will focus attention on the Government members opposite.

Mr Kaine has announced the Priority Review Board with great fanfare and has identified it as the saviour of the Government in relation to its financial management of the Territory. It is just another way of putting off the decisions, giving them to somebody else. But the case is that the Government has an agenda - Mr Kaine has already flagged it - for 3,000 public servants to go. Blame it on the public servants again. Blame it on the public

servants, the bossa nova. Mr Kaine has indicated that 3,000 jobs will go, but we have not had a word out of him about where those jobs will come from in the private sector, if he is capable of delivering anything in that respect for the people of Canberra.

The agenda is well in place. The Government is going to get stuck into the public service of this Territory. It is going to get stuck into the health system in this Territory. Its agenda is about to be endorsed by the Priorities Review Board which is being set up to demonstrate, or try to demonstrate, that the Government has some credibility in financial management.

The issue is not a very important one in terms of the future of Canberra, because I think it will expose the hollow rhetoric that is already starting to flow regularly from the government benches opposite. It will show to the people of Canberra that this mob is about destroying some of the very important things that the people of Canberra enjoy. One of the most important things that the people in Canberra enjoy is jobs in the public service. They do not want to see 3,000 of them shoved down the gurgler, and that is what this Government is on about.

I go back to the issue of consultation and the fact that this Government has run out of business and has not been able to demonstrate the competence to fill the business paper. Again I raise the issue of the lack of consultation, which has already been raised once here this morning. I think it demonstrates the style of the Government opposite.

**MR HUMPHRIES** (Minister for Health, Education and the Arts) (11.23): Mr Speaker, I rise briefly to indicate my support for the Priorities Review Board that the Chief Minister has announced. Unlike the Opposition, I see great merit in this proposal.

Mr Berry mentioned that the Government is putting off having to make the hard decisions by appointing this board. I have no doubt whatsoever that if the Government had proceeded to make dramatic changes in the structure of the ACT public service or make other large and half-baked, half-considered, adjustments we would have had cries of "intemperate action, lack of consultation, lack of thought" from members on the opposite benches.

It shows me very clearly that the Opposition is not going to be constructive about this problem. We did not see much evidence when it was in government that it was prepared to be constructive about the problem that we face with the impending loss of special Commonwealth funding for the ACT. The previous Government, I have to say, did very little to face up to that very major problem, and we see that now, in opposition, it is going to do even less to do so.

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Mr Berry said that he sees 3,000 public servants going, and that is based on the comments of the Chief Minister. Apparently, he thinks this is a bad thing for the ACT - how outrageous that 3,000 public servants should go! I have to say that I find those - - -

**Ms Follett:** It's a bad thing for the 3,000 people losing their jobs.

**Mr Berry:** And their families.

**Mr Whalan:** And their children.

**Mr Moore:** And the multiplier effect.

**Mr Berry:** And the retailers.

**MR HUMPHRIES:** You have not listened very hard, Mr Berry, if you assume that people are going to be thrown out of work. You know perfectly well that the Chief Minister has made it very clear that those jobs will be trimmed by attrition, not by any other process. If you think that is unfair, you seem to have a very strange conception of what is fair.

I find it very hard to accept any complaints or bleatings from members of the Labor Party about the loss of public service jobs. I can recall the promises made by your bedfellow, the Prime Minister, about three years ago, during the 1987 Federal election campaign, about the loss of public service jobs. Three days after the Federal election several thousand public servants - it might even have been 3,000, I cannot recall exactly - were lopped.

**Mr Collaery:** It was 6,000.

**MR HUMPHRIES:** Was it 6,000? I stand happily corrected. So do not get up in this chamber, Mr Berry, and say that you are against the loss of public servants by whatever process, because your Government, at the Federal level, has been part of - - -

**Mr Berry:** It wasn't mine.

**MR HUMPHRIES:** Are you denying any affinity with the Federal Labor Government? That is an interesting admission. I will bear that comment in mind, Mr Speaker. It is interesting to see that the Federal Government is abandoned by its ACT colleagues when it suits their political purposes.

**Mrs Grassby:** Six thousand for the whole of Australia, and you're talking about 3,000 for the whole of Canberra. I know which I would rather do.

**MR HUMPHRIES:** I think, Mrs Grassby, if you cannot see the purpose of sometimes trimming the size of your public service, you obviously have a very strange conception of what governments are all about.

**Mrs Grassby:** No, I just don't like to put people on the breadline - that is the difference - and I know you would be quite happy to do it.

**MR SPEAKER:** Order! Address your comments through the Chair, please.

**MR HUMPHRIES:** Mrs Grassby, if you think that trimming the size of the public service and the burden placed on taxpayers is a bad thing, you obviously do not deserve to be in government.

**Mrs Grassby:** They pay tax, too, you know.

**MR HUMPHRIES:** Of course they pay tax. If they choose to leave their jobs, then that is their business. The fact is, Mr Speaker, that for the ACT we have an extraordinarily large public service - 17,500 public servants are the servants of the ACT population of only a quarter of a million people. I think in anyone's book that is an extraordinarily large ratio of public servants to citizens. Everybody who has looked at this problem has said that the ACT needs to consider a reduction in the size of its public service.

I make no apologies for supporting that position because I for one intend to keep the promises that I made, with my colleagues, at the last election. Included in those promises were the points that we would not increase the levels of taxation on people of the Territory, that we would not stand by and allow the services available to the people of the ACT deteriorate and that we would bring in a balanced budget when special Federal funding for the ACT is discontinued. Within those frameworks we are able to proceed along the line of finding appropriate economies to make.

It is entirely appropriate in those circumstances to consider a process such as that which the Chief Minister has announced. The Priorities Review Board is an excellently structured body. It consists of people with great expertise in their fields. I am sorry to see Mr Berry denigrate those people by his comments. They are good people who are capable of advising the Government very competently. I am extremely impressed with their qualifications. I think that they will perform a very valuable task for the people of this Territory, and I look forward to reading their report when it is available.

I intend to support this process which I know will be difficult. It will be extremely easy for members opposite to bleat and complain about the hardship which some decisions cause. I have no doubt that there will be hardship; I make no bones about that. We realise that there will be some hardship, but I think that is an appropriate kind of issue to raise now and put fairly and squarely before the people of the Territory. Anybody who

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deludes himself or herself by saying that we can face this problem without it frankly ought not to be sitting in front of the people of the Territory expecting their vote at the next election.

The terms of the establishment of the Priorities Review Board deserve careful examination by the people opposite. They will see that it is a well-defined task that they have before them. They should think twice before they criticise the report that emerges from that process. They will see much benefit for the people of Canberra from the report, and I for one will be waiting for that with some anticipation.

I think that we ought to analyse the various options available to a government to decide whether or not this course of action could be bettered. I cannot think of a way in which it could. It seems to me that there are other ways in which you could do it, but they would all be inferior to the way that the Government has chosen. I commend this course of action to the house. I believe that we should endorse this process. We should allow the members of the board to proceed with their business in a calm fashion. We should not politicise the process of their deliberations; we should not pre-empt their recommendations, and at the end of that process I believe the ACT will have been well served.

**MR MOORE** (11.32): Mr Speaker, I will start by quoting from Mr Kaine's speech:

I do not pretend that this will be an easy task and I am aware that hard decisions will be required if we are to bring responsible fiscal management to the Australian Capital Territory.

I state categorically that I admire Mr Kaine's courage in establishing the Priorities Review Board, to which I will refer in future as the razor gang because that is exactly what it is going to be. It is clear that the financial management of the ACT will require some very hard decisions.

Mr Humphries in his speech said that he particularly supports the board and its structure. I support the board and I support the concept of identifying where cuts can be made throughout the ACT Government's spending and budget areas. However, I have been greatly disillusioned by the structure of the board. It is made up of businessmen. I have no difficulty with the particular businessmen and the choice of those business people. They are obviously competent in their areas. But the nature of the board is such that its priorities will be very different from those of the vast majority of Canberrans.

The Canberra Times editorial of Wednesday, 14 February states:

Mr Kaine has even made things more difficult ... Though each of his five members is of high calibre and will have some contribution to make, the board is noticeable for lacking any input from the trade-union movement - that sector whose cooperation will be absolutely essential if any real changes are to be achieved.

It is incomprehensible to me how such a board could have been established without reference to the trade union movement. Although I have been a trade union member, I am not bound by the trade unions; I am not tied to the trade unions as, in some ways, are my Labor colleagues. But to not have them represented on a board of this nature is totally reprehensible. I strongly urge the Government to ensure that this board is expanded to include members of the community who fit into that category.

I am also horrified by the fact that all members of the board are of the ilk that is likely to lack empathy for the average workers. I understand the average wage today in Canberra is around \$30,000 a year. I wonder how long it has been since the members of that board knew what it was like to live on \$30,000 a year. I wonder how long it is since they knew what it was like to look for a job. They are in the business of cutting 3,000 jobs and deciding where they will be cut.

The Chief Minister suggests that there is no risk of cutting Floriade, and I have no particular debate one way or the other with that. I am using it as an example that he pre-empts what the razor gang is going to find and says, "There is no risk of cutting the Floriade", but - and I heard him say it on radio - we will expect to see cuts to education and health because they are the biggest areas. What absolute nonsense! The trouble is that we have to distinguish between short-term advantage and long-term advantage. We have to look at those who are interested in making money and we have to look at those caring professions. It would appear that the caring professions are the ones that are already targeted by such statements of the Chief Minister.

**Mr Berry:** Close Canberra hospital.

**MR MOORE:** I will get to Canberra hospital in a minute. Will you remind me? The long-term investment in the ACT has to do with education. If we do not have our children educated to the highest standard we can hardly expect the ACT to be producing people who can compete in the marketplace, especially when we are also having recommended to us projects like the very fast train and the multifunction polis. We will be looking to highly educated people to support such programs. Education is absolutely critical, and getting the best education for all our children is the most critical factor. That does not mean aiming cuts at those areas.

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Let us look now at health. In the initial instance of Mr Humphries attempting to cut into the problems in the health budget, we have seen a disastrous handling of industrial relations with the Australian Nursing Federation and the other unions. It has been absolutely disastrous. I cannot help wondering, having read an article in this morning's paper taken from the Canberra Doctor, why it is that the nurses' conditions were attacked and the doctors can sit back and say, "Oh, it is very nice for the nurses' conditions to be attacked". They are cutting off their noses to spite their faces, in effect. Maybe the answer is to look at doctors' conditions very carefully and ensure that the boards are not set up in such a way as to protect those doctors' conditions. Maybe those who are earning more should be more vulnerable, and perhaps that applies right across the board.

That is the problem with the particular structure of this razor gang. It is not that you have a razor gang - as I said, I admire you for that, I think that is appropriate, and I think areas need to be identified - but with the particular structure of this razor gang, by its very nature, it clearly will identify cuts that need to be made that do not, in effect, hurt its members. I suggest that we are highly unlikely to see cuts in capital budget expenditure on projects in building and development, yet the budget on that side is enormous. It has to be looked at carefully. I am not attempting to pre-empt. I am throwing in suggestions as to what it should look at - - -

**Mr Humphries:** It's a pretty bad suggestion.

**MR MOORE:** If you listen, you might just understand the significance. You have just said that you are very happy with the structure of this board. I am happy with the concept of the board, but I am trying to give a couple of examples just to explain to you what you have done by the nature of this board, by putting into it this range of people - I am not talking about them particularly - with their backgrounds, and by excluding the people who will be the victims of the razor gang. I do not see that there are any potential victims of the razor gang on the board, and to me that is horrific.

So let me emphasise what was said in the editorial in the Canberra Times, and I ask Mr Kaine to pay attention to it. I emphasise that the board that he has suggested needs to be restructured. What I find even more disconcerting about it is that the Residents Rally members, who keep suggesting that they are on about community consultation and representing the community, have allowed a board like this to go ahead. Mr Duby, who has long been associated with unions, has allowed a board like this to go ahead. I wonder just what influence or what consultation went on within Government circles when this was established and just what happened because it really is totally inappropriate. I ask those people in particular to look at it, to go to your Chief Minister and say to them, "This board is not appropriately structured".



**Ms Follett:** Him.

**MR MOORE:** To him, I mean. Thank you.

**Ms Follett:** It could be misleading.

**MR MOORE:** I do not want to mislead, do I? We need to ensure that this board is restructured so that the potential victims of the razor gang have a say about the sorts of cuts that are necessary to have a balanced budget.

**MR DUBY** (Minister for Finance and Urban Services) (11.41): I was disappointed to hear Mr Moore refer to this board as a razor gang.

**Mr Berry:** That's what it is.

**MR DUBY:** There is no such intention for this to be a razor gang; there is no intention for this to be a process of excision.

**Mrs Grassby:** There is no such thing as No Self Government, is there?

**MR DUBY:** In addition, if that is the view - - -

**Mr Berry:** You should have been here for Mr Humphries' speech.

**Mr Jensen:** On a point of order, Mr Speaker; it seems to me that the people across the chamber are not prepared to allow the dignified operations of this Assembly, that they must continue in a carping way.

**Ms Follett:** Oh, sit down! What's your point of order?

**Mr Jensen:** I suggest, Ms Follett, that you refer to the standing orders in relation to disorderly conduct within the chamber, and I request that you, Mr Speaker, take action accordingly.

**MR SPEAKER:** Order! Members will address their comments through the Chair. Please proceed, Mr DUBY.

**MR DUBY:** As I was saying, it is quite disconcerting to hear this review board referred to as a razor gang. Apart from anything else, it is inaccurate and, secondly, it is plagiarism. The term "razor gang" has been around for a long time. It is a well-known term from previous episodes administered by the Fraser Government. This is nothing like that. Surely you could have thought of a more original name like "machete mob". Honestly and truly!

**Mr Wood:** Mr DUBY, is it not true that you lot are providing the soap to ease the razor across the shaved area?

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**MR SPEAKER:** Order! Please proceed, Mr Duby.

**MR DUBY:** I prefer the name the Snow-White committee, to be honest, but that is neither here nor there. Mr Speaker, no-one seems to dispute the statement made by the Chief Minister in his ministerial statement on Tuesday, that the ACT is facing a severe economic crisis, that we are looking down the barrel at a lack of \$100m. That is what it boils down to. There is no question about the fact that we are in dire straits. Apparently no-one has disputed this fact. No-one has said "That figure is wrong. It is not \$100m; it is only \$80m", or "No, it is not \$80m; it is \$60m". So \$100m seems to be the figure that is generally accepted by all members of this Assembly.

**Mr Kaine:** Senator Walsh said that.

**MR DUBY:** That is right; it was said by Senator Walsh of the Federal Labor Government. No-one from the other side of the Assembly would dare dispute Senator Walsh's figures. What other options have come from that side of the house, Mr Speaker? None. It is too hard! Sweep it under the carpet! Let us not worry about it! Let us not concern ourselves with the future well-being of the ACT! Let us go along a happy path, pretending that maybe one day the white knight will come riding down from the hill with a big bag of dollars! That simply is not going to happen.

**Mrs Grassby:** Mr Speaker, that's what Mr Duby suggested before.

**MR DUBY:** No-one has disputed that whatsoever. Secondly, a point that has been made continually in the heckles from that side is about 3,000 jobs. The 3,000 jobs figure quoted by Mr Kaine publicly on radio, I am sure, was simply allegorical.

One hundred million dollars is the equivalent of 3,000 jobs in the ACT. When people throw around big figures, such as \$100m, other people do not understand what it means. Put in real terms, it is 3,000 jobs in our community. Suddenly people have started taking notice; they have started paying attention; they have started realising that there is a problem which has to be addressed. Once again, though, what constructive advice do we get from the other side of the house? None whatsoever. I wonder how many people have read the Chief Minister's statement.

Mr Moore made great truck of the fact that no-one from the union movement is on the board. There is no-one from the environment movement on it either; there is no-one from a whole range of movements on it.

**Mr Moore:** That's why I suggested restructuring it.

**MR DUBY:** You know what happens when you restructure committees. You wind up with a - - -

**Mr Kaine:** A camel.

**MR DUBY:** A camel, the committee definition for a horse. The Chief Minister said in his statement that he is sure that, as has happened elsewhere in Australia, with significant structural changes which have been required, the union movement will play a constructive and responsible role in this review. The union movement has not been left out of it, as we see from the Chief Minister's statement:

I have already commenced discussions with the union movement and I look forward to its positive involvement in helping the Government reach decisions which ensure that the ACT community continues to receive the support it deserves from this Government ...

And from this Assembly, I might add, which it apparently is not going to receive.

The point was made that in the ACT we are in the process of creating the last public service in Australia. Why should we stick with the outmoded models from governments that have had public services for over 100 years - systems that simply frankly are a drain on the public purse? Here is a chance to be innovative, a chance to look at the way in which we want to do things, effectively and efficiently, in the ACT, at the least cost to the ratepayer and community of the ACT. I must again also point out that the recommendations of this committee will not be binding.

**Mr Berry:** No, but 3,000 jobs are binding.

**MR DUBY:** I take the point, Mr Berry. That is not binding at all. It is an allegorical statement by the Chief Minister.

**Mr Wood:** I'd like to hear him say that.

**MR DUBY:** He will. There is no way that 3,000 people are to be sacked as a result of this board being appointed.

**Mrs Grassby:** Are you promising us that?

**Mr Whalan:** How do you know? Have you told them to do that?

**Ms Follett:** Is that on behalf of the Government?

**Mr Kaine:** I have already said it, but you wouldn't want to listen.

**MR DUBY:** It has already been said. I can give a guarantee now in this Assembly that not one public servant will be sacked. There will be no sackings. It will be the same situation as we had when this Government took office. Remember the claims from the other side about how the heads will roll, how public servants were frantically running

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around putting in their resignations, trying to beat the chop? How many public servants have been sacked? How many senior public servants have been sacked? How many public servants at all have been sacked? There has only ever been one public servant sacked, transferred, kicked upstairs as a result of self-government in this Territory, and we know who did that - the former Deputy Chief Minister who had his way, much against the advice of his fellow members of Cabinet. He insisted, "This man has to go".

As I was saying, this is an advisory committee only. I think it is a good sign that people have been given the opportunity by the Chief Minister to look at the functions of government in the ACT and see if there are ways in which we can do things more efficiently - not necessarily more cheaply, but let us see whether we can organise the spending of the public dollar in a smarter fashion. Let us see whether we can organise the spending of the dollar in a more efficient way, and eliminate inefficiencies and duplications which are a cost to the public purse.

These clear recommendations bring bursts of mirth from the other side of the house. It just makes you wonder how serious they were when they had control of the economic future of the ACT. Any suggestion that there may be a way to do things more efficiently, to spend the dollar in a smarter fashion, is met with bursts of mirth. It is just unbelievable, and I think it is a clear indication why the people on that side of the house are now on that side of the house, Mr Speaker. That is a clear indication, to my mind, of what it is all about.

Mr Speaker, I welcome the establishment of the Priorities Review Board. I think it is a good thing for the ACT, a good thing for the ACT public servant and a very, very good thing for the ACT ratepayer and taxpayer.

**MR JENSEN (11.52):** I have listened with interest this morning to the cackling and hoo-haing from the people opposite me. It seems to me that once again they are determined to bring this chamber into disrepute by their activities and their unparliamentary behaviour. Mr Speaker, I suggest that it is time for them to take a good hard look at their activities. I note that the Leader of the Opposition is leaving. Can she not handle the matters that have been raised today about her activities?

**Mr Berry:** I rise on a point of order, Mr Speaker. Again I rise to complain and seek your direction in relation to this person opposite, who likes to see the standing orders adhered to. I just ask him to stick to them himself and stick to the point.

**MR SPEAKER:** Order! Please address the question before the house, Mr Jensen.

**MR JENSEN:** Thank you, Mr Speaker; I will do that. It is unfortunate that others who seek to digress cannot handle

it when we may have a slight digression on this side. It seems to me that there was a lot of huffing and puffing on the part of the previous Government about how it was going to cope with the well-acknowledged problem of the budget for the ACT.

It may recall that the last time a territory was granted self-government the new government was given five years to establish a firm financial base. However, in this case the hard-hearted Senator Walsh, an acknowledged denigrator of Canberra and its residents - and he does it often and regularly about the people of the ACT - seems to have difficulty coming to the ACT. If he has that problem, why the heck did he get himself elected in the first place? Why does he not stay in the State from which he comes and not come to Canberra and denigrate the people of the ACT and their Government?

He is a member of a Federal Labor Government which, we recall - and I will continue to remind the Assembly of this - was advised for a number of years by the Deputy Leader of the Opposition, the past Deputy Chief Minister, who sits across the table from us. It was he who was advising the Federal Labor Government at the time about what should take place in the ACT.

I want to refer briefly to a matter that was raised about the financial aspects of the ACT by the Craig report, the report of the Task Force on Implementation of ACT Self Government which was chaired by an acknowledged and very strong member of the public service who has considerable credibility in this area. In the report of May 1984, on page 8 at paragraph 37, Mr Craig recommended that:

The Commonwealth Government undertake to guarantee a level of funding to the ACT Government which enables it to maintain standards of services at their existing level for up to two years and at an agreed level for a further three years. For the latter three years of this stabilising period, the level of any additional assistance grant be agreed between Governments.

At the time that was the issue and the concern that was raised by experts like Mr Craig and put forward to the Federal government of the day, which was advised by the gentleman who is just leaving the chamber now - Mr Whalan. It seems to me that as soon as they took over, as soon as the ACT was given its first budget, we were \$22m down the drain like a flash. It was gone, never to be seen again, except after some hard negotiation. We were being treated with utter contempt by the Federal Labor Government, which was advised by Senator Walsh to whom I have already referred.

The Chief Minister's ministerial statement on the establishment of the Priorities Review Board referred to the development of a strategy as a matter of urgency for

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the clear problems associated with the fiscus of the ACT in the future. It was a matter of urgency, to which the people opposite paid lip service but did very little about. Talk is cheap, but here we find a Chief Minister who is prepared to bite the bullet and take appropriate action to set in train a chain of events that will at least establish how the taxpayers' dollar - the dollar that you and I, Mr Speaker, and every other member of this community in Canberra, plus, of course, the residents of Australia as a whole pay - that we are provided to run this Territory is properly and effectively used.

I think that is important, and I think that the Chief Minister is to be commended for taking on this strong role in this area. It is a pity that the previous leader of the Government, who now sits on the Opposition benches and who I am sure will remain there for a while, was not prepared, as she was not prepared to do on a number of other issues, to grasp the nettle and make the hard decisions in relation to what was required for the people of the ACT and the people of Australia who are also, as we well know, contributing to the operation of this national capital.

