



DEBATES

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

HANSARD

16 October 1990

Tuesday, 16 October 1990

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

DISTINGUISHED VISITOR

MR SPEAKER: I wish to inform members of the presence in the gallery of His Worship the Mayor of Ottawa, Mr James Durrell. On behalf of members I bid him a warm welcome.

PETITIONS

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

Education Cuts

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

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

that your petitioners are strongly opposed to cuts to the ACT education budget for the 1990-1991 financial year;

that education should be given the highest priority in the allocation of funds since society as a whole benefits from a healthy education system;

that the present high standard of education in the ACT cannot be maintained if further cuts are implemented;

that additional revenue be raised to fund the ACT education system adequately by the introduction of progressive and equitable rates, charges or taxes which are determined by full consultation with the ACT community.

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Your petitioners therefore request the Assembly to refrain from implementing further cuts to the education budget, and to investigate the above revenue raising methods.

By **Mr Moore** (from 1,628 citizens).

Swimming Facilities - Tuggeranong

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

The petition of certain residents of the ACT draws to the attention of the Assembly:

That despite continued promises since 1987 there have not been any moves towards the establishment of a private swimming facility in Tuggeranong and, despite promises to the contrary, the Kaine Liberal Government has failed to commit money for a public swimming pool in Tuggeranong.

Your petitioners therefore request the Assembly to:

Ensure that the people of Tuggeranong are provided with a high quality public swimming pool within the next two years.

By **Mr Connolly** (from 237 citizens).

Calwell Group Shopping Centre Development

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

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

The Calwell Group Shopping Centre development agreement contains conditions that only six shops and a supermarket may open when the Centre is completed meaning that 20 shops must remain vacant until 29 September 1991.

Your petitioners therefore request the Assembly to:

Vary the conditions of the development agreement to permit all 26 shops and the supermarket to open at the completion of the Centre.

This can be achieved by permitting CALA Leases to be issued and permitting commencement of the retail and commercial uses for Stages 1 & 2 upon completion of construction of the buildings.

By **Mr Jensen** (from 2,440 citizens).

Petitions received.

PAPER

MR HUMPHRIES: I seek leave to present an out of order petition.

MR SPEAKER: In what way is it out of order, Mr Humphries?

MR HUMPHRIES: I do not know, Mr Speaker. Your staff kindly informed me that it was and I relied on their advice.

Leave granted.

MR HUMPHRIES: I thank you, Mr Speaker, and the members. I present an out of order petition from 74 parents, guardians and friends of students attending the Secondary Introductory English Centre supporting ACT teachers in their salary claims.

QUESTIONS WITHOUT NOTICE

Child Safety

MS FOLLETT: My question is addressed to the Chief Minister. Mr Kaine, do you agree with your Minister for Education that providing children with a safe environment is "mollycoddling" them - his word?

MR KAINE: That quote from the Minister is a rather interesting one. It is interesting that, from the entire debate about schools and the question of taking unneeded and unused resources out of schools, the Leader of the Opposition chooses one word with which to take issue. I think the Leader of the Opposition would do well to consider the whole question of the use of resources in the school system and the fact that there are 13,000 vacant seats in our schools. Translated into the number of schools, it represents a very significant number. It is a capital investment that we cannot afford. It represents an annual recurrent cost that we cannot afford.

We are obliged, as a responsible government, to remove from those schools resources which are badly needed by other disadvantaged elements of our community, such as the disabled and the aged.

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Mr Berry: Who obliged you to do that?

MR KAINE: I note that Mr Berry does not want to hear this, Mr Speaker. He has an ideological mindset about schools. The ACT Government is a responsible government, Mr Berry; not like yours that could not make a decision about anything. You could not make a decision to close the hospital, although it was necessary that we did, and you would never have faced up to the question of closing the odd school, despite the fact that there are 13,000 vacant or unused places in our school system. Taking that whole debate in its context, I think that the Minister is probably quite correct to say that within the system there are some people who are mollycoddled. The answer to that question, in the broad sense, is yes. It is something that this community cannot afford, and it is something that this Government is changing.

Proposed Casino Licence

MR STEVENSON: My question is addressed to the Chief Minister, Trevor Kaine. As the major reason for the suggested granting of a casino licence in the ACT was fundraising, and as much of that money was going to come from tourists, particularly from New South Wales and Victoria, in light of the fact that Victoria and New South Wales are likely to have their own casinos, has there been a re-evaluation of the income potential and hence the advisability of having a casino? If so, would the Chief Minister be kind enough to let the Assembly know what the result of the re-evaluation was?

MR KAINE: I think Mr Stevenson well knows that for some months now there has been an evaluation of a number of proposals to redevelop section 19 in the city, and that redevelopment includes a casino. Quite clearly, when the recommendation comes to the Government - and Mr Stevenson's question anticipates a recommendation to the Government on the question - the economics of the project will be part of that recommendation.

In asking me to comment on that question Mr Stevenson is anticipating what the evaluating authorities might recommend. I note that the question is predicated on the statement that Sydney and Melbourne are likely to have a casino. I do not know whether they are likely to or not. I think that that is totally irrelevant to the question whether we proceed with the development of section 19 in the city and to the secondary question whether that development contains a casino. I am afraid the question anticipates the recommendation that might come to the Government, and I cannot comment on that at this time.

Weetangera Primary School

MR WOOD: I direct a question to the Chief Minister. Chief Minister, your Education Minister has repudiated the commitment of the Federal Government in 1988 that Weetangera Primary School will stay open for at least the next five years on the grounds that - and I quote from his document:

The promise of the then Government cannot be honoured as we are now in a period of financial constraints and the need of the whole system needs to be addressed.

I refer you, Chief Minister, to your statement in budget paper No. 2 that you will allocate \$2.5m from ACT sources to be used to fulfil the pre-self-government commitment by the Commonwealth to assist with the capital and interest costs associated with St Peter's Catholic College in Tuggeranong. Chief Minister, what is the difference between these commitments, that you can accept one and reject the other?

MR KAINE: Mr Wood was clearly being quite naive in even asking the question. The difference - -

Members interjected.

MR KAINE: I presume Mr Wood asked the question because he wanted an answer. You might ask him to do me the courtesy of listening to it. The difference - - -

Mr Berry: We are tetchy today.

MR KAINE: And, of course, Mr Berry does not want to hear the answer to anything, because any answer that I give shows how incompetent he was when he was a Minister. The answer to the question is quite clear. In case it has escaped Mr Wood's notice, there has been a major change in the ACT since the Commonwealth made an undertaking in 1988, and the change is that we have been given self-government. And we have been given self-government under the undertaking that we very quickly make the transition to the normal Commonwealth-State financial relationship; we will have no special relationship as we have had in the past. That means that we have to confront the issue of what we as a community can actually afford. We cannot work on the basis of what the Commonwealth provided in the past, when revenues were of no relevance whatsoever to what was spent in the ACT. That is the difference, Mr Wood. If you want a little lesson on economics I am quite happy to take you aside privately and explain it to you.

Until the Commonwealth gives us an undertaking that it will maintain its commitments prior to self-government in this Territory, over and above the commitments that this Government can afford to undertake, we will continue to

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review decisions taken by the Commonwealth Government at another time in another set of circumstances when revenues were not a constraint.

Tuggeranong Dam - Vandalism

MR STEFANIAK: My question is directed to the Minister for Urban Services, Mr DUBY. I refer the Minister to reports of persistent vandalism at the Tuggeranong dam valve chamber resulting in the level of the Tuggeranong lake being lowered. What is the Minister's department doing about this problem?

MR DUBY: I thank Mr Stefaniak for his question. On Thursday, 27 September, officers of my department identified that the level of Lake Tuggeranong was falling. An investigation showed that on Monday, the 24th, the access lid had been opened and a person or persons had entered the valve chamber and opened the valve, allowing water to drain from the lake into Tuggeranong Creek. Staff from my department turned the valve off on Thursday morning. However, that evening vandals returned and again turned the valve on. We had a case of musical valves. On Friday, 28 September, staff from my department again turned off the valve, fitted a chain and padlocked the valve wheel, and welded a steel bar across the steel entry covers, which was broken later that evening. The valve chamber has been inspected daily since these incidents and no further break-ins have occurred.

Over the period of this vandalism, the level of Lake Tuggeranong fell by about one metre, which will be replenished, of course, as rain falls in the catchment area. To this date no-one has been found to be responsible for these acts of wanton vandalism. However, it should be pointed out that Lake Tuggeranong itself is there for that purpose: it is, in effect, a flushing pond, a settlement pond, and I am assured that the leakage of water from the lake has caused absolutely no danger whatsoever or harm of a permanent nature to the environment.

Ministerial Travel Expenditure

MR CONNOLLY: My question is directed to the Chief Minister. I refer the Chief Minister to his statement in public hearings of the Estimates Committee last week that he was not responsible for or accountable for travel expenditure by other Ministers. I ask the Chief Minister: first, does he deny that payments for ministerial travel are made from the money appropriated for the ACT corporate management program administered by his department? Secondly, does he deny that he is the Minister responsible for the administration of his department and that particular travel program?

MR KAINÉ: First of all, the question presupposes a statement on my part that I did not make. I am quite prepared to again state what I said to the Estimates Committee - that Ministers of this Government are personally responsible for the decisions that they make about the expenditure of public money. The fact that the money is appropriated to a vote that is the responsibility of the Chief Minister notwithstanding, there is a thing in government called delegation, and I am sure Mr Connolly is aware of it, having worked for the government for most of his working life. So, to assert that the Chief Minister is responsible for every cent spent, because I am after all the Treasurer - and I suppose one could argue that I am responsible for every penny spent in the ACT - - -

Mr Berry: Accountable; that is the question.

MR KAINÉ: Yes, indeed, that is true - and accountable, but the fact of the matter is that in government responsibility is delegated. I would not delegate anything to you, to start with, because I would not trust you to spend one cent. But the fact is that in government - - -

Mrs Grassby: He would not spend it. That is it. He spent nil.

Mr Collaery: We did not go to Melbourne for radio and TV interviews.

MR KAINÉ: And the present Chief Minister did not spend public money to go to Sydney to attend a rugby league game either. So, when we get around to questions of accountability, people who live in glass houses should not throw stones. The fact of the matter is that in government there is a question of delegation. One delegates to other Ministers, one delegates to senior public servants, and the responsibility that goes with that delegation is carried by the officer concerned. Such officers then become accountable to me and, ultimately, they become accountable to this Assembly and to the people.

So, if you are trying to fix personal accountability on me for every cent that is spent in the budget, I think that your question will backfire. Your proposition is absurd. That situation did not exist under your Government. Rosemary Follett was not held personally accountable for every cent in the budget, and to assert that I am personally accountable for every cent in my budget is an absolute absurdity.

MR CONNOLLY: I ask a supplementary question, Mr Speaker. Can the Chief Minister explain to the Assembly the relevant provisions of either the Audit Act of 1989 or his own gazetted administrative arrangements of 4 July this year which make other Ministers responsible for the funds expended under his program?

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MR KAINE: If the member of the Opposition is looking for a legal opinion and an interpretation of the way the Government does its business, then I will seek that legal opinion; but he really is being quite absurd, and he knows it.

Mr Berry: You cannot answer the question.

MR KAINE: When it is your turn to ask a question, Mr Berry, you can comment. In the meantime I would suggest that you keep your mouth shut and listen to the answer.

Defibrillators

DR KINLOCH: I hope members will not be distressed when they know that my question also is about valves. My question is to Mr Humphries as Minister for Health. A well known newspaper owner - an Australian newspaper owner - Mr Kerry Packer, made a recent offer to help supply, I think, half the cost of automatic defibrillators to all New South Wales ambulances. Could the Minister comment on the number of defibrillators and associated trained staff in the ACT Ambulance Service?

MR HUMPHRIES: Mr Speaker, I thank Dr Kinloch for his question. I understand that since 1983 all duty ambulances in the ACT have carried defibrillators, which are used whenever possible to return the heart's normal rhythm after cardiac arrest. Defibrillators such as those used in ACT ambulances and New South Wales intensive care ambulances, like the ones which assisted Mr Packer, require officers to have special paramedic training.

In all ACT ambulances there is an officer trained in the use of this equipment. Mr Packer has indicated that he will buy new automatic defibrillators for New South Wales ambulances. The automatic defibrillator is programmed to treat one type of abnormal heart rhythm and is suitable for use by non-paramedic trained staff. The ACT Ambulance Service has an allocation in the budget for replacing defibrillators. When upgrading is necessary a decision will be made concerning the style of equipment - that is, automatic or the other sort - which the service will adopt at that time.

Ministerial Travel Expenditure

MR BERRY: My question is directed to the Chief Minister and it is related to members' travel. Does the Chief Minister consider that public knowledge of a Minister spending \$17,000 on travel would lower that Minister in the estimation of right thinking members of society or expose him to hatred, contempt or ridicule?

Mr Collaery: On a point of order, Mr Speaker: this question has clearly been framed by a lawyer. It relates to proceedings that Mr Humphries may be issuing out of the Supreme Court Registry in relation to comments made by the Chief Minister and/or a television station. It seeks a legal opinion, Mr Speaker. The matter is struck out by standing orders.

MR SPEAKER: I will take advice on this matter, Mr Collaery.

Mr Collaery: I think you should, Mr Speaker, with respect. It is standing order 117, paragraph (c) (iii). It is not the sub judice rule itself; it is the provision concerning seeking a legal opinion. It is clearly framed by a lawyer to assist someone to defend a proceedings.

MR SPEAKER: Order, Mr Collaery! I would refer Mr Berry to standing order 117 (c) (i) under which questions asking for an expression of opinion are out of order, and I would rule that that question was such. You would therefore have to rephrase your question.

Utility Vehicles - Registration

MR STEVENSON: My question is addressed to Craig Duby in respect of his responsibility for roads, rates and rubbish. Is it fair that someone who registers a utility but does not use it for utility purposes and has no intention to do so should pay a registration fee designed for that business purpose?

MR DUBY: Mr Speaker, I think Mr Stevenson is asking me for an opinion as to whether a certain state of affairs is fair or not. What I think he is trying to get at is the difference in the registration rates between vehicles which under Australian Design Rule standards are designated as utility or goods carrying vehicles and those which are designated as passenger carrying vehicles. I think Mr Stevenson is referring to a particular model of vehicle on the road, the name of which escapes me, but it is a small vehicle, a two-seater with a hatch utility - I suppose that is the way to describe it accurately - which under Australian Design Rules is designated as a goods carrying vehicle.

Under the provisions that we have for the registration of vehicles in this Territory, vehicles so designated are charged at the rate that applies to utility vehicles as opposed to sedans or passenger carrying vehicles. As such, no matter what purposes people had in mind when they purchased such a vehicle, they are aware of the requirements for registration of that vehicle and are so required to pay the prescribed rate.

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MR STEVENSON: I ask a supplementary question. I thank Mr Duby. That was not actually the vehicle but I thought I would listen in and find out whether there was something interesting - but there was not. I was asking with reference to someone who just likes to ride around in a utility, a younger person. I wonder whether Mr Duby would be kind enough to take the matter on notice and have a look at whether or not something could be done to bring about an equitable situation in this area so that people do not pay money for something they are not using.

MR DUBY: Mr Speaker, I think, frankly, this question is bordering on the ridiculous. If someone chooses to purchase a vehicle that is, by design rule standards, designed for a particular purpose, that person incurs the cost of registering that vehicle prescribed according to that purpose. To say that because a person is driving it around with an empty tray he or she should not be charged - because that person may have chosen to put something in it but did not - clearly is bordering on the ridiculous. We would have an army of inspectors checking under all the ute covers in the Territory to see whether goods were being carried. Clearly, that is administratively impossible. I think the rules are quite specific. They are there for anyone to know them and thus know what the position is. To cut a long answer short, I guess, the answer is: no, I will not be reviewing the rules that currently apply. They are similar to those that apply elsewhere and we are quite happy with them.

Tuggeranong Parkway - Emergency Telephones

MR JENSEN: My question is directed to Mr Duby in his capacity as Minister for Urban Services. I note, Minister, that the Capital Works Program includes reference to the installation of emergency telephones on the Tuggeranong Parkway. I also note that some work has commenced. Can the Minister advise the Assembly when this work will be completed?

