



DEBATES

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

HANSARD

17 December 1991

Tuesday, 17 December 1991

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

PETITIONS

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

Euthanasia

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 euthanasia ignores the fundamental value of every human being.
- * That the mere legalisation of euthanasia would put pressure on the handicapped, aged and terminally ill members of our community to kill themselves, or to be killed, so as to not be a "burden" on their friends and families.
- * That experience in the Netherlands demonstrates that acceptance of so called "voluntary" euthanasia leads to the adoption of involuntary euthanasia.

Your petitioners therefore request the Assembly to reject any move towards the legalisation of euthanasia in the ACT, and to provide for the establishment of a hospice as an expression of the Assembly's true concern for the welfare of the aged and terminally ill of our community.

By **Mr Humphries** (from 65 residents).

Former School Playing Fields

TO THE SPEAKER AND MEMBERS OF THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY.

The petition of the undersigned shows that:

They believe that:

The greenspaces within the suburb of Curtin are an essential part of the character of Curtin, and the playing fields to the east of the old North Curtin Primary School buildings are an essential part of the greenspace running north-south through the centre of the suburb.

They are concerned that:

The ACT Government may have plans to rezone the eastern third of Curtin Section 99 Block 1 as Residential area.

Your petitioners therefore request the Assembly to gazette the old North Curtin Primary School playing fields, that is the eastern third of Curtin Section 99 Block 1, as open space for local park or local playing fields for community use.

By **Mr Connolly** (from 106 residents).

Petitions received.

ORDER OF BUSINESS

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

That so much of standing and temporary orders be suspended as would prevent questions without notice being called on at 2.30 pm and presentation of papers, ministerial statements, by leave, and matters of public importance following in the normal routine of business.

STAMP DUTIES AND TAXES (AMENDMENT) BILL 1991

Debate resumed from 12 December 1991, on motion by **Ms Follett**:

That this Bill be agreed to in principle.

MR COLLAERY (10.32): Mr Speaker, the Residents Rally supports this Bill. At a meeting recently I was able to hear from the president of the Law Society that the society understood the legislation, and I gained the impression

that it supported it. I note that the Bill changes the practice of stamping these instruments from that used elsewhere in Australia. However, as the Chief Minister correctly pointed out when introducing the Bill, there is an overwhelming preponderance of Commonwealth occupancy in many of the larger commercial tenancy agreements and, as the law presently stands, the incidence of tax does not fall upon the Commonwealth.

Mr Speaker, the reasons for shifting the liability are clear. This legislation has been discussed with those parties affected, to my knowledge. The Minister who introduced it has not indicated what the Commonwealth's reaction has been. She might care to indicate in her response whether the Commonwealth has made any comment. As we know, particularly with the Civil Aviation Authority and some other Commonwealth instrumentalities, there is a move out of the ACT. That is to be regretted.

I doubt that the Commonwealth can hang its hat on this particular specific decision and say that it is the last straw. The fact is that the Commonwealth is looking seriously again at the size of the public administration in the Territory. I believe that, as Canberra expands as a national headquarters for more and more national corporations, the space will be filled in by private industry and that there are no real long-term negative aspects to the legislation.

MR MOORE (10.34): I think this Bill is important in that it actually provides an opportunity whereby the ACT can levy an appropriate amount of tax on the Commonwealth in an indirect way. When so many of our tenancies are established with the Commonwealth and we are so dependent upon the Commonwealth, it is important that a transfer of emphasis from the lessee to the lessor, in this case, will provide an extra income and an appropriate income to the Territory. In this sense, I am delighted to have the opportunity to support this Bill.

I think it is something that we should continue looking at, to see whether there are other areas in which the Commonwealth does not, in effect, pay its way. I believe that it is appropriate that we should do so, not just with Commonwealth departments but also with statutory authorities and other government organisations. Mr Speaker, I have pleasure in lending my support to this Bill.

MR KAINE (Leader of the Opposition) (10.36): Mr Speaker, the Liberal Party supports this Bill, but we have noted the concern of the business community in connection with it. There is some concern out there in terms of the net effect, the net consequence, of this shifting of the liability from the lessee to the lessor, and we have noted that. We note also the Government's assurance that the business community, particularly BOMA, has accepted the Bill, and on that basis we believe that we have no reason for taking issue with it.

But we do note that there has been some concern expressed about the possible impacts which perhaps at this stage cannot be quantified. So, whether in opposition or government next year, we will be observing the consequences of this to see whether it is having a detrimental effect on our economy by causing difficulty in the rental market for commercial properties.

The general proposition which has been used to discount the concerns of the business community is generally along the lines that there is a very low vacancy rate, there is not a lot of property available for people, including Commonwealth agencies, who want to rent property, and therefore they cannot determine the rental market; and they cannot argue that the costs imposed by this new legislation should not be subsumed into the rental and amortised over time. That is essentially the argument against it.

The business community is saying that it is an additional impost of \$400,000 a year - I think that is the figure - which they believe cannot be passed on. That is a matter which, if that assertion is true, can have a significant effect on the willingness of people to invest in commercial rental property in the ACT. It would therefore be seen as a disincentive to business and a possible adverse effect on our community. So, while we have no basis on which to move to change or to disallow the Bill - and we will support it for that reason - I think there are some matters that need to be observed closely in the future to see just what their impacts are. We, the Liberals, will be doing that.

MS FOLLETT (Chief Minister and Treasurer) (10.38), in reply: Mr Speaker, I would like to thank members for their support of this Bill that I have brought forward. They have raised very little in the way of new issues on this matter, but perhaps I could address a few of the remarks that have been made.