Mr Speaker, I think it is appropriate to remind members, in closing, that it was the previous Government which was not prepared to take the hard action. We are prepared to do so, and this is not the first occasion on which we will see development of programs in the ACT for the benefit of the people of the ACT, with good economies in mind.

**MR STEVENSON (11.58):** I commend the Alliance policy in taking action that needs to be taken. It takes courage for a politician to stand up and mention that money will be saved and put a figure on the numbers of jobs involved. The Chief Minister had the courage to do that and deserves to be commended for it. There should be more of it around Australia, because every dollar that government spends is a dollar that the taxpayer cannot spend. It is the only solution to the problems that Australia faces. Someone has to stop spending the public money. It is not a never-ending well at the end of a rainbow. It is good to see that finally in this Assembly someone has said that he will do something and has taken some direct action along those lines. I heard the Chief Minister make the statement very clearly that jobs will not be taken away, that it will be done through attrition over a longer period than the life of this current Assembly.

When we talk about jobs not being there in the public sector, one must acknowledge that if the Government is not taking taxpayers' money to give it to public servants the taxpayers must have it. If the taxpayers have it, that means that there can be an increase in the private sector. That is the only solution for the problems that Canberra is starting to face and will increasingly face as the Federal Government continues to break its promise of full funding of the ACT for three years. If action is not taken, there will be hard times ahead for people in the ACT. Once

again, it takes a great deal of courage to stand up and do what the Chief Minister, on behalf of the Alliance, has done, and I commend him for it.

**MRS GRASSBY** (12.01): Mr Speaker, our party takes a dim view of this. After all, we see thousands of jobs - - -

**Mr Kaine:** Naturally, you would.

**MRS GRASSBY:** I am sorry, Chief Minister, but our party sees thousands of jobs going in the next three years. There will be thousands of children leaving school in the next three years and expecting jobs in the public service which is the largest employer in this city. That is what you all forget.

**Mr Humphries:** The Federal public service is.

**MRS GRASSBY:** You forget that, whether it be Federal or the ACT - it is the largest employer, and when the Government stops employing people, this city goes downhill. It went downhill when the Fraser Government's razor gang cut the public servants in this city. Fraser had to build Parliament House to get us back on track again. But you are spending \$30m on a very fast train, giving it to a private organisation, to your friends, when it could be spent on the public service, the people. You are going to cut it to make sure that there is money to give away to your friends. Is this what it is all about?

We know what you are doing to the hospital. We know that eventually you are going to cut the hospital so that it has to be closed and so that you can give away that land to your private friends to build big buildings. We know this will happen. We can see that this is exactly the way this Government is going to go. No business in this city can survive without the public service, whether it be a Federal public service or the ACT public service. We will see what happens to the business people in this city, particularly the small business people whom you on that side of the house seem to have forgotten.

**Mr Kaine:** You did nothing for them.

**MRS GRASSBY:** We did not give them late shopping hours so that they are nearly broke because of the fact that they have to be open all the time when they cannot be. You were the people who gave them that; remember that. They are crying about it now and do not want it. It was done just to keep your friends in David Jones and Grace Bros going, not for the small business people who cannot afford to stay open and who are not doing the business. Do not talk to me about it, Mr Kaine! You are like the cock who thinks the sun rises just to hear it crow. We need more than just hearing you crow; we need to see this city go ahead, rather than take away jobs from people now and from young people who will be coming into the work force.

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We take a very dim view of this. We are not going to call it the razor gang, but I have forgotten what we are going to call it now - some fancy name given by Mr DUBY. But Mr DUBY might realise that he and quite a few others will not be here after the next election and that they will be looking for jobs in the public service - as we know, very low ones - so I would be thinking very carefully about cutting such things as the public service if I were in their shoes. Because Mr DUBY and Mr JENSEN were employed in the public service - one Federal and one - yes, Mr JENSEN, you were - -  
-

**Mr Jensen:** Wrong.

**MRS GRASSBY:** Yes, you were in the Army, Mr Jensen.

**Mr Jensen:** Wrong.

**MRS GRASSBY:** So you had better think about that.

**Mr Jensen:** I retired in April 1988.

**MRS GRASSBY:** That does not matter; you were still in the public service, Mr Jensen. The Chief Minister will not have to worry about that; he will be retiring. But quite a few of you will need to be looking for jobs in the public service, so I would think very carefully before you decide to cut them - - -

**Mr Kaine:** I am not retiring for 10 years yet, Ellnor - not for 10 years.

**MRS GRASSBY:** I do not think you should, either, and I think you should take the position of being Chief Minister and not let other people do it for you, Mr Chief Minister.

**MR WOOD (12.04):** Mr Speaker, in some measure this debate is covering some of the ground that is proposed for us to cover later in the afternoon, as the ALP proposes a matter of public importance on the Government's financing policies. I will be speaking in that debate, so I do not propose to make my comments now. I hope that this measure is one of desperation by the Government to get business before the house and is not a tactic to pre-empt some of the remarks that will be made this afternoon.

As it turns out, today we are certainly concentrating on the Government's budget policies, on its systems which are yet to be fully revealed of financing this Territory and of providing the services that people want. It is proper that this focus should be there because it is a critical issue. Let us hope that the Government attends to all the remarks that are made, that it does not, some way further down the track, attend to only the comments of the Priorities Review Board. That would be unfortunate since its review is likely to be rather one-sided. Mr Speaker, other than that, I will reserve my comments until later.



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

That the debate be adjourned.

Question put.

The Assembly voted -

AYES, 11

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

NOES, 6

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

Question so resolved in the affirmative.

**Sitting suspended from 12.12 to 2.30 pm**

### **QUESTIONS WITHOUT NOTICE**

#### **Deputy Chief Minister**

**MS FOLLETT:** My question is to Mr Kaine as Chief Minister and as the Minister responsible for appointing other Ministers - presumably he is also responsible for determining their standards of behaviour. Mr Kaine, have you required from Mr Collaery that he desist from private practice as a barrister and solicitor and, if so, when did Mr Collaery cease to act in private practice as a barrister and solicitor?

**MR KAINE:** I am not sure that I ought to be answering for Mr Collaery. I can say that he has advised me that he has completely withdrawn from his practice and he is no longer currently practising law in the ACT. I suggest that if the Leader of the Opposition wants to know more details of that she should ask Mr Collaery personally.

**MS FOLLETT:** I have a supplementary question, Mr Speaker. It is to the Chief Minister.

**Mr Collaery:** Well, why do you not ask me?

**MR SPEAKER:** Order!

**Mr Kaine:** She does not want to know. She just wants to make some sort of a move.

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**Mr Collaery:** She cannot handle me.

**MR SPEAKER:** Order, please proceed.

**MS FOLLETT:** Mr Kaine, are you aware that there is an office in Captain Cook Crescent, Manuka - a fairly luxurious office - which advertises by way of a banner the services of a Mr Bernard Collaery, barrister and solicitor. I ask you, is the existence of that office and that advertisement in any way inconsistent with your previous statement?

**MR KAINE:** No, I am not aware of the office to which the Leader of the Opposition refers. If she cares to give me further information of a specific nature, I will follow it up.

### **Gaming and Liquor Authority**

**MR MOORE:** My question is directed to Mr Collaery. Mr Collaery, in your position as Attorney-General I wish to consider the views you expressed on Mr Tony Hedley in the urgency debate of 6 July 1989. I will read from some of your words about Mr Hedley:

I said very clearly that these issues may not be criminal, they may not be corrupt, but they raise concerns about the perception of open and honest government and insider trading, or words to that effect. Where else in Australia, except in Queensland ...

and so forth. Considering those words, and further considering that you have appointed him to the board of the ACT Gaming and Liquor Authority, have you revised the opinions you expressed at that time?

**MR COLLAERY:** I thank Mr Moore for the question. I think it is an appropriate question and I am quite keen to answer it. My comments, as Mr Moore quite correctly reminded the house, were not that there was an issue of corruption that I was addressing, but that there was an issue of potential conflict of interests when senior civil servants are engaged in enterprises, which can give the impression of a conflict of interest.

As for the second part of the question asked by Mr Moore, the Government has announced its intention to review the Gaming and Liquor Authority. That review will take place over the next 12 months. At the time the Government changed the whole board of the authority had come up for renewal. The Government took the view that, except for one casual vacancy where there was not a replacement, we should simply reappoint the existing authority members so that they could assist with the incoming review. In our view,

it would be unfair to appoint a group of new members and then announce we were going to review their authority. It is the view of the Government that the incumbents are best placed to assist with that wide-ranging and searching review of GALA. I am sure the community agrees with that process. The fact is that Mr Hedley's appointment to GALA was continued in the context that he will be available to assist with the review and necessary inquiries into GALA.

**MR MOORE:** I have a supplementary question. Are you, as Attorney-General, satisfied that all appointees by the Liberal Alliance Government to boards and statutory authorities are not currently, nor ever have been, in receipt of inappropriate material benefit as an outcome of decisions which potentially they may have influenced?

**MR COLLAERY:** Mr Speaker, the standing orders indicate that the Attorney cannot be asked legal opinions in question time or on the floor of this Assembly.

**MR MOORE:** That is not a legal opinion.

**Mr Whalan:** I would never ask you for a legal opinion on anything.

**MR COLLAERY:** My ethical restraints, Mr Speaker, would prevent me offering any legal advice to Mr Whalan. Mr Moore, the answer to your question - - -

**Mr Whalan:** Any advice from you, Bernard, would not be worth a pinch of the old proverbial.

**MR SPEAKER:** Order!

**MR COLLAERY:** I do not take lost causes on. Mr Speaker, the short answer to the question is that if Mr Moore has any evidence that suggests that there are any breaches of any arrangements that go beyond normal acceptable conventions in the appointments that this Government is making, he might care to outline them, either to myself or to the Chief Minister.

### **Ministerial Propriety**

**MR BERRY:** My question is directed to the Chief Minister, Trevor Kaine, as the Minister responsible for the ministerial propriety of his appointed Ministers. I refer to a meeting in a Government member's office on Monday, 5 February. The physical examination of a young child was conducted in the office of Mr Prowse and it was attended by Mr Humphries. It was to determine whether an experiment conducted by Mr Prowse had resulted in a cure for a skin rash. Was the Chief Minister aware of Mr Humphries' involvement in the experiment and does the attendance by Mr Humphries indicate that the Government will be represented in any future experiments Mr Speaker may wish to carry out to justify his anti-fluoride stance?

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**MR KAINÉ:** Quite frankly, I consider the referral of this question to me quite extraordinary. In fact, I know nothing of the incident to which Mr Berry refers. I was not party to it. You did not even include my name in the names of people that are supposed to be involved in it. So I do not know what the point of the question is. I think I can only repeat the words that Mr Collaery would use. If you believe that you have any evidence of any impropriety on the part of a Minister or any other member of this Government, just give me the facts.

**MR BERRY:** Well, it has been given the nod.

**MR KAINÉ:** Do not bring forward these casual references and these implications of some kind of improper action. Just give us the facts, put them on the table and they will be examined.

**Mr Collaery:** Look at the child smiling.

**MR KAINÉ:** Yes, the Leader of the Opposition thinks this is hilarious. Really, if we want to go into questions of the performance and the behaviour of Ministers we might raise the question of a Federal Minister - well known to us - who wheeled a number of incapacitated and abused people into the public eye in front of the cameras recently. That might be a matter that you, Mr Berry, might want to inquire about.

**MR SPEAKER:** Dr Kinloch.

**MR BERRY:** I have a supplementary question.

**MR SPEAKER:** Dr Kinloch has been called.

**Mr Moore:** There is a supplementary question.

**MR SPEAKER:** Mr Berry, please proceed, provided that it is a supplementary question.

**MR BERRY:** Well, that is what I said it was going to be, Mr Speaker, and I can assure you that it will be. My supplementary question, of course, is again directed to the Chief Minister. I take it from his answer to the question that he was not aware of the circumstances which I brought to his attention and I expect therefore that he will acquaint himself with the circumstances. But the Chief Minister might answer, since the question has been raised on the matter: Is he aware of any medical or scientific qualifications which would equip Mr Humphries to participate in such an experiment?

**MR KAINÉ:** I repeat, Mr Speaker, if Mr Berry has got information that suggests that there has been some improper act on the part of a Minister or a member of the Government, he can give it to me. Part of my inquiry is to find the facts.

**MR BERRY:** Just answer the question.

**MR KAINE:** I will start with you and so far as the rest of the question goes, it has nothing to do with the policy of Government and I do not propose to dignify it with a reply.

### **University of Canberra**

**DR KINLOCH:** My question is directed to Mr Humphries in his role as Minister for Education. In the light of the formal beginnings of the University of Canberra this year, can the Minister inform the Assembly of the progress made in determining the representation of the Australian Capital Territory on the University Council?

**MR HUMPHRIES:** The University of Canberra Act of last year does provide that a council of the university should be established consisting of, among other people, two persons appointed by the Governor-General on the nomination of the ACT Minister responsible for education. This matter was considered by the ACT's higher education coordination committee some while ago and that committee advised that the nominees should be members of the ACT Legislative Assembly. I am advised by the Australian Vice-Chancellor's Committee secretariat that this advice simply reflects the standard practice throughout Australia whereby university councils include members of the local legislatures. This is an important and time-honoured practice ensuring universities are publicly accountable and community responsive.

Mr Dawkins, the Federal Minister for Employment, Education and Training, wrote to me in January indicating the type of nomination which he considered appropriate and, in particular, his opposition to the appointment of members of this Assembly. I wrote, as a matter of courtesy, to the Commonwealth Minister seeking clarification of his opposition. I was disappointed that the first I heard of the Minister's reiteration of his opposition was from a journalist with me last night.

According to the resulting press report the Commonwealth Minister's continued opposition is based on his belief that I should find people, to use his words, "more representative of the broader community". I have to say that I do not consider this to be in accordance with the views of this Government. It is our desire that the Council of the University of Canberra should have the same relationship with the ACT Government that university councils across the rest of Australia have towards the governments or the legislatures that created them. I believe it would be appropriate in those circumstances for appointments to be based on that criterion.

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I would remind the Federal Minister that this Assembly was democratically elected by the Territory community in 1989 to bring self-government to the people of the ACT. This Government and this Assembly are not willing to act merely as an advisory council to the Federal Government and I do ask and hope that the Federal Minister will reconsider his position.

### **TAFE Courses**

**MR WOOD:** Mr Speaker, I have another question on education, but to the Chief Minister in his capacity as the Minister responsible for TAFE. Could Mr Kaine tell the Assembly, and particularly students concerned, why classes in interior design - and numbers of other classes I might mention - which have been funded in the current year's budget, included in the handbook, advertised in the newspaper and filled with ample enrolments, have now been cancelled? Why have teachers been removed when you, Mr Kaine, promised that no people in the ACT Government's employment would lose their positions?

**MR KAINE:** I suspect that Mr Wood's question contains, by implication, a couple of bases which are built on sand. The first is that they were funded in the budget, and I cannot answer that. You should ask the person who was the Treasurer at the time.

**Ms Follett:** They were.

**MR KAINE:** And the second is that there were ample enrolments, as I understand it, in August last year.

**Mr Berry:** You cannot keep blaming us.

**MR KAINE:** In August last year as part of the budgetary considerations of the Government that you were a part of and in which Ms Follett was the Treasurer, there were discussions with the TAFE about what their level of budgetary provision was to be. A reduction was imposed by your Government, by your Treasurer, on the budget of the TAFE. There was a reduction made in it.

**MR WOOD:** Understood.

**MR KAINE:** In consequence of those budgetary cuts, certain savings and offsetting savings were to be made. Now, as I understand it, the administration of the TAFE has implemented the directives that they were given by your Government, your Treasurer and your present deputy Leader who was responsible for TAFE - - -

**Mr Whalan:** That is false; you have made a false statement.

**Mr Wood:** No, that is not correct.

**MR KAINE:** You asked me the question. I am answering it to the best of my ability.

**Mr Whalan:** Well, that is pretty limited.

**MR KAINE:** As a result of the administration of the TAFE implementing the directions given by your Government, by your Treasurer and by the person who was then responsible for the TAFE - the deputy Leader of the Opposition today - the TAFE now finds that it cannot enrol all of the students who wish to be enrolled.

As to the second part of the question, you say that there are ample enrolments. As I understand it, there are classes where there are full enrolments and those have been adopted because the teaching and other resources are available. Over and above those there were applicants who would, if accepted, form small classes of less than the optimal number. Because of the lack of finance, because of the cuts that were made by your Government, the TAFE management has had to determine that it cannot accommodate those extra students that do not make up a full normal class compliment. These, I understand, Mr Wood, are the facts. I hope that that fully answers your question.

**MR WOOD:** I have a supplementary question, if I could seek the Chief Minister's indulgence. We can make point scoring across the chamber here but, for example, there is a young woman who has left a job to start a new career on the basis that she was going to have two years' full-time study, and that is not now the case. Mr Kaine, would you give a commitment to review what has happened and have a look at it to see if this student and other students whose careers are in some jeopardy can be looked after as best possible?

**MR KAINE:** Yes, the matter is being reviewed, not only by the people involved at the TAFE but also by the Treasury, to see whether or not any adjustments can be made. I understand the basis of your question, that there are people whose future careers have been placed in jeopardy by this - in particular, some apprentices. It is very difficult to get an apprenticeship in Canberra, and once you have got one it is very disappointing to be told then that you cannot undertake the necessary classroom study that is required in order to pursue that apprenticeship.

The fact is - and you would know - there is no flexibility in this year's budget. I am assured by the former Treasurer that it was a fairly tight-knit budget. There is no flexibility there and there is no available money that can be provided to add to the budget that was approved for the TAFE by your Treasurer. So the only possibility is that we can adjust the funds that are currently available in some way such that more can be put into students in classrooms - where I would expect the money to be - rather than in some overhead expenditure.

**MR WOOD:** But you are looking at it, are you?

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**MR KAINE:** Yes.

### **Tuggeranong Educational Facilities**

**MRS NOLAN:** My question is also in relation to education and I direct my question to the Minister responsible, Mr Humphries. Can the Minister inform the Assembly of community response to the Government's education initiatives in the Tuggeranong area?

**MR HUMPHRIES:** I thank the member for her question and acknowledge her keen interest in the question of education in the Tuggeranong Valley. By way of preface to my answer I want to outline some of the Government's education initiatives in the Tuggeranong area for the benefit of other members of the Assembly.

There are two, of course, as members are well aware. A college campus is opening for the Tuggeranong Valley at Lake Tuggeranong College in the very near future. It cost \$18m and provides valuable community facilities for the people of Tuggeranong. With a capacity of 800 students this facility, as well as Calwell High School, will be meeting the dynamic growth of the Tuggeranong community for years to come.

The community's response to these initiatives has been extremely warm. Students have been voting with their feet and demand for places at Lake Tuggeranong has far outstripped the places available there. I must admit to some surprise at the breadth of support that has been forthcoming for the initiatives in this area. I want to cite particularly the comments of Mr Paul Whalan in the Tuggeranong Valley View of 24 January this year - only three weeks ago, just to remind members. In an article in the Tuggeranong Valley View he cited the opening of the Tuggeranong Secondary College and the Calwell High School as:

"a highly visible guarantee of the ACT Government's commitment to public schooling in the fastest-growing area of Canberra".

I want to thank Mr Whalan for his ringing endorsement and assure him that the best is yet to come.

The Government is determined to ensure that the ACT public education system retains its premier position in the nation. The Government will not only continue to maintain top class capital stock but will also move to implement a range of quality education initiatives such as improving literacy and numeracy skills, school based management and a schools council.



### **Proposed Tourist Commission**

**MRS GRASSBY:** My question is to the Chief Minister. On Friday, 9 February, you presented a paper at a lunch of the Building Owners and Managers Association, at which you said, inter alia, concerning the tourist commission and I quote, "The Government has appointed a commission of five part-time members". Could you tell us the names and qualifications of these five part-time members that you have appointed?

**MR KAINE:** Mr Speaker, that is a question that falls within the province of the Minister for Finance and Urban Services, and I suggest that he takes the question.

**MRS GRASSBY:** But you made the speech, Mr Kaine.

**MR KAINE:** I make lots of speeches about Government policy, but I am not responsible for that particular portfolio area. Address the question to the responsible Minister.

**MRS GRASSBY:** No, it is to you; you made the speech, Mr Kaine.

**Mr Whalan:** I rise on a point of order, Mr Speaker. There is a Senate procedure in relation to this matter. This is clearly a matter directed to the Chief Minister, on the same lines as such a matter would go to the Prime Minister under the House of Representatives procedure. The matter relates to statements which the Chief Minister has made in the form of a speech and it should properly be answered by him because obviously the alternative speaker, the Minister, is not competent to handle that particular question. He was not there and he does not know what the Chief Minister said.

**MR KAINE:** Mr Speaker, if Mrs Grassby would like an answer to the question, I would suggest she refer to the appropriate Minister. If she does not want an answer, I will take it on notice and give her an answer in due course when I have all the details. She can please herself.

**Mr Whalan:** On a point of order; the words were spoken by Mr Kaine himself. He is misleading this Assembly if he is suggesting that he did not say the words.

**MR KAINE:** I have made no such statement or implication. I will take the question on notice.

**MRS GRASSBY:** There is a supplementary to it, too, Mr Kaine, to which I would like an answer.

**MR KAINE:** I will take that on notice too.

**MRS GRASSBY:** The supplementary question is: Is it true that the officers responsible for the speech have been suspended from future speech writing, and you have advertised for additional staff to ensure that speeches are at least read before they are delivered?

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**MR KAINE:** Mr Speaker, that is quite scurrilous. It is quite untrue.

### **Casino Licence**

**MR WHALAN:** This is a question to Trevor Kaine. I ask the Chief Minister has he, or any Minister in his Government, or any person authorised by him, had any discussions or communication with any individual or corporation with an interest in the casino tendering process, concerning the casino licence, since 5 December 1989?

**MR KAINE:** Mr Speaker, speaking for myself, the answer is positively no. I have no knowledge of any other member of the Government having done so either.

**MR WHALAN:** I have a supplementary question. Can Mr Kaine assure the Assembly that the procedures relating to the selection process for the casino licensee have been scrupulously observed?

**MR KAINE:** To the best of my knowledge, yes. I have in no way intruded into them, and I can only assume that they are proceeding in the normal way.

### **Canberra Development Board**

**MS FOLLETT:** My question is addressed to Mr Kaine again. Mr Kaine, is the decision by the Canberra Development Board to spend \$25,000 on hiring Access Economics to develop an economic strategy indicative of your Government's mistrust of the ACT public service?