MR DUBY: I thank Mr Jensen for the question. Indeed, I am very pleased to announce that I will be officially opening the emergency roadside telephones on Tuggeranong Parkway at 12 o'clock this Friday, 19 October. Everyone is invited.

Mr Kaine: Who are you going to call?

MR DUBY: I will get to that answer in a moment, Mr Chief Minister. I would also like to say that 14 telephones will be in place along the Tuggeranong Parkway between the Glenloch Interchange and Sulwood Drive. They have been located, of course, because - - -

Mrs Grassby: That was our program. I am glad you put it into practice.

MR DUBY: I am glad to say we have been able to finally find the money which, of course, you promised. As I said, these telephones have been put in place. Of course, this was done to meet the needs of people who have breakdowns, et cetera, along that parkway and who are then stuck with a quite lengthy hike to find assistance. They are located at about 1-kilometre intervals and paired to avoid a road crossing on the parkway.

The Australian Federal Police Operations Centre will be the first contact for the phone calls. The Chief Minister asked: "Who will you call?". Well, Chief Minister, you actually call the Australian Federal Police Operations Centre and your call will then be redirected as appropriate. I think that will make travel on those parkways, particularly in the evening and in isolated hours, much more convenient for many members of our community.

Proposed Fire Station

MRS GRASSBY: My question is also to Mr DUBY. Does the Minister intend to proceed to build a major fire station on land adjacent to Civic pool? And can he explain why the Treasurer is not aware that the expenditure was included in his budget?

MR DUBY: Mr Speaker, this is a hoary old chestnut. The issue of a fire station to be provided in the Civic area, to cater for the needs of both Civic and the area south of the lake known as the Parliamentary Triangle and suburbs around that area, has been one that has been identified for some time. Evaluation of a number of sites has been taking place for quite a number of years.

The most recent stage of events has been the identification by the fire brigade of a site that would be suitable for a fire brigade headquarters. I do not know the block and section number, but I will refer to the location I have here - adjacent to the Civic pool either to the east, at the corner of Constitution Avenue, or to the south, between the Civic pool and Parkes Way. There are no proposals at this stage to go ahead and that site has still not been finalised. That might explain to the member opposite why there are no funds allocated for its construction in this financial year.

However, it is intended that, as the problems being addressed by the fire brigade, the ITPA and the NCPA are overcome, design work may well continue. A certain amount of funds - I believe some \$3.5m - has been allocated in this financial year to do preliminary design work not only on that site but also on a number of other sites throughout the city - other ones which I cannot remember at this stage. However, the reason there are no funds in the budget is quite simple: it is not going to be built this year.

Murder Prosecutions

MRS NOLAN: Mr Speaker, my question is addressed to the Attorney-General. Can he inform the house whether he is considering abolishing the year-and-a-day rule - and I refer him to Mr Dowd's comments on this very issue - given the problems with needle bandits injecting people with the AIDS virus?

MR COLLAERY: I thank Mrs Nolan for the question. I was not intending to consider it immediately, in question time, but certainly I am pleased to inform the house of the initiative taken by Mr Dowd in abandoning the year-and-a-day rule. The year-and-a-day rule, Mr Speaker, means that one cannot be prosecuted for murder, for instance, if one's victim lives for a year and a day after the immediate physical impact that one caused.

That, of course, is very relevant to the needlestick bandit injury assault that has tragically occurred, and may occur again in the community. Certainly that threat of violence is a very real one in the community at the moment. I have looked recently at the New South Wales law, but also, more interestingly, at amendments to the Victorian law. Those amendments were brought forward and became law in May this year, and section 120 of the Victorian Health (General Amendment) Act 1988 specifies an offence punishable by \$20,000 for a person who knowingly or recklessly infects another person with an infectious disease. A further subsection in that legislation provides a defence where the person infected with the infectious disease knew of or voluntarily accepted the risk of being infected with that infectious disease.

To my knowledge, there have been no prosecutions under the New South Wales legislation, which has some difficulties of proof about it; but this more recent provision in Victoria offers the prospect of prosecuting those people, and clearly with a fine of that size there would be a substantial default period of imprisonment in the event of failure to pay the fine.

The provision, if introduced in the ACT - and I am currently considering bringing that matter before the criminal law consultative committee - would provide some redress for those in the community who either have been threatened recently with that offence or may become the victims of such a dreadful, brutal assault.

Yamba Drive - Proposed Vehicle Bridge

MR MOORE: My question is directed to Mr Humphries as Minister for Health. Mr Humphries, can you tell us the estimated cost of the proposed vehicle bridge over Yamba Drive as part of the Woden Valley Hospital remodelling?

MR HUMPHRIES: No, I cannot, Mr Speaker. I believe, in fact, that I indicated to the Estimates Committee last week that the bridge would, in fact, not be a vehicle bridge but a footbridge. But I indicate, as I indicated then, that the question of planning particular physical facilities for the hospital and for associated developments is still very much on the drawing board.

The provision of those things depends very much on what the planning process finally throws up as being required as part of the hospital redevelopment. As such, it is not possible to say at this stage exactly what we are going to need there and in that case how much it would cost. In this particular case, obviously one could give an estimate for the amount that a footbridge, a road bridge or whatever might cost, but that would not be an accurate answer to Mr Moore's question. I propose taking it on notice and perhaps answering it at a stage when we in fact know what it is that we are going to provide across Yamba Drive.

MR MOORE: I ask a supplementary question. It is really seeking clarification, Mr Humphries. You told the Estimates Committee that there was going to be a footbridge, you told the public on the Matthew Abraham show that it would actually be a vehicle bridge, and at this stage you are saying you are not quite sure what it is going to be. Is that correct?

MR HUMPHRIES: I think that is quite clear. It may well be that I have suggested it could be a road bridge at some stages because, in fact, that suggestion has been made to me. I am aware that a bridge is being planned, but that might be a footbridge. The point I am making to Mr Moore is that I am not trying to vacillate or mislead him or in other ways suggest that the thing is not a matter on which the Government can offer any guidance. The question is simply one of planning to provide the appropriate answer. I do not wish to provide an answer. The Government as a whole does not wish to provide an answer. We want the answer for what is needed on that site to come out of the people that are going to use that site - the health consumers and the professionals that occupy the site. They will provide the answer in due course, and their answer, I hope, will, in due course, provide the basis for my answer to the question Mr Moore has asked.

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Ministerial Travel Expenditure

MR BERRY: My question is directed to the Chief Minister, and I ask this question bearing in mind the statement that the Chief Minister made that Ministers have the responsibility of spending their own travel money. Mr Chief Minister, how do you respond to comments that a Minister spending \$17,000 on travel would lower that Minister in the estimation of right thinking members of society or expose him to hatred, contempt or ridicule?

MR KAINE: Mr Speaker, I do not respond to the comment at all. I do not know who made it and I am not commenting on unsubstantiated and unattributed comments.

MR BERRY: I ask a supplementary question, Mr Speaker. Why then would an ACT Minister claim to be defamed by somebody incorrectly stating that he had spent \$17,000 on travel?

MR KAINE: That calls for a matter of opinion and I do not intend to comment on it, Mr Speaker.

60 Minutes Program

MS FOLLETT: Mr Speaker, my question is also addressed to Mr Kaine, and it refers to the recent 60 Minutes program on the ACT Government. I would like to ask Mr Kaine - - -

Mr Collaery: On the ACT Assembly.

Mr DUBY: Let us get it right.

Mrs Grassby: Listen to them being so pedantic across there.

MR SPEAKER: Order!

Mr Moore: Why did they leave you out of it?

Mr Wood: Well, we did not get a rubbish.

Mr Kaine: No, because none of you would confront the cameras; you were all too scared.

Ms Maher: You were included in it.

Dr Kinloch: It was a disgraceful program.

Mr Kaine: All chicken.

MR SPEAKER: Please, Chief Minister!

Dr Kinloch: And Richard Carleton should be ashamed of himself.

Mrs Grassby: A voice from the deep.

MR SPEAKER: Order, order! I call Ms Follett.

MS FOLLETT: I gather from that that you all generally saw the program.

Mr Collaery: I did not; I was travelling.

MS FOLLETT: You were not in it either. I would like to ask Mr Kaine to inform the Assembly which particular Ministers his Government would do better without - which was a statement he made on the program - and why he is not taking steps to replace those Ministers.

MR KAINE: This is another cunning question because the question did not relate to Ministers; it related to members of the Assembly, and my response was couched in the same terms. I have no Ministers that I would like to dispose of - none whatsoever - as I have pointed out many times and as I pointed out to Mr Carleton, who chose not to use it. We have a very effective Government. We have four very effective members of the Executive, and there is not one of them that I would choose to operate without. They are all very effective and very efficient. They contribute to stable and competent government in the ACT.

School Closures - Inquiry

MR WOOD: Mr Speaker, I direct a question to the Minister for Education. Minister, is Mr Hudson being paid \$10,000 for his inquiry into aspects of school closures? Is he required to provide resources other than himself in return for that payment?

MR HUMPHRIES: The answer to that question, Mr Speaker, is that I do not know at this stage, and I am happy to take this question on notice. I think I have indicated in the past that I estimated the costs of the inquiry to be in that order, but that was a very rough estimation on the first occasion that the Government announced its intention to proceed with such an inquiry. I suspect that the figure would be higher than that. It would be a figure dictated by the usual conventions applying to the taking on of consultants of that stature and conducting that kind of work. Other resources are to be provided, but I do not think from Mr Hudson's remuneration; they will be provided, I think, by direct payment from the Government. However, I am prepared to take that question on notice.

MR WOOD: I ask a supplementary question, Mr Speaker - and, if necessary, Mr Humphries can put this on notice too. Did he expect at the time, and does he still expect, that Mr Hudson would be available full time for this five-week inquiry - and, mind you, we do not mind one bit if it drags on for a long time?

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MR HUMPHRIES: I have made it very clear from the very start that I do not propose to impose particular conditions on Mr Hudson in the way he conducts his inquiry. For example, I have not indicated that he should make particular arrangements about the receiving of submissions or about the timing of his report or about any other features of that inquiry. I have given him a free hand and I think that is appropriate in the circumstances. The Government is not going to direct or channel his endeavours in any particular fashion other than by the terms of reference it has given him. So, if Mr Hudson chooses to do his work on a wholly full time basis and get two hours sleep a night or whatever, that is entirely up to him. If he chooses to do it by balancing other considerations and concerns that he may have, that is also up to him.

MR KAINE: Mr Speaker, I request that any further questions be placed on the notice paper.

PAPER

MR SPEAKER: Pursuant to section 68(3) of the Audit Act 1989, I table for the information of members the following paper:

Audit Act - Auditor-General - Annual Report on efficiency audits for 1989-90.

SUBORDINATE LEGISLATION - PAPERS

MR COLLAERY (Attorney-General): Mr Speaker, pursuant to section 6 of the Subordinate Laws Act 1989, I table the following subordinate legislation in accordance with the schedule of gazettal notices for a number of ministerial determinations and regulations made by the Executive:

Audit Act - Finance Regulations (Amendment) - No. 15 of 1990 (S70, dated 5 October 1990).

Business Franchise (Tobacco and Petroleum Products) Act - Determination of fees - No. 63 of 1990 (S65, dated 26 September 1990).

Community and Health Service Act - Determination of fees - No. 63 of 1990 (S64, dated 27 September 1990).

Housing Assistance Act -
Determinations of fees -

Scheme for providing and assisting in providing dwelling houses - No. 68 of 1990 (S68, dated 28 September 1990).

Scheme for providing Concessional Home Loans - Nos. 69 and 70 of 1990 (S68, dated 28 September 1990).

Taxation (Administration) Act -
Determination for the purposes of the Financial Institutions Duty Act 1987 - No. 66 of 1990 (S66, dated 28 September 1990).
Determinations for the purposes of the Payroll Tax Act 1987 - Nos. 64 and 65 of 1990 (S66, dated 28 September 1990).
Stamp Duties (Marketable Securities) Determination - No. 67 of 1990 (S71, dated 28 September 1990).

SCHOOL CLOSURES

Discussion of Matter of Public Importance

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

The closures of neighbourhood schools will impose heavy social costs on local communities.

MR WOOD (3.08): Mr Speaker, I do not know whether to apologise to Mr Humphries for raising this motion, or to complain about him. When his office did me the courtesy of advising me that he would not be in today, my colleagues and I did consider whether we should continue with this matter, which we had planned yesterday, or whether we should defer it. We did not intend to drag Mr Humphries in, and I am sorry we have; but we decided that it would give a good opportunity for some other members in the Government to stand up and defend what the Government is doing.

So, I am a little sorry, Mr Humphries, both for your ill health and for the fact that you are here, because I wanted Mr Stefaniak to stand up and defend what his Government is doing in closing down three schools in his suburbs of Weston Creek. I thought he might have some sound arguments for that. I thought Ms Maher would take the opportunity to stand up and defend the closures of Higgins and Weetangera schools which are in areas adjacent to where she lives. I thought Mr Collaery might finally say something in this chamber about school closures. He might say something publicly which would give us some view of where he stands in this matter. We thought that the debate would be a good one and that it would allow members other than Mr Humphries to express their views, and maybe preclude them in the future from hiding behind Mr Humphries' skirts. To date, these members have generally been condemned by their silence. They have not stood up and spoken for the schools, nor have they stood up and defended the Government's action.

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My colleagues and I propose today to talk about the social impact that these closures will have. That social impact to date has not been a particular matter of concern to the Government, although the Minister has incorporated it, or some mention of it, in his reference to Mr Hudson.

To date the Government's attitude has been entirely one of money needs. It says, "We have to save money and there is no other way of doing it that we consider satisfactory, and, as for schools, we can capitalise on those. We can close them. We can knock them down and in most cases sell off the site". But the social impact of what the Government is doing is a factor causing the community to fight so vehemently for its schools. It encompasses a whole range of aspects that this Government is determined not to consider.

The sites of schools in the suburbs, and their sizes as well, are matters that have been considered carefully in planning. Over a number of years this planning has been refined so that we have been building schools that are the best that can be provided and that give the best service to students and to the community. Primary schools provide the core of planning in Canberra suburbs, especially since the early 1960s. They are carefully placed to ensure safety, to ensure access, for community amenity and for social cohesion. To take away any school is to change the nature of that suburb, and to mount the all-out attack on our schools that this Government has is to change Canberra fundamentally.

Those schools were designed to benefit our students, their families and the community. I might also add that they were designed - and these are terms that I know the Government understands - for cost efficiency. The way our suburbs have been designed saves the community and saves this Government money. For example, 70 to 80 per cent of the students in our government schools find their own way to school - a figure much greater in the ACT than you will find anywhere, except perhaps in some small country towns.

Mr Jensen: Where does that come from, Bill?

MR WOOD: I will give you the quote from Mr Gilchrist. In doing so, there is no excess fuel for parents to make large detours in their cars. No additional buses are needed as happens in some other places. The child-care facilities, the child health facilities are adjacent; so there is no duplication of trips. The recreation areas for much of the family recreation are close, and the shopping is close. It is economic. The planning might not save money just in the education budget alone; across the whole spectrum of the budget it saves this Government money. The closures, in contrast, will bring diseconomies, although the Government is being rather mean, rather stinting, in what it is doing to accommodate those closures. I regret that the Government has not been able to match the planning that has gone into our suburbs and our schools over very many years.

I want today to focus particularly on safety, and my colleagues will direct their attention to other areas. I am sorry that Mr Humphries has shown a lack of concern. I do not think he is an unsympathetic or hard-hearted person, but I think he is neglecting some of the responsibilities that he has as Minister for Education. In the Estimates Committee he said in response to our questions that the changes will entail some risks to children; they will be, potentially, less safe. That is certainly the case. The record of the ACT was well explained, Mr Jensen, by John Gilchrist who presented a paper to the P and C council on 2 July. I think you were there at the O'Connell Education Centre.

Mr Jensen: I just wanted to know where you got that other quote from; that is all.

MR WOOD: It is from there. The record shows that we have saved considerably because we do not injure our children on our roads. The design of our suburbs brings safety. For those of you on the other side whose only interest is money, if I could impress upon you that accidents cost money, that may be the way to convince you. This is not my argument, particularly. My argument focuses simply on the welfare of children.