I note Mr Kaine's concern about the effect of this legislation on the business community. I would like to say again that a joint review was conducted by the Treasury and the Building Owners and Managers Association to examine the issue. That review confirmed that the ACT is still one of the most attractive property centres. I do not believe that there is any reason to think that altering the stamp duty provisions will have an effect on either the Territory's economy or industry in general.

I would also like to note that there were discussions with the Australian Property Group, which, to answer Mr Collaery's point, indicated that the Commonwealth would be willing to indirectly pay the duty, provided that it is passed on in the form of rent over the term of the lease.

I think it is important to note that there have been pretty wide-ranging discussions on this matter, that it has generally been agreed to by the parties with whom it has been discussed and, importantly, the Revenue Commissioner

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has put in place some transitional arrangements that I think will be very much to the advantage of the people who are affected by this change.

Basically, as Mr Moore said, it is an attempt to raise some revenue for the ACT as a result of the preponderance of government leases in the Territory. The amount is about \$400,000 a year. I think we should welcome that, and we should note in particular that it is really not an additional impost, except on the Commonwealth and government leases. So, I do not expect that it will have a great effect on business in the town. I do note that there is a need to keep that matter under review to an extent, as Mr Kaine has said; but I think the transitional arrangements, the periodic arrangements, that the Revenue Commissioner has put in place will meet most of the concerns that have been expressed.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

GAMING MACHINE (AMENDMENT) BILL (NO. 2) 1991

Debate resumed from 12 December 1991, on motion by **Ms Follett**:

That this Bill be agreed to in principle.

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

POSTPONEMENT OF ORDER OF THE DAY

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

That order of the day No. 3, Executive business, be postponed until a later hour this day.

MOTOR TRAFFIC (AMENDMENT) BILL (NO. 3) 1991

[COGNATE BILL:

MAGISTRATES COURT (AMENDMENT) BILL (NO. 3) 1991]

Debate resumed from 12 December 1991, on motion by **Mr Connolly**:

That this Bill be agreed to in principle.

MR SPEAKER: I understand that it is the wish of the Assembly to debate this order of the day concurrently with order of the day No. 5, Magistrates Court (Amendment) Bill (No. 3) 1991. There being no objection, that course will be followed. I remind members that in debating Executive business, order of the day No. 4 they may also address their remarks to order of the day No. 5.

MR DUBY (10.44): The Motor Traffic (Amendment) Bill (No. 3) certainly is long overdue. As members will be aware, it amends the Motor Traffic Act 1936 and, in conjunction with the Magistrates Court (Amendment) Bill (No. 3), provides for fine default for traffic infringement notices. This flows on from the initiative which was originally moved by the Alliance Government, I believe, which also allowed for fine default for parking infringement notices to be brought into place rather than allow for the ultimate sanction of people being sent to gaol for failure to pay fines.

We are all aware of the tragic circumstances which have led to this action being taken in New South Wales and other jurisdictions as well as in the ACT. I think all members of the Assembly will support this Bill.

MR COLLAERY (10.45): Mr Speaker, the Rally supports this amendment. It is an anachronism to gaol people - and probably an uneconomic sanction at that - for non-payment of traffic fines. The amendment simply further modernises this great compendium of law called the Motor Traffic Act which hopefully - I am sure the Attorney agrees - we will modernise throughout when the capacity of self-government has reached that stage. It is another legacy, but it is being sequentially improved. The ACT moves to have a good system, with the effective support of the department administering it, particularly the Motor Vehicle Registry.

I want to mention one matter here, particularly on the eve of the Christmas holidays. I do not know about other members, but I know that people are finding out that their registration was cancelled months before because of an unpaid parking fine. This is particularly difficult when commercial hiring companies do not know about the fine that one of their hirers got and when there has been a problem about the registered address of the company so that mail has gone out to a registered address of a company, not necessarily to those who directly administer the motor vehicle leasing. Also, a large number of private contractors who have companies registered at the addresses of their accountants or lawyers can miss the parking fines. There can be red tape with dual postages. I commend to the Motor Vehicle Registry a review of this situation.

If people are ringing up and being told, "Your registration was cancelled four months ago", it is scandalous. A scheme should be introduced to effectively ensure that such a vehicle is marked with a sticker or identified in some way, or there should be some system through the parking

inspectorate to follow up on cancelled registrations so that people whose insurances are invalidated as a result of this know about it. I believe that we are not dealing with cupidity; we are not necessarily dealing with people who are cheating; their children might have copped a parking fine and not told them. A whole range of issues are arising at the moment; there are very serious concerns about the default problems in non-payment of parking fines.

I believe that the Attorney should make some comment today, if possible, about what is going to happen over the Christmas break when people travel interstate with unregistered vehicles. That is the more profound implication, particularly for those with whom they collide, tragically; then you have to sue the nominal defendant or go through under the disastrous compensation schemes that have been introduced in Victoria and New South Wales in recent years. It is a momentous disaster, occasionally, for ACT people to be found in an accident involving personal injuries, particularly, with an unregistered vehicle through oversight or through a third party involvement, there having been a failure by an accountant to send on the notice or failure by a child of the registered vehicle owner.

Those matters are of concern. Daily, one hears of people finding that their cars have been officially deregistered for the past four or five months. We have heard this refrain before in the Assembly. I believe that we are entitled to hear something further about it from the Attorney before the Christmas-new year holiday season when so many people will travel interstate, a proportion of whose vehicles, no doubt, are unregistered. I believe that the Attorney should inform us how many vehicles in the past, say, six months have had their registrations cancelled as a result of fine defaults and how many of those registrations have been restored. If there is a net difference, and if it is significant, we must think of the safety, not only of the drivers and their passengers and families but also of any people who come into contact, tragically, with such an unregistered vehicle.