**MR KAINE:** No, Mr Speaker, it is indicative of the fact that the former Government established an independent board and it is acting independently.

**MS FOLLETT:** I have a supplementary question. I would ask Mr Kaine, is he confident that the Access Economics report, for which we are spending \$25,000 in public funds, will be any better than the totally discredited report that they produced in December 1988 for CARD?

**MR KAINE:** I have got no idea, Mr Speaker. I will wait until I see the report and then I will comment on it.

### **Dog Control**

**MRS NOLAN:** My question is to Mr DUBY, in his capacity as Minister for Urban Services. Mr DUBY, last year a petition was put forward by over 1,200 concerned residents

concerning the inadequacy of dog control, and specifically the Dog Control Act in the ACT. The previous Labor Government launched a supposed comprehensive program, "Your dog, your responsibility". What urgency is the Alliance Government placing upon improved legislation in this area, and when does the Minister expect this legislation to come before the house? Does the Minister recognise the significance of the problem out there in the community?

**MR DUBY:** As Mrs Nolan said, there was a survey undertaken by the previous Government. The response to that survey has been overwhelming. The questionnaire sought community comments on changes to the dog control laws which were proposed by the previous Government under Minister Grassby. Over 2,000 responses were received.

The majority of respondents supported the proposed changes to the laws. They will include an increase in penalties for offences; registration for all dogs over three months of age; increased pound fees for repeat offenders; stronger powers to the Registrar of Dogs to seize savage and nuisance dogs; humane destruction; and the compulsory requirement for dog owners to keep their dogs securely restrained or enclosed in their yards. I believe there is no provision in there, Mrs Grassby, for pooper scoopers.

The response is still being analysed and details will be available shortly. Preliminary analysis suggests that at least three-quarters of respondents support changes. There is great concern in the community for this emotive issue which this Government appreciates. The community views which have been expressed give the necessary support to make changes to the legislation. The publicity campaign launched by Mrs Grassby, "Your dog, your responsibility" has been successful. The campaign was initiated in response to concerns about dogs and the number of roaming dogs and strays impounded has decreased progressively each month since the campaign was launched in September 1989.

**Mr Moore:** On a point of order, Mr Speaker; I think this is a bit rough.

**MR SPEAKER:** Get to your point, please, Mr Moore.

**Mr Moore:** Mr Speaker, on many occasions we have heard the Chief Minister, when he was Leader of the Opposition, complain about Ministers making ministerial statements in question time. I draw your attention to that.

### **Waste Management**

**MR MOORE:** My question is directed to Dr Kinloch, as chairman of the Conservation, Heritage and Environment Committee. Dr Kinloch, you publicly promised the release of the waste management inquiry report. I am aware of the standing orders which normally make such a move very

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difficult. However, I have written to you to suggest a series of methods by which your promise could be achieved. When do you intend to publish that report so that it will be available for public comment?

**DR KINLOCH:** First of all, I have to say I do not recall any such promise, but I would welcome a further briefing on that from Mr Moore. I certainly did talk to a member of the Canberra Times to suggest that if it were possible we would want the proposals from the committee to be widely shared. There were a number of phone calls to that excellent journalist. I certainly cannot recall any other statement.

Following up a comment Mr Moore made yesterday and his question today, it is quite clear that we could not complete the report in time mainly due to the health problems and absentee problems of a number of people. It was nothing to do with Government policy. It was that there was a huge amount to be done and there were not enough hours of committee meetings to do it. We did not get through enough of the material to be able to issue the report. This morning many of us will have written into our diaries all the forthcoming meetings of that committee. They include Saturdays and they are very long meetings - four hours at one time, three hours another. We will continue to work on that report and when we have completed it, we will present it to the Assembly.

#### **Executive Deputies' Titles**

**MR BERRY:** My question is directed to the Chief Minister, Mr Trevor Kaine. Mr Kaine, would you please advise the Assembly if you have reissued the invitation to the function to honour the Commonwealth Games athletes without the offending title of Parliamentary Secretary for Sport, Recreation and Racing?

**MR KAINE:** I do not know that I have any idea of what invitations Mr Berry is referring to.

**MR BERRY:** I will clarify it. I tabled a document yesterday. It was a fax sheet and I have just asked whether it has been reissued.

**MR KAINE:** As far as I know that error has been corrected, but since I do not have the documents in front of me I cannot be 100 per cent certain. Mr Berry will just have to be satisfied with that.

**MR BERRY:** I have a supplementary question. Discipline amongst the Government is a pretty important question. Does Mr Kaine have the same confidence in the strength of his leadership as his Federal leader, Mr Peacock? Can this Assembly expect that he will discipline his party colleague - - -

**MR SPEAKER:** Order, Mr Berry; that is not a supplementary question.

**MR BERRY:** The supplementary question is: Does Mr Kaine have the same confidence in the strength of his leadership as his Federal leader, Mr Peacock, and can we expect - - -

**Mr Duby:** On a point of order; Mr Speaker, you have decreed that this is not a supplementary question.

**MR SPEAKER:** I assumed he was going to get to the point. I would put it to you, Mr Berry, that that is not a question asked about the original question.

**MR BERRY:** Well, it will be if I get to finish it.

**MR KAINE:** Mr Speaker, with your indulgence, although it is not a supplementary question, I am quite happy to answer it.

**MR BERRY:** I have not finished it yet. Can we expect, therefore, that the Chief Minister might discipline his party colleague over his repeated breaches of the guidelines which he, the Chief Minister himself, issued?

**MR KAINE:** In answer to his question, I have absolute confidence in my leadership position in the Alliance Government.

#### **PERSONAL EXPLANATIONS**

**MR COLLAERY:** I seek leave to make a short personal statement. I claim to have been misrepresented. I have been here now for three question times and not once have I been asked a question about welfare issues, youth issues, housing issues - - -

**Mr Whalan:** On a point of order, Mr Speaker; a personal explanation must confine itself specifically to the terms of the misrepresentation. The terms of the standing order require that a personal explanation confine itself to the item of the misrepresentation.

**MR SPEAKER:** Your objection is upheld. Please stick to the point, Mr Collaery.

**MR COLLAERY:** The Leader of the Opposition found among her priorities the need to ask a question as to whether the Chief Minister was aware that there was a law practice operating under my name and style in Captain Cook Crescent, Manuka. Indeed there is. I seek leave to table, in a moment, a certificate of registration of business name. That business name, Bernard Collaery and Co., is held by someone else other than myself. I withdrew from law practice on 6 December 1989. I wrote to the secretary of

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the Law Society, and I will be tabling that letter as well. In reply, on 21 December 1989, the Law Society of the ACT acknowledged my withdrawal from practice and made some comments in relation to my unrestricted practising certificate, and noted the fact - as I had advised them - that I was making arrangements to have a full trust accounting done. This audit is being done now to my knowledge and in due course, as soon as all the many trust moneys can be transferred, all my affairs at that practice will be wound up.

That question follows an outrageous press release by Mr Whalan, shortly before Christmas, headed, "Collaery double-dipping". Were that member not an insolvent he would have received an immediate writ, but I do not believe in straw judgments at this stage, although I am watching the colour of his suit and the cut, too. As soon as he is here in better style, he has another five years to survive that scurrilous allegation which has been repeated here today by the former Chief Minister. I am not in receipt of any funds from that practice beyond outstanding matters, outstanding debts for work which accrued prior to my withdrawal from practice.

**MR WHALAN:** I claim to have been misrepresented, Mr Speaker. There was a press release and it drew attention to the fact that while Mr Collaery was drawing a salary as a member of this Legislative Assembly from May of last year - from the election date of last year through to 5 December - he was in fact engaged in private practice at that time. He openly acknowledged that. I believe that it is most improper that members of this Assembly should have additional business activities in addition to that which should be the sole purpose of their activities, and that is to represent the people of the ACT. The salary which is provided as a member of the Assembly should not be used as supplementary income to a private practice.

**MR COLLAERY:** I seek leave to make a short personal statement. I claim to have been misrepresented. I regret that this is necessary, but these matters are extremely important to my reputation. I doubt very much whether I secured any net income from that practice during the period that I was in this Assembly. Be that as it may, some of the most august figures in Labor history - I will not name them, you can guess them - have continued in practice as lawyers. In fact, Sir Isaac Isaacs, a former Governor-General continued in practice, and Dr Evatt. This, I trust, will be taken up by the media.

A young man with a young family has taken over my practice. Enough damage has been done already by virtue of other comments made by the member here opposite me in relation to that young man's attempt to get a living out of the practice - a practice which is largely dedicated, as the accountants can establish, to deserving cases, refugee work and the like. It has never been an absolutely profitable practice and that is well-known in the profession. I find

the allegations absolutely scurrilous. They are a total insult to the legal profession and the standing that some of us seek to earn in society. It brings again into question the real purposes of why these questions are being asked today.

**MR HUMPHRIES:** I seek to make a personal explanation also. Mr Speaker, the Opposition spokesman on health made a clearly cowardly attempt earlier this afternoon to evade certain facts in relation to an examination of a child. I want to put them straight at this point.

In the context of the fluoride debate last year you, Mr Speaker, asked me to examine a child with eczema in your office. The examination of that child was not a medical examination. It was the same examination one would make if one was standing in a lift beside such a child and simply looked at the child's legs and arms that were exposed. I did so because you had asked me to do so and I made no attempt to make any medical examination or other scientific or expert assessment of the child's condition. I reject the claim there was any experiment going on, for my part. You, Mr Speaker, may care to make your own comments later on by way of personal explanation as to what was occurring in this case. Certainly I was observing a child.

It is worth noting, Mr Speaker, that the reason Mr Berry knows so much about this matter is because he himself examined the same child. As I was leaving your office, Mr Speaker, on the day I first examined that child, I opened the door and saw one, Wayne Berry, then Minister for Health, entering the room for the same purpose, to examine that same child. If there is some indiscretion, Mr Speaker, I would like to know what it is. If there is an indiscretion, clearly two of us are guilty of it.

**MR SPEAKER:** Do you claim to have been misrepresented, Mr Berry?

**MR BERRY:** Indeed, I do, and I seek leave to make a statement. Mr Speaker, as you well know - and you will be able to attest to this - - -

**Mr Kaine:** They all come home to roost eventually.

**MR BERRY:** This one is coming home, too, Mr Kaine. You invited me as the Minister for Health to come to your office and meet a woman who had twin children. When I arrived there, I must say I was bemused at what was going on. There was a filtration unit to filter all sorts of things out of the water, and it was being offered to this woman as a cure, or as a possible cure for what was alleged to have been a rash on the child's body, on the legs and arms. Some months later on, you again invited me to come down and see the results of all of this. I must say that at that time I indicated fairly clearly to you that I was not going to be involved in any of this sort of funny business.

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**A member:** You were once.

**MR BERRY:** It was not funny business when I was there. Mr Speaker, it was not an experiment which you were involved in. It was not an experiment and I made it very clear to Mr Speaker, much to his angst, that I was not going to be involved in any of this sort of stuff. I want to make it clear to this place that I have not been involved in any experimentation with young people about the effects of fluoride. It is not my role to do that, nor is it the Minister for Health's.

**Mr Kaine:** Well, I am glad we have cleared that up. That applies equally to both Ministers.

**MR BERRY:** Well, are you going to instruct him not to do it any more?

**Mr Kaine:** Did your Leader instruct you not to do it any more?

**MR BERRY:** She did not have to. It came naturally.

### **PAPERS**

**MR COLLAERY** (Attorney-General) (3.12): Mr Speaker, for the information of members I present the following papers:

Consumer Affairs Act - Consumer Affairs Council and Bureau - Report -  
1987-88.

1988-89.

Credit Act - ACT Consumer Affairs Bureau - Report -  
1987-88.

1988-89.

Sale of Motor Vehicles Act - ACT Consumer Affairs Bureau - Report -  
1987-88.

1988-89.

Members will note that they relate to pre-self-government periods. These reports are an amalgamation of reports on the operations of the Consumer Affairs Council and the Consumer Affairs Bureau. The administration of the Credit Act 1985 and the administration of the Sale of Motor Vehicles Act 1977 are produced pursuant to section 17 of the Consumer Affairs Act 1973 and section 241 of the Credit Act 1985 and section 90 of the Sale of Motor Vehicles Act. They are being tabled by myself today, without a request for them to be noted, simply because they are historic. They relate to periods that antedate self-government.



**INFORMED DECISIONS ABOUT MEDICAL PROCEDURES -  
Statement and Paper**

**MR COLLAERY** (Attorney-General), by leave: I wish to table the following paper:

Informed Decisions about Medical Procedures - Report, dated June 1989.

This is a joint report of the Law Reform Commission of Victoria, the Australian Law Reform Commission and the New South Wales Law Reform Commission. There has been growing recognition that claimants should have more information about their condition, prognosis and treatment options and that patients are entitled to make decisions about their treatment and that the Opposition should know that we might guess their questions occasionally. Doctors have gradually changed the way in which they deal with patients. Some doctors still believe that they should make decisions but many now give their patients more information and encourage them to decide for themselves about their treatment.

This report examines two areas, the legal principles determining the liability of doctors and ways in which the process of informing patients can be accomplished. The report contains four recommendations. The first is that the common law standard of reasonable care which now applies to the provision of information to patients concerning a proposed treatment or medical procedure should be replaced by a statutory standard. The second is that guidelines for the provision of information to patients concerning a proposed treatment or procedure shall be formulated by the National Health and Medical Research Council.

The third recommendation is that in considering the guidelines, the council should take account of the following matters: the need, in each case, for doctors to pay attention to the patient's circumstances; the fact that less information may be necessary if the doctor is clearly satisfied, on reasonable grounds and after reasonably careful investigation that the patient understands and agrees to the proposed procedure but does not want more information; or that the patient's health or welfare might be seriously harmed if the patient were more informed about the procedure; or that an emergency exists in which it is not possible to give the information.

The other recommendation of the council is that appropriate authorities should consider including discussion of the guidelines in medical courses as a means of educating medical students about giving patients appropriate information. The guidelines might also be referred to in quality assurance and peer review programs, hospital protocols and hospital accreditation reviews. Patient education and self-help programs might also inform patients about guidelines to help patients communicate with their doctors.

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The report also recommends that legislation should be enacted requiring that in an action for damages for professional negligence, the courts should consider the guidelines in deciding whether a doctor has acted reasonably in relation to the provision of information.

Further and finally, the Medical Practitioners Act 1970, Victoria, the Medical Practitioners Act 1938, New South Wales, and the Medical Practitioners Act 1930, ACT, should, in the committee's view, each be amended to provide specifically that professional misconduct includes a failure to provide adequate information to a patient concerning a proposed treatment or medical procedure.

Mr Speaker, this is a far-reaching and historic document and I trust that it will attract the attention it deserves. The Government will examine the recommendations of this report in consultation with the Law Society, the medical profession and the community generally. I commend the booklet, entitled Informed Decisions about Medical Procedures to the Assembly. I move:

That the Assembly takes note of the paper.

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

### **GUARDIANSHIP AND MANAGEMENT OF PROPERTY Statement and Paper**

**MR COLLAERY** (Attorney-General), by leave: Mr Speaker, I wish to table the following paper:

Law Reform Commission Act - Law Reform Commission - Report No. 52 - Guardianship and Management of Property.

The report by the Australian Law Reform Commission, entitled, "Guardianship and Management of Property", is another historic report. The Law Reform Commission has inquired into the desirability of new laws and procedures to provide for the guardianship and management of property of persons who are unable, wholly or in part, to manage their day-to-day affairs or property. The initiatives outlined in the commission's report are important and timely in overcoming the limitations of the present law in the ACT. Their operation would, in effect, avoid the stigma presently attached to the use of such archaic laws in this Territory as the Lunacy Act 1898 of New South Wales.

Members of the Legislative Assembly will be all too aware of the daily burden faced by some ACT residents in dealing with the problems associated with a family member or close friend who is mentally or emotionally incapacitated. Someone has to make day-to-day decisions for those who are

mentally disabled and the decision maker has a right to expect that the law will provide an adequate scheme to support them. This is necessary because many decisions can have legal implications.

Under the law as it now stands orders issued by the Supreme Court are largely confined to property matters and provide limited coverage for other decisions of a personal nature. In addition, the Lunacy Act 1898 is a law of a bygone era. It does not cater for those afflicted with senile dementia or drug and alcohol induced illnesses. While a Supreme Court order may be subject to appeal, the current law does not allow the court to make those orders subject to periodic review. The absence of periodic review is inconsistent with the United States declaration on the rights of mentally retarded persons. We are fast approaching the twenty-first century, yet ACT citizens are reliant upon the provisions of a nineteenth century law. A new legal scheme is required, and the Australian Law Reform Commission's report admirably addresses the issues involved.

The commission recommends the establishment of a guardianship tribunal and the appointment of a public advocate. The commission proposes the tribunal have jurisdiction to make guardianship or management of property orders and to appoint guardians or managers for any resident in need of an order.

The role of the public advocate would be twofold: firstly, primarily, to provide guardianship services acting as a guardian of the last resort where no individual is ready, able or willing to act as a guardian of a person; and secondly, having an advocacy role, promote community involvement in decision making.

The recommendations contained in the committee's report, *prima facie*, provide a valuable improvement in this area of law in the ACT. However, a number of areas of the report will require careful consideration, particularly in the light of their budgetary effects.

In tabling this report, I am aware of the close interest that will be taken in its contents by the ACT community. For this reason I invite comments on the report. Comments can be directed to the Human Rights and Community Law Section of the ACT Government Law Office. I have also asked the Law Office to consult widely with professional bodies and community groups on the recommendations in the report. Following these consultations the Law Office will be preparing an options paper for the Government. At this stage it would be premature to say that the Government will give a full effect to the report. I am optimistic, however, that the analysis of the report will see a more responsive and more relevant legislative scheme to deal with this important community matter.

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Mr Speaker, I commend the report to the house and note that a number of members of the house have already endorsed various recommendations in the report. I move:

That the Assembly takes note of the paper.

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

### **ECONOMIC AND FINANCIAL POLICIES** **Discussion of Matter of Public Importance**

**MR SPEAKER:** I have received a letter from Ms Follett proposing that a matter of public importance be submitted to the Assembly for discussion, namely:

The disastrous impact upon the people of Canberra of the economic and financial policies pursued and alluded to by the ACT Government.

**MS FOLLETT** (Leader of the Opposition) (3.22): Mr Speaker, it has become quite clear since this shame of a Chief Minister took office - seized office, should I say - that he has no idea or concept of how the economy of the ACT functions nor, indeed, how Government finances operate. Every statement made by the Chief Minister on either the economy or ACT Government finances has been based either on his extremist ideological prejudices or on a failure to understand procedures. From the very beginnings of this Assembly, Mr Kaine has indicated his perception of the public sector. In this Assembly, on 28 September, he stated and I quote, "Bureaucrats in offices do not deliver the goods". His position is quite clear. Mr Kaine clearly believes that 50 per cent of the workers in Canberra do nothing - they do not deliver the goods.

It is from this misguided ideological premise that Mr Kaine begins his ideological analysis. It is the same philosophy that has been put forward by ideological dinosaurs like John Stone, Charles Copeman and Ian McLachlan. Mr Kaine has an ideological obsession against the public sector and against the people in Canberra who work in the public sector. This is why he has created his Priorities Review Board and it is the reason why he pushed so hard for a supposedly independent audit of ACT assets. The great catchcry of this new right agenda is that "by managing better" and more efficiently you will more efficiently put people's profits into their own pockets. It is a new right agenda.

No credit, of course, should go to Mr Kaine for these ideas. He is simply implementing Mr Greiner's agenda which you have already seen in operation in New South Wales for some time. Mr Kaine has set up an audit of assets as an independent cover for his program of selling off the assets which belong to the people of Canberra. He has set up an independent Priorities Review Board as a cover for the

indiscriminate sackings of public servants - and they must be regarded as sackings, Mr Speaker. Whether he carries out such a razor gang program by, as he says, natural wastage, early retirement, redundancy or whatever other means, they are sackings. I believe that this Government is indeed intent on sacking, particularly our young people. This will deny jobs to children in Canberra still at school. This Government will be cheating those children of a job in Canberra's work force.

I would ask you also, Mr Speaker, what sort of independent advice can we expect from Mr Kaine's Priorities Review Board. The membership, as we heard debated this morning, is made up of some very fine and some very prominent individuals, but I am not aware that the vast majority of them, nor indeed any of them, has an enormous amount of experience in public sector management. Not one of them is there to represent the views of ACT public sector employees, but certainly at least one of them can be expected to represent faithfully the views of the ACT Liberal Party. The Liberal approach to public enterprise is that it should be run like the private sector and that is why you get businessmen in to run it - businessmen who are intent on cutting services, who push prices up and will be putting profits into their own pockets.

I think it is about time that Mr Kaine and this Government opposite realised that public enterprise is not about profit. It is about giving services to the people who need them, the people in our own community. I would ask further, how independent can the board's conclusions be when Mr Kaine has already given clear directions as to the result they should come up with? He wants \$100m cut from expenditure. He wants that achieved by sacking 3,000 public servants. That is what he wants and that means that one in five ACT public servants will be sacked. To say that you can achieve that kind of target without sacking people is simply not true. This exercise has got nothing to do with improving the public service. It is simply an ideological attack, another razor gang such as we have seen so many times before - most recently in New South Wales.

Mr Kaine has talked about how he is not going to attack service delivery but he will be attacking wastage in administration. But if he only carries out his attacks in administrative areas there will simply be no-one left to administer. In September of 1989 - Mr Kaine might want to take note of this fact - there were only 2,813 administrative staff in the ACT. The other 14,000-odd staff in the ACT are directly employed to undertake service delivery.

I can assure Mr Kaine that I do know what his agenda is and the people of Canberra also know what his agenda is because they have seen it all before. You are going to be selling off the assets that belong to the people of Canberra and you will be selling them off in the interests of your big business mates. You will be privatising education by

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running down the ACT education system and privatising our health system by closing public hospitals. Of course, you have also flagged that you are going to be privatising the public transport system, by contracting it out. What, I ask you, Mr Kaine, will be the result for the people of Canberra? The result will be that there will be fewer services available to them and what services are available will only be at an increased cost.

I think that it is time that the people of Canberra know the truth about your so-called justification for imposing a \$100m cost cutting on them. The truth is that you are conning the people of Canberra by distorting the facts. You say that the Grants Commission and the Commonwealth Government have predetermined that we will receive \$100m less in funding from June 1991 and, Mr Kaine, you know this is not true. The transitional funding arrangements with the Commonwealth give us a further two years to adjust to State-type funding. Mr Kaine apparently seems to believe that the Commonwealth have reneged on that already but the evidence is that there will be transitional funding at the very least. That is the reason why the Commonwealth established the transitional funding trust account.