In his paper Mr Gilchrist made comparisons based on records of old and new suburbs in Canberra and Canberra's record in relation to the rest of Australia. He pointed out that we can clearly compare the rate of accidents in our suburbs, the old suburbs, the pre-1960s suburbs, as against the newer suburbs. The rate of accidents in our newer suburbs - and this concerns predominantly children - is much lower, simply because of the careful planning that you know about - all the bike paths and the way the traffic is routed around the suburb. That concept, so carefully done, makes our suburbs safe for our children. Canberra's record is better than anywhere else in Australia, and this is something that we are going to give away in the interests of some sort of false economy - an economy that thinks that accidents do not cost money in hard cash terms, forgetting about the emotional turmoil.

Mr Gilchrist concluded in this address, and I will quote:

Given the impressive safety record and high degree of resident satisfaction with the neighbourhood unit in Canberra it is astonishing that any Government would wish to dismantle it by cutting out the Primary School. Closures will inevitably mean putting children travelling outside their suburb at increased risk to death and injury through road accidents.

That is, undeniably, the case. Children are now required, or will be required when these closures proceed, if they ever do, to cross major roads in varying degrees of size -

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some roads that are busy two-lane highways, some that are quite substantial four-lane highways. It is as though this Government is fighting all the planning that has occurred over the years. It is as though the Government is forcing its planners the wrong way up a one-way street; it is going against the record, and what is it doing to accommodate this?

It has put a cost on this safety. There is a cost. The Government values the children's lives, their physical safety, because it proposes in the budget to allocate \$200,000 for four pedestrian crossings - four crossings. That is what it proposes to do. It proposes also to provide eight bus trips. I understand that is at a cost of about \$136,000. So the safety of these children does have a value. It is \$336,000. I would not dare put a value on it, but these are all the steps that this Government has taken to provide greater safety for our children. I would like some of those other Government members over there, besides Mr Humphries, to get up and to comment on this lack of concern for safety. There are going to be no underpasses or overpasses; there are going to be no traffic lights but four pedestrian crossings. Already the Minister has heard the voice of the community which finds this totally unacceptable.

As a teacher for many years, Mr Humphries, I had a duty of care for the children in my class and those children that I took on excursions or dealt with in any way. I took that duty of care very responsibly. I think it is true to say that teachers take greater care of children in that way than they probably do of their own.

Mr Humphries, you are Minister in charge of all the schools, in charge of education; your duty of care is greater than that of anyone else. Yet, in these safety aspects you are not carrying out that full duty of care which you should be obliged to carry out. I think it is highly unfortunate that so little attention is paid to these matters. I will not quote the figures that are given there for the money costs of accidents; but they are there and, if you want to add up a balance sheet, you can do it. We cannot place too great an emphasis on the safety of children. The money savings down the track from closing schools are pretty negligible. The value of our children's safety is worth so much more than that and I encourage, Minister, a fairly short response from you so we can have a long response from some of your colleagues on that side of the house.

MR HUMPHRIES (Minister for Health, Education and the Arts) (3.20): Mr Speaker, I do not know whether I can necessarily oblige Mr Wood. He has always thrown up arguments of this kind. Nothing that is particularly new has been said today and I am not sure that much new can be said by me. Nonetheless, I refuse to let misleading statements of the kind that have been made by members of the Opposition, including Mr Wood, go uncontradicted. It

is incumbent upon this Government to ensure that the argument is kept as clear as possible and the issues are not muddied, and that is a very difficult job in the present circumstances where those opposite have no hesitation in distorting and misrepresenting the facts in such a way as to alarm those people in the community who might be affected by these changes.

Mr Wood: They are the ones ringing me up.

MR HUMPHRIES: They also ring me, Mr Wood, and I am not insensible to what they say. The fact is, Mr Speaker, that I believe it is inappropriate for this matter to be raised in this chamber at this particular point in time while the sort of process that those opposite have called for for some time - that is, some assessment of the social impact of these school closures - is, in fact, under way.

At the present point in time the Government has a highly qualified, very dynamic and capable person working on the very issues that the Opposition is raising here in this Assembly today. It disturbs me greatly that those people opposite are prepared to raise these issues now, to air these issues now, in this place rather than wait until they can be ventilated in the appropriate forum, before Mr Hudson. This leads me to one conclusion, namely, that the Opposition in particular, and others in general, are setting themselves up to knock back the inquiry report. They are setting themselves up to reject whatever it is Mr Hudson, the umpire, says because they do not believe it is going to come down their way. They do not want to be caught with that evidence pointing against their point of view and in favour of the Government's point of view.

Those opposite know that there is a chance of that, at least a chance of that, and they are going to find themselves embarrassed. They would rather be able to say that in some way the inquiry was biased, or the inquirer has some reason not to hand down a proper, qualified report, or he has not taken enough evidence, or he has not taken a long enough time or whatever, so that they can reject the inquiry's report. That is shameful in my view. They should stand back, wait until that evidence is before us and then decide whether it is worth accepting or not. I think it is a discredit to them that they are prepared to do that.

There are some other things which have been said by Mr Wood, which are sheer nonsense and which ought to be knocked on the head instantly. The suggestion that the Government is changing Canberra fundamentally is just sheer rhetoric. It is simply not doing that. I think the problem that the Opposition members have fallen into is their failure to define properly what they mean when they raise this matter of public importance by saying that the absence or the closure of neighbourhood schools will impose some heavy social costs on local communities.

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What they mean by "neighbourhood schools" is not defined. It seems to me that what the Opposition means by "neighbourhood schools" is a school in every suburb in Canberra. That, I think, is what it means by "neighbourhood schools" when, in fact, that has never been what neighbourhood schools have meant in Canberra. It was never what that term meant in the context of planning in the ACT, because we have never planned or built Canberra in such a way that every suburb has had a school, neighbourhood or otherwise. I do not believe that those opposite have clearly understood that. Even in newer suburbs of Canberra that has never been the case; it was never intended to be the case. I think it would behove them to look very carefully at the principles underlying the planning of Canberra and examine the possibilities that the Government's plan has to, in fact, conform to those planning principles.

The provisions that have been made for the safety of children in Canberra are not going to be lost or wasted because of the closure of some schools. Those provisions are still there. They have been designed to be adequate in the case of particular arrangements, in particular in suburbs where schools have never been provided, and they will, I suggest to you opposite, be sufficient to provide for the safety of children in new arrangements as well.

To give an example, the suburb of McKellar has never had a school; it was never, to my knowledge, intended to have a school.

Mr Wood: Yes, it was. The planners wanted it.

MR HUMPHRIES: That is what Mr Wood says; but, in fact, it has never had a school. Suburbs like Isaacs have never had a school. North Lyneham, I am told, has never had a school, and was never planned to have a school. There are a number of suburbs such as Bruce and Macarthur which were never intended to have a school, and in fact, today do not have a school. In fact, in many respects, that is not an entirely bad thing.

You should look at those suburbs and see whether every one of them has been provided with a totally adequate supply of, for example, overpasses and underpasses. I do not know what overpasses or underpasses join McKellar with Evatt or Florey. My knowledge - and I might stand corrected - or my recollection of that suburb is that there are no overpasses or underpasses. There are none. The children in that suburb were intended by the planners to cross main roads and there are many entry points. If you look at the map, there are many entry points from the suburb of McKellar to the suburb of Evatt or the suburb to the south of that suburb of McKellar which children could use, and I have no doubt do use, every day of the week - every single day of the week.

The fact of life is that when in government the Australian Labor Party, which is represented by those opposite, made no attempt to change the nature of Canberra's planning to improve the safe access or safety arrangements in respect of school children in our schools in the ACT. It made no changes whatsoever. It was prepared to accept the status quo even though it required - I say required, rather than allowed - hundreds, perhaps thousands, of school children to cross main roads in this city every day. It made no changes, and it made no changes because it did not believe for one moment that this was inadequate or unacceptable in the circumstances. It was prepared to accept this because it believed the arrangements were adequate. This Government is going to change - I believe marginally - that proportion of students who are crossing main roads in the ACT.

It is a fair assumption that no-one can be certain about what is going to happen when schools close, but it is reasonable to assume that more students will be crossing roads or using underpasses or overpasses or using buses or whatever than might have previously had to do so. This may well be the case, and I admit this freely; but to say that this changes fundamentally the nature of Canberra, to say that it poses an unacceptable risk to students or pupils in the ACT, is just simple hogwash. The ACT, in fact, has more bike paths, more underpasses, more overpasses and more safety features than any other State in Australia. To suggest that to modify these arrangements slightly jeopardises all of that and changes the planning nature of Canberra is simple rubbish; simple utter rubbish.

Members interjected.

MR HUMPHRIES: Mr Speaker, on the logic of the Opposition, the rate of collisions with children in other States, extrapolating from the figures that those opposite have provided, would be enormous. Of course, it is not, and the reason it is not is that parents are responsible throughout this country. They take it on themselves to explain to their children that they ought to travel to and from school safely, and I believe that most parents - not all parents, but most parents - succeed in that endeavour. They persuade their children, particularly young children, to use the safety measures that are provided for them, such as zebra crossings or traffic lights or whatever.

Citizens in other States in this country would, I think, Mr Speaker, laugh out loud if they heard us saying that for us to change the nature of the provision of these sorts of services in Canberra is unacceptable and a terrible derogation from the amenity of Canberra. They would say that the difference between what Canberra is and what other cities are is so vast that the comparison really does not bear making.

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Safety will not be destroyed by removing some schools. That is the fact of life. As I said, it is true that any responsible parent or school would want to raise the issue of safety with children. Of course, schools have ongoing programs to alert students to safety measures and I have no doubt at all that they will continue. I think it is irresponsible of those opposite to alarm people into thinking that these things are changing totally and necessarily for the worst and that the problems that the whole Territory, as a community, is encountering with a change to a different funding base cannot be met through discussion and debate in a rational way.

I notice also that those opposite call for some assessment or inquiry into social impact when, in fact, no assessment or inquiry of any kind was proposed last year when the then Government suggested that we should be closing preschools. It is obvious to me, Mr Speaker, that preschool students are particularly susceptible to poor traffic arrangements. They are particularly susceptible to the dangers of main roads, and yet those opposite proposed not one thing to address the social impact of putting more preschool children on the road. Why is it that this Government has to justify its actions in this way, and not the previous Government? There is no explanation, obviously. I hope that those opposite will get up and explain why it is that this was the case.

I think it is also important to note that those opposite, as citizens or as senior members of the Australian Labor Party, to my knowledge made no call on the Federal Labor Government to conduct some social impact inquiry or study when schools were closed at the end of 1988.

Ms Follett: Yes, we did. You are wrong about that.

MR HUMPHRIES: I would like to see the evidence of that, Ms Follett. You will have a chance to speak in this debate and I would urge you strongly to rise and table in this place the press release that you issued, or that someone in your party issued, calling for social impact studies to be done by the Federal Government when it closed schools in 1988. You will say, of course, "Oh, there were backroom assertions made and we urged our colleagues to do the right thing", et cetera; but the fact of life is that the written evidence does not exist and I think that no attempt whatsoever was made to produce this kind of evidence. You will have your chance to table it, Ms Follett, and I suggest that you do.

As I have said many times before in this debate, we cannot get away from the financial impact of the changing circumstances of the ACT, and the purpose of the Government's schools reshaping program is, in fact, to maintain the high quality of educational services despite the need to obtain significant real reductions in ACT

Government expenditure; in other words, doing better with less money. None of us can get away from that imperative. We all have to face up to it. We all have to deal with that basic problem. Those opposite did not deal with it; they did not have to deal with it apparently because they did not consider themselves in a position of permanency to have to do it. We do; we are taking the hard decisions and we will stand by those decisions.

Declining numbers of students in most areas in the ACT mean that there is considerable surplus space within our public school system. I know that in interjections during question time those opposite pooh-poohed the idea that there is any surplus space in ACT government schools. They suggest that this is just not true. I will remind them of how we worked out the size of that surplus space. We took the surplus space calculated in each individual school in the ACT and added them together and got a figure representing the total surplus space in the system. This was how we calculated it. It was not just an approximation. It was an exact calculation based on adding together the surplus space in each government school.

Government schools themselves indicated what that surplus space was. They told the Government, as they told the previous Government, what the surplus space in their schools was or is. If those opposite say that we are wrong; that there are not, as the Chief Minister said, 13,000 surplus spaces in our system, tell us which schools have made the wrong calculations. Tell us which schools have given inaccurate figures on their surplus spaces and, if no schools have given inaccurate figures, tell us then how we have made an error in adding up those surplus spaces, because the sums, when added up, come to something in excess of 13,000. They do; whichever way you add them up they come to more than 13,000 places and I think that, before the Opposition next raises this question in this place, it ought to justify and prove where it is the Government has made a mistake, because it has not.

I think it is inevitable, Mr Speaker, that some people will be inconvenienced by school closures. I do not hesitate to say that the Government deeply regrets this; but to readjust to our new circumstances, circumstances that are considerably different to our circumstances in the past, will require difficult decisions. I refuse to accept the criticism of those opposite, the harping, whingeing criticism of those opposite, until they tell us and the community what they would do in the same circumstances, until they spell out their solution to the same problems. I say again, as I have said many times before, that they have not done so, they are incapable of doing so and until they do so they should be held in the contempt that we on this side of the chamber hold them in. On this matter they have a total and utter lack of credibility which gives them no basis to rise in this place to make these statements.

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MR MOORE (3.36): Mr Speaker, it is clear that Mr Humphries' temperature is up by the amount of hot air that was just flowing. I will start by quoting from page 64 of the OECD document, Surplus space in schools - An opportunity, because, of course, Mr Humphries has - - -

Mr Duby: Oh no, not this again. No, not the OECD report.

MR MOORE: We hear from the interjection that Mr Duby is reluctant to accept anything from the OECD report. But, since the subject matter was raised by Mr Humphries, I will quote from page 64:

The purpose of evaluation (of educational building stock) is to estimate the value of the stock for meeting current, and even more important, future needs. This value cannot be expressed in financial terms alone. To be useful, it will need to be assessed in terms of a number of indicators of quantity and types of accommodation, suitability for the purposes served, physical condition and remodelling potential, energy demand and other aspects of running costs, and finally -

and I add, most importantly -

the value to the community.

The government education system in the ACT has been structured around parental involvement. For the first decade and a half of its operation it referred to parents as partners. A shift in structure over the past few years has brought about a ministry based on bureaucratic decision making where parents are now recognised with students as being the ministry's clients.

With such a shift in power, it is no wonder that the totally inadequate consultation process was about finding a way to achieve goals set by public servants rather than seeking methods of resolving some of the problems which they identified. The result of the lack of appropriate consultation is far broader than the political flak which has resulted from this round of proposed school closures.

What the Minister and his ministry have not come to grips with is why the political fallout has occurred and what it is that motivates parents of public school children and their supporters. The demonstrations staged at the opening of Floriade revealed involvement in the issue from a much broader cross-section of schools than just those affected by this round of closures. It is not enough to say that these parents are just frightened that their turn might come in the next round, or the one after that. Their concern is about the marginalisation of public education. This concern is well-founded, as the public school system in the ACT already has the lowest percentage of participating students of any in Australia. The lower the participation rate, the more likely it is that only those

with the least money will participate in the system, with the result that social mobility will be confined to those from the appropriate schools.

Currently the ACT has an excellent education system which is equivalent to any of the private schools. However, the private schools have been established with special assistance from the Commonwealth and without having to pay for the leases of land on which the schools have been built. This factor, combined with the high average disposable incomes in the ACT, makes the public education system even more vulnerable than elsewhere.

It is no wonder that an education system which has been run by parents reacted when it was told that up to 25 schools would have to close to save money. Parents who have been used to participating in their system have a right to expect appropriate consultation. To identify a perceived financial problem should have been the first step. An initial statement could have started with something like the words, "ACT schools are overfunded on a comparative basis to other States by 4 per cent, and the community is limited by financial constraints to contain the overspending". An appropriate consultation process could then have provided a range of possible solutions which could have included school closures, increases in class sizes, devolution of responsibility of schools and a reduction in the size of the bureaucracy, and would have provided room for suggestions by any interested members of the community. Thus, an appropriate beginning would have been made. Telling people that the ministry was going to close schools, and then offering them the choice of which one, was akin to allowing the victim of an execution order to choose the noose, the firing squad or the electric chair.

From the time of Walter and Marion Burley Griffin, an essential part of the planning of Canberra has been the neighbourhood unit. An integrated community centred on the primary school, the shops and the playing fields was seen, and is still seen, as central to a lifestyle which promotes healthy living conditions, adequate access and a community with a heart.