MR MOORE (10.50): Mr Speaker, I rise to support the Bills. I had prepared my speech along similar lines to that of Mr Collaery. I would disagree with him about the approaches that he said were made daily. When the original system was introduced, with reference to parking fines, there were daily approaches on the matter, and it was an issue that I raised at the time with the then Minister for Urban Services, Mr Craig Duby. He made his officers available to me to explain what the teething problems had been and how they were going about ensuring that people had a reasonable opportunity to know that their vehicles were going to be deregistered or their licences removed.

These Bills extend that system and enable the non-payment of traffic infringement notices to be enforced by the same method - by the cancellation of licences or registration or the suspension of the right to drive in the ACT. Currently

the non-payment of those traffic infringement notices is dealt with through the courts. There is no doubt that it is important for us - where it has been seen to be successful - to remove this area from the courts. In principle, I have no difficulty in supporting it.

The difficulties that Mr Collaery raised, I think, are some that we still have not got 100 per cent right. Whilst it may be an exaggeration to say that we are approached daily - we probably are approached daily, but the same person is coming back quite a few times - it is a serious concern. It may well be that when the traffic infringement notice is in place we are going to have to leave a sticker on the car stating that it is going to be delicensed, or something along those lines.

I do not have the solution. I know that the department has moved towards resolving these teething problems. Like Mr Collaery, I shall be very interested to hear from the Minister about what actions are currently being taken and whether we can work out just how many people are slipping through the net. They are important issues.

But the other important issue, I think, is that when I originally raised this issue I believed that the cancellation of the registration of a car would also mean the cancellation of the third-party insurance. At the time I was assured that that was not the case and that third-party insurance still applied to a vehicle even though it had been deregistered or the driver had had his or her licence cancelled. I would be very keen to have the Attorney reassure me that that is correct.

There is no doubt that it is important that the Magistrates Court be freed up from hearing petty offences and also that the Australian Federal Police resources be used in much more useful ways - in particular, in the very good work that they are doing in crime prevention.

MR STEFANIAK (10.53): The Liberal Party supports these Bills, which basically adopt the same procedure as that which currently applies to parking matters. We think it is entirely appropriate that that is the case. Persons who did not pay traffic fines were subject to a period of imprisonment in default - one day's imprisonment for every \$25 of the fine, I think, although that may have gone up to \$50 in the last couple of years. This is a much more efficient way of collecting fines. At present several million dollars is outstanding in unpaid traffic fines. It has been a very inefficient process. A lot of people merely neglect to pay fines, and quite often they go unpaid for a number of years. A lot of police time is taken up in executing warrants on unpaid traffic fines, some of which date back a number of years.

This legislation certainly gives people a very real incentive to promptly pay their traffic fines. It has worked very well in the case of parking offences, in terms of collection of those fines, and I am sure it will work

very well in relation to the collection of traffic fines, which really, I think, any sensible person would agree, are far more serious than mere parking matters. So, we think this legislation is most appropriate. Other speakers have spoken of a few potential problems with it, but I think we will see a vast increase in the number of traffic fines paid and a rationalisation of that particular system.

MR JENSEN (10.55): Very briefly, I think I have raised in the house before the matter of the provision of some form of notice to the hand of the person who is about to have his or her licence cancelled because of the non-payment of a parking fine. I have been given all sorts of arguments about the considerable cost associated with that. But might I suggest that there are also possible costs associated with people being unaware, for a number of reasons, that their licences have been cancelled. I think we need to look very carefully at that, and maybe the next Assembly needs to look at the possibility of some form of requirement for a notice to be hand delivered to the person who is about to have his or her licence cancelled, because of the problems associated with cancellation of licences, which my colleague Mr Collaery has already mentioned.

I do not think it is just a simple matter of saying, "But we sent them a notice", and everything in the garden is rosy. We have absolved everyone from our responsibilities; but I do not believe that it is as simple as that, because there are a lot of occasions, as my colleagues in the house have already mentioned, when people are not aware of the issuing of a parking fine and because, as often happens, they may be out of the country or even out of the city for a reasonable period, they are not aware of the fact that their licences have been cancelled. I think there should be some formal process whereby, if a licence is to be cancelled, every attempt should be made to ensure that the person is fully aware of it.

MR STEVENSON (10.57): We have surveyed the principle of cancelling registrations and licences with people in Canberra, and the majority agree with the principle. A number of problems have been caused by people not having been aware of the cancellation of their registrations. The problem is not with third-party insurance; it is with property damage. If a person drives without insurance and runs into a vehicle, the property damage is not covered. If someone is injured, that person is covered, even though the registration has been cancelled.

I brought up this and many other points during the debate when the principle was first introduced into the Assembly, perhaps last year. Unfortunately, as I recollect, I did not receive much support then. But I could clearly see any number of situations, which people have now raised in this house, in which it is possible for someone to have, totally without his or her knowledge, registration cancelled. I see Mr Collaery nodding. As I said, I recall that, when I brought up the matter previously, I did not get much

support at all on the matter. But it was clear and obvious that such problems could occur. One wonders what has happened between that time and now, since we have allowed this problem to exist, without taking what was an obvious step in the first place, which so many members now raise.