**Mr Kaine:** Yes. They will give us back the \$23m they took off you.

**Mr Humphries:** This woman believes in tooth fairies.

**Mr Kaine:** That is really transitional funding.

**MR SPEAKER:** Order!

**MS FOLLETT:** There are two other factors which Mr Kaine probably does not know about, although he should. He is a person who claims to have been involved in finance in the public sector for some time. Let me reiterate them for his benefit. Firstly, the Grants Commission's assessments are not translated directly by the Premiers' Conference into shares of Commonwealth assistance grants. I have the benefit there that Mr Kaine does not, in that I have attended a Premiers' Conference. The special revenue assistance grants are generally provided to States to assist with the adjustment to change in relativities. This has been the case for the Northern Territory, for South Australia and for Tasmania in recent years. They are the smaller States, Mr Kaine, such as we are ourselves. Secondly, the Commonwealth does not tend to reduce funding to a State or Territory in nominal terms. Adjustments of funding to a fully comparable basis are always carried out through gradual real reductions. If this precedent is followed, and we have no reason to suppose that it will not be, then we can expect nominal payments to remain constant, at worst.

All this means an adjustment process which will probably end around 1994. So I believe, Mr Speaker, Mr Kaine is scaremongering in telling the people of Canberra that we

will face a \$100m financial shock in 17 months' time. He is scaremongering, indeed, in order to implement his extremist agenda. Even if Mr Kaine were correct in saying that adjustment to Grants Commission overfunding is upon us, he is still intentionally distorting his facts. I believe Mr Kaine knows that the Grants Commission did not find that we were simply overspending.

The Grants Commission said that some 40 per cent of their estimated overfunding related to insufficient revenue effort, but this Government, this current Alliance Government, has no intention of looking at the revenue side of the equation. In fact, every major revenue initiative we brought to this Assembly while in government was opposed by the Liberals, every single initiative. We were not going to drag revenue from the pockets of the average Canberra resident, what we were going to do was to make the big businesses in Canberra and the very wealthy pay their share. They have had a free ride in the ACT on the backs of working people and that was going to stop.

Mr Kaine's approach to Government finances is quite clear. He is intent on protecting those wealthy people, supporting tax avoiders and, indeed, through cuts to services, punishing the poor and the needy in our community. This is a heartless Government and a Government intent on destroying the Canberra that we all know. The policies that Mr Kaine is intent on perpetrating in Canberra are very similar, as I have said repeatedly, to those of his mentor, Nick Greiner, in New South Wales. They are destroying New South Wales as well.

What we will see is that quality health care will only be available to the rich, as you close down our public health system by starving it of funds. Community services will be decimated as you implement Mr Collaery's privatisation plan, his private sector welfare. As in New South Wales under the Metherall plan, education in the ACT will become the preserve of those well-off as your funding cuts see the public education system wither on the vine. We have already heard about the TAFE in question time where funding was provided for those courses.

This is what Canberra has to look forward to under the Kaine plan - the public enterprise which exists in our Territory will be destroyed and all that simply in order to pander to his own ideological delusions and to his business mates.

I wonder, Mr Speaker, whether Mr Kaine has considered what his policy of taking \$100m from the ACT economy will actually mean, what effect, also, the loss of those 3,000 jobs will mean. On this side of the house we support and encourage the growth of a strong private sector but it remains the fact that public enterprise is still the largest employer in this Territory. The loss of that number of jobs can have no other effect than that of forcing 3,000 of Canberra's youth to leave Canberra in

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search of work - that is 3,000 more Canberra families broken while the young people have to leave town. Unemployment amongst young people in Canberra is already extremely high, especially when looked at compared with the national rate.

Mr Kaine apparently wants to see it become even worse and those are simply the direct effects. I would ask Mr Kaine, what about all the small business people, the mechanics, the hairdressers, the small shopkeepers, and so on, who depend upon the public servants in this town for their livelihood? They will suffer also. Mr Kaine, your policies will decimate the ACT economy, will destroy the lifestyle of the people of Canberra, because you are attacking the very heart of that economy. Is your ideology worth that? My Government - when we were in Government here - recognised the economic realities that face the ACT, and we recognised that we face difficult times. Of course we do. But we also recognised the important role that public enterprise plays in supporting the ACT economy.

So, Mr Speaker, I believe that now is not the time for precipitate action, the action that Mr Kaine is proposing in the ACT. What we do need is a forward and balanced approach to economic and financial policy, the approach, indeed, that this Government was taking while we were in office. This was the approach that was embodied in our budget which was passed by this Assembly; although, as I have said before, a number of the significant tax or revenue raising measures in that budget have now been passed up by Mr Kaine. He thinks he can get the money elsewhere by sacking public servants.

What we need is an approach designed to maintain Canberra the way it is, and that includes our economic base which, as I have said, the public sector plays an enormous role in. We do not need the kind of ideological extremism that Mr Kaine is indulging in at the present. He has been led on by his extremely conservative colleagues in his coalition under the direct guidance, I believe, of Mr Greiner in New South Wales.

**MR Kaine** (Chief Minister) (3.38): Ms Follett has introduced her motion by exhibiting once again her complete failure to grasp the realities of today's world, particularly as they relate to Canberra. She does not want to hear this. She has said her piece, so she is now going to leave. She has no compunction whatsoever about distorting facts, misrepresenting issues and putting forward her own extreme solutions on a hypothetical basis. She accuses me of scaremongering. It is absolutely hilarious.

I noted with great interest that the former members of the Labor Executive showed absolutely no enthusiasm whatsoever for discussion on major matters affecting the budget this morning. For most of the debate not one of them was even in the house, not one. And the contributions, such as they



were from Mr Berry and Mrs Grassby who were deserted by their Leader and their deputy leader, were nothing but carping complaints which showed that they had even less understanding of economic and budgetary matters than their Leader and shadow treasurer - with emphasis on the shadow rather than the treasurer.

In contradistinction to the uninformed, incompetent approach by the former Labor Executive to the situation in which we find ourselves as a community, the economic and financial policies of the Alliance Government are directed to the future growth and well-being of the Canberra community. We would welcome a positive debate on these issues which are of fundamental concern to this community. Of course we will not get that and the shadow's comments so far confirm that. The motion put forward does not seek a positive debate but reflects the Opposition's sole interest in political point scoring.

No informed debate on economic and financial issues critical to the ACT community can occur in the absence of sufficient information on the state of ACT finances or on the impact of changes to Commonwealth funding to the ACT. Of course, the Opposition is not interested in the facts. Commonwealth funding to the States has been reduced in real terms over a period of five years. The smaller States and the Northern Territory have experienced a reduced share of this reduced real level of Commonwealth funding.

In its third report in 1988 on financing the ACT, the Commonwealth Grants Commission found that the ACT was substantially overfunded by the Commonwealth. The Commonwealth Minister for Finance, Senator Walsh, representing the Federal Labor Government, has said that he believes that the extent of overfunding has increased to \$100m annually. Those are his figures, not mine.

The Government is committed to pursuing with the Commonwealth an equitable transition of ACT finances to Commonwealth-State financial relations and an equitable resolution of outstanding financial issues. The ACT, however, simply cannot expect to be isolated from the financial restraints facing all levels of Government.

The consequences of further deferring actions to achieve economies will be even greater leading to more disruptive adjustments in future years. Absolutely nothing has been done to address this problem during the first two years of the transition period. The Labor Government at the Federal level, who still administered Canberra during the first year of the so-called transition period, did nothing. The local Labor Government in their budget in the second year of this transition period, did nothing. We are now forced to face up to it in this third and last year of that transition period.

We simply must alert the community to the seriousness of the financial pressures facing the ACT community. Hiding

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our heads in the sand like the Opposition seems to want to do, does not do it. The Opposition's 1989-90 budget speech to the Assembly on 26 September 1989 - Ms Follett's speech - emphasised that the ACT will have to pay on the same basis as other Australians for the normal range of state and municipal services.

Ms Follett also emphasised that many of the assets of the ACT that have been inherited from the Commonwealth are run down or will impose additional costs on the ACT in future years. These statements imply that some action is needed. They cannot simply lie on the table as statements. You, the then Government, did nothing. As a community we have to accept that we have to live within our means. There are absolutely no alternatives to this inescapable fact.

The Government is committed to achieving this with minimal disruption, at the same time ensuring that the disadvantaged groups in the community are protected. As commented on in the Canberra Times editorial yesterday, and I quote:

If the process of making the economies is too much delayed, the problems are obviously going to become a lot worse.

The reality is that some functions are going to be substantially changed. It is obvious, for instance, that we cannot afford to maintain services that are duplicated or are inefficient. One of the major problems is the current hospital system which we have inherited from the Commonwealth and about which Mr Berry talked a lot but did nothing.

Many of the problems of duplication and inefficiencies reflect a long history of past administration and planning decisions by governments that were not accountable to the ACT and looked to national policies rather than local ones. The ACT state and local government-type services were low priority. The result is services that do not necessarily meet local needs and which are beyond the local community's financial capacity to support. In some cases there are simply unacceptably low standards of service delivery - I refer here to welfare about which my colleague Mr Collaery will talk later. We have to seek to restructure our community services and not simply provide for a death by a thousand cuts approach.

This Government, unlike its predecessor, has a clearly documented policy dealing with both finance and taxation matters to address the financial situation facing the ACT community. This Government will focus on two major areas - the economic well-being of the Territory and the vision the Government has for the ACT's future. To this end the Alliance policy on finance and taxation sets out three principal aims. They are: to create a cost-effective administration; to streamline the administration to minimise the cost of Government to the taxpayer; and to

provide an acceptable level of government services at least cost to the users.

Since taking government we have established an expert committee to advise us on the appropriate priorities for making the significant adjustments required in the ACT. This is aimed at taking the ACT out of the potentially disastrous situation of facing, unprepared, a major shortfall in its funding. It will be unprepared because the Labor Government did nothing. This Government will meet that challenge with a planned and considered approach, rather than nibbling at the edges as the Labor Government attempted to do.

In my first address to the Assembly as Chief Minister I undertook to develop a comprehensive five-year plan which would clearly spell out to the community the Government's priorities and intentions. That will be done. Consistent with this we will negotiate with the Commonwealth Government to maintain its level of support for the ACT, not for the remaining one year but for five years. If the Opposition is to raise criticisms, it should address those criticisms to the past administrators of the ACT, namely, the Commonwealth Government, not this one; it has only been here for two months. My Government will press home to the Commonwealth that it should accept financial responsibility for its decisions affecting the ACT and for the continuing impact of the national capital on the ACT's finances.

A third positive action of the Government will be to give strong support to the inquiry into assets and public debt transferred to the ACT upon self-government. I note that the Leader of the Opposition said that we instituted that inquiry. I have to correct that. It was instituted by her. I know she did it reluctantly on my motion in the Assembly, but she, in fact, instituted that inquiry. This inquiry will provide an understanding of what we owe and what we own. It is fundamental to any successful management of a major financial organisation that the balance sheet is clearly understood. It is not good enough to take an ad hoc approach to decision making on matters of fundamental importance to the well-being of the community. The burden of the public debt arising from these assets needs to be quantified and understood, but again, your Government, Mr Berry and Mrs Grassby - since the Leader of the Opposition is not here - did nothing but merely respond to my initiative from the Opposition to get this inquiry going.

As the Assembly will recall, this inquiry came into being as a consequence of a motion which I initiated and which required the Labor Government to take seriously its management of the finances of the ACT community, something that it had not done up until that point. It is composed of three highly regarded members of this community. With their analysis and advice we shall, at last, have a consistent basis for future financial planning - something that the Labor Government did not even begin to comprehend.

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There will be no sacking of employees in the implementation of our policies and we will also seek to avoid disruption of the public sector.

Although I have made this intention clear in the past, there continues to be a negative destabilising approach adopted by some elements of the Opposition which is perpetuated even now by the Leader of the Opposition. Rather than entering into a constructive debate to enhance the economic growth and social well-being of the ACT community, the Labor Party talks about disastrous impacts and is unwilling to face up to the responsibilities of the Assembly in addressing our financial and economic situation. I use the words "responsibilities of the Assembly" advisedly. This is a major problem and it should be being dealt with on a bipartisan or multipartisan approach by this Assembly, not by the Government with the Labor Party sitting there with a dog in the manger attitude refusing to cooperate and participate.

All of this is in strange contrast with Labor's own budget statement about our predicament. Labor members know the facts, so let us pull together towards solutions, not seek to score petty points. We need to recognise that the essential role of government is to provide community services without imposing undue financial burden on the community. One of the central objectives of the Government is to recognise the key role to be played by the private sector in the local economy. We know that and we appreciate it obviously much more than the public-oriented Opposition does.

We must achieve growth in the private sector as it is the predominant source of job opportunities for Canberrans. Furthermore, it is only through growth in the private sector that the revenue base of the ACT can be reasonably expanded without undue pressure being placed on households. A major contribution by government to achieving this economic growth must be to provide a stable economic and financial climate. For seven months the Labor Government was absolutely destitute in terms of ideas for dealing with our fundamental problem. They did nothing but bury their heads in the sand hoping it would go away. It will not go away, and your heads are still in the sand. The duck you spoke of - and the Leader of the Opposition is not here to hear this - the duck she spoke of the other day looks like a duck, it walks like a duck, it quacks like a duck, but it emerges as an ostrich - Labor's king sized duck with its head still in the sand.

The stability provided by my majority Alliance Government will establish the environment of certainty and confidence needed for investment in Canberra's future. The impacts on the people of Canberra will not - as asserted by the Leader of the Opposition - be disastrous, as the wording of the MPI suggests. They will be most beneficial as they will be reflected in an orderly planned transition from a position

of financial profligacy inherited from Labor - both Commonwealth and Labor - to one of stable balanced budgets.

**MR WOOD (3.50):** In two or three months the new Government has said quite a deal about the economy and the steps it will take. It is yet to go into great detail about the specifics. The Chief Minister's first comment on this was in a speech on 7 December last year when he had quite a few statements to make. The major factor, I suppose, indicating the current financial policy, is its adherence to the budget that was passed in this house last year, passed with the approval, in general terms at least, of all members of the Assembly.

Mr Kaine further elaborated his policy on an ABC radio interview. Later he announced the Priorities Review Board. He has put out a printed policy and he has made some statements today. We are yet to face an economic statement, so the relationship of that with the Priorities Review Board is not known. Let us note that the ALP accepts all the outcomes of the budget that it put through here last year. Let us note also that that budget was passed with the general approval of the Assembly.

**A member:** Except for \$3m.

**MR WOOD:** There have been some changes, certainly. In his speech in this chamber in December, the Chief Minister plagiarised a line from a more noted politician. That noted politician said, earlier in this century, "We propose operating the Territory on economic and efficient lines". That was O'Malley in 1910. I do not think there is a politician alive who has not said, at some stage, something of that nature. I know the ALP spoke about a no-frills administration and I believe we followed that policy, but the point I make is that simply saying a policy does not mean a great deal.

**Mr Kaine:** That was true in your case, Bill; it will not be in ours.

**MR WOOD:** You intend to achieve your policy through the Priorities Review Board but we can already sense the outcomes. In an interjection earlier today Mr Humphries said, as near as I can recall his words, that we would all have to bear the hardship that the decisions cause. The agenda for the Priorities Review Board is already determined. I know Mr Kaine said in his speech a little while ago that Ms Follett was scaremongering, but he has not taken the opportunity in these last 15 minutes to repudiate the statement he made on ABC radio, that 3,000 jobs would go over five years. I was sitting here rather expecting he would do that.

The Priorities Review Board now has the task to determine where those 3,000 jobs will be. I do not think that is a particularly good way to proceed - that you give a board a target of 3,000 and tell them to find out how and where

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they can go. Mr Kaine, if there is duplication, we will all agree with you that it should be removed; we would have no argument with that.

Let us look at this figure of 3,000 jobs. I should indicate at the same time that, as we can see in the Federal administration, the ALP is not opposed to restructuring in changing circumstances if this is necessary. But 3,000 is the figure. It is not Mr DUBY's figure. I heard Mr DUBY stand up there in the debate this morning and deny that there were 3,000 jobs to go. That is right. You contested that point of view and you can interject from there if you wish.

**Mr DUBY:** I said "sacked".

**MR WOOD:** Yes, all right, sacked.

**Mr DUBY:** That is better.

**MR WOOD:** He used the word "allegorical". Now, I thought at first that that did not make sense and I thought he said alogical, which means lacking in logic and it made sense. I went to my dictionary and this is what allegorical says:

A presentation of an abstract or spiritual meaning under concrete or material forms.

In other words, when he said the Chief Minister was being allegorical he was saying that there is no substance to the words. But, Mr DUBY, you might explain to me now, since you are back in your seat, do you think 3,000 jobs will go? Not sacked perhaps; but in five years do you agree that 3,000 jobs will go?

**Mr DUBY:** I am not debating the point, Bill.

**MR WOOD:** You are not debating it. Are you are agreeing with it? It is an interesting point. I wonder whether the Minister for Finance and the Treasurer, two different people, have the same view on this, because my very clear impression then and now of what Mr DUBY was saying was that he did not agree with the Treasurer. It was the tone of his voice, it was the comment, and he will not come out now and say, one way or the other.

**Mr Kaine:** That is drawing the bow pretty long, Bill.

**MR WOOD:** I do not think so. I am actually afraid that there is some substance behind his words, that 3,000 jobs might go, and that worries me. There is a widely held perception in this Assembly on that side, and across the community sometimes, that there is a lot of fat in the ACT administration - that it is some sort of obese creature that can be trimmed. I do not think that is the case. I think what the Chief Minister is about to do is to hack into some vital tissue and we will finish up with some anorexic entity that can hardly survive. We are close to

the limit in what we can do in cost cutting. Phil Lynch started this with his first razor gang in about 1975 or 1976 and for 15 years there has been constant pruning of the ACT budget, year and year after year. I know the exercise the Labor Party went through last year and I think we are all coming to the view that it has gone about as far as it can go. There is a limit to what you can cut, and I would certainly agree with Mr Jensen that Senator Walsh is a skilled exponent of that art. But there is a limit.

I am sure the Priorities Review Board is going to have the greatest difficulty in telling you where 3,000 jobs can go. You may not sack people, Mr Duby, but it means you are going to take people out of the housing branch, or out of the Education Department or somewhere else. People are going to go; jobs are going to disappear and services to the community are going to suffer because behind every person there is a service to the community.

I have been interested in this for some time. Since the figure of 17,000 public servants is often bandied around, I asked the Chief Minister late last year for some detail of that. It is true, we have about 17,000 public servants, 16,834 equivalent full-time, as at some stage in September last year. It seems a lot of people but bear in mind that in our administration we have state-type functions, we have municipal-type functions and we have the functions that in other places are often performed by statutory authorities - like water and electricity servicing. So we do need that large force. Where are these cuts going to come from? Does it mean 200 people a year? I am sorry, Mr Duby, it might not be people, they are being attritionised or whatever, but there are likely to be 200 jobs a year disappearing out of the education sector. That is what it is going to mean over five years. I do not know where they are going to come from.

I know the education sector fairly well and I can speak about it. I do not know the health one so I will not touch that one. There is no fat at all left in the education sector. You cannot cut that sector any more; it cannot be done. Mr Moore expressed a view last year that the office was bloated; there were too many people in the office. I am sure Dr Kinloch and Mr Humphries, now having some experience of it, would agree that the Education Department is not bloated. There is no fat left in the Education Department. If you start to take 200 jobs a year away from that then the Education Department, the teaching system, the delivery of education to our students, will all suffer severely. This will be the case all over. It cannot be done.

Mr Duby, I see you have notes for your speech which you will no doubt stand up shortly to deliver. You might tell us whether you agree with your Treasurer about those 3,000 jobs over five years. I would be most interested to hear your response to that.

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**MR DUBY** (Minister for Finance and Urban Services) (4.00): Thank you for referring to me, Mr Wood; I think that is a record in one speech. I think I counted 18 times that my name got mentioned, so it will look good in Hansard.

When I first saw this notice of matter of public importance in the daily program today I had to read it twice, because it appeared to me that some words had been left off the end. It is about the disastrous impact upon the people of Canberra of the economic and financial policies pursued and alluded to by the ACT Government. I actually had to go down and check at the Assembly office to see if they did not leave off "up to 5 December 1989", because that is the situation we had in the ACT here. There was a disastrous effect upon the people of the ACT under the policies of the previous Government. The policies that this Government is pursuing are economically sound and designed to improve and build upon the economic well-being of the ACT.

If we look at the statistics that have come out in recent months we note the current state of play in the ACT. We see that the unemployment rate in the ACT is higher than the national average. Who can remember the last time we had a higher unemployment rate in the ACT than in the rest of Australia? What is that a result of? It is undoubtedly a result of the policies that were implemented by the previous Government. Economic employment growth has declined to one of the lowest rates ever in ACT history. Once again, it is a simple result of the policies of this previous ACT Government.

In her speech Ms Follett continually referred to the ideology of the Kaine coalition Government, the Kaine Alliance Government and said it was a blatant example of ideology ruling. Well, if ever there was a case of the pot calling the kettle black, it is the case of Ms Follett referring to ideology. Look at the ideologies we have got arrayed against us on the other side of this house. We have got leftists, we have got rightists, we have got centrists, we have got green Nimbys and we have got "siege heilers". All of them, what policies have they got?

**Mrs Grassby:** Who are the "siege heilers"?

**MR DUBY:** Well, I often wonder. I often wonder what possible result of policies could we get out of that motley ratbag collection of people over there. I ask you, Mr Speaker, what a crazy thing this is, that this motion should be before us today - the disastrous impact upon the people of Canberra. Honestly and truly, it is ludicrous. Just think, some trees went into this notice paper. Is it not awful? It is disgusting. I would like to emphasise the matters raised by the Chief Minister and Treasurer in this debate today. The Government gives the highest possible priority to overcoming any economic and financial difficulties faced by the ACT now and in the future, as Commonwealth funding is brought into line with the States and Northern Territory. The Alliance Government is



committed to achieving the best and most equitable deal it can for the ACT from the Commonwealth. It will not, like the previous Government, kowtow to Keating and Walsh.

No, we will ensure that the ACT's case is put in the strongest way possible. We will be concentrating especially on the review of ACT finances by the Grants Commission this year. As the Chief Minister said, however, we cannot afford to delay addressing the need for economies. I would say that even though this debate has been brought on with political motives in mind - by jingo, it is another boomerang, is it not? It should serve, not to attack the present Government's policies but rather to raise the community's awareness of the gravity of the situation that the ACT faces. It is in that context, as I said this morning, when the Chief Minister is referring to 3,000 jobs that finally people have sat up and taken notice.