Many observers who have not understood the nature of Canberra have attempted to look for a vital and vibrant city centre of the type found in cities of 10 times its size. They have not found it. They have missed what was in front of them: the small building blocks of the community. The most basic of these is the neighbourhood centred on the primary school.

The 1984 Metropolitan Policy Plan was produced by the NCDC and is still the foremost plan for Canberra; in fact, it is the overriding plan, according to His Honour Justice Kelly in the Supreme Court decision on the Canberra Times site. Pages 186 and 187 of the Metropolitan Policy Plan refer to schools, and they are placed in context. It states:

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Experience has shown that residential areas of about 4000 to 5000 people form a community of interest and provide the necessary threshold for the provision of facilities such as schools, neighbourhood shops and recreation areas.

For Mr Humphries to stand here blowing his hot air and suggesting that we have no concept of what a definition of a neighbourhood unit is, as he attempts to take schools into broader units, is absolute nonsense. It is clarified there as areas of about 4,000 to 5,000 people. Of course, one can argue that the Metropolitan Policy Plan is getting a little bit out of date, and I will come to that later. It states:

On the basis of the success of the neighbourhood concept in the development of new residential areas in Canberra, the Commission intends that, in future, neighbourhood principles will form the basis of residential area planning in new settlement areas.

On page 187, the policy put forward is:

Within each town will be a series of residential neighbourhoods, based on safe and convenient access to schools and community facilities, and having sufficient shops and open space to cater for neighbourhood needs. A hierarchy of roads will control traffic within residential areas ...

That hierarchy of roads is the thing that talks about safety. We have the Minister here, without any children, and with absolutely ridiculous notions of what safety is and what you can do with the safety of children. He even mentions preschools, and asks: why was not there a problem there? Of course, anybody who knows about preschools knows that the overwhelming majority of preschoolers, probably 99 per cent of preschoolers, are taken to preschool by their parents and picked up again.

The Gungahlin Plan, which was certified in January 1989, reinforces the concept of the neighbourhood with the primary school as an essential part of that planning. The plan did recognise some of the earlier difficulties with schools. However, in offering slightly larger neighbourhoods as a solution, it does still promote the idea of a similar size being viable. It suggests a range of neighbourhoods from 3,500 to 5,500, rather than the more narrow 4,000 to 5,000 of the Metropolitan Policy Plan.

It is quite clear that planners have accepted that neighbourhoods developed as green fields will go through the early school boom, drop back to minimum numbers, and then reach the expected operating size of around 300, which should then be maintained. The cycle can take more than 30 years, but this is not a good enough reason to choke the

neighbourhood, its planning principles, and all of the inherent advantages because it happens to be going through its lowest time. It is a normal and expected part of the cycle.

One of the best ways of assessing the impact of removing a primary school from a neighbourhood is to assess the decline of places like Downer and Page and other suburbs where schools have been closed. In the case of Downer, it is becoming more and more apparent that the shops are no longer viable. Ironically, the aged persons units recently built next to the shops meet the regulation of being within a specified distance of shops, but they will fail the criterion shortly by default, because there will not be any shops there.

Mr Duby: Whose fault is that? You want the people at Tuggeranong to subsidise the people at Downer. That is what you want.

MR MOORE: No, but we expect you to learn from the mistakes. How much worse for you to repeat the mistakes of those people, when you can see the results of the mistakes. As you know, I have the same attitude to them that I do to you.

The school has been removed, parents now pick up their children from Majura Primary next to the Watson shops, and do their shopping there. The planning issues and the idea of an integrated neighbourhood cannot be lightly dismissed. The system of planning makes Canberra an environmentally sound city. It is a city which is designed to reduce social anomalies despite its relative youth and rapid population growth over the last 25 years. The advantages of Canberra as a city to live in are recognised throughout the world, but most importantly by the majority of people who live here. You cannot expect to remove essential building blocks from any major structure and hope to retain its strength. Similarly, you cannot delete the more important social aspects from any section of our community and hope to retain the calibre of that society. What Mr Humphries has said is that we just have to accept this as a fact of life, and, with the safety issues that Mr Wood has raised, he should have said, a fact of death.

MR KAINE (Chief Minister) (3.46): Mr Speaker, the more I listen to this debate - and it has been going on for so long now that it is getting boring - the more I am convinced that the Opposition is flogging a dead horse in this matter. Opposition members have beaten it to death and they are now trying to turn it into mincemeat. An indicator of the interest in this subject is the number of people sitting in the media gallery right now. They are absolutely fed up to the back teeth with the rubbish that the Opposition keeps pushing forward on this issue.

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The problem with the Opposition on this issue is that its members are so destitute of an issue they are trying to beat this one up, and they are going to keep beating it up and beating it up and beating it up long after the population and the parents and the children and everybody else have written it off as being a non-issue. They are absolutely destitute of ideas, Mr Speaker. This must be about the fifth time that they have brought this matter up as a matter of public importance, and where is the public? Where is the public that this is directed to? Not only is there no public, there is no media either. So, it is about time they woke up to themselves and decided to use the time of this Assembly for some useful purpose instead of this great beat-up.

The proposition is that we are somehow destroying the social fabric of Canberra by closing half a dozen schools. If we are destroying the social fabric of Canberra, the Labor Government in Victoria is literally decimating theirs; absolutely destroying it. Yet that seems all right. We do not hear them coming out and criticising the Victorian Government for what they are doing to the schools; it is only here, where we are closing only seven schools. This is made out to be a major issue, far transcending anything that has ever happened in the ACT or anywhere else in Australia. It is a beat-up. Mr Wood knows it; Mr Moore knows it; and everybody is getting heartily sick of it.

The general assertions seem to be that, firstly, the Government does not understand the social consequences and, secondly, it is not interested in them. These are absolute rubbish. Mr Moore keeps reporting the OECD report as though he has some secret that only he is privy to. The Government has read the OECD report, we understand the arguments just as well as he does, and to keep bringing up the OECD report as though it is somehow going to make us change our minds about the things that have to be done in this Territory represents the fact that those opposite completely misunderstand the situation and they do not want to face up to the realities of the world that they live in.

First of all, on this question of whether we understand the social implications; of course, we do. If you read the terms of reference for Mr Hugh Hudson, quite clearly one of his terms of reference is to analyse the social and economic implications of the school closures. We want him specifically to look at them. We have looked at them and we have made a judgment, but in response to some public concern we are prepared to have an independent arbitrator review what we have done and tell us whether our assumptions and our conclusions on these matters are correct.

Mr Wood: You have ignored the advice you were given.

MR Kaine: We did not ignore anything, Mr Wood. You can continue to assert it, but that does not make it true. We have not ignored anything.

We have had the evidence, we have had the information, we have analysed them, we have made judgments and we have come to some conclusions. The fact that you do not like them is just too bad, because the majority of the community out there does not agree with you and this is why I say you are beating a dead horse. In 12 months time, even those people currently emotionally disturbed and upset about the fact that their own individual school is closing will have accepted the reality; they will be getting on with life; their kids will be going to new schools and having a good time and you lot will still be arguing the toss about the social impact of closing schools. Wake up to yourselves. Learn a few lessons. Get into 1990 and the realities of the ACT that you are living in as well as me. Start being productive, for heaven's sake.

In the schools reshaping program the Government is preserving the things that are good and maintaining them at a level of cost that this community can afford. Can you get that into your brains? Would you just stop and think about that for a minute - at a cost that we can afford. You argue that we should leave all the schools open. You argue that we should not close the hospital. You argue that we should not interfere with anything. We would not make one single change if we listened to you in the Opposition. You tell me how we balance the budget and where the money comes from to do that.

Ms Follett: You had a surplus last year; you know that.

MR KAINE: You know, and, Rosemary Follett, you know if anybody knows, that the sums do not add up. One of the problems last year was that you would not face up to that issue.

Ms Follett: You had a surplus on my budget. What are you talking about?

MR KAINE: We did not have a surplus on the budget when you produced it, and you know it. There was no surplus on your budget when you produced it, and when we took government Mr Berry, the world's greatest manager, was \$7m in the red running his hospitals. You talk about financial management and financial responsibility. You do not know when there is a deficit - that is your problem - and that applies to you, former Treasurer and former Chief Minister. This is one of the reasons why you will never again be Treasurer or Chief Minister; the people out there who paid the taxes to support you and your extravagances know full well that you do not understand it.

Mr Connolly: It is Rosemary's extravagance, is it?

MR KAINE: Exactly. It is extravagant to keep 13,000 vacant places in our public schools - 13,000, Mr Connolly. You convert that into dollars and cents. You might be an

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up-and-coming yuppie with plenty of money to spend, but there are a lot of people in this city who are not in that happy category. They do not have a lot of money to spend and they cannot afford to pay more taxes than they should be asked to pay, and they are going to object to you people taxing them to keep those 13,000 vacant places in those schools.

Mr Berry: On a point of order, Mr Speaker: I suspect that this debate was to focus on the social impact. I have not heard the Chief Minister mention one item in relation to the social impact.

MR SPEAKER: Order! That is - - -

MR KAINE: You obviously did not listen, because I have been talking about social issues and I pointed out what the terms of reference are for Mr Hugh Hudson - social issues.

Mr Berry: Is he running the place now?

MR SPEAKER: Order, Mr Berry!

MR KAINE: You do not want to hear. You are trying to run the place; but you are a bit of a wimp, so you are never likely to.

MR SPEAKER: Order, Chief Minister, please! You were speaking when I said to Mr Berry that this was not a valid point of order. Please proceed.

MR KAINE: Correct, Mr Speaker; I am glad you support it. The people on the other side do not even want to read the Canberra Times. In the editorial this morning, the Canberra Times pointed out, rightly, that it is not the responsibility of the Minister for Education to subsidise the shopping centres in our suburbs. Your argument is that we should not close a school because that is going to have an impact on the local shopping centre. What absolute rubbish!

I do not know where you get your economics from. I do not know where you get your approach to social issues from. It is obviously buried deep and you have dug it out from some cobweb encrusted Labor Party policy of the 1930s. That is the only conclusion that I can come to. Even Mr McCann, who was hired by the Save our Schools group to put its case for it, acknowledges that to date there is no discernible loss in value to residential areas where schools have closed already. Where is the social impact that you are talking about?

Mr Moore: Real estate values - that is your measure of social impact.

MR KAINE: I think that, if the houses of those people living out there had lost value because of this, they would be saying that there is a social impact all right, because it affects their standard of living.

I really do have to challenge the Opposition when they say that social problems have emerged from closing schools. Where is the evidence that there is any significant social problem in the suburbs of Bruce, Isaacs, Macarthur and McKellar, which have never had a primary school? If your argument is valid, there must be significant social problems in those suburbs. Put your money where your mouth is. Produce the evidence that there are social problems in those suburbs flowing from the fact that there are no public schools there. You cannot do it. It is absolute rubbish. There are no adverse social impacts in those suburbs and, if there are social impacts in those suburbs because there are no public schools there, put the evidence on the table. Put your money where your mouths are and stop mouthing all of this ideological garbage that you keep bringing up.

The bottom line, Mr Speaker, is that we have these great socialists on the other side of this house, great socialists who claim that they are working in the interests of the community. How can you justify leaving millions of dollars of public money tied up in unused school resources when there are people who are ageing, people who are disabled, people who are suffering from all kinds of disadvantage, crying out for money from the Government to assist them with their programs? What do you want to do? You want to leave it tied up in schools where it is unused and unrequired, because if we take it out we might inconvenience one or two people in the suburbs.

Where is your social conscience? Mr Connolly might like to answer that question. You tell the people from Koomarri who we cannot find jobs for that we should not take the money out of the public schools.

Mr Moore: There will be blood on your hands, Kaine.

MR Kaine: You are not going to do it.

Mr Doby: Mr Speaker, I would ask that that comment from Mr Moore be withdrawn. He said that the Chief Minister has blood on his hands.

Mr Moore: I did not say that, Mr Speaker.

MR SPEAKER: Order!

Mr Moore: I did not.

Mr Doby: You said, "You have blood on your hands, Mr Kaine", and I would ask you to withdraw it.

MR SPEAKER: I would ask you to withdraw it, if that is what you said, Mr Moore.

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Mr Moore: I certainly will not, Mr Speaker. That is not what I said. What I said was, "You will have blood on your hands". When that first kid dies, that Government will have blood on its hands.

MR SPEAKER: Order! If he did not say what you said he said - - -

Mr Duby: He said something that is clearly unparliamentary, is it not?

MR SPEAKER: I do not believe it is unparliamentary, Mr Duby. I believe that is correct. It is not appropriate to withdraw that.

MR BERRY (3.57): I must say that was a tirade from the leading man of the recent 60 Minutes report, the person who was described as leading an incompetent government. No wonder he is a bit tetchy today. I would be, too, if somebody had said that about me.

The fact of the matter is that the closure of neighbourhood schools will impose heavy social costs on our local community. Bill Wood, from the Labor Party, is right. These are the facts of the matter. Of course, Mr Humphries is disturbed at this matter being raised again by the Labor Party, but I must say that his illogical and poorly thought out speech, whilst it was not an improvement on or a change from any of his past performances, did not get to the basis of the issues. I notice that the Chief Minister has walked out of the place because he is not going to be able to stand the heat.

Mr Kaine: I do not want to listen to any more garbage, Mr Speaker.

MR BERRY: And he is still touchy. The fact of the matter is that the Labor Party promised before this election that it would not close schools. We from the Labor Party do not lie. We are not the liars in this place. I can see why the members opposite are squirming in the wake of that statement. It is an ill-considered plan. It has been roundly criticised by informed members of the community.

I have to say, Mr Speaker, that one of the most disgusting exhibitions of duplicity has been demonstrated by members of the Residents Rally party in relation to this matter. They are the ones who are saying now that they have delivered their policy with the closure of schools. They have delivered their policy with the closure of schools. Dr Kinloch moved the motion to close schools, Mr Jensen supported motions to close schools, and Mr Collaery supported motions to close schools. While we are on these members, I will mention the symbolism that we have seen demonstrated in this place - mere symbolism and tokenism -

from Dr Kinloch in the first place. Statements have been made to the schools lobby by Mr Jensen and Mr Collaery. Of course, they are saying to them that they do not support school closures. But when it comes to the crunch, they support them.

What it really boils down to, Mr Speaker, is that there has been no consideration of the social impact by this Government opposite. Its members have made this clear on a number of occasions. There has been a clear refusal to prepare a social impact statement. Their excuse for this is based on what somebody somewhere else in the dim, dark past has not done. This is 1990. They are about to impose a great social disaster on a lot of communities in this Territory, and they refuse to prepare a social impact statement.

The plan was cynically based on perceived financial gains - profits from the sale of public assets; no more than that. During the course of Mr Humphries' speech I noticed that he has lost interest in arguing the economic savings from the school closures plan. He is not interested in trying to argue his case any more, because it seems to me, and it is clear to the rest of the people of Canberra, that he has not been able to justify the savings that he has said will be made. The figures do not add up.

What about the costs? What about the costs to the community? Trevor Kaine does not care that local community shopping centres go broke because schools close. He does not care about small business people who have bought into those businesses on the basis of their goodwill, goodwill which is now being taken away by this Government in the school closures plan. He does not care about that. It is just a silly accountant's plan, and I must say that the leading man, the star of the 60 Minutes program, has to bear the responsibility for that.

We can already see the impacts before the closures take place. There is a lack of stability in those other community services which are provided from schools. What about the Curtin Therapy Centre? This is one of the leading centres in Australia for the infant disabled. It treats about 300 disabled infants under the one roof. The Government had not even thought about that when it decided to kick them out of the school. So, that ill-conceived plan to close Lyons school has led to the forced move of the Therapy Centre. I am sure Mr Jensen has said to the Lyons people that he does not support school closures. But when it comes time to put his hand up, he does. He supports the closure of schools. This is doublespeak, in my view. The same applies to all the Rally people.

The other two stars of the 60 Minutes spectacular cannot go without some notice in this debate. They have no mandate to do anything in this place, yet they have taken it upon themselves to attack the school system in the ACT. As I said earlier, Mr Speaker, the Australian Labor Party members of this Assembly are not the liars in this place.