MR HUMPHRIES (10.59): Mr Speaker, very briefly, I will make two comments about the Bills. One is that I see that the capacity to cancel a licence flows where even a part of an outstanding amount for traffic infringements remains outstanding. I assume that there is no notion of de minimis here, that if a person has a couple of dollars outstanding the licence could still be cancelled. I hope that there will be a bit of discretion exercised about that. Sometimes these things are overlooked. It would be unfortunate if people were to commit more serious offences, on the basis that they had unwittingly lost their licences.

I also recall, from my time in practice, that there is a serious problem with the lack of reciprocal arrangements between New South Wales and the ACT and between New South Wales and other States. Because people have not been eligible for a licence in the ACT perhaps, or have lost that eligibility, they often arrange to take out a licence in another State by giving their address as another place. I think more needs to be done to deal with that problem. In some sectors, it seems to be a fairly easy way of circumventing the ACT laws. If you have a mate who lives in Queanbeyan or Bungendore, it is sometimes possible to get around that with some ease. So, I would urge the Government to pursue that question. I note that it is referred to in the Minister's presentation speech, and I hope that progress is made on that as soon as possible.

MS MAHER (11.00): Mr Speaker, I support the legislation; but I, too, have concerns with regard to the fact that vehicles are being deregistered without people knowing. When a member of my family, who has a business in the ACT, went to reregister one of her vehicles she found that it had been unregistered for over six months. That vehicle had been driven around by different people, and it was a major concern to her that she was not aware that it had been unregistered and what might have been the consequences if that vehicle had been in an accident. So, I urge the Government to rectify this situation with regard to appropriately notifying people that vehicles are to be deregistered.

MR CONNOLLY (Attorney-General, Minister for Housing and Community Services and Minister for Urban Services) (11.01), in reply: I think I detect general support for the legislation from members, for which I thank them. But a number of members have raised the difficulties caused by a vehicle having its registration cancelled without the owner being aware of it. I do not think there is any way of totally avoiding that problem, although officers of the department are constantly looking at ways of doing things better. Under the previous Administration, in relation to

parking fines, a lot of effort was put into doing things better, and that effort continues under this Labor Administration. There is no simple answer.

Mr Jensen's suggestion is that a notice must be personally served on every person before registration is cancelled. We would be employing an army of process servers, and all people would have to do is not answer the door. That would be an absurd situation. We hear the fact that the person may be overseas. We hear that people may have moved or that their address may not be correct. There is a legal requirement for people to notify the Registrar of Motor Vehicles of any change of address, so anyone whose current address is not on the computer is in breach of the law. Personal notice is absurd; it would cost a fortune.

The purpose of this type of legislation, when it was first introduced for parking fines, was to stop people going to gaol for unpaid fines. It was my colleague Mrs Grassby who introduced that originally, I believe. It was in the context of keeping people out of gaol for these minor, trifling offences. It was shortly after this legislation was introduced here that we saw the appalling treatment of Mr Partic in New South Wales, who was serving time in Long Bay and who was set upon, bashed and rendered a quadriplegic when he was doing time for non-payment of a parking fine. So, the basis for this legislation is to keep people out of gaol.

There may be cases in which people claim that they were unaware that their licences had been cancelled. You get a notification to pay your fine which says, "If you do not pay your fine the sanction is that you may lose your licence". If you do not pay your fine you get another letter saying, "You are beyond time. You cop your \$25 administration fee for being late, and you have another 14 days to pay up or you will lose your registration". That is an efficient and fair system. We will constantly look at methods of streamlining Parking Operations. We have a new computer system coming on stream on 1 January.

But, personal service, I must say to members, is not a realistic alternative. People are under that obligation to keep the registrar advised of changes of address.

Mr Stevenson: The registrar accepts post office boxes and then does not use them.

MR CONNOLLY: Again, people have an obligation to look at their post office boxes. The notice will be sent to the address that is on your registration. If you do not live at that address any more or if you do not check your mailbox, I am afraid that it is bad luck.

Mr Jensen: What about an acknowledgment, Terry?

MR CONNOLLY: Mr Jensen says that you wait until you get an acknowledgment. All you have to do then is not send the acknowledgment. Parking fines are a joke in this town, or they were a joke until this provision was introduced because people would not pay. That concept is hard to grasp for most members of this Assembly because we are all responsible people - we on this side of this house certainly are, and I will credit many members of the Opposition with being responsible. I am sure it would not occur to members of this Assembly to treat a parking or speeding fine with contempt.

MR SPEAKER: Order! Mr Connolly, I think you should withdraw the "are not responsible", because, even though you are saying it in a frivolous tone, that does not come across in the printed word. I am just asking you to withdraw the imputation that some of the members in this chamber are not responsible.

MR CONNOLLY: I mean no imputation, Mr Speaker.

MR SPEAKER: I realise that.

MR CONNOLLY: To the extent that you read one there, I withdraw it. The point that I am making is that it would not occur to members of this Assembly not to pay fines, as would be the case with most members of the community. Most members of the community pay their fines, but a proportion did not.

Mr Kaine: Most of us try not to get any.

MR CONNOLLY: Indeed. As Mr Kaine says, most of us try not to get them. But a proportion of the community did not and would not pay them. As Mr Stefaniak said, there is a massive backlog of unpaid speeding fines because people treat the system with contempt. There was a massive backlog of unpaid parking fines because people treated it with contempt. Following the introduction of the sanction of loss of registration for non-payment of parking fines, the rate of non-payment has dropped dramatically.

This sanction for failure to pay speeding fines is realistic; gaol was not really seen as a realistic sanction. The police, quite properly, were not devoting scarce resources to running around this town issuing warrants for arrest for unpaid speeding tickets. They, quite properly, had better things to do. Meanwhile, people treated the system as a joke, and a vast sum of money was building up by way of unpaid fines. This is a realistic sanction which will require people to pay fines. We will carefully monitor the operation of it.