We have been saying for some time, long before the change of Government, that this place was in a parlous state. The amount of money we were required to find was in the order of \$100m. No-one seems to listen to you when you put it in figures such as \$100m. It has obviously got too many noughts on it for that side to comprehend. Put it into 3,000 jobs and people do understand what it means. Finally people are starting to sit up and take notice and pay attention. We cannot possibly adopt the policy of the Opposition. We cannot bury our heads in the sand and simply hope that things will not need to be changed, that some day things will be better. We need greater information about the efficiency and effectiveness of the existing processes we have in place today. The Priorities Review Board appointed by the Chief Minister will work closely with the Government and the ACT departments and authorities to identify areas in which economies and efficiencies can be achieved.

What we are talking about is spending the dollar better. We are not talking about cutting the dollars. We are not talking about putting the knife in. We are simply talking about efficient practices. It is not a razor gang but a serious attempt to make ACT programs and services as cost-effective as possible. Strangely enough, that does not have support. Most importantly though, it will be seeking a management structure appropriate to the ACT Government. The committee has an advisory role only. The Government itself will be responsible for policy decisions which may arise from its findings and recommendations.

If we do not actively seek to improve efficiency other services will suffer in order to support inefficiencies. In other words, we will be spending bad dollars here and as a result of not finding out and stopping that spending of bad dollars the good dollars will get cut as well. This is a ridiculous situation. This is not in the Government's interest or the community's and people should support that action. We must address the restructuring required in ACT

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finances in a planned rational way that is consistent with the community's needs. If we do not do this we will have financial adjustments forced upon us and that will have a disastrous effect on the ACT.

I will outline the undertakings given by the Chief Minister in his opening address to the Assembly on Wednesday 7 December 1989. It might pay people on the other side of the house to listen well and take note of what was said. We will introduce a positive approach to the management of ACT finances. We will emphasise the role our public employees play in achieving the ACT's financial objectives and we will improve awareness of cost-effectiveness across all areas of government.

Far from being disastrous, as claimed by the Opposition, these undertakings are the only responsible course for the ACT to follow. The Alliance Government will adopt a positive cost recovery policy but will grant exemptions where justified on social hardship or other compelling grounds. This Government will ensure that tax avoidance and evasion are minimised, if not eradicated. We will be working towards a tax system that is readily understood and which does not place a high compliance burden on industry, business or the ordinary citizen, for that matter. We will expand the revenue base of the Territory by encouraging development, including the stimulation of new high-tech industries, tourism and small businesses. We will promote all reasonable measures to stimulate private sector development with the aim of strengthening and broadening the economic base of the ACT. We have initiated and obtained the agreement of the Premier of New South Wales for a regional economic strategy for the ACT and surrounding regions. This will recognise the importance of regional links in Canberra's role as a regional centre. We will review the capital works program to ensure that all the projects included in it are consistent with community requirements and priorities.

This debate has been brought on prematurely by the Opposition. I think they are starting to rue the day they even thought of this. The Government has announced its intention to make a full budget strategy statement to the Assembly in March. This statement will be accompanied by a release of the forward estimates. This will include an overview of the economic situation facing the ACT over the forward estimates period. The forward estimates will provide information on trends for receipts and expenditures and the extent of the financial adjustments required in the forthcoming budget year.

In the meantime, let us all be in no doubt of the financial reality confronting the ACT. The former Government's own budget said it well. The problems have not evaporated since December. The Government will welcome an informed debate on this important issue in March and as I notice I have a little bit of time left, it might be worthwhile to put into the record some of the financial policies that

this Government has, so that people who read Hansard can see what excellent policies they are.

This Government will negotiate with the Commonwealth for an extension of the transition period during which Commonwealth input to the Territory will be maintained. We will review all the revenue and cost elements of the municipal section of the ACT budget annually to ensure the costs of running the city and the consequential rates are kept to a minimum. We will examine, with a view to transferring to private enterprise, those functions where substantial cost savings to the community can be achieved. We will review the organisational and financial arrangements inherited from the Commonwealth. We will conduct continuing negotiations with the Commonwealth to define the nature and degree of Commonwealth responsibility for the costs, direct and indirect, of establishing the national capital.

There are a whole range of other issues. I have another 20 or so here that I can list, one of which is a very interesting one. It is the development of a five-year rolling financial plan from which annual budgets will be derived. All those points merely go to show that the raising of this matter of a public importance - if it is directed to this Government - is a sham.

**MR BERRY** (4.10): I am pleased that misrepresentation has become the focus of this debate because the Government clearly owns the term. I think Mr Duby is the greatest example of misrepresentation that this Assembly is likely to see.

**Mrs Grassby:** He will sell out to anybody.

**MR BERRY:** There is no doubt about that. This Government, which has only been in power for two and a half months, nearly three months, has already made its intentions clear. The most important of these intentions is that one which will lead to the dumping - the scrapping - of 3,000 workers from the public sector in the ACT. The decision has already been made - Mr Kaine clearly accepts this - and now they have decided to pour \$300,000 into an investigation which will help to legitimise the scandalous decision that has already been made. As has been appropriately said by the former Chief Minister, the Government will allow this city to run down. It will hit at the service end. That is the ideological position of this Government, it will hit at the service end and it will look to privatising the profitable bits of public enterprise to ensure that their mates are looked after. Of course, the public sector will then be left with the unprofitable areas which will run down further and further and services will decline for the people of the ACT. This will be borne by those in the bottom end of the socioeconomic scale.

**Members** interjected.

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**MR BERRY:** We get "ho hum" from Mr Collaery. I will get on to him later. Social justice is not on the agenda of those opposite. They will deny the funds and the resources to maintain this city. They will cut services and throw the citizens of this city on to unemployment queues. They have demonstrated already that 3,000 jobs are going to be taken out of the system, and there is as yet no indication where they are going to take up the slack. Of course, we might get a bit of mumbo jumbo and rhetoric about it being taken up by some boost to the private sector, but how are they going to do it? There is no sign of any formula - certainly at this stage - that will assist them in delivering these sorts of hollow promises.

The first step in their strategy is to downgrade our health services and close hospitals. The target is the Royal Canberra Hospital; no question about that. Mr Collaery, or rather his party - the rank and file of which was responsible for getting him elected here - has a very clear position about the Royal Canberra Hospital. It is to stay as it is or better. Mr Duby, of course, has a very different position. He came in here with the position of doing nothing but then decided once he got here that Royal Canberra Hospital should stay. Now the whole complexion of the Government has changed and they are going to dump the hospital as well.

It is a very clear position. It is the same as the Greinerisation of the public transport system in New South Wales. You are creating stability - you create discontent with the system and then develop a program to close the system down. That is what they are doing to the public transport system in New South Wales and that is what this crowd is going to do with our health system.

The Chief Minister has chosen to exercise all his hospital planning skills and build a single large hospital - fund it, he says, from asset sales. What a joke. He cannot even add up. Not only could not the Chief Minister understand how the budget process was going to go in this house - - -

**Mr Kaine:** You are misquoting me, as you usually do. You either misunderstand or you misquote.

**Mrs Grassby:** He listened to you, Mr Kaine; why do you not listen to him?

**Mr Kaine:** Because he tells lies.

**Mrs Grassby:** You were telling lies, too.

**Mr Kaine:** He either misunderstands, which is usual, or he misquotes - one or the other.

**MR SPEAKER:** Order, Mr Kaine! Mrs Grassby, please desist.

**MR BERRY:** Mr Kaine said the Royal Canberra Hospital should be gradually closed down as a major hospital and its beds should be given to alternative uses without spending a lot of money. That means we put all our old people and the infirm in a run-down dump - - -

**Mr Kaine:** It does not mean that at all.

**MR BERRY:** Without spending a lot of money on it; that is what you said.

**Mr Collaery:** That is what you said, too.

**MR BERRY:** Low intensity nursing care, low intensity convalescence, the frail aged? Don't ever say that I said that to you, Mr Collaery.

**Mr Kaine:** Low intensity nursing care - don't you know what that is?

**MR BERRY:** Mothers with babies could be moved in, allowing for the sale of the sites of the Jindalee nursing home and the Queen Elizabeth nursing home for mothers and babies, for large sums of money. Royal Canberra would absorb these patients virtually without cost and the sale of the sites would pay for the thousand-bed hospital at the Woden Valley Hospital.

**Mr Kaine:** I did not say that; I do not know where you got that from?

**MR BERRY:** You did say it.

**Mr Grassby:** It is in the newspaper, Mr Kaine.

**Mr Kaine:** No, you are quoting from the Canberra Times, I presume.

**Mrs Grassby:** No, Mr Kaine; we are saying what you said.

**MR SPEAKER:** Order!

**Mr Kaine:** In other words, the Canberra Times said that.

**MR BERRY:** The fact of the matter is - and you know it, because we provided you with a briefing on it - that it would cost about \$300m to do that on a single site, and if you think you are going to get \$100m for those other sites you are kidding yourself. So do not talk about misrepresentation on budgeting in this place. Your Government is the one that is at the centre of all of the misrepresentation that is going on at the moment, and that is what this Opposition is about - exposing all the flaws in your program. I think we are starting to deliver on it; the people are becoming aware of what you lot are up to. Anyway, Mr Speaker, there are a couple of other speakers who want to have a say on the issue. I think that so much has been said as will allow the public to make a decision

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on the faults in this Government, and I will hand over to my colleagues.

**MR MOORE** (4.17): Mr Speaker, I am going to make a very brief statement about morale. I have been speaking to a number of teachers and teachers' representatives and I have been speaking to some nurses and nurses' representatives in the last little while. One of the things that is of most concern to them is morale. Whilst the cuts need to be made in certain areas, what is happening is that they feel vulnerable, their morale is dropping and their ability to perform their own functions now is terribly impaired. Why would teachers who are going to operate in classrooms continue to try to give the sort of dedicated service that they have been giving over the last 10, 12 or 15 years if they realise that basically what is in store for them is a major cut? From the attitudes that have been expressed by the Chief Minister in the press and through his own words on radio, he has recognised that because education and health and urban services are major areas of the budget they are going to have to suffer major cuts.

So if we look at a quarter of the \$100m we are looking at \$25m. That means we are looking at some 700 or 800 teachers losing their jobs. What does that mean in reality for morale? What teachers in the public sector can look forward to, without any increase in salary, are, of course, much greater class sizes. They can also look to a situation where parents, who have become most concerned about the quality of education as the classes grow larger, will move their children into a private education system which will cost them much more. What is going to happen is that the costs to the concerned people of Canberra will be far greater than if this Government was prepared to raise a levy perhaps, or a form of tax. Many forms of taxes have already been suggested that could be implemented.

I hope that as well as the razor gang the Chief Minister will also be looking forward to methods of raising money within the ACT Administration. If they are talking about cutting 3,000 positions - and I accept that they will not just be people fired - that, at a quick calculation, accounts for some \$90m. In other words, the jobs are going to account for the full set of cuts to the ACT Administration. People will see their jobs cut or be worrying and wondering what sort of positions will be cut, wondering what sort of work they will be able to do, wondering what is going to go on. Will their work conditions go down? At the same time they will be watching the private sector increase its work conditions and increase the situation where they can make more money. The Government will be making sure that it is that same private sector that has the greatest say as to where the money is going to be cut, where the money is going to be redirected - and we have heard suggestions today that it will be redirected into the private sector. This is the sort of worry that I have.

It is a concern that is going to have an impact on the morale of nurses, of teachers, of public servants. They are all concerned, they are all dedicated, they have worked hard to make Canberra what it is. So with this projected set of financial and economic policies that are being pursued, morale is going down and people are aware that the Canberra that they knew is going to change into a very different place because of these sorts of policies.

I saw Mr Collaery rapidly going to the Residents Rally policy before, when Mr Berry spoke about the Rally's attitude to health. I suggest that there is not much point in him looking at the short policy on health that he has got in front of him. The policy that Mr Berry was referring to - of course, I know it well - was the full policy. If Mr Collaery would like, I have a copy with me and I would be delighted to lend it to him for a short while so he can photocopy it. You will need to refer to this one, if you wish to.

**MR COLLAERY** (Deputy Chief Minister) (4.23): Mr Speaker, I have a few comments to make. The motion before the house, which we have left untouched because it is very effective - - -

**MR SPEAKER:** Order, Mr Collaery; the time has now expired for this debate.

### **Suspension of Standing and Temporary Orders**

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

That so much of the standing and temporary orders be suspended as would prevent the debate on the matter of public importance continuing until 4.40 pm this day.

Question resolved in the affirmative.

**MR COLLAERY:** Thank you, members. Mr Speaker, the motion was to discuss "The disastrous impact upon the people of Canberra of the economic and financial policies pursued and alluded to by the ACT Government". Obviously the Opposition has a crystal ball because I suggest that in any macro-economic or micro-economic sense it would be extremely difficult for members to know the impact of our policies in the short time we have had available. If the Leader of the Opposition is referring to the current situation, let me throw some light on it. She should know what she is referring to because the Opposition members spent a considerable time in the Assembly this week referring to and attempting to assist the author of this economic explanation.

The member for Canberra, Ros Kelly, is reported in the Canberra Times of 1 February 1990, as explaining what the

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current economic circumstances of the Territory are attributable to. This was in relation to the issue of the consumer price index for the December quarter. She is quoted as saying that she is disturbed by the ACT December CPI and attributes it to rises in food prices and increases in some ACT administration charges, including rent paid on government housing, motor vehicle registration and hospital and medical services. I challenge the next speaker from the Opposition to explain how the member for Canberra, Ros Kelly, could be saying that when you put a motion which is about the disastrous impact upon the people. This is another boomerang, of course; this is another motion. Clearly this Opposition is going through a mea culpa for its seven or eight months of struggling to know what it had taken over.

There are clear indications that we should be debating positive issues, not negative issues. Let me refer, for example, to an article by a respected finance editor, Ian Davis, in the Canberra Times of 5 February 1990, in which he reported that the:

... managing director of ... one of Australia's leading agricultural consultancies, believes Canberra has a strong future as a centre for agricultural processing, marketing, research and development.

Why do we not, I say to the Opposition, discuss issues positively and try to get on with the future of this Territory? Why are we persisting in lowering the reputation of this Assembly? Why will you not remain in the chamber to continue the debate? Earn your salary in this chamber and put forward sensible propositions for debate. Clearly, you are on your own if you think that the Alliance Government has had any significant impact on the economy to date in the time we have been in government, because you will not find an economist who will support your proposition, and you know it. I challenge your next speaker to find one.

The Master Builders Construction and Housing Association of the ACT was reported on 8 December 1989 as saying that fixing the ACT economy must be the first priority of the current Government. One can go on and look through the informed commentaries around the place - clearly the Opposition lacks an informed position on this or it would still be in government - but you do not find any support for this lacklustre proposition that we have spent the afternoon debating.

I trust that the matters of public importance that will be proposed by the Opposition will be positive issues that will interest the public and that we will not see the mad rush to the door by the media that is occurring day after day when these boring MPIs come on, which are self-destructive for the Opposition and which bring the Assembly into contempt when we see how embarrassed are its Labor



supporters with respect to its performance. Let me remind the Leader of the Opposition what was reported by a respected finance editor on 27 September 1989:

The ACT Government has painted a generally gloomy picture of the outlook for the ACT economy in the year ahead in background papers issued with the ACT Budget today.

Rosemary Follett said, in her budget speech:

Following years of strong growth, the ACT economy is now not performing as well as the rest of Australia in areas such as employment growth, retail sales and levels of activity in the construction industry.

You simply put a motion on today to contradict yourselves again. You cannot competently draw, even grammatically, a motion that can be of substance to assist the people of the Territory.

Clearly, Mr Speaker, this Government has a great chance to forge a new political model in this Territory, and we are doing it. The Alliance Government has no intention of attacking the disadvantaged groups. If you can get those groups to come out and say that we are, half your luck, because the fact is that they are realising that, from the prompt and immediate action that we are taking, we are interested in their situation after eight years of neglect and we are not going to attack them; we are not going to reduce welfare to the position in which it has been left for us - no way in the world.

Community groups have no fear of any ideological persuasion against us. It might interest the members of the Opposition to know that on these issues I have a Treasurer who is sympathetic to the welfare mess, who has spontaneously taken initiatives to ask me to look into welfare concerns in this Territory. You have constantly tried to run an ideological line that, because he comes from the Liberal Party, he is anti-welfare. I do not think we will benefit - - -

**Mr Berry:** "Anti-worker", I said.

**MR COLLAERY:** I know that you are afraid that our Alliance Government will set up a model that will bleed your Labor Party to death because we will put you to shame, and you know it. We are starting to see in Australia comments upon the nature of our Government.

**Mr Berry:** Just another conservative bunch of Tories.

**MR COLLAERY:** I challenge the next speaker to define what "tory" means. In deference to the times allotted, Mr Speaker, let me say that there are so many inconsistencies in the propositions put forward by the Opposition today

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that one does not know where to start. Primarily, though, I should respond to Michael Moore's comment regarding the Canberra Hospital. Mr Berry, Mr Moore and other members on the other side of the house have constantly tackled the question of the future of the Royal Canberra Hospital. We have constantly looked at the option of it being used for convalescent care, lower than acute traumatic care - - -

**Mr Berry:** That's not your policy.

**MR COLLAERY:** Mr Berry, they are propositions that you have put in this house; they are propositions, as Mr Moore knows, that we in the Rally discussed at length when he was there; and they are propositions that are entirely consistent with Rally policy. If there is one issue in relation to which we should try to and give the current Minister for Health, Education and the Arts assistance it is the hospitals issue.

**Mr Berry:** Closing it down?

**MR COLLAERY:** You know the facts, Mr Berry. You know the difficult circumstances there. You are in a particular position, because of your union experience and strengths, to assist the people of the ACT, to see what must take place in the health sector. You have pleaded with me in the past privately to look sensibly at the propositions that our Minister for health now is considering. You can run your ideological issues and rattle your sabres - we do not mind - but how about a bit of bipartisanship on some of the crucial issues affecting this Territory? I have posed some questions for the next speaker, and I trust that we will be receiving some answers.

**MRS GRASSBY (4.32):** Mr Speaker, Mr Kaine thinks he can pull the wool over the eyes of the ACT voters. I do not think he can. Let me inform you, Mr Kaine, that if you rob Peter to pay Paul you end up getting Paul's support; that is the support of big business, and that is what you are looking for. You do not care about the people of Canberra. Political parties die swallowing their own lies, and that is what you will do. Mr DUBY, success did not spoil you, you were always insufferable; always remember it.

Mr Kaine thinks he can sell off the farm to pay for all the things he wants to do, such as for the money that he is giving to the very fast train consortium. Mr Kaine, the very fast train consortium could buy and sell our Government over and over again, yet you are giving it the money, thus denying the voters and school leavers who will not be able to get jobs in this town because you are cutting them.

Let me tell you a little story about the wake of the XPT. One of the gentlemen who spoke at the wake made the point that his wife had to work in Sydney and he in Canberra, and each weekend they used to make the effort for her to come to Canberra so that they could spend the weekend together.

On Wednesdays she used to ring - and this went on for two years - to book a seat on the XPT and was told that it was booked out. On Fridays she would ring and get a seat. When she got on the train on the Friday night it would be more than half empty. The instructions were given to the State Rail Authority to run down the railways in New South Wales so that the New South Wales Minister for Transport could make a statement that the XPT did not pay; and when it did not pay, they could close it down. You are going to do that by closing everything down, telling us it does not pay and selling it all off, taking the jobs of public servants.

**Mr Jensen:** On a point of order, Mr Speaker; I am amazed. I am trying to work out the relevance of what Mrs Grassby is saying in relation to the debate before us.

**Mrs Grassby:** It is very relevant.

**Mr Jensen:** We do not own the train.

**Mrs Grassby:** Listen. Listen, and you will know.

**MR SPEAKER:** Order, Mrs Grassby! Thank you, Mr Jensen, for your observation. Please make your comments relevant, Mrs Grassby.

**Ms Follett:** On another point of order, Mr Speaker; throughout Mrs Grassby's remarks there have been constant interruptions and interjections from the other side of the house.

**Mr Kaine:** It's just like this morning in reverse, is it not?

**Ms Follett:** I ask you to call them to order. They cannot help themselves.

**Mr Kaine:** You thought it was hilarious this morning.

**Ms Follett:** I ask you to call members on that side of the house to order every time it is necessary.

**MR SPEAKER:** Thank you for your observation. Your point of order is upheld, Ms Follett. Please proceed, Mrs Grassby.

**MRS GRASSBY:** The point that I am making is that this Government will do exactly what Greiner has done in New South Wales. The people in New South Wales will show Greiner at the next election exactly how they feel about him. Mr Kaine believes that if you rob Peter to pay Paul, which is big business, it does not matter. You will leave us a sad city with no jobs and no businesses. You have already said you will be cutting 3,000 jobs to balance the budget, which we could balance very easily, thank you. You could not even understand it, Mr Kaine.

**Mr Kaine:** You could have fooled me.

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**MRS GRASSBY:** That is the sad part about it; you could not understand it. Mr Kaine, it takes a great man to be a good listener, and I do not think you are either of those.

**Mr Humphries:** Especially when they're listening to her.

**MRS GRASSBY:** Success would never spoil you; you are such an insufferable bore all the time, Mr Humphries, so let us get it straight.

**Mr Stefaniak:** He's not doing a bad job of the hospitals, though, Ellnor.

**MRS GRASSBY:** Closing them down? Do you call that a good job? I watched the deputy leader reading the Residents Rally policy. I thought, "What a joke. He sold that out a long time ago". As for Mr Duby, he would sell out for 30 pieces of silver anyway. He would try to tell you that he had great policies for the poor - - -

**MR SPEAKER:** Order, Mrs Grassby! I believe that is an imputation. Please withdraw that comment.

**MRS GRASSBY:** I am sorry. I withdraw it, Mr Speaker, because of you. The people of this city will suffer because of the policies of this Government. They are the ones who will suffer. There will be no jobs for the young people; the poor and the old will suffer because the Government will sell off all the assets. When we get back into government there will be nothing left; they will have sold it off and sold this city down the drain, as all tory governments do. That is what this Government is.

It does not have policies for the poor or the old or the young. It only has policies in relation to what it should sell off to its rich friends. This is what it is doing - looking at selling off public housing. What about Northbourne Avenue houses? Do you have the policy of selling them? I decided to sell off two houses, which would give enough money to buy five houses for people - not two in which people cannot live.