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Mr Speaker, the impact of these decisions has not been considered before the announcement. The domino effect that has raced away from this has led to the Therapy Centre being evicted, as I said earlier, and now the Weston Creek Health Centre and the Weston Creek Community Service will be affected by the decision.

The Weston Creek Community Service will be split in half. I will give you an example of consultation that went on in relation to this matter. The Weston Creek Community Service was advised by a telephone call that it was going to be torn asunder. That is the sort of community consultation that we have from this Government. The community have had no say at all in this issue. They will pay these people back - we all know that - but they have to put up with them for the next little while. This Government seems intent on delivering difficult decisions and is prepared to attack community facilities over and over again.

Why should the people of Weston Creek have to pay for this Government's lack of planning? Preschools, primary schools, high schools and health centres are closing, all because of the lack of examination of the social impact of this very important decision that the Government has made. The impact of it, of course, will be disastrous to some families in the ACT.

What have the people of Weston Creek done to deserve this treatment? What have the aged in Weston Creek done to deserve this treatment? What about the Life Education Centre? What happened to it? These people have been pushed from pillar to post because there has been no planning about this issue. The Residents Rally has to take some of the responsibility for this. The Residents Rally members pretended to be something that they were not; the Liberal Party members pretended to be something that they were not; and, of course, the now Independents people pretended to be something that they were not.

The Weston Creek Community Service is located in two buildings at Cooleman Court, and I suspect that the Government members did not know that when they made the decision. Of course, the Health Centre facility that they occupy has now been denied them. So they are just another victim, and it is the aged that the Government has attacked in this case. It has attacked them by virtue of its attack on the school system.

What about the Independent Living Centre at Macquarie? Is that just another victim of the Government's decision to be brushed aside? The Residents Rally might look, too, at the issue of small businessmen. What about the men and women? What about the nearby chemist who takes referrals from the Independent Living Centre? No thought was given to them in the planning process - none at all. The social impact was not looked at.

The repercussions of these school closures will be felt for many years, long after they have gone. I must say, Mr Speaker, that it is a great shame that the first Government in the Territory has dealt such a blow to the community without a mandate.

MR COLLAERY (Minister for Housing and Community Services) (4.07): Mr Speaker, it was plainly indicated when Mr Bill Wood stood that this matter was brought on by the Labor Party only because Mr Humphries would not be present.

Mr Wood: On a point of order, Mr Speaker; I ask that it be noted that that is completely the reverse of what I was saying.

MR SPEAKER: Please proceed, Mr Collaery.

MR COLLAERY: Mr Speaker, Mr Wood said that knowing that Mr Humphries would not be here it would flush out - or words to that effect - the other views. So, clearly, it was meant to flush out the Rally. Right? Nevertheless, in lengthy, tortuous speeches, the Labor Party has occupied all of the time this afternoon. That speaks well for the Labor Party which had a school closure policy in its election propaganda.

MR SPEAKER: Order, Mr Collaery! The time for this discussion has now concluded.

PLANNING, DEVELOPMENT AND INFRASTRUCTURE - STANDING COMMITTEE
Alteration of Reporting Date

MR JENSEN (4.08): Mr Speaker, I seek leave to move a motion to alter the reporting date of the Standing Committee on Planning, Development and Infrastructure inquiry into alterations to current policy concerning fences on suburban residential building blocks.

Leave granted.

MR JENSEN: Mr Speaker, I move:

That paragraph (2) of the terms of reference of the Standing Committee on Planning, Development and Infrastructure's inquiry into alterations to current policy concerning fences on suburban/residential building blocks be amended by omitting "16 October 1990" and substituting "20 November 1990".

Question resolved in the affirmative.

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PAWNBROKERS (AMENDMENT) BILL 1990

[COGNATE BILLS:

**SECOND-HAND DEALERS AND COLLECTORS (AMENDMENT) BILL 1990
TRUCK (AMENDMENT) BILL 1990]**

Debate resumed from 18 September 1990, on motion by **Mr Collaery**:

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 the Second-hand Dealers and Collectors (Amendment) Bill 1990 and the Truck (Amendment) Bill 1990? There being no objection, that course will be followed. I remind members that in debating order of the day No. 1 they may also address their remarks to orders of the day No. 2 and No. 3.

MR CONNOLLY (4.09): Mr Speaker, the Opposition supports each of these three measures that are now before the house. They are not, at first glance, measures of great significance, but in fact they do provide the substratum for a lot of the consumer protection law that applies in the Territory. In each case they are amendments to old New South Wales enactments which had long been the law in this Territory and which, in the process of the 1986 review of New South Wales legislation, were identified as having certain features that were outdated and undesirable.

The Senate committee, when it was examining the application of the New South Wales Acts in 1986, indicated that it would be appropriate in the future for the authorities responsible for the ACT to look at this body of law and attempt to bring it up to date and remove certain objectionable or unacceptable features. It was in order to implement that undertaking that the Attorney-General first introduced Bills with similar names into this place in May of this year.

The Opposition at that time had some criticisms of the amendment Bills, principally drawing attention to the fact that many of the penalty provisions in the Bills had not been adjusted to keep pace with changing times. This is a problem that we find throughout the body of law in this Territory. Many penalties of \$20 or \$40 that apply in ACT legislation can be traced back to a 20 pounds or 10 pounds penalty provision that was simply amended in the 1960s to reflect decimal currency.

We suggested at that time, and I would suggest again, that the Government look at the possibility of prescribing penalties by way of penalty units throughout legislation so that amendments would be made on a regular basis to one Act that would have the effect of bringing the monetary penalties throughout the whole body of ACT law up to date

on an annual basis. That would avoid the problem that occurs every 10 or 15 years of looking at an Act that perhaps has not been the subject of much attention and finding that the penalties in fact bear no relationship to reality.

At the time that we made these suggestions as to penalties, the Government gave an undertaking that, rather than deal with the amendments that we had proposed to the house, it would take the Bills away, look at them more carefully and attempt to come up with a better way of drafting to include those penalty provisions. I am pleased that in doing that the Government has also taken the opportunity to further improve these old Bills by way of, for example, removing sexist language which, not surprisingly, we find the draftspersons in 1900, 1902 and 1906 employing. It generally has further improved the Bills. As a result, those original May amending Bills were withdrawn and we have these three replacement Bills before the house.

Mr Speaker, the comments that we made at the time from the Opposition in relation to the substance of the Bills essentially remain. They each relate to an important aspect of consumer protection law that is not often litigated and not often brought before the courts but provides the basic ground rules in relation to provisions in respect of pawnbrokers and second-hand dealers. The Truck (Amendment) Bill - it is very misleadingly titled, one would think - simply provides and essentially provides that persons can be paid wages only by way of money rather than in kind. I take it that that is from the second meaning of the term "truck", which is to deal or have dealings in a matter. It presumably was intended to redress the real problem in turn of the century Australia, particularly in the rural industry, of squatters or mining companies paying their rural labourers partly in cash and partly in tokens to be redeemed either at a station store or at the mining company store - a very effective method of keeping a labour force under control and underpaying and cheating workers.

The Truck (Amendment) Bill tidies up that law. It is a law that you would think is hardly likely to have application in late twentieth century Canberra; nevertheless, it is an important provision to outlaw a potentially unfair and predatory form of paying employees. Mr Speaker, the substance of the Bills is supported by the Opposition and was supported in their original form. They have been improved, and we wish them a speedy passage.

MR STEFANIAK (4.14): Mr Speaker, I am not going to delay proceedings very long. I merely rise to concur with my learned friends, the Attorney-General and Mr Connolly.

MR COLLAERY (Attorney-General) (4.15), in reply: This is a somewhat historic day, Mr Speaker, because, if I recall, these Bills represented Mr Connolly's first contribution as a lawyer in this Assembly. It was a good contribution, a

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useful contribution. It brought to the attention of the Government a need to relook at penalties; it accelerated that relook; and the slight delay that has resulted in the reintroduction of the Bills has not, in my view, inconvenienced the public.

I thank Mr Connolly for his comments. I endorse the comments he has made. Taking advantage of my speaking time, Mr Speaker, I do not know whether there is a second-hand dealer or a pawnbroker in Downer, in the Downer shopping centre. I hear it is declining, but maybe it has some business for second-hand Opposition leaders, or leaders of Government. But certainly the schools debate, in terms of second-hand dealers and others who may be affected by the schools closures, means, of course - and, Mr Speaker, I am directing my attention, hopefully, to the subject matter - - -

MR SPEAKER: I hope so, Mr Collaery. I can see you are struggling.

MR COLLAERY: Mr Speaker, the fact is that, if there is a second-hand dealer in Downer, then I would think that Mr Hudson, who is currently doing the review, would not be looking at the social impact - - -

Mr Berry: Come on; relevance.

MR SPEAKER: Thank you, Mr Berry. Relevance please, Mr Collaery.

MR COLLAERY: Mr Speaker, clearly the Opposition do not want me to find any opportunity to respond to their matter of public importance. I think that should be on the record. Mr Berry stood up once to take up the rest of the time in the MPI debate, and now again denies me the time.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

SECOND-HAND DEALERS AND COLLECTORS (AMENDMENT) BILL 1990

Consideration resumed from 18 September 1990, on motion by **Mr Collaery:**

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.

TRUCK (AMENDMENT) BILL 1990

Consideration resumed from 18 September 1990, on motion by **Mr Collaery**:

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.

REDEVELOPMENT OF PUBLIC HOSPITAL SYSTEM AND CORPORATISATION OF HOSPITAL SERVICES SUPPLY CENTRE Ministerial Statement

Debate resumed from 3 May 1990, on motion by **Mr Humphries**:

That the Assembly takes note of the paper.

MR BERRY (4.19): I am sure that the Deputy Leader of the Government will have the opportunity to speak on this matter, and so he should, because it is partly because of his action that this public hospital redevelopment plan has been adopted by the Government, Royal Canberra Hospital will close and other consequent ramifications will impact on the community at large.

Labor's plan was to keep Royal Canberra Hospital open, to have a principal hospital at Woden Valley Hospital and to retain Calvary Hospital, and, of course, ensure that adequate public beds would be available in future for the people of the ACT. There was significant evidence in the term of the minority Labor Government that there was support from members opposite in relation to that matter. Now, those people have changed their mind. Some would say that if they had a mind like that they would change it too. The fact of the matter was that they changed their mind, to the detriment of the people of the ACT. The result is that we lose a major chunk of our hospital system and we will have to suffer the impact of that decision well into the future. That decision, once it goes past the point of no return, I suspect, will be irreversible for any future government.

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The Liberals' plan had no basis in its electoral promises. The Liberal Party then again pretended to be something that it was not. It continued that pretence throughout its period in Opposition, but changed its colours immediately on forming the Government with the members opposite. The Liberals are in good company because the colours of all of the people opposite changed once they took government. The Liberal philosophy then took control of the Government, and that was to destroy, where possible, the delivery of public community services and, where possible, to enhance the control of those services by the private sector.

The Residents Rally's plan is difficult to work out from day to day. What we do know is that they support the winding back of the public hospital system in the ACT, on the evidence which has been presented in this place. The No Self Government Party's plan speaks for itself, I suppose, and requires no further comment. What those people who belong to that party have to remember well into the future is that they will bear the responsibility for the destruction of the public health system as a result of this Government's restructuring plan.

I think it is very important to note that one of the first things that happened as a result of this Government's action was that there were cuts in public sector beds. There were significant impacts on members of the community. I noted with some amusement the statements by the Chief Minister which indicated some concern for the aged. Of course, the aged are hit hardest by these sorts of actions. I think it is the height of hypocrisy for the Chief Minister to stand up and defend the aged while at the same time his Government is making such a savage attack on the public health system.

Another issue which has become topical is staff morale in our hospitals. Today we heard a member of the medical profession argue that the reason that there were bed cuts in the hospital system was that they were unable to recruit staff. Well, I am not surprised, to be frank, because this Government has fostered misleading advertising, false advertising, to try to recruit staff. People who are interested in employment in the ACT, or anywhere else for that matter, will not cop the false advertising that has been embarked upon under this Government's stewardship.

Just as an example of that, this Government told the people of Australia that there was an opportunity for a career in nursing at Royal Canberra Hospital. That was the big fib. It said that if you took on this career at the Royal Canberra Hospital you would be able to walk to the city in five minutes and you would be able to pursue this career near the lake and the university. Under the normal operations of Royal Canberra Hospital I must say that it would be a very nice place to pursue a career. But what the Government did not tell the people it was trying to recruit to the service was that the hospital was going to close in 1991, that there would be no job for them and they would have to go somewhere else.

Mr Moore: It was shonky.

MR BERRY: You are right, Mr Moore, it was shonky; but this is a shonky government and I suppose we can expect that sort of treatment of the people of the ACT and the people of Australia generally.

Mr Kaine: One of these days you will lift your debating skills to something that is decent.

MR BERRY: I see the leading man is back and again has graced the Assembly with his presence. I am very happy that he is back because I would like him to see some of the impact that this decision will have on the community.

In the Estimates Committee hearings we learned from statistics supplied by the Government just what is happening to our public hospital system. In September 1989, when I was Health Minister - and I take great credit for this, Mr Speaker - there were 993 people waiting for beds in public hospitals. In an ideal world nobody would have to wait any time, but it is a fact of life that people do have to wait. The figures that I have go back to June 1985, and that was the lowest waiting list since then. I am happy to take the credit for achieving that very low waiting list in our hospital system.

By June 1990, just a few months after the Government was taken over by the Liberal coalition opposite, the waiting list for surgery in our hospitals had jumped by about 40 per cent. Up to 1,384 people were waiting for beds in our hospital system. How can this Government sit back and expect any respect in the community when so many people are suffering pain and discomfort because of their handling of the hospital system? We know why people are suffering pain and discomfort in the hospital system; it is because of the Government's plan. The plan is to wind back the number of public hospital beds, in percentage terms, which are available to the people of the ACT. The fact of the matter is that there will be fewer public beds available to the people of the ACT when this Government is finished.

They have told us that it will jump from around 15 per cent up towards 25 per cent - a massive 10 per cent deduction of public beds from the public sector. That means, of course, that it will impact on the people that Trevor Kaine says he supports - the aged. They will be the ones who will be hurt most. Other people are not like Trevor Kaine. He can afford expensive private medical insurance. He can afford to pay over the counter because he is highly paid.

Mr Kaine: Yes, I am being paid such a lot of money by the ACT Legislative Assembly.

MR BERRY: Why do you not try living on what some other people in this Territory have to live on? They are the ones who have to wait for service in the hospital system which you are about to destroy.

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Mr Kaine: I have tried it, mate. Have you? You should try it some time. As a well paid trade unionist, you have never had to live on the basic wage in your life.

MR SPEAKER: Order, Chief Minister, please!

MR BERRY: Thank you, Mr Speaker. These waiting lists are an indictment of the Government's performance. This Government's performance is outrageous. It has set out to kick the people who can least protect themselves when it comes to the delivery of public health services. It has a private medicine focus. There is no denying that; it has admitted it itself.

The public health hospital system has been allowed to decay in order to create a greater demand for private beds. That is why they have had to close the Royal Canberra Hospital. There was no other reason. They had to create an artificial environment which would encourage somebody to come and build their promised 150-bed private hospital. But the costs as yet have not been established. It is the tip of the iceberg for the taxpayers of the ACT. The costs are now blowing out by \$1m a month, on the Government's own figures.

Mr Speaker, this Government's stewardship of the public hospital system in the ACT will go down in history as one of the greatest disasters. It is appalling that it should happen under the first Government of the ACT. What I am most disappointed about, among those areas of extreme disappointment, is Carmel Maher's position in all of this. Here is somebody who in the past has stood up for single parents and people who are disadvantaged, and they are the ones who are going to get kicked to death in this hospital restructuring program. They are the ones who are not going to be able to afford private health insurance or to pay over the counter like the Chief Minister can afford to do. There will be even longer waiting lists. This Government has not costed all its promises yet, even though the Minister responsible has said he would do so. They do not know how much it will cost.

This is about winding back the public hospital system to help their business mates - that is what it is about - and to ensure that there is a big handover of hospital services to the private sector. The great disgrace, of course, falls on the shoulders of the Residents Rally party. Mr Speaker, there will be even longer waiting lists while we wait for this Government to do something about public hospitals in the ACT.