I will give Mr Collaery the statistics that he sought on the number of cancellations and the number of times that there have been complaints about non-awareness of cancellations.

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Mr Moore: In the next sitting.

MR CONNOLLY: I will give it to him at question time this afternoon or I will write to him. I can certainly assure him of that. I can assure all members that the Motor Vehicle Registry will continue to strive to be more realistic and more sensible in this matter and take every reasonable precaution to ensure that people know that they have a notice.

But the suggestion of personal service and a written acknowledgment from the person saying, "Yes, please cancel my registration", is just laughable, because the problem people now just laugh at a speeding fine and throw it in the rubbish bin. Essentially Mr Jensen is proposing that they get a letter from the Government saying, "You have been a naughty person. You have not paid your fines repeatedly. We are going to cancel your registration if you are kind enough to write back to us and say, 'Yes, Government, please cancel my registration', otherwise you can continue to flout the law in peace. All you need to do to continue to flout the law is to not answer this letter". It is a silly proposal. I thank members for their general support for the Bills. I assure them that we will administer this sensibly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

MAGISTRATES COURT (AMENDMENT) BILL (NO. 3) 1991

Debate resumed from 12 December 1991, on motion by **Mr Connolly**:

That this Bill be agreed to in principle.

MR COLLAERY (11.08): Mr Speaker, this is a consequential Bill which the Rally supports. I also seek to move the amendment to this Bill which has been circulated in my name.

Mr Connolly: I raise a point of order.

MR COLLAERY: I foreshadow that.

Mr Connolly: On a point of order, Mr Speaker, I would seek your ruling, under standing order 181, as to the admissibility of this amendment. It is an amendment relating to the cost of transcript in criminal proceedings generally, and I would suggest that it is not relevant to the subject matter of the Bill that is under debate.

Mr Collaery: I will argue that at the detail stage it does not have to be relevant.

Mr Connolly: You cannot just piggyback your bright idea in the shower on the general legislation, Bernard. I would like you to take advice on that, Mr Speaker.

MR SPEAKER: I would ask that the matter be allowed to proceed to the detail stage because I am not sure - - -

Mr Connolly: I will ask, as a point of order, that you take advice on this. The other day, by agreement with Mr Collaery, the Government did permit a matter that was not relevant to a Bill to be piggybacked onto a Bill for the purposes of debate. But there is a principle that is important here, and that is that you cannot just generally broaden the subject and decide that, because we are debating the Magistrates Court in relation to cancellation of motor vehicle registrations, we can talk about the rights to access to transcript in criminal cases, with no notice to the Government, and move it as an amendment.

The standing order is there for sensible reasons, and I would ask you, Mr Speaker, to take advice from your senior officers as to the background for this or similar standing orders in the Federal Parliament and give a ruling as to the extent to which members can come up with amendments that have nothing to do with the Bill that is before the house, which relates to procedures for motor traffic cases, and come up with general reforms to the criminal law.

MR SPEAKER: Before we proceed, Mr Collaery, the thing that I would remind Mr Connolly of is that under normal circumstances I would certainly take that on notice and get back to the Assembly with a ruling; but, under the circumstances of this being our last sitting day, for the Clerk and me to have to go through the whole Bill and the importance of the amendment, I think, would drop the whole issue of debate today. Your point of order is valid, but if you want to go ahead with it - - -

Mr Connolly: I do want to go ahead with the point of order. I do not think it is appropriate on the last day of sitting for a member to come up with something like this with no notice and say, "I want to move this as an amendment to the Bill in relation to traffic fines". It has nothing to do with speeding fines or motor traffic. It is a general proposal to amend the criminal law to provide a substantive right to transcript, presumably paid for by the Government, to all defendants in criminal cases. It is worthy perhaps as the subject of an extensive debate in a future Assembly, but in no way is it relevant to the matter that is under debate. I think it is not a proper procedure, and that is why I am seeking a ruling; that is why the standing orders are there.

Mr Collaery: Perhaps I should assist the house with some comments on that. I believe that the Attorney is making some rather exaggerated comments about this matter. This does not promise everyone the right to a transcript. He is debating the substantive issue before he speaks to his point of order. Standing order 181 says:

An amendment may be moved to any part of the bill, provided it is within the title or relevant to the subject matter of the bill, and otherwise conforms with the standing orders.

Mr Speaker, we set a precedent the other day.

Mr Moore: Oh! You do the right thing!

Mr Connolly: I agreed because you approached me in advance, and we said that we would waive the standing order.

Mr Collaery: Mr Speaker, if Mr Connolly and his sycophant beside him will let me get on with it, I need to address the point of order.

MR SPEAKER: Mr Collaery, I would ask you to withdraw the last comment.

Mr Collaery: I withdraw the fact that I said that Mr Moore is a sycophant. Mr Speaker, the Magistrates Court (Amendment) Bill (No. 3), which is before the house today, refers, among other things, to committal to prison where final costs are not paid. The parking or traffic infringements in the Motor Traffic Act are substantial; they relate to common carriers and all manner of commercially related dealings. A person may take the matter on issue in the court. The purpose of this amendment is to guarantee those small traders the right to have the Attorney consider whether they should be given a transcript.

The amendment seeks to overcome a situation, about which I have received many representations from within the legal profession, that defendants who do not have sufficient funds cannot get a copy of the transcript to hand it to a solicitor to appeal a matter because, at \$8.50 a page, sometimes the costs are thousands of dollars, as indeed they are for the Legal Aid Office. Not everyone is eligible for legal aid. This amendment could well relate to people who are being committed to prison, or who would be but for this new regime, for defending a case in this matter.