**Members** interjected.

**MRS GRASSBY:** Do not worry about that, Mr Collaery. I have really got you there, Mr Collaery. They tell me that when you get red and start laughing you are obviously worried. When we get back into government, I hope that they have not sold off enough of the farm that we cannot make it a successful government.

Discussion concluded.

## PERSONAL EXPLANATION

**MR MOORE** (4.38): Mr Speaker, I seek leave to make a statement under standing order 46.

**MR SPEAKER:** Do you claim to have been misrepresented?

**MR MOORE:** I do indeed, Mr Speaker.

**MR SPEAKER:** Please proceed.

**MR MOORE:** In the speech of the leader of the Residents Rally, the Deputy Chief Minister, the sense of his words was that I had agreed that the Royal Canberra Hospital could be used as a convalescent home and that I had done so on many occasions at Rally meetings and so forth. I challenge him to produce any minutes to that effect. I certainly have never done anything of the sort. I have always maintained that the Royal Canberra Hospital should be retained as a major hospital in Canberra; I have never moved from that position.

I have certainly considered options, because everybody considers all options, but that does not mean I necessarily accepted those options. To suggest that at any stage I would move that far from a policy on which I was elected is simply not the case. I certainly am not one of those people who would move that far away from the policies, as indeed other people of the party with which I was elected have done.

## OCCUPATIONAL HEALTH AND SAFETY LEGISLATION Implementation

**MR BERRY** (4.40): I seek leave to move a motion standing in Mr Whalan's name on the notice paper.

Leave granted.

**MR BERRY:** I move:

That this Assembly -

(1) directs the Government to implement immediately the - - -

**Mr Collaery:** I take a point of order, Mr Speaker. Private members' business needs to come on, on my understanding, after a suspension of standing orders.

**MR SPEAKER:** The leave has overridden the standing orders, Mr Collaery. The Assembly gave leave for this to proceed. Please proceed, Mr Berry.

**MR BERRY:** I move:

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That this Assembly -

- (1) directs the Government to implement immediately the former Labor Government's legislation on occupational health and safety; and
- (2) calls on the Government to restore the provision in the original legislation that a designated work group should comprise 10 employees rather than 20.

Mr Speaker, the first piece of legislation of the Follett Labor Government was the Occupational Health and Safety Bill 1989. As members will recall, it was introduced on the basis of a very firm commitment by Labor in the election campaign to deliver that sort of legislation for workers in this Territory, and it was introduced by the then Deputy Chief Minister, Mr Paul Whalan, on 25 May 1989. It was a crucial piece of legislation for workers in the Territory. The glaring need for that protection for workers in the ACT was long recognised. Its prime aim was to protect the health and safety of workers in the ACT. One of the great surprises to me was that the Liberals in this place took a stand of opposition to the sort of protection that the legislation would have provided for workers in the ACT. That was recognised by workers and unions in the Territory, particularly the Trades and Labour Council of the ACT, which took a strong stand about the introduction of that legislation.

The motion that I have moved will have the added benefit of ensuring long-term improvement in productivity through decreased time lost as a result of workplace injuries. The thrust of the legislation was to move away from rigid inspectorial legislation towards encouraging workplace arrangements, with both workers and employers taking responsibility for their own safety arrangements.

The Bill was referred to a select committee of the Assembly, which reported on 6 July 1989. The Bill was then amended, debated and passed by this house in November. It is now an Act. It is about time that the Canberra community began to see the benefit. As it stands, the people of the ACT could be forgiven for believing that self-government does nothing for them - lots of speeches, lots of misrepresentation, as I pointed out earlier, and not much else.

During the debate on the Bill many significant amendments were moved and carried, all aimed at weakening its effects and leaving workers in the ACT without the full protection required. I think this Assembly's disastrous handling of that legislation will remain as a scar on the first few months of this Assembly's performance because many workers lost some of the confidence that had been built up by Labor in the first place. In the Territory, where the costs of workplace deaths and injuries have been estimated at \$120m to \$240m per year, it is important to ensure that we improve workplace health and safety arrangements.

It is important that we examine the performance of the players in this Assembly at the time that this legislation was dealt with. I think the most significant issue in relation to the designated work groups was the position that was taken by the Residents Rally party and, in particular, their leader. Mr Collaery danced all over the place, as usual, and it was very difficult to determine what his position was. The one thing that was made very clear to us was his attitude to workers in this Territory, which he was able to convince his party should be followed.

**Mr Moore:** The remnants of the party.

**MR BERRY:** As Mr Moore rightly says, it now could be described as the remnants of the party. What developed was a hatred for organised labour in this Territory and in particular for the Building Workers Industrial Union. Because the strength of that union, the weight that it put behind this legislation and the importance that it placed on it - we certainly want exposed the conservative nature of Mr Collaery's party's politics - enraged him somewhat and then a reaction was taken against workers in this Territory, he was the one who effectively stood in the way of the designated work groups being placed in a stronger position in order to protect conditions in the workplace. Some of the interesting things that one can find in the transcript relate to his eventual attitude. He said:

We were not criticising unions such as the carpenters and joiners, the painters and decorators and the others per se; we were referring specifically to the exemplary role that the BWIU should play in this matter.

So he had a definite dislike for the BWIU. He also pointed out the populist position of the Residents Rally party. At page 2233 of Hansard of 31 October 1989 he said:

It is clearly a matter of surprise to the Deputy Chief Minister and members of the ALP that the Rally has this role in the Assembly. It is not undertaken for any power gamesmanship because clearly the Rally cannot win votes either way out of the position it has taken. It is a very difficult position to sit in the middle on issues like this. The Rally has taken a principal view that the BWIU has an extreme duty upon it; it bears the onus of acting as one of the leading unions or perhaps the most prominent and powerful union in this town in the implementation of this legislation.

I indicated very clearly that the Rally will support an amendment in due course so long as the Act is phased in and is seen to be established and accepted in the industrial workplace.

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He said to me, at the conclusion of that debate, that the BWIU had to be placed on probation for a short time because of its alleged activities in the building industry. I think the time that was discussed was around six weeks. The six weeks has long gone, and there has been no evidence that would suggest that the BWIU has not behaved itself in the terms Mr Collaery would want it to. As a result of this debate I would want to see some support from Mr Collaery for this change in the designated work groups. I think an indication in that respect would mean a lot in terms of providing protection for all workers. It would not provide it to all workers, but it would provide it to an increased number of workers.

The amendment that I move today attempts to overcome one of the major flaws of the Bill passed by the Assembly, and that is the Act's failure to cover a greater proportion of the Territory's workplaces. As the Act now stands, about 95 per cent of employers are exempt under it - that is from the speech made by Mr DUBY, incidentally. In my view, it is outrageous that 95 per cent of employers are exempt under the Act. As I said, it was identified by Mr DUBY in this Assembly, when speaking against the amendment to increase the threshold from 10 to 20.

The effect of decreasing the number of designated work groups from 20 to 10 will be to reduce the number of employers who are exempt to about 85 per cent. That is still unacceptable, but it is much better than would be the case if 95 per cent of employers were allowed to continue being exempt.

I expect that at some time in the future there will be pressure again to expand the influence of this legislation to cover all workers. The Labor party will be looking forward to participating in the process to ensure that the size of these designated work groups is reduced.

Workplace apathy and ignorance have been identified as causes of poor occupational health and safety practices. Unless the vast majority of workplaces is covered by legislation the community cannot expect that much will change in that respect. One of the principal aims of the legislation is to involve workers in the process of providing safety in the work place.

If this Assembly is of a mind to decrease the size of the designated work groups the opportunity for that sort of involvement will present itself to a larger number of workers. I am quite confident that would be a reduced accident rate in the workplace, a reduced cost to the community, and in particular that the quality of life for many of the workers who would otherwise have been injured will be improved and their families will be able to enjoy a better role in society as a result.

As I have said, these benefits will come in the form of improved health for workers in the ACT, as well as - and



this is a very important point, I think - future reductions in compensation payments and premiums for employers. Again the importance of that is most significant because there will be lower costs flowing on to the community.

This Assembly is obliged to consider all of those aspects of the issue of a reduced size of designated work groups. I think any rational assessment of the issue as it has been put in the motion that I have moved will lead to overwhelming support for the proposed changes to the legislation.

**MR DUBY** (Minister for Finance and Urban Services) (4.54): Mr Speaker, I welcome the opportunity to speak to this motion today. I think it needs to be said right from the outset of this debate that the Alliance Government is firmly and completely committed to proper occupational health and safety legislation for the ACT. There is no tension with any of the Alliance partners in Government. We have had close consultation with the union movement, including the BWIU on this matter, and the BWIU is fully satisfied with the intentions and the attitudes of the Alliance Government in relation to occupational health and safety.

Occupational health and safety is a high priority for me in my capacity as Minister for industrial relations. I note that the Bill that introduced occupational health and safety under the former Follett Government was passed, I believe, on 31 October 1989, and that Bill has to be fully operational by 14 May 1990. I have already instructed my department to proceed to implement the Act and that involves a number of operations, including filling the important position of registrar, and canvassing nominations for the Occupational Health and Safety Council.

To advise the Government on its overall health and safety strategy, including the effectiveness of the legislation, it is the Alliance Government's view that the appropriate mechanism will be the industrial relations advisory council, once it is established. IRAC, as it is known, will have representation from employer and employee groups and will also be the source of advice on the coordination of the preventive strategy with the compensation and rehabilitation strategies we also need to pursue. It will be chaired by myself, as Minister for Industrial Relations, and I think that gives an indication of the importance we place upon the advice to be given by that committee.

The Alliance Government is proceeding with a major review of workers compensation and rehabilitation in the ACT private sector. The review will, among other things, examine the value of exploiting the nexus between occupational health and safety, rehabilitation and workers compensation. The review will look at the range of benefits necessary in a scheme, how to provide these at a minimum cost and the best means of delivery of those

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benefits. A recommendation is soon to be made to the Government on a consultant to conduct this review which will be far-reaching and exhaustive. The review will be completed, we hope, by the middle of this year.

Going back to the Occupational Health and Safety Act, as I said, I have instructed my department to fill the important position of registrar. Once that position is filled and the registrar is appointed and the rest of the Act gazetted, work will commence on absorbing and restructuring the existing safety inspectorate into a new occupational health and safety inspectorate, including where necessary retraining and recruitment of some new inspectors. An amount of \$200,000 has been provided for the implementation of the Act this financial year.

There will also need to be a comprehensive review of all existing legislation, scaffolding and lifts and so on, with the objective of updating it and bringing it under the umbrella of the Occupational Health and Safety Act as regulations. In that area alone there is an awful lot of work to be done. The registrar will also be involved in recommending on the adoption of standards as provided for under the Act. In this area it is likely that the ACT with its limited resources will rely heavily on Worksafe and Standard Australia standards, which I believe will be satisfactory to all members of the community.

As Assembly members may know, the ACT Government has a seat on the management committee of Worksafe Australia and we endorse its standards and recommendations. It will be necessary to interrelate with other ACT Government bodies, for example, environment protection and eventually the Health Inspectorate, to ensure an optimum use of resources and a minimum of bureaucratic intrusion into business operations. The registrar will also be an avenue of appeal against an inspector's decisions, although it is envisaged that in the long term there will also be a right of appeal to the Industrial Commission on some matters.

The Government's aim is to develop an integrated, occupational injury prevention and management strategy for the ACT as exists in all other States and Territories, involving occupational health and safety, updated workers compensation and rehabilitation of injured workers, with the initial objective of minimising occupational injury through workplace safety arrangements. Where that fails and injury occurs, the objective is to get the injured worker back to work as quickly as possible for a whole number of reasons, both social and psychological, for the sake of the worker and to minimise the currently exorbitantly high workers compensation premiums that apply in the ACT.

As I said, I have already instructed my department to proceed to implement the Act, including filling that position of registrar and canvassing nominations for the Occupational Health and Safety Council. For my part I will

be gazetting the Act in stages over the next few months and I expect it to be fully operational by early May this year. The Government's ultimate objective is the introduction of a scheme that will have the broad support of the industrial partners and that will achieve the desired result of a safer and healthier workplace, something I am sure that all members of this Assembly will endorse.

It must be remembered there has been criticism aimed at the Act from several quarters and, as I said earlier in my address, the Government has decided that it would be appropriate for the operation of the Act to be kept under review by the industrial relations advisory council.

**Mr Wood:** You voted with us on these workplace committees.

**MR SPEAKER:** Order, Mr Wood!

**MR DUBY:** This tripartite structure is the appropriate body to monitor the continuing effectiveness of the Act and to recommend changes in the light of experience.

**Mr Wood:** Well, tell us what you are doing?

**MR DUBY:** In relation to designated workplace committees, Mr Wood, I would expect - - -

**Members** interjected.

**MR SPEAKER:** Order! I would ask members to stop interjecting. The Leader of the Opposition specifically requested that members on the opposite side do so. You are now breaking her requirements. Please desist.

**Mr Wood:** I just want an explanation of why you have changed your mind.

**MR SPEAKER:** Please proceed, Mr Duby.

**MR DUBY:** In relation to those matters, Mr Wood, I would expect that the desirability of reducing the size of the DWGs, the designated work groups, from 20 to 10 or any other number, for that matter, would be considered as part of that review and as a matter to be taken under consideration by IRAC, of which I am the chair. In view of those facts, which clearly demonstrate, Mr Speaker, this Government's commitment to occupational health and safety and to the well being of workers in the ACT, I move the following amendments to the motion as presented:

That all words after "Assembly" be omitted and the following substituted:

- "(1) notes that the Occupational Health and Safety Act passed on 31 October 1989 will be fully operational by 14 May 1990; and
- (2) requires the Government to review the provisions of this Act following advice from the proposed Industrial Relations Advisory Committee".

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Mr Speaker, I am sure you will agree, having heard what I have had to say about our commitment to occupational health and safety, that this is a very sensible amendment to this dictatorial motion that we find here under private members' business. I seek the support of every clear-thinking member of this Assembly in that amendment.

**MR MOORE** (5.03): The concern is that, first of all, the industrial relations advisory committee does not exist. We have got no idea whatsoever of the sort of structure of that committee and, if it is anything like the razor gang structure, we can expect it to have on it no unionists, a series of industrialists and a couple of academics.

**Mr Duby:** I rise on a point of order, Mr Speaker. Mr Moore clearly has not listened.

**MR SPEAKER:** That is not a point of order, Mr Duby.

**Mr Duby:** Well, I have just explained that it has representatives of employer, employee and Government groups. If he does not want to listen, that is his business.

**MR SPEAKER:** You can claim to be misrepresented later, Mr Duby.

**MR MOORE:** Thank you, Mr Duby, I withdraw the structure as I put it and will emphasise that we do not know what proportions that they will be in.

**Mr Duby:** Equal.

**MR MOORE:** In equal proportions, thank you very much.

**Mr Duby:** Next?

**MR MOORE:** Thank you for that interjection, Mr Duby. It will be interesting to see the final formation of that particular body. The concern clearly of the motion here is to ensure that the designated work group should comprise 10 employees rather than 20. I am quite happy with the first part of your amendment and quite happy to vote with that.

The second part of your amendment, however, does concern me because I think it is a perfect opportunity now for you to continue to argue, as you did argue in the occupational health and safety debate, that there should be 10 employees rather than 20. It will give the Residents Rally the opportunity now to realise the mistake that they had made and go with the figure of 10. The delay will cause some further problems. As you have said, the Act will be fully operational by 14 May and I think that it is good to see that you are getting it even if it is a fairly long introduction time, but there are quite a complicated series of manoeuvres that have to be made to get it that way.

I think by that time you could easily assess - and Mr Collaery in particular could easily assess - the behaviour of the BWIU. I think that would give you the opportunity to implement the legislation with the 10 employees rather than the 20, so that it does cover a reasonable number of people within the ACT. As you will recall, the difference between the number of people covered by occupational health and safety, with these two figures, is really very significant. The appropriate figure, as indeed you argued yourself at the time.

**Mr Jensen:** Did not you want 12?

**MR MOORE:** As you will recall from that debate, if you check the debate, Mr Jensen, I explained why my move was 12, and why I had then accepted that 10 was appropriate. If you read back through the Hansard, you will find out exactly why.

**Mr Kaine:** Twenty is just fine.

**MR STEFANIAK (5.07):** Twenty is just fine, thank you, Chief Minister. Mr Speaker, I think it is interesting to note that during private members' business that there are only two members of the formal Opposition present, and Mr Moore is sitting on the cross benches. In relation to this, as most of you are probably aware, after long and careful consideration, the Occupational Health and Safety Act was passed by this Assembly on 31 October 1989, and the Act was proclaimed on 14 November 1989. It may well have been the first piece of legislation the former Government introduced, but when it did not like the report that the Select Committee handed down, it went on the backburner for some months, before it was finally debated in this Assembly. This piece of legislation on which they place so much store, they themselves and their union mates placed on the backburner for some months. But at least it was introduced and proclaimed on 14 November 1989, and I think all parties in this Assembly at least maintained that it was important and essential legislation.

On that date, the Chief Minister gazetted clauses 1 and 2 of the Act, and those clauses cover the title and commencement of the Act only. The remainder of the Act is still ungazetted, and so does not yet apply. In order for the Act to become fully operative, as passed in the Assembly, the Minister will proceed to gazette and implement the legislation. Arising from the debate in the Assembly there is no doubt that there is an expectation in some sections of the community that the Act should and will be reviewed after a period of operation.

The main points of contention foreshadowed during debate on the Bill by various parties went to the number of employees in a designated work group. As the Chief Minister said, 20 was a fine number, and indeed virtually all the employer groups certainly wanted that as a minimum figure. The size of penalties under the legislation was also another point

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of contention. Indeed, the disparity and unreality of the penalties was accepted by all parties in the Assembly during the lengthy debate on this legislation, and that also has to be reviewed. That also applies to certain other points, such as whether there was a need for involved employer bodies to be included, as indeed involved unions have been included in the legislation.

There are other problems some groups had with the Bill, including whether there should be any legislation at all, but there was a consensus that some occupation health and safety legislation was required.

The Alliance Government has agreed that now that the Act has been passed implementation should proceed at this time without immediate amendment. The reasons for this view are, firstly the ACT is the only state or territory without such general occupational health and safety legislation. Such legislation is an important first step in developing an integrated injury prevention, compensation and rehabilitation strategy, which has the potential to generate economic benefits through the significant reduction of labour oncosts in the ACT as well as having social benefits for workers and their families by reducing the incidence and severity of occupational accidents and diseases.

All other states of the Commonwealth have undertaken such reviews and have implemented or are implementing major changes to their occupational health and safety, workers compensation and rehabilitation legislation - and I wish the Victorians good luck with theirs. Some have obviously been more effective than others.

After considering the matter, the Alliance Government has decided to proceed with the implementation of the legislation as passed, with some provisos. In essence, the Government endorses the Minister for Finance and Urban Services proceeding to implement the Occupational Health and Safety Act 1989, including gazettal of the remainder of the Act, appointment of a registrar and appointment of a tripartite occupational health and safety council. However, the Government has decided that the industrial relations advisory council, when it is established, will be required to advise the Government on the Occupational Health and Safety Act, including the effectiveness of the Act, and on the coordination of our preventive strategy with our compensation and rehabilitation strategies.

Implementation action now required to make the Occupational Health and Safety Act operative includes a staged gazettal by the Minister of the remainder of the legislation over the next three months, geared to setting in place the appropriate mechanisms and resources to give effect to the provisions of the Act, that is, appointment of a registrar, an ASO 8 level, a pivotal position in the ACT.

**Mr Moore:** I rise on a point of order, Mr Speaker. Standing order 62 provides that a member may be directed to cease speaking after repetition. What we have heard from Mr Stefaniak is repetition of his own arguments on three previous occasions in the Assembly, and now repetition of the speech of Mr Duby.

**MR SPEAKER:** Yes, I think repetition has applied to all speakers, thank you, Mr Moore. Please proceed, Mr Stefaniak.

**MR STEFANIAK:** Thank you, Mr Speaker, and I will assure Mr Moore I will not be all that much longer repetitious or not, and I think we will all be repetitious here because we did have lengthy debate. Where was I? I was dealing with appointment of a registrar, an ASO 8, a pivotal position in the Act. The position has already been advertised and the selection process has commenced. As for appointment of the tripartite Occupational Health and Safety Council, as the Minister has said, nominations have been called from industry, the trade union movement, to enable the council to be formed as soon as possible. The role of the council under the Act is to advise the Minister on matters related to occupational health and safety, including the operation of the Act and associated matters. I shall not repeat the date when the Act will be operative; the Minister has done that.

**MR WOOD (5.13):** Mr Duby said that the Act was being implemented. He made those comments in a speech which, in terms of the definition I gave earlier today, one would term as allegorical. I am pleased to be on my feet and supporting Mr Moore, because on this matter we did not always have the same view. I certainly welcome his conversion, and indeed the conversion of any members on that side of the House who seem rather more enthusiastic about this proposal, this Act as it is now, than they were formerly.

Let me tell you how I know it has been implemented. I have been quite surprised to hear a number of people - being as accurate as I can, I suppose, about five, which is not a great number but it is indicative - in general conversation in the last month say, "Oh, we're having to form a work-based committee", or some similar terminology that they may use. So the Act is being implemented and people out there are quite interested in it. In fact, I think the opinions I have had have ranged from interest to ready acceptance, and in two of those cases to real enthusiasm, recognising the great need for the Act. I have had no negative comment from anybody saying, "What the heck have we got to do this for?". I think it indicates to the present Government that this is a good idea. I know that there is enthusiasm out there to reduce that restrictive number from 20 down further.

**Mr Stefaniak:** Twenty is a good number though.

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**MR WOOD:** Yes, but that is for school classes. A class size of 20 is a good number, but we are talking about occupational health and safety. I am pleased that Mr Duby expressed his support. It may be that in due course the Government will recall the vote Mr Duby made in this house on that number, so that more people will be able to avail themselves of the protection that is offered through these work-based committees.

Mr Duby made a great deal of other comment about the work that the Government is doing towards occupational health and safety. I know that they were policies introduced and begun by Mr Whalan, and I am pleased to see that they are being continued. But let us get the wider coverage, the full emphasis, the full support that making more of these work-based committees would provide for us.

**MR BERRY (5.16):** This debate has demonstrated one of the greatest turnarounds - well, it might not be the greatest one, but I suppose it joins with the other turnarounds that we have experienced in the last two or three months. I think the saddest thing about this is that Mr Duby has been spirited away from the contention that workers should be protected to a position where any further moves to protect workers should be put off.