Labor's achievements in just a few short months - the Berry plan - are a matter of record and a matter of extreme embarrassment for the Government members opposite. The lowest waiting lists were achieved from May to September in

1989, according to the records that I have been provided with which go back to June 1985. By June 1990 the figure had jumped to 1,384.

Mr Kaine: Give us the figures for 5 December.

MR BERRY: They are your figures. I asked for the figures. These are the figures that were provided. What are the figures now? Who knows? Of course they have gone through the roof.

Mr Kaine: He does not cheat. He is very selective with his information.

MR BERRY: Mr Speaker, I am not selective with my figures. I just selected the figures that the Government gave me.

The fact of the matter is that there is chaos in the health system. This Government's management of the health system is a disaster. It will be proved to impact heavily on the poor and those who cannot afford the expensive private hospital service that this Government intends to impose on the people of the ACT. It does not care about those people because they do not vote for it. They are not the middle class yuppies who the Residents Rally think will vote for them again because - - -

Mr Moore: Well, one per cent.

MR BERRY: The one per cent man.

Mr Collaery: What an insult! You just insulted a proportion of the electorate, a good proportion, an increasing proportion.

MR BERRY: Has it gone up from one per cent? The fact of the matter is that there will be fewer services under this Government and it is a great disgrace.

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

ADJOURNMENT

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

That the Assembly do now adjourn.

60 Minutes Program

DR KINLOCH (4.34): Mr Speaker, earlier today the subject of a television program came up - the program 60 Minutes in which the main reporter was Richard Carleton. I have known Richard Carleton for a long time. I have been a reporter and commentator on the ABC. This year is my thirtieth

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year with the ABC. Naturally I do not do much these days, but my first broadcasts were in 1960. During that time I had a good association with Richard Carleton and I certainly respect much that he used to do, but we now turn to the program on 60 Minutes.

This was a superficial, shoddy and loaded treatment of our Assembly. I am not speaking here in any way from any particular side of the house. I believe our entire Assembly was demeaned by that program. First of all, such a program should have been based on balanced evidence. Had I been able to talk with Richard - he certainly made no attempt to have such a talk - I would, at the very least, have expected him to hear the following and report on it. I know of at least one other colleague who did have a brief talk with him and in no way was that reflected in the program.

These are the things that should have been said. The existence of this Assembly was the creation of the Federal Government - we are not to be tainted by association with the Federal Government - and among those who created us was Mrs Kelly who is so quick to dismiss us now as a farce. I suggest that she look within her own heart as to what part she played in the creation of this Assembly. Secondly, the election system was also the creation of the Federal Government. We should not be seen to have guilt by association.

Again there is this attempt to make it look as though somehow or other the d'Hondt system was our fault. As we all know, we are here because, one way or another, we had no choice but to operate under that system. I want to assert too - and this was certainly not asserted in that program - that the 17 of us, 18 including our colleague Paul Whalan, have worked hard, whether in or out of government, from scratch.

I have made an extravagant comparison in the past with other governments starting from scratch and I believe that when the history of this Assembly comes to be written - and I hope I will have some part in that - this Assembly will be properly honoured for what it has done since 11 May 1989. I think what we have done is to breathe reality and life into a form of government imposed upon the people of Canberra without our consent, and none of this did Richard Carleton properly emphasise.

I would want to say here - and again I am not being partisan and am not making judgments - that Rosemary Follett and, in turn, Trevor Kaine have worked hard as Chief Ministers to make their respective governments work. You would not have known that from that program. Eight ministers in all, four and four, in that part of the Assembly which is the executive branch, slogged to make this system work, and all of us, especially committee chairpersons - I give special credit there - have worked hard to listen to evidence, to draw up reports and to

present them to the Assembly. You would not have known anything about the reports that have been produced by this Assembly from that program.

None of this was discussed by Richard Carleton and I propose to write to the television station concerned, to include these comments and to ask that a much better and properly balanced program be subsequently presented.

60 Minutes Program

MR BERRY (4.38): I have heard many speeches by Dr Kinloch about issues in this Assembly but that would have to be the biggest whinge and cry that I have heard about a media report on events in this place.

Mr Kaine: You are pathetic, Wayne.

MR BERRY: Here he goes. The facts of the matter are that the members of the Government opposite earned the discredit points which were pointed out by the 60 Minutes program. It would have been better, and a better comparison could have been drawn from the program, had the great achievements of the Follett minority Government been placed on the record by Richard Carleton, and that is my only complaint.

But what the people opposite ought to do is feel a great measure of shame for what they have done to earn such criticism in the media. We cannot complain about the electoral system for our performance once we are in here. The fact of the matter is that the people opposite - the Government members - have to wear the responsibility for their actions and there is no arguing against many of the points that were raised by Richard Carleton.

The fact of the matter is that in relation to the video tax the Government was incompetent. There is no question about that. The fact of the matter is that Ms Maher and Mr Duby developed a different agenda after they had been elected. So did the Speaker, with respect. The fact of the matter is that these people turned around. These are the facts. There is no doubt that if I had been in that position, as those people opposite were, I would have been embarrassed and stinging from the criticism.

The facts of life are that you have to wear it if you do it. You are responsible for the criticism. You are the people who have brought discredit on this Government. You are the people who have brought discredit on this Assembly, I am afraid to say, and that national report by the 60 Minutes team will take a little bit of getting over, I

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suspect. I have already received reports from Western Australia and there has been some snickering about the performance of the Government here as a result of Richard Carleton's report.

Mr Speaker, I get no joy from the Assembly being criticised and made a laughing-stock all over Australia. Do not get me wrong. I think the people who are responsible for the discredit that will be worn by this Assembly are the members opposite. They have to wear it and they ought not whinge about it. The fact of the matter is that they are going to have to lift their game. If the closure of schools goes ahead, if the destruction of the public hospital system goes ahead, if all of their other antics are allowed to go ahead and their performance remains at about the same level, then I expect that there will be more criticism by the media in the future.

The people of the ACT certainly want to be rid of the Government opposite and I think they will do that when the time comes. Meanwhile, if the performance of those opposite does not improve, then the future of self-government in the ACT is somewhat difficult to judge; but it will be more difficult to win back the confidence of the people of the ACT. Mr Speaker, I think that the speech by Dr Kinloch should be regarded as no more than a whinge. I think that he and his comrades opposite have earned the discredit that they got from that program. They should just cop it and lift their game.

60 Minutes Program : Tourism Awards

MR DUBY (Minister for Finance and Urban Services) (4.43): Mr Speaker, I rise to say a few things. First of all, I think the comments just made by Mr Berry were probably the most churlish we have heard in this Assembly for a long time. I think they do discredit to the ACT community as a whole. Mr Berry's comments, in holding up the report that I think all members of the community agree was a disgraceful report in connection with the ACT and was an insult to the ACT as a whole, were churlish. However, I had no intention of speaking on that particular subject.

I was hoping, Mr Speaker, to use the first available opportunity, following the announcement last Friday of the national tourism awards, to comment generally on the current state of the ACT tourism industry. I think everyone in this Assembly will realise that the business community has had some difficult times this year. The tourism industry, in particular, has found that Australia's economic downturn has led to a downturn in business across the board.

I am, however, extremely encouraged by some recent indicators which we have received. The latest Australian Bureau of Statistics preliminary statistics for the June quarter show an increase of almost 15 per cent in room nights sold in 1990 compared with the same quarter in 1989. This has led to an increase in occupancy rates, but most importantly an increase in revenue gained by the industry. This increase in revenue has been most dramatic since the March 1990 quarter, showing a 19.3 per cent increase. I am further encouraged by more recent statistics from the ACT Tourism Commission which show that September quarter sales have increased by a whopping 48 per cent compared with the previous corresponding quarter last year.

There is no doubt that the Government's efforts in staging Floriade have had a dramatic impact on those figures. There is no doubt also that a number of factors have led to this turnaround. Among the most significant have been the results achieved by the marketing efforts of the new ACT Tourism Commission. The commission, under the leadership of an experienced private sector oriented board, has put in place marketing strategies which are beginning to take effect. I think this needs to be applauded by all throughout the industry and all in this Assembly.

So I should like to take this opportunity to congratulate the commission on winning an award of distinction for tourism marketing at the national tourism awards held in Melbourne last Friday night. I should also like to congratulate the other winners from the ACT - the Oak Room of the Hyatt Hotel, Parliament House, Hire-a-Guide, which won a major award, Monarch Tours and the Airport International Hotel at Queanbeyan. The ACT, in proportion to the number of awards that were presented throughout the industry, did very well indeed, and I think it augurs well for the future of the tourism industry here. I can see, of course, that people on the other side are not interested, but it is very important. It should be pointed out that it is the largest private industry sector in the ACT.

In conclusion, I would like to stress that, while we have seen some positive signs of recovery, there is a long way to go before the tourism industry reaches its full potential. This will occur only with continued cooperation between all sectors of the industry and the ACT Tourism Commission, and, of course, a bipartisan pro-Canberra approach from all members of this Assembly - something which, as indicated earlier today by the churlish comments from Mr Berry, the people on the other side do not want to see take place.

When are they going to stop complaining, start putting their shoulder to the wheel along with the people on this side, the people in the Government, and do some hard work for the Territory instead of simply criticising and carping, and never making any positive contribution to the people or the economy of the Territory? I think the attitude of the people opposite is absolutely atrocious.

Tourism Awards : Education

MR CONNOLLY (4.48): I am sure the Opposition would join all the other members in the house in being pleased with the rejuvenation of the tourism industry and in congratulating the winners of those particular awards that the Minister just referred to. I am sure that we all look forward to continued growth in the tourist industry. I notice that the Government has justified the fact that it spent 600 per cent more on travel than the Labor Government did during a comparable period. The explanation most commonly given is that there was an airline strike during a period of Labor's stint in government here, and so I hope that we can equivalently expect to see a 600 per cent growth in travel to Canberra as the private sector reflects similar growth to the extraordinary travelling and tourism that is undertaken by Government Ministers in their various travelling caravans around Australia. Mr Collaery noted earlier that he did not see the excellent Richard Carleton report because he was in fact travelling out of Canberra. Surprise, surprise!

I really rose this afternoon to refer again to education. I think we saw this afternoon, most starkly, the difference between the two sides of this house, the divide across the centre of this house on education. We saw it most starkly in comparing the comments of Bill Wood and Wayne Berry on education and social impact and how closures of schools affect people in Canberra with the comments of the Chief Minister. The Chief Minister said there was no adverse social impact in Canberra from the 1988 school closures. And how did he know? He looked at real estate values. That is the issue on which this Government decides questions of social impact. That is their measuring stick; that is their yardstick - real estate values. The community is already starting to refer to the Chief Minister as Townhouse Trevor, because he sees a school site and he imagines it covered in townhouses. Rip it down, sell it off, replace it with urban infill.

We have a different view of education, as clearly put by Mr Wood and Mr Berry this afternoon. But the bottom line from the Government side is that we are spending too much on schools; we cannot afford to keep the excellent system we have. Well, we, of course, say: we have an excellent system and let us keep it that way. But let me just examine the economic basis or the figures behind that.

It is repeatedly said, as a result of the Grants Commission inquiries - and this is put down in the ACT Government's submission to the Grants Commission - that the Commission accepts that we spend perhaps 20 per cent above average on schooling in this Territory. That is what we spend above average. What then do we get for our 20 per cent above average spending? The Grants Commission submission of this

Government, on page 179, shows what we get - retention rates to Year 12 in the ACT are 85 per cent while the average across Australia is 47.95 per cent. Our retention rates are 177 per cent of the national average and we spend 120 per cent of the national average.

Mr Speaker, to those of us on this side of the house it looks like we are getting a pretty good bargain. We may be spending a bit more than the national average, but what we are getting for our dollars, what we are getting in terms of educational quality, is far in excess of the national average. If you want to simplify it, we have an above average retention rate that is more than three times greater than our above average spending.

Whatever way you look at it we get a good deal for what we spend on education. We see an excellent system and want to save it; they see an excellent system and want to tear it down to the national average. Well, averages are not good enough for Canberra.

60 Minutes Program : Amnesty International

MR COLLAERY (Deputy Chief Minister) (4.52), in reply: I am pleased to stand up. I will not dignify some of the comments here with a riposte because they are probably beneath the standard of debate that I see in other parliaments that I visit. The Labor Party is in deep need of some grief counselling. There is a bitterness and an angst, seven, eight, nine months after they were put out of office, which is really something to behold. I thought that my colleague Dr Kinloch spoke from the heart at the commencement of the adjournment debate. I felt that Mr Berry spoke from his bile duct - Bilious Berry. It was most inappropriate and unbecoming in an Assembly that is attempting to get some acknowledgment interstate.

As a Minister with six portfolios who travels a lot, and as a Minister who meets 30 or 40 Ministers every quarter in this country, I can say to you that the overriding message is of sympathy about the way the national press has treated our fledgling governments, both of our governments, because it is not long since the present Leader of the Opposition was complaining to me and others about the way the national press was treating our Assembly. That is why I say, Mr Speaker, that the comments that are put forward occasionally from the Opposition come from way down in the body; they are from some very nether regions. I will not be too explicit but they are very unbecoming. Their behaviour is very opportunistic.

I wanted to speak tonight on another issue. As Chairman of the ACT Parliamentary Group of Amnesty International I want to say a few words for the record to mark the 29th anniversary yesterday of Amnesty International.

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Out of the devastation and ruin that was the Second World War came the Universal Declaration of Human Rights. The declaration was adopted and proclaimed by the General Assembly of the United Nations on 10 December 1948. This extraordinary declaration was to form the basis of the international human rights group, Amnesty International - which I had the pleasure of meeting when I was in London - which 13 years later, in 1961, came into being after a feature article by Peter Benenson appeared in the Observer newspaper in London. Peter Benenson was to become the founder of Amnesty International.

The article called on all people in all walks of life to begin working for the release of thousands of men and women in prison throughout the world for their peacefully held political and religious beliefs, provided they had not used or advocated violence. These prisoners were to be called "prisoners of conscience" and, with that, a new and potent phrase entered the vocabulary of international affairs.

Today, 29 years on from that first newspaper article, Amnesty's membership stands at over half a million individuals in 160 countries. In Australia alone there are 170 active groups. I was very pleased to hear the Leader of the Opposition refer to Amnesty on radio this morning. The efficacy and impartiality of Amnesty's approach, its strict standards, thorough research and "paper war" campaigning are obvious and well documented. By holding high "the light that no barbed wire can hide" Amnesty fosters hope and challenges the destructive forces of hate, fear and prejudice, or, put in another way by the American actor W.C. Fields, "I am free of all prejudice. I hate everyone equally". Impartiality works both ways. Lord Justice Scott said, in that famous aphorism, that publicity is the soul of justice.

Amnesty works in that context, in a world where injustice thrives in the shadow of silence. We must speak out, act now and shed light on that which degrades and debases the human spirit. Thousands of people are in prison because of their beliefs. Many are held without charge or trial. Torture and the death penalty are widespread. In many countries men, women and children have disappeared after being taken into official custody.

In Guatemala street children are beaten and harassed by police. In Burma, in September 1988, several thousand monks, students and public servants taking part in a series of peaceful demonstrations calling for democracy were shot dead by security forces. In Argentina over 30,000 people, children among them, disappeared during seven years of military rule. The story goes on and on. In South Korea a young woman faces 10 years imprisonment for her peaceful activities in support of the reunification of North and South Korea.

Last week I wrote to the Governor of Louisiana, in the United States, requesting that the death penalty against a mentally ill prisoner be commuted. This man had spent 10 years on death row. His previous history of mental illness and retardation was not presented to the 1980 sentencing jury. These are but a few of the examples of the broad spectrum of abuse that is taking place in countries of widely differing ideologies.

The protection of human rights is a universal responsibility transcending the boundaries of nations and ideologies. As Victor Hugo said, "A stand can be made against invasion by an army; no stand can be made against invasion by an idea" - that is, the notion that human rights is unstoppable.

Question resolved in the affirmative.

Assembly adjourned at 4.57 pm

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ANSWERS TO QUESTIONS

CHIEF MINISTER FOR THE AUSTRALIAN CAPITAL TERRITORY

LEGISLATIVE ASSEMBLY QUESTION

Executive Deputies Accommodation

QUESTION NO. 135

Ms Follett - asked the Chief Minister upon notice on 2 May 1990:

Why are funds being provided by the Chief Ministers Department to outfit accommodation for non-Executive Members of the Assembly (see the answer to question no. 82) in an area which the Speaker considers to be Assembly precincts (Hansard 20 March 1990, p. 540).