Mr Speaker, if there is any doubt about the matter I would ask, with great respect, that you err on the side of generosity in your interpretation because the matter relates to situations that do involve traffic offences at times - not all of those offences would do it. This is an important issue of civil liberties involving defendants.

It is supported by the International Covenant on Civil and Political Rights about equality before the law. There are provisions which say that in the ACT we are in breach of that convention at the moment in not giving defendants the right to a transcript, Mr Speaker.

We cannot give them a right to a transcript because it would offend section 65. I merely ask for a situation in which the Attorney can direct where someone has a most expensive transcript, so that they can get on with their defence.

Mr Connolly: You can do that administratively, anyway.

Mr Collaery: Mr Speaker, it is a serious matter, and I regret that I am being interrupted constantly by the Attorney. I heard him out.

Mr Speaker, it may be a small point, but at least one defendant recently, who was faced with a cost of many thousands of dollars, approached me and justified to me why he could not afford a transcript. In that case he had changed solicitors, and the new solicitor needed a transcript. I believe that it is related to the Magistrates Court Act, and I believe that it is related to the general subject of costs and the committal of people who might otherwise not accept the judgment from the court.

Mr Moore: Mr Speaker, if I may speak to the point of order for a very brief time. The precedent to which Mr Collaery referred, I think, is something that we should take into consideration. The precedent was a case in which Mr Collaery went to the Attorney-General and said, "I really wanted to raise something. I will not have another opportunity towards the end of this Assembly". He came to an arrangement with the Government and other members of the Assembly, who agreed that we were prepared to allow that exemption.

That was a very different matter from allowing somebody to come in with an entirely irrelevant amendment, suddenly throw it on the table, with two minutes' notice, and expect support. That is why the standing order exists. It is a good, important standing order. We ought not establish a precedent which is quite different from a situation that happened the other day when there was broad agreement to accept a situation, considering that the Assembly was drawing to a close. This is entirely different, and you ought to uphold standing order 181.

Mr Collaery: Mr Speaker, perhaps I could just comment briefly and assist the house. Standing order 181 uses the words, "provided it is within the title". I would ask you, Mr Speaker, to refer to the actual words, "provided it is within the title or relevant to the subject matter of the bill". It is within the title, and I have argued earlier - I will not repeat it - that it is within the subject matter.

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Mr Speaker, may I explain something? I gave instructions for the drawing of this Bill on 12 September 1991. I received the Bill about seven minutes ago, and one of the explanations for that -

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Mr Connolly: For the Bill! It was for a Bill!

Mr Collaery: I received this amendment which would otherwise have been a Bill. Members are well aware of the pressures in this chamber and particularly the pressures on Parliamentary Counsel. I am very grateful that, now that some of the pressure is off the Parliamentary Counsel's Office, with the wind-down, they have been able to complete the drawing of it. I believe that this drawing was completed only in the last hour or two, and I am grateful that I am able to introduce it to the chamber. It is a worthwhile, small amendment that will aid the legal profession and, more importantly, aid defendants.

I can understand Mr Moore's reaction, and we live with that, at the moment. But I really ask members to consider whether we could not do this good little thing without further delaying the house. It would take just a few minutes to vote on this amendment. You can knock it out if you like. But I want to be able to say that I gave instructions in September, Mr Speaker, and I have taken all steps.

Mr Connolly: Why did you not talk to us in September and raise the issue then? We might have been able to agree with it.

Mr Collaery: Mr Speaker, any knowledgeable attorney would be aware of this situation in the city. I do not want to go further than that. Mr Connolly has been quite insulting about the issue. But it is well known in the profession how difficult it is when you have a client who cannot afford the transcript, at \$8.50 a page. Some deserving clients, particularly in domestic violence cases, should be able to get a transcript at the Attorney's direction, which is all the amendment seeks. After all, it is already printed. It is only a matter of photocopying it again or producing another copy. There is not an end cost, and this does not affect public moneys, on my advice.

MR SPEAKER: Members, looking through this quickly, I have troubles relating the amendment to the actual thrust of the Bill, other than as the amendment would affect most Bills that would come before us. I am also having trouble with the possibility of standing orders 200 and 201 being involved, because it would appear to me that there would be a cost incurred on the Government. Under that proposal, unless members wish to postpone debate, I would rule that the amendment is inadmissible under standing orders 181, 200 and 201.

Mr Collaery: Mr Speaker, may I address the section 65 part? If you refer to proposed subsection 2B in the amendment, I believe you will see that the matter is wholly within the discretion of the Attorney; that is, wholly within the discretion of government. It makes no charge, on my advice. I was pleased to receive initial advice from Parliamentary Counsel that, as originally requested, my draft would possibly have offended section 65.

I am now of the view that, as drafted, it gives the Attorney the discretion, if he is so minded, on the balance of public interest and civil liberties and fairness and on the balance of article 14 of the International Covenant on Civil and Political Rights, to do what is occurring in New South Wales. We do not reflect the proper standards for defendants in this Territory. It is a matter that I wanted to fix during this sitting of the Assembly. Here is a chance for the Assembly to stand up for civil liberties. It would take five minutes if we were to sit down and stop arguing. It would not give anyone the right to a transcript. It would give the Attorney scope to have it provided to people if they felt they were deeply prejudiced. I call upon the Attorney to do this, in the spirit of the International Covenant on Civil and Political Rights.