We know that the political position in the Rally/Liberal/No Self Government Alliance collegiate Government is somewhat softened by the involvement of the Liberal Party and the people who assisted all of those opposite to stitch together the tory Government opposite. On the tory issue, Mr Collaery, we spell it T-h-a-t-c-h-e-r.

**Mr Stefaniak:** She is a wonderful lady.

**MR BERRY:** I expect that from you, Mr Stefaniak. The position in relation to this legislation is that the Government opposite has sought to delay the additional protection proposed by the Labor Party for workers in the Territory. It merely goes on with mealy-mouthed rhetoric about increased support, and we all know the time and trouble that went into a long and involved inquiry into the matter by a committee of this Assembly. Mr Stefaniak has just said that 20 is a good number, and there is no doubt that the conservative influence amongst the tories opposite will still seek to prevent increased protection.

**Mr Collaery:** I rise on a point of order. Mr Speaker, I object to the term tory. The term tory according to the World Book Encyclopaedia - this is for Mrs Grassby's information - is a term that came from a Gaelic word meaning pursued or pursued man and was used in the mid-1600s to mean an Irish outlaw. There are no Irish outlaws here.

**MR SPEAKER:** That was not a valid point of order. Please proceed, Mr Berry.



**Mr Kaine:** Besides which, the Liberal members are further to the left than any of the other in this Government.

**MR BERRY:** That does not surprise me. So the position is that the Tories opposite will ensure that there will be a delay in the provision of proper workplace safety.

**Mr Whalan:** Here comes the only true Tory.

**MR SPEAKER:** Order. Mr Whalan, was that a salutatory direction to myself, to the Chair?

**Mr Whalan:** I was just waving to the Chief Minister.

**MR SPEAKER:** I would ask you to look to standing orders when moving into the chamber.

**Mr Kaine:** I acknowledge the salutation, Mr Speaker.

**MR SPEAKER:** Please proceed, Mr Berry.

**MR BERRY:** The issue which will concern the trade union movement and workers in this Territory is the fact that this is going to be delayed. The Government has deliberately set out to delay the issue and pass it on to the industrial relations advisory council. Of course, that just spells another delay and further release from the obligation by employers to provide proper protection for workers. The proposed amendment is merely just hollow words which will mean nothing to workers in the Territory. I am sure that the trade unions that represent those workers will make the position clear to the Government when they see this abomination that is being proposed by Mr DUBY, the new industrial relations Minister. He can rest assured that I will pass it on to them, by the way. He need not bother wasting a second postage stamp; I will certainly be bringing it to their attention. I am sure they will join the further struggle to ensure that they are better protected in the future. Again I go back to Mr DUBY's words on 31 October last:

... 95 per cent of employers within the ACT do not fall within that category. Having moved the size of DWGs to 20, what on earth is the point of having occupational health and safety legislation at all?

What a statement!

It simply means that the larger companies are the only ones that will have to take up the provisions of this Act.

He said in that speech:

My party was originally prepared to accept the amendment of the legislation to make a designated work group comprise 11 rather than 10.

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We felt that this was the compromise that had been agreed within the committee. Having listened to the arguments, first of all from Mr Stefaniak, which are put from the Liberal Party point of view, that the DWG should comprise 20 members, I am compelled to say that I am opposed to that. The situation is quite clear, to be perfectly honest. There is a difference between designated work groups and safety committees. So, as Mr Moore said, it is foolish to compare the situation that we have in the ACT with that which applies within New South Wales.

What a turnaround, an absolute disgrace that will be recognised by the trade union movement and the people of the ACT who will have to pay for the arrogance and refusal of this Government to provide proper workplace safety for the workers of the Territory, and who have failed in their duty to reduce the cost of workplace injuries in this Territory.

It is ironic that the Government is moving to put off any improvements in workplace safety today when we were today debating what is going to happen to our health system, because the health system will be needed to cope with the continuing injuries which occur in our workplaces. A fundamental issue in the provision of health in the ACT is the issue of health promotion, and again this Tory Government opposite has fallen down on the job. It will be recognised for that and, as a proper Opposition should, we are here to keep that focus on this Government to ensure that the people of the ACT are fully aware of where this lot are headed.

Question - That the amendment be agreed to - put.

The Assembly voted -

AYES, 12

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

NOES, 5

Mr Berry  
Ms Follett  
Mrs Grassby  
Mr Whalan  
Mr Wood

Question so resolved in the affirmative.

Question - That the motion, as amended, be agreed to - put.

The Assembly voted -

AYES, 12

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

NOES, 5

Mr Berry  
Ms Follett  
Mrs Grassby  
Mr Whalan  
Mr Wood

Question so resolved in the affirmative.

### PAPERS

**Mr Collaery** (Deputy Chief Minister) presented the following papers:

Bernard Collaery - Withdrawal from Practice - Copy of letter from Mr B. Collaery, MLA, to The Secretary, The Law Society of the ACT, dated 6 December 1989.

Unrestricted Practising Certificate - Copies of letters from -  
Mr B. Collaery, MLA, to Mr M. Phelps, President, The Law Society of the ACT, dated 12 December 1989.

Mr M. Phelps, President, The Law Society of the ACT to Mr Collaery, MLA, dated 21 December 1989.

### ADJOURNMENT

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

That the Assembly do now adjourn.

### Summer Nationals Racing

**MS FOLLETT** (Leader of the Opposition) (5.30): I would like to again take advantage of the adjournment debate to make some remarks about Summer Nats and its staging at the Natex Centre over the New Year period. Since that time I have been flooded with representations from people who have been concerned over the organisation and running of that event. They have been people from the North Canberra area,

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generally residents of Downer and Watson, whose residential amenity was most affected by the event. I live in Downer myself and I must admit that I was disturbed also about the event this year. Some of the impacts that the Summer Nats had in our area were things like racing cars in residential streets, dangerous driving; there was obviously camping in public areas, there was damage to private property; there was noise pollution; there was rubbish and litter throughout the area.

The complaints that have come to me about the matter address all of those sorts of issues, and quite rightly. I think it is unacceptable to the people of North Canberra that this should take place, and we are therefore voicing our concern about it. It does worry me greatly, though, Mr Speaker, that when one individual, a friend of mine, raised the matter through a letter to the editor, he and his wife were so abused that they were forced to install a private telephone number.

That is not to say that we are opposed to the holding of the Summer Nats in Canberra, and certainly we are not. We recognise that there are a great many benefits to Canberra in the staging of that event to the businesses in Canberra and also of course that people who participate in it enjoy it a great deal. It is a very very popular event and I wish those people well; I would like to see them continue to enjoy it. But personally I think there are a few bad apples who have got together during that event to try to spoil the whole event for the participants who do conduct themselves in a responsible way.

What I believe is required is an action plan that is designed to ensure that the event can be conducted in such a way that the participants do have an enjoyable event, but also that the distress that was caused to the residents in the most recent event is removed completely. I would therefore like to address a five-point action plan that I think would achieve that.

Firstly, and I believe fundamentally, all of the traffic laws of the ACT must be enforced. Drag racing must be taken out of suburban streets, and this can only be achieved, I believe, Mr Speaker, by increasing the police presence at the event and through all hours of the day and night. Secondly, camping should only be permitted in specifically designed and designated areas. It is absolutely unacceptable that camping is permitted on road verges and in suburban green spaces. There are simply no facilities there to support camping, and if temporary camping facilities are required they should be provided at Natex by the Summer Nats organisers.

Thirdly, I believe that Canberra laws with respect to noise pollution must be enforced. We have relatively new legislation in this area, which is quite strong and it should be enforced. You just cannot keep residents awake at all hours of the night with loud engine noises and so

on. Fourthly, the organisers of Summer Nats must be responsible for cleaning up the litter which it produces, and that was a very severe problem in the most recent staging of the event. I do not think it is acceptable that the whole of Canberra should pay through the public purse for the cleaning up of that event.

Finally, I believe that there should be a sufficient police presence to ensure that all existing laws in relation to public behaviour are enforced. Private and public property must be protected. The individual residents should not be harassed either physically or verbally as happened on occasions, as I say, by those few bad apples.

Mr Speaker, I believe that if the Government were to act on that five-point action plan, then the Summer Nats would be able to continue at Natex and, more importantly, that the residents of Canberra, and North Canberra in particular, would be able to continue their lives without the unwarranted and unnecessary disruptions that occurred. So my intention in putting forward the plan is quite simply to ensure that everybody can enjoy Summer Nats, including those residents who are closest to the event.

**MR DUBY** (Minister for Finance and Urban Services) (5.35): Mr Speaker, it was interesting to have this matter raised in this way today, which I suppose is an appropriate way to raise the issue, and I am glad that the Leader of the Opposition has done just that. The Summer Nats has generated a lot of publicity this particular year. The street machine nationals, the Summer Nats, as we all say, is enormously beneficial to Canberra's tourism industry, and it is quickly becoming one of the city's biggest annual tourist events, with the level of income generated by the visiting folk who come to town, to both the Natex, the National Exhibition Centre Trust, and the local business community in that area - indeed, not just there, but right throughout the ACT.

There have been a lot of problems raised in relation to the Summer Nats, and most of which seem to stem from one of the highlights, which is the super cruise, the parade of street machines from Natex to the city, held on the Saturday night of the event. Thousands of people, many of them family groups, line Northbourne Avenue to view and enjoy this particular parade and spectacle.

I agree with the Leader of the Opposition that it is most unfortunate that the actions of the minority group - the majority of whom, I believe, are local Canberrans - overshadow the pleasure and benefit gained by thousands of visitors and residents on the north side during this event.

Ms Follett raised the point of an action plan, and I am pleased to be able to advise Ms Follett that we are actually one step ahead of her. A series of discussions have already been held between my department, and the National Exhibition Centre, the Australian Federal Police,

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and the event organisers, to map out a variety of strategies needed to avoid a recurrence of the disturbances that have occurred in 1989. I assure Ms Follett, the residents of northern Canberra in particular, and indeed the residents of Canberra as a whole, that these very points that she has suggested - namely, enforcement of the road laws, fixing up of the camping problems, correction of the noise pollution, clean up of litter by the event organisers, and an increased police presence - have all been addressed and are in train for the running of this 1990-91 event.

I am pleased that Ms Follett has raised this matter, but the matter is being addressed. If she has any further suggestions as to ways that the safety and enjoyment of this spectacular event within the Canberra year can be improved upon, I will look forward to hearing from her. But the matters that she has suggested are already in train.

**MR MOORE** (5.39): I, too, have been approached by many people on this particular issue, and my assurance and my statement to those people has been that I believe that appropriate action needs to be taken to attempt to bring the Summer Nats into an event that is acceptable to the people of north Canberra, as well as to the participants. If that is not the case by next year, I would be prepared to move a motion to exclude it from Canberra, if we have to find a way to be able to do that.

I would like to add a few other possibilities of some of the facilities we have potentially around Canberra. It is possible that what was previously the police driver training area at Sutton Road may well provide an area where people who wish to run drag racing may do so. It is a perfectly appropriate place for that, it gets it out of the suburbs and the drag strips. So there are facilities for the sort of games that people want to play with their street machines.

There is another factor that I must admit I am very curious about, and I foreshadowed that this could come up at question time. I refer to the use of move-on powers over the period of the Summer Nats. The police certainly had those powers at their disposal. As much as I object to them, it strikes me that if they did have those powers at their disposal it was an excellent time to use them in terms of people who were camped at inappropriate places and so on. Those powers may well have been used and I will be interested to find out if that is the case, how they were used, and how successful they were as far as the police officers were concerned.

**DR KINLOCH** (5.41): Mr Speaker, we are all eager participants in the many events of our city and, having looked at the cars in the basement, I think there is a small blue Volkswagen that could be used for us to participate in the event next year.

I note on behalf of the members of the Social Policy Committee the useful comments of Ms Follett, which were backed up by Mr Duby and by Mr Moore. We are all concerned with these matters, as is the Social Policy Committee, and I am sure the chairman of the committee, Mr Wood, will be taking on board Ms Follett's remarks. We have been addressing those problems.

**MR COLLAERY** (Attorney-General) (5.41): I move to close this useful, short debate. Mr Speaker, speaking as Attorney, I advise that we have received a comprehensive brief from the Australian Federal Police. The report addresses the concerns raised by the members in the house and suggests a number of matters in relation to route changes and other matters that could possibly be considered. In view of the clear interest of all members, it is a matter that we will bring forward for proper consultative exposition at an early date.

In relation to the reference to move-on powers - and the Leader of the Opposition agreed that this aspect should be looked at - I should point out that that only relates to a situation where a police officer has reasonable grounds for believing that a person in a public place, and there are problems in that regard, is likely to engage in violent conduct. I do not know if the problems extended to that issue, but I will certainly ask for a report on that aspect from the Australian Federal Police. I undertake to inform the house as to whether that move-on power was used or contemplated or was or was not useful, in relation to the problems that the Leader of the Opposition has alluded to.

Question resolved in the affirmative.

**Assembly adjourned at 5.43 pm until Tuesday, 20 February 1990, at 2.30 pm**

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## ANSWERS TO QUESTIONS

The following answer to a question was provided:

### **Electricity Supply (Question No. 77)**

**Ms Follett** asked the Minister for Finance and Urban Services upon notice, on 13 February 1990:

What was the cause of the repeated electricity supply failures in the suburbs of Ainslie and Braddon in early January 1990.

**Mr Duby:** The answer to the member's question is as follows:

- (1) Numerous short-duration electricity supply interruptions were experienced throughout Canberra as a result of tree interference to low voltage lines during high winds over the Christmas period and in early January 1990.
- (2) A large amount of tree clearing work for the Ainslie and Braddon areas was identified as a result of ACTEW's advertising program and cyclical inspection program on keeping trees away from power lines. This work was programmed for January 1990.
- (3) On 10 January 1990 it was arranged for the electricity supply to be interrupted to 53 customers in Ainslie for up to two hours whilst trees were cleared from overhead power lines. All affected customers were notified of the interruption to supply. Clearing of trees in other areas of Ainslie and Braddon has occurred during January without interruption of supply.
- (4) On 4 January 1990 at about 8.00 pm a fault on the ACTEW distribution system in the Braddon area resulted in the interruption of supply to approximately 50 customers for a period of up to 45 minutes. Identified damage to substation equipment necessitated switching the area affected to alternate sources of supply until the damage could be repaired.



**APPENDIX 1**

(Incorporated in Hansard on 13 February 1990 at page 7 )

Date: 9/2/90 Time: 0831

Source: 2CN Programme: Morning Show

(Extract)

Pru Goward: But that is whats happening already.

According to Hector Kinloch: No, no. If its happening, if theres anyone balloting, they had better go back to their drawing board and unballot. We will not have balloting for students.

Pru Goward: If we had had Dr Donovan with us this morning he would have been able to say for himself that that is already occurring.

Hector Kinloch: Well then that is happening improperly and it will cease.

Pru Goward: And what about the balloting in, as Dr Donovan suggested to me earlier on the phone, balloting now for basic subjects like English.

Hector Kinloch: Im not going to agree to balloting for anything. I do not believe ....

Pru Goward: Well what are you going to do about the obvious shortage of teachers?

Hector Kinloch: Well sway I deal with balloting first? I do not believe in the principle of allowing luck and chance to determine where people go to school or what subjects they are doing. It will cease. I hope some people out there are listening. So that stops as of today. If indeed its happening and I know nothing about it. Im just learning about it in the paper this morning, so that will cease.

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Pru Goward: You would have learnt more if wed been allowed to speak to Dr Donovan./

Hector Kinloch: Not at all. Dr Donovan of course will properly, as is his duty, will go to the Chief Education officer and give him his view and no doubt I will then receive those views. Meanwhile balloting will cease. :here will be no balloting I assure you

Pru Goward: Thats categoric.

Hector Kinloch: Categoric. It will stop.

Pru Goward: Okay.

Hector Xinloch: As of right now.

Pru Goward: Then what are you going to do? Stuff the class sizes up?

Hector Yinloch: There are only 15 teachers short I understand. Now, first of all were at the beginning of the college year and things have to settle down. Fifteen teachers thats not a vast number out of the whole of the Department of Education but : want to say that the Department of Education where the coal face is is at the teaching area and I can assure you I will do everything today to make sure there are adequate teachers in the colleges and that no student will be disadvantaged in the colleges.

Pru Goward: How can you do that without either expanding class sizes which weve tried to hang on to here in the ACT ...

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Hector Kinloch: Yes.

Pru Goward: .... or miraculously pulling them out of teachers colleges?

Hector Kinloch: I dont know how to answer that on air this morning, Pro. But I assure you the moment this programme is over I will be over there saying: We have got to solve this problem. Were not going to ballot students. Were going to put teachers in the class room. At the coal face, theres going to be no disadvantaged student at any of the colleges in the ACT.

Pru Goward: You say theres not a crisis, but as I understand it there is certainly a terrible shortage of teachers. They are leaving ....

Hector Kinloch: No, not true. No not true. In the ACT system, I think theres a terrible shortage of teachers in New South Wales. Youve only got to look at Mr Metherill to perhaps to help to answer why. We do not have a shortage of teachers in the ACT. Indeed we have an opposite problem as Im all too well aware, we have too many teachers. We dont have - but there are too many available teachers for the jobs to be filled. Thats the problem in the ACT.

Pru Goward: So theres no need to spend an extra cent on education. Weve got too many teachers and yet weve got kids ...

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Hector Kinloch: When I say too many teachers, we are well staffed, the schools are well staffed. Im very happy to say. You can see why. Were the best place in Australia to teach. I mean we have one of the best educational systems, I think the best, in Australia. People want to teach here. We have a very high quality population. People who come here are often with their spouses, whether male or female, want to teach in the system. So there are many people out there to whom we cannot give jobs, alas. Now as for future spending, that of course is a matter for budget discussion and I hope to fight every inch of the way to, for the education system.

Pru Goward: So there's not a shortage of teachers and yet we've got 15 teachers short for our secondary colleges.

Hector K. Inloch: No, I think there's an administrative pledge (sic) related to the census matter that I spoke about earlier .....

Pru Goward: But the teachers have got to come from somewhere.

Hector Kinloch: ... that will be solved today.

Pru Goward: Alright. Dr Kinloch, thank you for your time this morning and ...

Hector Kinloch: Thank you Pru, happy New Year.

Pru Goward: .... your categorical assurances there. I'm sure there are going to be some students this morning very pleased to hear that.

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On CNN its twenty two to nine and we cross straight away to the Chief Minister, Trevor Kaine.  
Good morning Mr Kaine.

Trevor Kaine: Hello Pru.

Pru Goward: Now Mr Kaine your Executive Deputy for Education just committed us to no balloting, or committed the ACT to no balloting, does that to you mean that youre going to have to spend a bit more money on Education to get those kids back in classes Trevor Kaine: No, I dont think it means that at all Pru, and what we ought to be talking about is how we are going to deal with our budgetary situation in global terms over the next couple of years. As you know, Ive appointed a Priorities Review Team to, which is a team of professionals to give the Government independent advice on how to deal with the fact that 18 months from now the Commonwealth stops spending additional money in the Territory and weve got in effect a budget precipice that has been assessed by the Commonwealth Finance Minister, Senator Walsh, as perhaps of the order of \$100 million a year. What youve just been talking to Hector Kinloch about is the result of knee jerk decisions taken in this years budget. We cant afford to operate in that way. Weve got to look across the whole range of Government activities and decide in a methodical way how we are going to stop spending a \$100\* million; a year. (End extract)

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## **APPENDIX 2**

(Incorporated in Hansard on 13 February 1990 at page 8 )

### **MESSAGE FROM THE MINISTER**

It gives me great pleasure, as the Australian Capital Territorys Minister responsible for Racing, to preface this preview to our magnificent Black Opal race meeting.

The ACT has a strong commitment to the Racing Industry which accounts for \$72 million annually in the ACT and a staggering \$20 billion annually on a national basis, making it Australias third largest industry.

This year this prestigious two year old race will carry \$200,000 prizemoney as well as the beautiful Black Opal worth \$5,000. This is a far cry from the \$15,000 prizemoney and \$1,000 Black Opal of our first meeting in 1973.

The Black Opal race is a reason in itself to come to Canberra, but when you combine it with our Canberra Festival, winner of the National Tourism Awards Festival and Special Events category, you know youre in for a superb weekend of entertainment and racing.

When you come to your Nations Capital, as well as the amenities of the undercover betting facilities of our race track, you will be able to enjoy the arts, theatre and sights and visit its national monuments during our most festive period.

Please accept my invitation to the only major Sunday race meeting in Australia and make a holiday of it. I look forward to another magnificent race meeting and hope you can join us on the course.

Bill Stefaniak

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**APPENDIX 3** - (Incorporated in Hansard on 13 February at page 15)

LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

AUSTRALIAN LABOR PARTY 1 Constitution Avenue  
SHADOW MINISTRY" CANBERRA A.C.T. 2600

GPO Box 1020

Telephone: 75 8570

Fax : 75 8108

ROSEMARY FOLLETT - LABOR LEADER

Social Justice

Treasury (Budget, Taxation, Economic Policy)

Environment

Womens Affairs

The Aged

Multicultural Affairs

The Disabled

Consumer Affairs

Civil Liberties and Human Rights

PAUL PHALAN - DEPUTY LEADER

Economic Development Employment Tourism Industrial Relations (including public service matters) Occupational Health and Safety Planning Land Management Sport and Recreation  
Manager of Assembly Business

WAYNE BERRY

Community Services Health Services Hospitals Youth Affairs Correctional and Remand Services

ELLNOR GRASSBY

Housing Parks and Conservation Transport Public Utilities Municipal Services Fire and Emergency  
Services Construction Purchasing

Pre-schools Schools Vocational Training Tertiary Education Arts Heritage Law and Justice

12 January 1990

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**APPENDIX 4** - (Incorporated in Hansard on 13 February at page 71)

MINISTER FOR FINANCE AND URBAN SERVICES

**MINISTERIAL POLICY SPEECH**

13 FEBRUARY 1990

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I RISE TO SPEAK ON MY PORTFOLIO, FINANCE AND URBAN SERVICES, AND TO OUTLINE THE GOVERNMENTS INTENTIONS WITHIN MY AREAS OF RESPONSIBILITY.

IN THE TIME AVAILABLE ON THIS OCCASION, I WILL COVER SOME OF THE INITIATIVES WE PLAN RELATED TO THE ACTIVITIES OF THE DEPARTMENT OF URBAN SERVICES AND MY FINANCE RESPONSIBILITIES. I WILL BE MAKING A SEPARATE STATEMENT ON BUSINESS AND INDUSTRIAL MATTERS.