Mr Kaine - the answer to the Members Question is:

Funds have been provided from the Chief Ministers Department for alterations to level 5 ACTAC to provide adequate accommodation for Executive Deputies because the decision to move Executive Deputies from level 1 was a-Government decision and it was considered appropriate that the funding for the necessary alteration not be imposed on the Assemblys budget.

Any further costs associated with alterations to accommodation in the Assembly precincts will be the responsibility of the Speaker.

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MINISTER FOR HEALTH, EDUCATION AND THE ARTS

LEGISLATIVE ASSEMBLY QUESTION NO. 187

Government Schools

Ms Follett - asked the Minister for Health, Education and the Arts on 7 June 1990:

For each of the calendar years 1987, 1988 and 1989, what were;

- 1) The enrolments of each Government school in the ACT,
- 2) The operating costs of each Government school, and
- 3) The costs of providing school bus services for Government school students.

Mr Humphries - The answers to Ms Follett's questions are as follows:

- 1) The enrolments of each Government school in the ACT for each of the calendar years 1987, 1988, and 1989 were included in the Schools Reshaping Program document School Enrolments, July 1965 - February 1990.

The following figures have been extracted from that document.

ACT PUBLIC SCHOOL ENROLMENTS -

JULY JULY JULY

School 1987 1988 1989

COLLEGES

Northside

Copland 703 778 805

- Dickson 845 816 807

Hawker 846 795 785

Lake Ginninderra 359 741 807

SWOW 27 38 39

Southside

Erindale 625 722 786

Narrabundah 821 865 842

Phillip 762 815 835

Stirling 744 705 692

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HIGH SCHOOLS

1987 1988 1989

Northside

Campbell 669 784 723

Lyneham 923 972 990

SWOW 51 45 53

Watson 204

Southside

Deakin 694 705

Alfred Deakin 808

Telopea Park 421 449 446

Belconnen North

Charnwood 739 737 694

Kaleen 592 570 570

Melba 533 535 531

Belconnen South

Belconnen 632 583 562

Canberra 808 831 846

Ginninderra 1025 1035 989

Tuggeranong

Caroline Chisholm 649 651 745

Kambah 774 742 792

Wanniassa 660 778 802

Woden Valley

Melrose _ 742 705 698

Woden Valley 421 303

Weston Creek

Holder 762 707 658

Weston Creek 781 720 677

PRIMARY SCHOOLS

Northside

Ainslie 350 323 389

Campbell 253 259 259

Co-operative 31 36 44

Downer 164 155

Hackett 131 132 134

Lyneham 539 537 547

Watson 156 153

Majura 336

North Ainslie 375 418 367

Turner 398 435 470

Southside

Forrest 418 406 425

Griffith 189 188 204

Narrabundah 158 161 168

Red Hill 399 407 433

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Telopea Park 305 329 339
Yarralumla 157 171 186
Woden Valley
Curtin 285 293 378
Farrer 334 331 313
Garran 455 475 446
Hughes 308 307 333
Lyons 167 162 161
Mawson 202 196 238
Chifley 204 231
Melrose 223
Pearce 147 108
Torrens 417 391 412
Weston Creek
Chapman 332 313 344
Duffy 297 285 252
Fisher 204 205
Holder 263 200 169
Rivett 376 339 282
Waramanga 312 301
Arawang 406
Weston 345 332 316
North Belconnen
Charnwood 463 451 404
Evatt 408 400 374
Flynn 446 438 403
Fraser 454 444 407
Giralang 490 499 463
Kaleen 465 502 465
Maribyrnong 326 366 362
Melba 429 374 340
Miles Franklin 421 448 444
Spence 430 392 362
Belconnen South
Aranda 359 367 358
Cook 193 196 195
Florey 377
Hawker 292 309 295
Higgins 339 307 290
Holt 494 459 415
Latham 437 431 346
Macgregor 543 522 481
Macquarie 186 181 184
Page 220 228
Scullin 349 351
Southern Cross 311
Weetangera 302 269 290
Tuggeranong
Calwell 223

Chisholm 345 400 431
 Fadden 382 396 431
 Gilmore 314 428 463
 Gowrie 412 420 451
 Isabella Plains 209 335
 Monash 409 375 419
 Mt Neighbour 435 442 402
 Richardson 462 373 317
 Taylor 343 324 314
 Urambi 541 511 504
 Village Creek 467 440 456
 Wanniasa 500 520 551
 Wanniasa Hills 461 484 475
 Other ACT
 Hall 131 141 140
 Jervis Bay 143 140 148
 Tharwa 28 30 30
 Uriarra 19 27 29
 Special Schools
 Cranleigh 68 75 77
 Koomarri 124 118 121
 Malkara Special 58 68 78
 Woden School 122 112 114
 Hartley St Education Centre 86
 (included with Turner Primary prior to 1989)

2) Information relating to costs is presented in financial years rather than calendar years. The figures have been obtained from the Department of Educations Recurrent Expenditure documents for 1986/1987, 1987/1988, 1988/1989. The figures include costs for Waste Collection, Telephone Services, Fire Brigade Monitoring, Heating, Electricity, Water Rates, Pest Control, Sanitary Disposal Units, Building Maintenance, Major Equipment Maintenance, Data Lines, but excludes Salaries, per capita grants for discretionary purchases, Grounds Maintenance, Cleaning and Security.

Schools 86/87 87/88 88/89
 Copland College 120,958 157,338 159,372
 Dickson College 135,811 147,789 160,562
 Erindale College 275,404 315,432 344,430
 Hawker College 128,194 144,732 148,648
 Lake Ginninderra College 26,061 118,592 126,372
 Narrabundah College 119,284 103,713 121,868
 Phillip College 108,399 133,676 147,939
 Stirling College 168,683 146,284 163,560

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Alfred Deakin High 59,466
Belconnen High 97,130 116,821 118,259
Campbell High 90,585 122,658 118,372
Canberra High 115,120 114,473 114,343
Caroline Chisholm High 95,265 135,767 165,241
Charnwood High 119,409 117,878 122,332
Deakin High 135,203 180,167 109,817
Ginninderra High 144,461 161,095 144,818
Holder High 91,691 115,350 121,294
Kaleen High 111,147 138,051 130,527
Kambah High 159,206 152,358 154,791
Lyneham High 115,507 132,853 141,687
Melba High 109,576 120,857 127,915
Melrose High 114,250 117,570 128,747
Wanniassa High 154,053 161,617 173,310
Watson High 99,534 81,070
Weston Creek High 127,092 129,327 160,972
Woden Valley High 109,128 114,875 60,010
Ainslie Primary 26,619 28,363 33,018
Aranda Primary 22,278 33,669 32,293
Arawang Primary 15,739
Calwell Primary 19,371
Campbell Primary 24,463 25,639 53,879
Chapman Primary 30,933 39,255 48,151
Charnwood Primary 55,735 59,750 58,372
Chifley Primary 34,713 29,848 21,159
Chisholm Primary 40,470 39,118 47,105
Cook Primary 26,177 28,230 37,359
Downer Primary 25,794 28,001 15,752
Evatt Primary 49,416 50,613 51,155
Farrer Primary 28,457 37,612 36,692
Fisher Primary 41,060 39,057 24,495
Florey Primary 10,515
Flynn Primary 50,904 53,622 56,581
Forrest Primary 43,267 39,366 42,866
Fraser Primary 45,270 53,046 57,320
Garran Primary 34,758 47,372 43,619
Gilmore Primary 14,926 33,078 47,513
Giralang Primary 66,615 77,850 76,802
Gowrie Primary 42,773 47,415 46,628
Griffith Primary 37,343 40,982 35,726
Hackett Primary 32,123 37,054 45,365
Hall Primary 19,056 19,144 18,594
Hawker Primary 33,979 36,618 40,418
Higgins Primary 38,297 41,821 48,112
Holder Primary 33,095 37,222 65,708
Holt Primary 50,562 50,471 45,886
Hughes Primary 30,227 33,429 37,218
Isabella Plains Primary 13,327 26,656
Curtin Primary 31,032 30,488 28,079
Duffy Primary 51,248 51,926 53,889
Fadden Primary 26,526 33,316 34,036

Jervis Bay Primary 13,581 6,778 6,508
 Kaleen Primary 49,783 48,852 44,658
 Latham Primary 44,455 56,433 53,051
 Lyneham Primary 42,585 40,512 58,376
 Lyons Primary 40,265 46,757 48,562
 Macgregor Primary 42,742 43,216 43,930
 Macquarie Primary 42,047 40,120 54,579
 Majura Primary 25,201
 Maribymong Primary 34,767 39,409 38,816
 Mawson Primary 37,372 41,328 40,577
 Melba Primary 40,013 58,072 53,506
 Melrose Primary 14,395
 Miles Franklin Primary 41,980 42,947 44,071
 Monash Primary 44,945 45,541 49,823
 Mt Neighbour Primary 42,240 47,176 48,529
 Narrabundah Primary 34,921 29,657 29,048
 North Ainslie Primary 33,497 45,046 48,823
 Page Primary 37,976 34,351 23,126
 Pearce Primary 31,126 32,169 27,345
 Red Hill Primary 39,096 52,189 54,689
 Richardson Primary 48,462 59,797 58,539
 Rivett Primary 51,527 60,061 48,473
 Scullin Primary 43,654 50,064 28,188
 Southern Cross Primary 16,848
 Spence Primary 38,416 42,575 45,793
 Taylor Primary 46,060 58,137 55,319
 Tharwa Primary 15,327 6,338 10,287
 Theodore Primary
 Torrens Primary 45,435 47,059 49,535
 Turner Primary 68,097 86,051 84,677
 Urambi Primary 49,912 60,660 53,828
 Uriarra Primary 17,249 5,158
 Village Creek Primary 62,187 57,827 63,439
 Wanniasa Primary 45,333 56,090 58,526
 Wanniasa Hills Primary 42,376 48,807 47,456
 Waramanga Primary 33,148 33,964 26,272
 Watson Primary 44,646 40,470 26,324
 Weetangera Primary 41,332 51,202 50,693
 Weston Primary 31,383 35,875 31,147
 Yarralumla Primary 30,175 32,210 32,502
 Co-operative School 5,609 8,865 5,286
 School Without Walls 17,129 20,860 22,330
 Telopea Park School 125,704 113,595 114,457
 Cranleigh Special 49,342 59,030 52,057
 Koomarri Special 36,610 34,885 51,081
 Malkara Special 30,679 32,374 46,019
 Woden Special 45,755 48,800 55,032

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3) The costs of providing school bus services for Government school students is outlined below:

Action

1987/88 \$6,277,000 (this includes both Government
and Non Government)

1988/89 \$4,228,000 Non Government
\$2,370,000 Government

1989/90 \$4,580,000 Non Government
\$2,542,000 Government

Other Contract Bus services

1986/87 \$622,000

1987/88 \$622,000) For both Government and

1988/89 \$616,000 Non-Government Students

3670

**ATTORNEY-GENERAL AND MINISTER FOR HOUSING AND
COMMUNITY SERVICES**

ACT LEGISLATIVE ASSEMBLY

Consultancies

QUESTION NO 204

Ms Follett - asked the Attorney-General and Minister for Housing and
Community Services -

What amount was expended on consultancies in the 1989-90 financial year by each agency in the
Ministers portfolio.

Mr Collaery - The answer to the Members question is as follows:

Government Law Office \$240,487

Housing & Community Services
Bureau \$481,798

3671

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**CHIEF MINISTER FOR THE AUSTRALIAN CAPITAL TERRITORY
LEGISLATIVE ASSEMBLY QUESTION**

Travel - Ministers and Executive Deputies

QUESTION NO 207

MS FOLLETT - Asked the Chief Minister upon notice on 7 August 1990:

- (1) On what occasions have Ministers or Executive Deputies travelled outside the ACT on official business in the period from 24 April 1990 to 6 August 1990.
- (2) In relation to each visit at (1) above (a) what were the dates of the visit; (b) what meetings were attended by the Minister or Executive Deputy; (c) what cities were visited; (d) which public servants, members of staff or other people accompanied the Minister or Executive Deputy; (e) what mode and class of transport was used by each person; (f) what was the cost of travel for the Minister or Executive Deputy; (g) what was the cost of accommodation for the Minister or Executive Deputy; and (h) what was the cost of travel and accommodation for persons accompanying the Minister or Executive Deputy.

Mr KAINÉ - The answer to Ms Follett's question is as follows:

CHIEF MINISTER

1. (a) DATE/S: 12 - 15 June 1990
- (b) REASON FOR TRAVEL: Attend Ministers Conference on Planning and Heritage
- (c) CITY VISITED: Cairns
- (d) ACCOMPANIED BY: Nia Stavropoulos - SPS

Geoff Campbell -
Chief Territory Planner

Miriam Jamieson -
Director, Heritage Environment
and Planning

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(e) MODE OF TRAVEL: 1st Class Air

(f) COST OF TRAVEL: \$ 1322-00

(g) COST OF ACCOMMODATION: \$ 420-00 Rem. Trib. Determination

(h) COSTS FOR THOSE

ACCOMPANYING:

Nia Stavropoulos

Travel \$ 1307-00

Accommodation \$ 551-00 Travelling Allowance

Geoff Campbell

Travel \$ 1250-00

Accommodation \$ 791-00 Travelling Allowance

(11 - 17 June 1990)

Miriam Jamieson

Travel \$ 864-00

Accommodation \$ 460-00 Travelling Allowance

(11 - 14 June 1990)

2. (a) DATE/S: 21 June 1990

(b) REASON FOR TRAVEL: Meeting with Mr Nick Greiner

(c) CITY VISITS D: Sydney

(d) ACCOMPANIED BY: Nia Stavropoulos - SPS

Glenn Bellchambers; - FAS

. Economic Development

(e) MODE OF TRAVEL: 1st Class Air

(f) COST OF TRAVEL: \$ 340-00

(g) COST OF ACCOMMODATION: NIL

(h) COSTS FOR THOSE

ACCOMPANYING:

Nia Stavropoulos

Travel \$ 340-00

Accommodation \$ 29-00 Travelling Allowance

Glenn Bellchambers

Travel Government Vehicle

Accommodation \$ 29-00 Travelling Allowance

3673

16 October 1990

DEPUTY CHIEF MINISTER

1. (a) DATE/S: 31 May - 1 June 1990
- (b) REASON FOR TRAVEL: Attend Housing Ministers Conference
- (c) CITY VISITED: Sydney
- (d) ACCOMPANIED BY: David Rosier - SPS

Ken Horsham - General Manager Housing & Community Services Bureau

Tony Waters - Commissioner for Housing

- (e) MODE OF TRAVEL: Business Class Air to Sydney
returned by Government Vehicle
- (f) COST OF TRAVEL: \$ 130-00
- (g) COST OF ACCOMMODATION: \$ 300-00 Rem. Trib. Determination

- (h) COST FOR THOSE
ACCOMPANYING:
 - David Rosier
 - Travel \$ 130-00
 - Accommodation \$ 186-50 Travelling Allowance
 - Ken Horsham
 - Travel Government Vehicle
 - Accommodation \$ 377-00 Travelling Allowance
 - Tony Waters
 - Travel Government vehicle
 - Accommodation \$ 377-00 Travelling Allowance

2. (a) DATE/S: 7 - 9 June 1990
- (b) REASON FOR TRAVEL: Attend Standing Committee for Social Welfare Administration
- (c) CITY VISITED: Brisbane
- (d) ACCOMPANIED BY: David Rosier - SPS

Ken Horsham - General Manager Housing and Community Services Bureau

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MODE OF TRAVEL: 1st Class Air

(f) COST OF TRAVEL: S 756-00

(g) COST OF ACCOMMODATION: \$ 600-00 Rem.Trib Determination

(h) COSTS FOR THOSE

ACCOMPANYING:

David Rossiter

Travel S 756-00

Accommodation \$ 283-00 Travelling Allowance

Ken Horsham

Travel \$ 756-00

Accommodation S 746-00 (Mr Horsham went to

Brisbane on 4 June 1990)

3. (a) DATE/S: 27 JUNE - 1 JULY 1990

(b) REASON FOR TRAVEL: Attend Standing Committee of
Attorney-Generals and Meeting of
Censorship Ministers

(c) CITY VISITED: Alice Springs

(d) ACCOMPANIED BY: David Rosier - SPS

Mr Chris Hunt - Secretary Department of Justice and Community Services

Mr Brendan Bailey - Director, of Human Rights and Community Law Section

(e) MODE OF TRAVEL: RAVE Plane to Alice Springs
returned Business Class Air

(f) COST OF TRAVEL: S 638-00

(Mr Collaery was to proceed on holiday from 1 July 1990 in Alice Springs. He returned to Canberra for an urgent Cabinet Meeting on 1 July 1990).