MR SPEAKER: Mr Collaery, I think I will support the objection of Mr Connolly on this issue.

Mr Collaery: Very well. Thank you, Mr Speaker.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

LIQUOR TAX BILL 1991

[COGNATE BILL:

LIQUOR TAX (CONSEQUENTIAL PROVISIONS) BILL 1991]

Debate resumed from 12 December 1991, on motion by **Ms Follett:**

That this Bill be agreed to in principle.

MR SPEAKER: I understand that it is the wish of the Assembly to debate this order of the day concurrently with order of the day No. 7, the Liquor Tax (Consequential Provisions) Bill 1991. There being no objection, that course will be followed. I remind members that in debating order of the day No. 6 they may also direct their remarks to order of the day No. 7.

MR DUBY (11.22): I am sure that all members are aware of the need for this piece of legislation to have been introduced. The issue of bad debts to the Territory associated with the payment of liquor tax has been known for some time. The matter had been addressed by my former colleagues when in government in order to ensure that the liability of the Territory to bad debts under the Liquor Tax Act would be minimised.

The Government, with this piece of legislation, has not tried to bite the bullet in terms of the collection of those taxes but instead has come up with a scheme which is really a compromise from a number of fixed positions. It appears to me that the legislation that the Government has introduced does not change the provisions for existing liquor licence holders but imposes the newer harsh conditions on new applicants for a liquor licence. Whilst it is, in effect, saying that it is addressing the problem, I do not believe that it really is.

However, I personally am not of a mind to object. I am quite prepared to let the Government go ahead with its plans, although I do not think they go far enough in addressing the issue. It has listened to the vested interests of the liquor industry, I think, in the Territory. As for the claim that the legislation proposed by the Alliance Government would have put a number of people out of business, I do not believe that such was the case, and I do not believe that that would ever have occurred. Indeed, I think it would have brought a bit of sense and sensibility into the liquor area.

The Government has decided, for whatever reasons, to introduce this mishmash Liquor Tax Bill. It is a mishmash of ideas. Future governments should take on notice that this area is one that I believe needs to be revisited. This Bill does not really address the problems that led to the variations in the first place. For example, I simply do not believe that it is impossible to bring existing licensees who are currently paying liquor fees up to 18 months in arrears into an advance payment system without imposing a heavy financial burden on those licensees.

The argument that was often put was that if we imposed a burden on these folk they would move out of the Territory and operate their businesses from across the border in Queanbeyan. This particularly applied to the mail order business. The argument that was put was that, whilst mail order liquor sellers can move their businesses, someone who has a restaurant in a certain building cannot. With that in mind, the Alliance Government proposed to introduce a sliding scale of fees for various people. I think that would have made much more sense than this hotchpotch approach that the Government has adopted. Nevertheless, whilst not necessarily supporting the Bill, I will not be voting against it.

MRS NOLAN (11.26): Mr Speaker, I will be very brief, but I do have to say that I do not believe that this Bill that has now been introduced in relation to liquor tax is a much better arrangement. It certainly has been accepted by the tourism industry and the restaurant industry. There were particular concerns in relation to service in restaurants because there would be a reduction in the selection of wines that a restaurant would be able to offer, and service would have suffered as a result of that.

Since the Bill was introduced I have had discussions with those in the restaurant industry, those in the tourism industry and those in the mail order business, and I understand that all those people are accepting of this particular Bill. I think it is very important that consideration be given to people who are already operating their businesses under a particular scheme. I think this Bill has done that. In relation to the introduction of new licences, those arrangements can be different. This was something that I argued on behalf of the tourism industry when the Alliance Government first looked at changing the legislation and, as I said, it is my understanding that they are much happier with these arrangements and it is representing their concerns.

MR HUMPHRIES (11.28): I indicate briefly that the Liberal Party will support these two Bills, the Liquor Tax Bill and the Liquor Tax (Consequential Provisions) Bill - not with any great conviction, I might say, if only because of the short time we have had to consider the details of what is a fairly complex package of legislation. I indicate again what I have said, I think, on several occasions in this place; that I do not believe that passing major pieces of legislation five days after they have been introduced into the house is a generally wise or sensible practice to be engaged in.

However, I have accepted the advice put to us by the manager of government business that these provisions are required urgently. They apparently result from some consultation with the industry, although we have not been able to verify that since we have not had time. For those reasons, we are prepared to give the Government the benefit of the doubt and see these matters passed into law today.

MR COLLAERY (11.29): Mr Speaker, I agree with Mr Duby and Mr Humphries in expressing caution about the rushed nature of these detailed amendments and the lack of time for the non-government members to renew consultation with industry on the topic. It is a vexed issue. The leader of the Government here states that it is a revenue proposal, that it is necessary, and, of course, we will support her on that basis.

We did this once before, with payroll tax in October 1989. We had pressed through on that occasion, on less than a month's notice, very detailed and complex amendments to the payroll tax law. On that occasion I also stood up and said

that there may be unintended effects; that we had not had a chance to adequately consult but we would give the government of the day, given that it has the best financial advisers in government, the benefit of the doubt and give effect to those amendments. That was the line the Rally took on that payroll tax issue. We take the same line today.

Both Mr Duby and I have had close involvement with the issues, as former responsible Ministers. We are aware that the issues are not clear, but we still do not believe that the truncated procedure is necessarily the optimum situation; that is, leaving the existing licensees on the old system and moving newer ones to the new one.

I do not know what the Trade Practices Act says in that regard. I have not had time to investigate what would clearly be a discriminatory practice by government which favours those who are already in business as against those who wish to emerge into business, new enterprises. Those issues have not been explored. I put that on the record. When we are back in government after February we will certainly re-examine this issue.