THE PROMOTION OF TOURISM FOR THE ACT WILL BE ONE OF MY HIGHEST PRIORITIES. THE ALLIANCE GOVERNMENT IS COMMITTED TO THE DEVELOPMENT AND ENHANCEMENT OF AN INDUSTRY WHICH IS ALREADY ONE OF THE STRONGEST PLANKS IN CANBERRAS ECONOMIC PLATFORM.

THERE IS NO DOUBT THAT THE A.C.T. TOURISM INDUSTRY HAS SUFFERED A DOWNTURN OVER THE CHRISTMAS-NEW YEAR PERIOD. THE DOWNTURN, HOWEVER, MUST BE SEEN AGAINST THE OVERALL PICTURE IN AUSTRALIAN TOURISM WHERE ALL STATES HAVE SUFFERED SIMILAR PROBLEMS, MANY REGISTERING FALLS FAR IN EXCESS OF THE A.C.T.

AS EVIDENCE OF OUR COMMITMENT TO TOURISM, THE GOVERNMENT HAS DEVELOPED A COMPREHENSIVE POLICY WHICH PLACES STRONG EMPHASIS ON COOPERATION WITH THE LOCAL INDUSTRY. AS A KEY ELEMENT OF THIS POLICY, WE WILL BE MOVING QUICKLY TO ESTABLISH A TOURIST COMMISSION FOR THE ACT. THIS BODY WILL NOT ONLY ENSURE MORE EFFECTIVE PROMOTION OF TOURISM FOR THE TERRITORY, IT WILL ALSO PROVIDE MORE EFFECTIVE PRIVATE SECTOR INPUT INTO GOVERNMENT TOURISM POLICY. TO IMPLEMENT THIS PROPOSAL LEGISLATION IS BEING DEVELOPED AND WILL BE BROUGHT FORWARD AS SOON AS POSSIBLE.

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WE WILL BE ENCOURAGING THE STANDARD AND LEVEL OF TRAINING IN THE INDUSTRY, AND WE WILL FOSTER LINKS BETWEEN THE ACT TOURIST COMMISSION AND OTHER STATE AND TERRITORY BODIES.

THE GOVERNMENT RECOGNISES THE IMPORTANCE OF FLORIADE TO TOURISM FOR THE ACT AND WISHES TO REASSURE THE INDUSTRY THAT THIS IMPORTANT INITIATIVE WILL CONTINUE.

LAST YEARS FLORIADE WAS A GREAT SUCCESS WITH SOME 140,000 PEOPLE VISITING THE EVENT. A RECENT NATIONAL SURVEY HAS INDICATED THAT ONE IN THREE AUSTRALIANS HAVE HEARD OF THE EVENT AND WISH TO SEE IT.

PREPARATIONS ARE UNDERWAY FOR ANOTHER FLORIADE TO BE HELD THIS YEAR FROM MID SEPTEMBER TO MID OCTOBER.

I HAVE ASKED MY DEPARTMENT TO REVIEW OPTIONS FOR THE CONTINUATION AND DEVELOPMENT OF FLORIADE IN THE FUTURE, INCLUDING THE POSSIBILITY OF INCREASED INVOLVEMENT FROM THE PRIVATE SECTOR IN MANAGEMENT OF THE EVENT.

A GROWING CHALLENGE FACING THE A.C.T. IS THE PROVISION OF A SAFE AND EFFICIENT TRANSPORT SYSTEM WHICH MEETS LOCAL NEEDS. THE ALLIANCE GOVERNMENT IS DETERMINED TO ENSURE THAT THE A.C.T. HAS AN EFFICIENT AND EFFECTIVE TRANSPORT SYSTEM WHICH WILL ASSIST GROWTH AND DEVELOPMENT, AND PROVIDE FOR COMMUNITY NEEDS, WHILE REMAINING SENSITIVE TO ENVIRONMENTAL CONCERNS.

THE ALLIANCE GOVERNMENT IS REVIEWING THE PUBLIC COMMENT RECEIVED ON THE PREVIOUS GOVERNMENTS

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TRANSPORT A.C.T POLICY PAPER. THE VIEWS EXPRESSED HAVE BEEN USEFUL IN PROVIDING INFORMATION ON THE COMMUNITY'S TRANSPORT CONCERNS AND PRIORITIES AND WE WILL BE TAKING THEM INTO ACCOUNT IN FINALISING OUR TRANSPORT STRATEGIES AND INITIATIVES.

WE HAVE ALREADY TAKEN ACCOUNT OF COMMUNITY VIEWS BY INTRODUCING PARKING BANS IN RESIDENTIAL AREAS OF REID, BRADDON AND TURNER. UNLIKE THE LABOR GOVERNMENT WE SEE NO REASON WHY THE RESIDENTS OF THESE SUBURBS SHOULD HAVE THEIR SUBURBS SPOILED, AND THEIR SAFETY JEOPARDISED, WHEN THERE IS AMPLE PARKING AVAILABLE IN CIVIC. CONTINUED DEVELOPMENT OF THE ACTION BUS NETWORK IS AN IMPORTANT ELEMENT OF OUR TRANSPORT STRATEGY AND POLICIES, PARTICULARLY WITH REGARD TO CIVIC. HERE THE GOVERNMENT HAS ALREADY DECIDED ON A NUMBER OF INITIATIVES.

FIRSTLY, I WILL BE ASKING MY DEPARTMENT TO PREPARE PLANS FOR A CITY AND CENTRAL AREAS EXPRESS BUS SERVICE. THIS PROPOSAL WILL INCLUDE PROVISION FOR PARK AND RIDE FACILITIES AT SUBURBAN SHOPPING CENTRES, ENABLING CIVICS COMMUTERS TO LEAVE THEIR CARS AT SITES WELL AWAY FROM THE CITY CENTRE, THUS REDUCING TRAFFIC AND PARKING DEMAND IN THE CITY CENTRE.

I WILL ALSO BE SEEKING DEVELOPMENT OF AN EXCITING NEW CONCEPT FOR A NEW INNER CITY SHUTTLE BUS SERVICE, LINKING THE CITY INTERCHANGE WITH OFFICES, COLLEGES, SHOPS AND RESTAURANTS ON THE PERIPHERY OF THE CITY. THIS INITIATIVE WILL ALSO BE USEFUL FOR TRANSPORTING COMMUTERS FROM CARPARKS PERIPHERAL TO THE CIVIC AREA, THUS AGAIN REDUCING TRAFFIC INTO THE CITY.

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IN ADDITION, WE ARE AIMING TO RESOLVE THE QUESTION OF THE MOST APPROPRIATE LONG TERM LOCATION FOR THE CIVIC BUS INTERCHANGE. THIS ISSUE HAS BEEN IN LIMBO FOR SOME TIME AND MUST BE DETERMINED QUICKLY.

ENSURING DEVELOPMENT OF THE EXTERNAL TRANSPORT LINKS TO CANBERRA IS ALSO IMPORTANT. THE GOVERNMENT WILL ENSURE THAT THE ACT GETS A FAIR DEAL IN FEDERAL FUNDING FOR NATIONAL CAPITAL ROADS.

AS WELL, WE HAVE TAKEN A MORE CO-OPERATIVE AND CONSTRUCTIVE APPROACH WITH N.S.W. ON MATTERS OF MUTUAL INTEREST. THE CHIEF MINISTER IS TO BE COMMENDED FOR TAKING IMMEDIATE STEPS TO WORK WITH N.S.W. IN DEVELOPING A REGIONAL APPROACH.

WE WILL BE MAKING A JOINT SUBMISSION WITH NEW SOUTH WALES SEEKING FEDERAL GOVERNMENT ASSISTANCE TO UPGRADE THE KINGS HIGHWAY AS A KEY ACCESS ROAD TO THE NATIONAL CAPITAL NOTWITHSTANDING THE NEGATIVE VIEWS OF THE FEDERAL LABOR MINISTER ON THE MATTER.

THE CHIEF MINISTER RECENTLY RELEASED THE GOVERNMENTS RESPONSE TO THE VERY FAST TRAIN PROPOSAL. THE ALLIANCE SUPPORTS THE PROJECT, WHICH WE SEE AS BEING OF SIGNIFICANT BENEFIT TO CANBERRA. OF COURSE, FINAL APPROVAL WILL BE DEPENDENT ON THE RESULTS OF THE FEASIBILITY STUDY CURRENTLY BEING UNDERTAKEN BY THE JOINT VENTURERS, AND ON ENVIRONMENTAL ASSESSMENT BY ALL THE GOVERNMENTS AFFECTED BY THIS PRIVATE SECTOR PROJECT.

THE GOVERNMENT REGRETS THE WITHDRAWAL OF APT RAIL SERVICES TO CANBERRA, BUT IT HAS NOW

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HAPPENED. WE WILL BE CLOSELY MONITORING THE SITUATION AND WILL PRESS THE NSW STATE RAIL AUTHORITY TO ENSURE THAT THE BEST POSSIBLE STANDARDS ARE MAINTAINED FOR BOTH PASSENGER AND FREIGHT SERVICES.

THE A.C.T. IS A MEMBER OF THE AUSTRALIAN TRANSPORT ADVISORY COMMITTEE, AND DISCUSSIONS WITH THAT BODY HAVE PROVIDED THE IMPETUS FOR A NUMBER OF NEW INITIATIVES THE GOVERNMENT WILL BE PURSUING.

MEMBERS WOULD BE AWARE THAT THE COMMONWEALTH HAS OFFERED SOME \$110M ROAD FUNDING TO THE STATES PROVIDED THEY AGREE TO IMPLEMENT A PACKAGE OF ROAD SAFETY MEASURES. I HAVE ALREADY DISCUSSED THESE WITH MR BROWN, THE FEDERAL MINISTER FOR TRANSPORT AND INDICATED THAT WHILST WE GENERALLY SUPPORT THE MEASURES PROPOSED IN PRINCIPLE THE FUNDING PACKAGE OFFERED TO THE A.C.T., SOME \$1M OVER THREE YEARS, IS FAR LESS THAN THE COST OF IMPLEMENTING THE MEASURES. MR BROWN HAS AGREED TO FURTHER DISCUSSIONS AND I WILL BE PURSUING THE MATTER VIGOROUSLY.

ROAD SAFETY IS ALREADY A PRIORITY FOR THE ALLIANCE GOVERNMENT. HERE I WOULD LIKE TO GIVE NOTICE OF A NUMBER OF MEASURES WE ARE CONSIDERING TO MAKE OUR ROADS SAFER.

AS I MENTIONED IN QUESTION TIME TODAY,] I AM CONCERNED THAT THE CURRENT LEVEL OF TRAFFIC FINES MAY NOT BE PROVIDING A SUFFICIENT DETERRENT TO SOME ROAD USERS UNFORTUNATE BEHAVIOUR. THE PRESENT LEVELS WERE SET MANY YEARS AGO AND HAVE NO REGARD TO RECENT INITIATIVES IN SEVERAL STATES.

ACCORDINGLY, I HAVE ASKED MY DEPARTMENT TO REVIEW, AS A MATTER OF URGENCY, LEVELS OF

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TRAFFIC FINES, TAKING ADVICE FROM THE AUSTRALIAN FEDERAL POLICE. THIS REVIEW WILL TAKE ACCOUNT OF THE LEVELS OF TRAFFIC FINES APPLYING ELSEWHERE IN AUSTRALIA.

I CAN ASSURE ALL MEMBERS OF THE A.C.T. COMMUNITY CONCERNED WITH ROAD SAFETY THAT THEIR GOVERNMENT IS ACTING TO PROVIDE STRONG INCENTIVES FOR SAFE DRIVER BEHAVIOUR. FINES FOR TRAFFIC INFRINGEMENTS WILL REFLECT MORE CLOSELY THE PRACTICE ELSEWHERE IN AUSTRALIA.

ANOTHER INITIATIVE, FORESHADOWED BY THE PREVIOUS GOVERNMENT AND WHICH THIS GOVERNMENT WILL CONTINUE TO SUPPORT, IS HIGH SCHOOL PRE-LICENCE DRIVER EDUCATION. THIS IS A COMPULSORY PROGRAM DEVELOPED SPECIFICALLY FOR INTRODUCTION INTO A.C.T. HIGH SCHOOL YEAR 10 PROGRAMS.

HOLDER HIGH SCHOOL IS THE FIRST SCHOOL TO ACCEPT THIS PROGRAM AS A COMPULSORY PART OF THE YEAR 10 SCHOOL CURRICULUM. A LETTER WILL BE SENT TO ALL PRINCIPALS THIS WEEK OFFERING THE SERVICE OF A.C.T. GOVERNMENT ROAD SAFETY OFFICERS WHO CAN ASSIST SCHOOLS WITH THE DEVELOPMENT OF THIS INNOVATIVE PROGRAM.

I TABLED EARLIER TODAY LEGISLATION REQUIRING COMPULSORY MOTOR CYCLE TRAINING AND TO CONTROL THE LOADS WHICH HEAVY VEHICLES MAY CARRY ON A.C.T. ROADS.

MR SPEAKER, I NOW TURN TO THE PUBLIC WORKS AREA OF MY PORTFOLIO.

AT THE ESTIMATES HEARINGS LAST YEAR, IT WAS MADE CLEAR THE THE PREVIOUS LABOR GOVERNMENT HAD NOT IDENTIFIED ANY PROJECTS AGAINST THE \$5M ALLOCATED IN THE 1989-90 CAPITAL WORKS PROGRAM FOR FORWARD DESIGN.

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I WAS CONCERNED THAT THIS WOULD LEAD TO UNNECESSARY DELAY IN THE DEVELOPMENT AND COMPLETION OF FUTURE PROJECTS VITAL TO THE CITY'S WELL BEING. I WAS ALSO AWARE OF THE IMPACT THIS DELAY WAS HAVING ON THE LOCAL CONSTRUCTION INDUSTRY. THIS GOVERNMENT HAS THEREFORE MOVED QUICKLY AND LAST MONTH APPROVED EXPENDITURE OF SOME \$2.6M FOR FORWARD DESIGN. IT WILL IDENTIFY FURTHER PROJECTS SHORTLY.

AS THE MINISTER RESPONSIBLE FOR BOTH PUBLIC FINANCE AND PUBLIC WORKS, I WILL BE EXAMINING WAYS TO IMPROVE THE DEVELOPMENT OF THE FORWARD DESIGN AND CONSTRUCTION PROGRAM TO ALLOW WORKS TO BE PROGRAMMED WELL ENOUGH IN ADVANCE TO PROVIDE A CONSTANT STREAM OF WORK FOR OUR PRIVATE SECTOR CONTRACTORS.

A NUMBER OF ADMINISTRATIVE CHANGES HAVE BEEN MADE IN THE PUBLIC WORKS DIVISION OF MY DEPARTMENT TO INCREASE EFFICIENCY AND EFFECTIVENESS. A CAPITAL PROPERTY GROUP HAS BEEN FORMED TO ADVISE THE GOVERNMENT ON ASSETS POLICY, AND GROUPS RESPONSIBLE FOR BOTH CONSTRUCTION AND MAINTENANCE OF GOVERNMENT ASSETS HAVE BEEN BROUGHT TOGETHER TO INCREASE EFFICIENCY OF SERVICE DELIVERY AND ENCOURAGE A WHOLE OF LIFE APPROACH.

CARING FOR, AND PROTECTING, OUR NATURAL ENVIRONMENT WILL BE A KEY PRIORITY FOR THIS GOVERNMENT. THE ALLIANCE AIMS TO DEVELOP AND IMPLEMENT PRACTICAL POLICIES WHICH APPROPRIATELY BALANCE THE RETENTION AND ENHANCEMENT OF OUR NATURAL ENVIRONMENT WITH THE SOCIAL, ECONOMIC AND OTHER NEEDS OF THE PEOPLE OF CANBERRA.

THE ALLIANCE GOVERNMENT WILL BE DEVELOPING A COMPREHENSIVE PLAN FOR RECALLING IN THE ACT.

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THIS WILL INCLUDE CONSIDERATION OF DOMESTIC, COMMERCIAL AND INDUSTRIAL WASTE AND WILL AIM TO BOTH REDUCE THE AMOUNT OF WASTE PRODUCED, AND ENSURING THE EFFICIENT RECYCLING OF THE WASTE THAT IS PRODUCED. IN THIS REGARD, THE GOVERNMENT IS LOOKING FORWARD WITH INTEREST TO THE RELEASE OF THE REPORT ON WASTE MANAGEMENT BY THE STANDING COMMITTEE ON CONSERVATION, HERITAGE AND ENVIRONMENT, AND WILL CONSIDER ITS FINDINGS IN THE FURTHER DEVELOPMENT OF OUR RECYCLING POLICIES.

THE ALLIANCE GOVERNMENT BELIEVES THAT THE ACT SHOULD HAVE THE HIGHEST PRACTICABLE LEVEL OF ENVIRONMENTAL PROTECTION POSSIBLE, AND AN EXEMPLARY NATURE CONSERVATION SYSTEM. IN FACT, THE A.C.T. HAS THE POTENTIAL TO ACT AS A MODEL FOR THE REST OF AUSTRALIA.

YOU WILL BE AWARE THAT MY DEPARTMENT HAS UNDERTAKEN A PUBLIC CONSULTATION EXERCISE ON THE DEVELOPMENT OF A DRAFT MANAGEMENT PLAN FOR THE CANBERRA NATURE PARK. THIS IS IN LINE WITH OUR POLICIES FOR THE PARK. THERE HAS BEEN A TREMENDOUS RESPONSE FROM THE PUBLIC, INDICATIVE OF THE IMPORTANCE OF THE PARK TO THE PEOPLE OF THE TERRITORY. THE GOVERNMENT WILL BE REVIEWING THE RESULTS OF THE CONSULTATION, WITH A VIEW TO THE EARLY RELEASE OF THE DRAFT MANAGEMENT PLAN.

MANAGEMENT PLANS FOR THE MURRUMBIDGEE RIVER CORRIDOR AND JERRABOMBERRA WETLANDS ARE CURRENTLY NEARING COMPLETION FOLLOWING THE RECEIPT OF PUBLIC COMMENTS. THE ALLIANCE BELIEVES THESE TWO AREAS ARE IMPORTANT BOTH AS NATURE CONSERVATION AREAS AND AS IMPORTANT ELEMENTS OF THE ACTS WATERWAY SYSTEM, AND WILL BE LOOKING FOR EARLY PRESENTATION OF THESE PLANS TO GOVERNMENT FOR CONSIDERATION.

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THIS GOVERNMENT IS A MEMBER BODY OF THE AUSTRALIAN AND NEW ZEALAND ENVIRONMENT COUNCIL, AND IS COMMITTED TO THE IMPLEMENTATION OF THAT BODYS PROPOSALS ON THE DEVELOPMENT OF A RESPONSE TO THE GREENHOUSE EFFECT, AND THE CONTROL OF OZONE DEPLETING SUBSTANCES.

WE WILL BE ATTENDING A MEETING OF THE AUSTRALIA/NEW ZEALAND ENVIRONMENT COUNCIL NEXT MONTH WHICH WILL BE CONSIDERING A DRAFT STRATEGY FOR GREENHOUSE. THE FINAL GREENHOUSE STRATEGY DOCUMENT WILL BE A SIGNIFICANT CONTRIBUTION TO THE NATIONAL APPROACH TO THIS PROBLEM.

MR SPEAKER, I NOW TURN TO MY FINANCE RESPONSIBILITIES.

AS MINISTER FOR FINANCE I SHARE THE RESPONSIBILITY OF ENSURING THAT THE ALLIANCE GOVERNMENTS FINANCE AND TAXATION POLICIES ARE IMPLEMENTED.

MY PRINCIPAL AIMS IN THIS REGARD ARE TO

MAKE THE ADMINISTRATION MORE COST EFFECTIVE;

STREAMLINE THE ADMINISTRATION TO MINIMISE THE COST OF GOVERNMENT TO THE ACT TAXPAYER; AND

TO PROVIDE AN ACCEPTABLE LEVEL OF GOVERNMENT SERVICES

AT THE LEAST COST TO USERS.

I REGARD THIS TASK AS A PARTICULARLY CHALLENGING ONE ESPECIALLY GIVEN THE NEED TO MAKE MAJOR BUDGETARY ADJUSTMENTS OVER THE NEXT COUPLE OF YEARS TO RESPOND TO THE OVERFEEDING POSITION IDENTIFIED BY THE COMMONWEALTH GRANTS

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I RECOGNISE THE DILEMMA THAT CONFRONTS US ALL IN THIS ASSEMBLY. WE ALL RECOGNISE AND VALUE THE QUALITY OF SERVICES NOW PROVIDED BY THE ACT GOVERNMENT. WE ALSO RECOGNISE THE BURDENS AND HARDSHIP THAT ADDITIONAL TAXES AND CHARGES WOULD IMPOSE. YET THE REALITY OF AUSTRALIAS ECONOMIC SITUATION, AND THE COMMONWEALTHS FISCAL POLICY IN RESPONSE TO THAT, WILL FORCE CHANGE.

I WILL BE WORKING TO ENSURE THAT THIS SITUATION IS FACED SQUARELY AND RESPONSIBLY.

MISTER SPEAKER, THE PROPOSALS I HAVE OUTLINED ARE AIMED AT RESTORING EFFICIENCY AND EFFECTIVENESS INTO ACT GOVERNMENT. OUR INITIATIVES ARE DESIGNED TO PROTECT AND ENHANCE OUR WAY OF LIFE IN THE TERRITORY, WHILE MEETING THE FINANCIAL CONSTRAINTS IMPOSED BY THE POSITION WE HAVE INHERITED FROM THE PAST. I LOOK FORWARD TO THE CHALLENGE.

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**APPENDIX 5:**

(Incorporated in Hansard on 14 February 1990 at page 129)

ACT OFFICE OF SPORT,  
RECREATION AND RACING  
PO Box 1156  
Facsimile: (062) 93 5637

Assisting the soon and leisure community of the ACT

**FACSIMILE COVER**

From: Tony Morris  
Date: 12 February 1990  
Telephone: 935629  
Facsimile: 935&37  
Number of pages (including cover sheet): (1)

**INVITATION**

Occasion: FUNCTION TO HONOUR COMMONWEALTH GAMES  
ATHLETES

Location: CANBERRATHEATRE FORE-COURT AND LINK  
CIVIC SQUARE  
CANBERRA

Date: THURSDAY 15TH FEBRUARY 1990

Time: 12.45 PM

Comments: TREVOR KAINE, CHIEF MINISTER FOR THE ACT,  
WILL PRESENT CERTIFICATES IN HONOUR OF  
ATHLETES AT THE MV  
COMMONWEALTH GAMES IN AUCKLAND

R.S.V.P.: 4.30 Pm 14/29M To: Mims

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