COST OF RETURN

TRAVEL TO ALICE SPRINGS: \$ 1071-00 - 1st Class and Economy

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(g) COST OF ACCOMMODATION: S 1200-00 Rem. Trib. Determination

(h) COST OF THOSE
ACCOMPANYING:

David Rosier
Travel \$ 638-00(RAAF plane to A Sings)
Accommodation \$ 420-00 Travelling Allowance

.5.

Chris Hunt
Travel \$ 638-00 (RAVE plane to A Springs)
Accommodation \$ 442-00 Travelling Allowance
Brendan Bailey
Travel S 929-00(Economy Class Air)
Accommodation S 851-00 Travelling Allowance

4. (a) DATE/S: 19 - 21 July 1990

(b) REASON FOR TRAVEL: Standing Committee meeting on
Consumer Affairs

(c) CITY VISITED: Perth

(d) ACCOMPANIED BY: David Rosier - SPS

Mr Len Barbells - Deputy Law
Officer

Mr Tony Charge - Director of
Consumer Affairs

Mr Wayne Perry - Assistant
Director of Development Section

(e) MODE OF TRAVEL: Economy and 1st Class Air

(f) COST OF TRAVEL: \$ 1493-00

(g) COST OF ACCOMMODATION: S 600.00 Rem. Trib. Determination

(h) COSTS OF THOSE

ACCOMPANYING:

David Rosier
Travel \$ 1493-00
Accommodation \$ 218-00 Travelling Allowance

Len Barbells
Travel \$ 1493-00 -
Accommodation \$ 326-50 Travelling Allowance

3676

Tony Charge

Travel \$ 1272-00 1st and Economy Air
Accommodation \$ 409-50 Travelling Allowance

Wayne Perry

Travel \$ 1036-00 Economy Air
Accommodation \$ 409-50 Travelling Allowance

MINISTER FOR FINANCE AND URBAN SERVICES

1. (a) DATE/S: 24 - 26 May 1990
- (b) REASON FOR TRAVEL: Attend Australian Transport Advisory Council Meeting
- (c) CITY VISITED: Perth
- (d) ACCOMPANIED BY: Norm Jensen MLA - Executive Deputy
- (e) MODE OF TRAVEL: Business Class Air
- (f) COST OF TRAVEL: \$ 1192-00
- (g) COST OF ACCOMMODATION: \$ 600-00 Rem. Trib. Determination
- (h) COSTS FOR THOSE ACCOMPANYING:

Norm Jensen MLA

Travel \$ 1192-00

Accommodation \$ 340-00 Rem. Trib. Determination

2. (a) DATE/S: 28 June - 2 July 1990
- (b) REASON FOR TRAVEL: Ministers Conference on Construction Issues
- (c) CITY VISITED: Auckland and Wellington N Z
- (d) ACCOMPANIED BY: Peter Alabaster - SPS

John Flutter - Director of ACT
Public Works

- (e) MODE OF TRAVEL: Eon, Business and 1st Class Air
- (f) COST OF TRAVEL: \$ 1764-00

- (g) COST OF ACCOMMODATION: \$ 923-26 Overseas Travelling Allowance

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(h) COSTS FOR THOSE
ACCOMPANYING:

Peter Alabaster
Travel S 1764-00
Accommodation S 672-65 Overseas Travelling
Allowance
John Flutter
Travel \$ 1764-00
Accommodation \$ 773-37 Overseas Travelling
Allowance

MINISTER FOR HEALTH, EDUCATION AND THE ARTS

1. (a) DATE/S: 3 May 1990

(b) REASON FOR TRAVEL: Meeting with Commonwealth and State Education Ministers

(c) CITY VISITED: Melbourne

(d) ACCOMPANIED BY: Dr Eric Wilt - Secretary

Department of Education

(e) MODE OF TRAVEL: 1st Class Air

(f) COST OF TRAVEL: S 480-00

(g) COST OF ACCOMMODATION: Nil

(h) COSTS FOR THOSE
ACCOMPANYING:

Dr Eric Willmot
Travel \$ 480-00
Accommodation S 29-00 Travelling Allowance

2. (a) DATE/S: 1 June 1990

(b) REASON FOR TRAVEL: Attend Education Ministers Meeting
to discuss Teachers Salaries

(c) CITY VISITED: Melbourne

(d) ACCOMPANIED BY: Dr Eric Willmot - Secretary
Department of Education

(e) MODE OF TRAVEL: 1st Class Air

(f) COST OF TRAVEL: \$ 480-00

(g) COST OF ACCOMMODATION: Nil

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(h) COSTS FOR THOSE

ACCOMPANYING:

Dr Eric Wilt

Travel \$ 480-00

Accommodation \$ 35-00 Travelling Allowance

3. (a) DATE/S: 8 - 12 June 1990

(b) REASON FOR TRAVEL: Attend Health Ministers Conference
and the Ministerial Council on
Drug Strategy Conference

(c) CITY VISITED: Brisbane - Gold Coast

(d) ACCOMPANIED BY: Rohan Greenland - SPS

John Bissett - General Manager ACT Community and Health Services

Dr Vin McLoughlin - Executive Director of Policy Planning and Government Relations

Heidi Ramsay - Executive Director of Special Services

Rosemary Jardine - Director of Alcohol and Drugs

(e) MODE OF TRAVEL: First, Business and Economy Class

Air

(f) COST OF TRAVEL: \$ 718-00

(g) COST OF ACCOMMODATION: \$ 900-00 Rem. Trib. Determination

(h) COSTS FOR THOSE

ACCOMPANYING:

Rohan Greenland

Travel \$ 668-00

Accommodation \$ 261-00 Travelling Allowance

John Bissett

Travel \$ 756-00

Accommodation \$ 521-00 Travelling Allowance

Dr Vin McLoughlin

Travel \$ 756-00

Accommodation \$ 521-00 Travelling Allowance

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Heidi Ramsay

Travel S 504-00

Accommodation \$ 497-00 Travelling Allowance

Rosemary Jardine

Travel \$ 504-00

Accommodation S 280-44 Travelling Allowance

4. (a) DATE/S: 8 - 10 July 1990

(b) REASON FOR TRAVEL: Meetings with NSW Minister for Health

(c) CITY VISITED: Sydney

(d) ACCOMPANIED BY: Stephen Wade - PS

(e) MODE OF TRAVEL: 1st Class and Economy Air

(f) COST OF TRAVEL: \$ 283-00

(g) COST OF ACCOMMODATION: \$ 600-00 Rem. Trib. Determination

(h) COST FOR THOSE

ACCOMPANYING:

Stephen Wade

Travel S 226-00 One day visit

Accommodation \$ 26-00 Travelling Allowance

EXECUTIVE DEPUTY ASSISTING THE ATTORNEY-GENERAL/MINISTER FOR HOUSING
& COMMUNITY SERVICES ON POLICE & JUSTICE AND SPORT & RECREATION
MATTERS

1. (a) DATE/S: 25 - 26 July 1990

(b) REASON FOR TRAVEL: Represent the Minister at National
Launch of Australian Foot S A L
National League

(c) CITY VISITED: Sydney

(d) ACCOMPANIED BY: Michael Roff - Personal Assistant

(e) MODE OF TRAVEL: Government Vehicle

(f) COST OF TRAVEL: Nil -"

(g) COST OF ACCOMMODATION: S 200-00 Rem. Trib. Determination

(H) COSTS FOR THOSE

ACCOMPANYING

Michael Roff

Travel Nil

Accommodation \$ 141-50 Travelling Allowance

3680

MINISTER FOR FINANCE AND URBAN SERVICES

LEGISLATIVE ASSEMBLY QUESTION

Dog Control

QUESTION NO. 252

Mrs Grassby - asked the Minister for Finance and Urban Services

- (1) How many dogs are registered in the ACT?
- (2) Are registration figures available by breed; if so, what are these figures?
- (3) In the period January-June 1990, how many complaints have been received by the Registrar of Dogs?
- (4) What was the nature of the complaints by category, eg attacks, barking, roaming etc?
- (5) What action has been taken in response to these complaints?
- (6) What percentage of complaints received between January-June 1990 related to registered dogs?
- (7) How many prosecutions were initiated between January- June 1990?
- (8) How many of those prosecutions were successful?
- (9) What resources are available for dog control purposes in the ACT?
- (10) What measures will be taken to curb the growing dog problem in the ACT in the future?
- (11) What community education programs have been carried out in the period January-June 1990 in relation to owners responsibilities for their dogs?

Mr Duby - the answers to the Members questions are as follows:

- (1) There are 16,500 active dog registrations on the Dog Register.
- (2) Registration figures are not available by breed from the present system.
- (3) During the period January-June 1990, 13,600 complaints were received by the Dog Control Unit.
- (4) Statistics are not available for barking or roaming dogs. However, 88 dog attacks were reported to Dog Control from April to August 1990.
- (5) From January to June 1990, 831 stray dogs were collected from residences and impounded, and 342 dogs were caught roaming the streets by Inspectors and impounded.

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From January to June 1990, 491 animal nuisance complaints were received. The majority of these complaints concern barking dogs.

Following initial enquiries by Dog Control Officers, dog attack reports are referred to the Director of Public Prosecution for advice and the owners of dogs involved in attacks may be prosecuted.

Roaming and stray dog complaints are passed to an Inspector who attends the address to either search for the offending roaming dog or to collect a stray dog from an address.

Animal Nuisance complaints have to be assessed as to the nature of the complaint and the most appropriate procedure outlined to the complainant in accordance with the Animal Nuisance Control Act 1975.

(6) No statistics are kept by the Dog Control Unit.

(7) There were eight individuals summoned to appear before a Magistrate to answer 19 offences committed under the Dog Control Act 1975. All of the offences related to the owners dog attacking a person or another animal.

(8) All of the prosecutions were successful. The Magistrate saw fit in most instances to impose the maximum penalty for the offence, and fines of \$140 to \$290 were imposed.

(9) There are four Dog Inspectors working two shifts per day. Two Inspectors patrol Northside and two Inspectors patrol Southside daily on weekdays. An Inspector is restated to attend to emergency calls at weekends on a "call-out" basis.

The Dog Control Office located in the Department of Environment, Land and Planning is staffed by the Registrar and Deputy Registrar of Dogs and two persons answering telephone calls.

(10) The Government will consider amendments to the Control Act 1975 in the near future. A substantial publicity campaign and public education program will inform the Canberra community of the amendments prior to their enactment. Unregistered dogs will be targeted so that dog owners bear the cost of dog control in the community.

(11) The "Your Dog ...Your Responsibility" campaign is continuing. The Registrar of Dogs through the Neighbourhood Watch program has attended Annual General Meetings to provide direct advice to Zone Leaders and encourage them to distribute information supplied in newsletters. Dog Control pamphlets are available to the public at Government Shopfronts and supplied to the SPCA Education officer for distribution to school classes following lectures.

3682

MINISTER FOR FINANCE AND URBAN SERVICES

LEGISLATIVE ASSEMBLY QUESTION

Gudgenby and Tuggeranong Homesteads

QUESTION ON NOTICE NUMBER 253

Mr Connolly - asked the Minister for Finance and Urban Services.

1. Who is the lessee of the old Gudgenby Homestead.
2. If the old Gudgenby Homestead is under the control of the ACT Government , what use is being made of the homestead, and what efforts are being made to preserve it.
3. Who is the lessee of the old Tuggeranong Homestead.
4. Is the present lessee complying with the lease purpose clauses applying to the property.
5. What steps are being taken to preserve this historic property.
6. Was there a chandelier on the property and, if so, is it still in place.

Mr Duby - the answer to the Members question is as follows

1. Following withdrawal of the lease on the Gudgenby property and the Homestead 14 July 1989, the property is under the control of the ACT Government.
2. The property and all associated buildings, fencing and other facilities is now being managed as part of Namadgi National Park. The homesteaders secured and Park rangers patrol the buildings. As a temporary measure an ACT Parks and Conservation Service employee is living in the Homestead until a long term use is found.

The Namadgi management plan also proposes the possibility of concession type activities at Gudgenby. No public expressions of interest have been sought. To date the Ngunawal Community and the Youth Hostels Association have expressed interest in using the residence at Gudgenby.

Namadgi National Park is declared under the Nature Conservation Act (1980). Section 51 (subsection 6) of the Act prohibits the granting of new leases or licences after a lease or licence has been determined.

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As noted above the previous grazing lease was withdrawn in July 1989. Thus a lease or licence cannot be issued to either of the proponents at the present time. However, the Land (Leases and Management) Hill will allow for the granting of concessions in areas gazetted under the ACT Nature Conservation Act with the exception of wilderness areas on the recommendation of the Conservator.

Any concessions would need to be subject to appropriate guidelines recognising the values of the Namadgi National Park.

3. The current lessee of Block 1 Section 450, on which the Tuggeranong Homestead stands, is the Tuggeranong Pastoral Company Pty Ltd. The lease commenced on 2 September 1980 and is due to expire in 1992.

4. The lessee appears to be in breach of several lease covenants relating to the restoration program as it appears to be falling short of the required standards, and there is evidence that the lessee has been subletting the property contrary to the lease conditions.

The lessee appears to be complying with the purpose clause of the lease, which requires that the land be used only for sheep farming and associated agricultural uses, exhibition areas, kiosk to serve the needs of visitors, and such other tourist activities as approved by the Government.

5. The property was leased in 1980 with conditions relating to a restoration program, to be carried out in accordance with a schedule and at a cost of not less than \$125,000. The program required that the lessee commence the program by 2 March 1981, and complete it by 2 September 1985.

The lessee has stated that to date he has outlays \$257,302.24 on restoration work. Over the last four years the restoration work appears to have come to a halt, and deterioration of the buildings has been noted. The lessee was advised on 3 July 1990 that, unless the restoration work is resumed, the lease will be determined.

6. A chandelier is included in Schedule "A" of the Crown Lease as part of the Commonwealth improvements in the main homestead.

The lessee reported to Police on 18 August 1990 that the chandelier had been stolen, and the matter is currently under Police investigation.

3684

MINISTER FOR HOUSING AND COMMUNITY SERVICES

ACT LEGISLATIVE ASSEMBLY

Housing Trust Tenants - Noise Levels

QUESTION NO 273

Mr Wood - asked the Minister for Housing and Community Services -

- (1) What controls do the Housing Trust exercise over its tenants who create excessive noise or disturbance to neighbours, especially in areas of high density living.
- (2) In what circumstances are tenants who persistently ignore requests to moderate noise levels evicted.

Mr Collaery - the answer to the Members question is as follows:

- (1) The Acknowledgement of Tenancy entered into by all tenants provides that the tenant ".. will not use the premises for any purpose which may be or become a nuisance annoyance inconvenience or disturbance to the Commissioner or to the tenants or occupiers of any other property in the neighbourhood."

An additional clause also is added to a Schedule of Rules attached to . all Acknowledgements of Tenancy for flats:

Tenants their servants or guests shall not make or permit any objectional noises to be made in the building or interfere in any way with other tenants or those having business with them or allow any radio, television or musical instruments or equipment of any kind whatsoever, to be operated so that the sound arising therefrom shall be unreasonably loud or cause annoyance to other tenants in the building."

Whenever a situation of this nature is brought to notice the alleged offender is visited by an officer of the Trust, who also conducts a check of surrounding neighbours to verify whether a complaint is justified.

If so, the offender is reminded of their responsibilities under the Tenancy, and requested, in common courtesy to others in the neighbourhood, to exercise some restraint in their actions.

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(2) It would be rare for a tenant to be evicted on these grounds- . although this is the final and most drastic solution when someone deliberately and persistently breaches tenancy conditions.

Each situation is examined on its unique merits before any decision is reached. Other possible solutions, such as relocation of the offender, will always be sought before eviction is considered.

3686