MS FOLLETT (Chief Minister and Treasurer) (11.31), in reply: Mr Speaker, I thank members for their support of this Bill and I note their cautious approach to it. I can assure members that the Bill has been the subject of pretty extensive consultation with the affected industry. I accept, as some members have said, that this is a compromise Bill. There is no doubt about that.

The previous arrangement put forward by the Alliance caused a great deal of difficulty and resentment amongst the liquor industry and was the subject of quite a campaign at the time. I do not think members could be unaware of the resistance in the industry to the previous proposal. As I say, it is a compromise and it does involve two levels - one for existing licensees and one for new licensees. Quite clearly, as Mr Collaery says, there are two types of programs in operation under this Bill that is before us at the moment.

Nevertheless, Mr Speaker, I think that it is not a bad compromise and it does improve the situation for the liquor industry in the ACT, as Mrs Nolan said. I really think that our Treasury people should be congratulated on coming up with a compromise such as this that does improve the Territory's exposure to bad debt by the liquor industry, which has been a problem in the past, and at the same time moves new licensees to a new scheme which will protect us even more substantially from that bad debt situation whilst not imposing an undue impost on the licensees themselves.

As I say, it has been pretty well consulted on. It is a compromise. It is not a secret that that is the case. I trust that members will see it in the spirit in which it is offered - the wish to reduce bad debts while at the same

time avoiding the double tax that would have been involved in bringing all licensees onto the same payment-in-advance scheme that new licensees are now on.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

LIQUOR TAX (CONSEQUENTIAL PROVISIONS) BILL 1991

Consideration resumed from 12 December 1991, on motion by **Ms Follett**:

That this Bill be agreed to in principle.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

GAMING MACHINE (AMENDMENT) BILL (NO. 2) 1991

Debate resumed.

MR DUBY (11.34): Mr Speaker, we revisit this piece of legislation shortly after the debate was adjourned so that we could have discussions with the officials. They have been able to explain some of the difficulties associated with the Bill. I explain to members that I had some concerns expressed to me by members of the community and those faxes arrived literally only a minute or so before the house met this morning. I wanted to further clarify the matter with both the Government and government officials.

Mr Speaker, licensed clubs in the ACT are the largest single private industry sector within the Territory. They employ a vast number of people and provide a vast number of services to their members throughout the community. Clubs come in a range of varieties. I believe that there are some 65 or 66 licensed clubs in the ACT. The combined club membership, within the Territory, is almost that of the population of the Territory. That comes about from cross-membership. There must be many people, like me, who are members of a wide range of clubs with a large number of interests.

The purpose of this legislation, introduced by the Chief Minister, is to bring the ACT tax regime on licensed clubs into line with that which exists in New South Wales. It does that in a variety of ways. It removes the requirement for an annual licence fee for machines and puts that onto a monthly basis. That is something which I know has been a real problem for many clubs over a long period. I am pleased to say that the Government has listened to the advice from the Licensed Clubs Association and to the many calls from people within the club industry, and has agreed to remove that requirement which caused cash flow problems for a large number of clubs.

At the same time, it has moved to amend and vary the rate of taxation which applies to the profit that comes out of poker machines that the clubs keep. As we are aware, the average machine, I guess, depending on what denomination it is, allows that 87 per cent be returned to the player and 13 per cent be retained by the club. It is that 13 per cent which is retained by the club for various club purposes which is subject to taxation. This legislation varies the rate that is applied to that amount retained by the club.

The provisions that the Chief Minister has introduced are similar, in a lot of ways, to those which apply in New South Wales. From now on, for that amount of a club's revenue for the relevant month that does not exceed \$8,000, or up to \$8,000, the tax will be at the rate of one per cent, and every dollar that exceeds \$8,000 worth of revenue in a club will then be taxed at a flat rate of 22.5 per cent. If the licensee is not a licensed club, but is, for example, another organisation, the rate of tax is then specified at 35 per cent.

The Licensed Clubs Association, like any good organisation which lobbies on behalf of its members, is pleased to see, I have been advised, that these provisions will apply. These are the rates which apply in New South Wales. In New South Wales the rates are expressed on an annual basis. If the gross revenue on an annual basis does not exceed \$100,000 the rate is one per cent. Above that it is set at 22.5 per cent.

However, in a lot of ways the rate that is now being applied to the ACT clubs is, in my view, not entirely fair. Of the 65 clubs in the ACT there are, I am told, some 15 or so clubs which will pay tax on their gross earnings at only that first rate of one per cent. Frankly, I am amazed to hear that there are clubs which have a gross income of only \$8,000 per month from poker machine revenue. I made inquiries as to what form of clubs they are and was told that they are clubs which exist for very specific and special purposes. For example, they might be clubs which are open only on certain days of the week at sporting venues, or clubs which are not operating on a normal 9 to 5 or 9 to midnight basis, et cetera, as most clubs do. That is quite okay.

That then leaves approximately 50 clubs which are going to jump over that one per cent barrier and pay 22.5 per cent on every dollar earned after that. In the ACT we have, in effect, only six big clubs. Those six big clubs pay substantial amounts of revenue to the Government as a result of their poker machine turnover.

I can say right now that if I had been Minister I would have varied this ratio of tax to include an intermediate schedule to provide for a smaller rate of taxation between, shall I say, \$8,000 and \$16,000. I would have provided for a reduction in that area so that the medium to small clubs would have been able to keep more revenue and perhaps be able to keep their doors open in these tough times.

The club industry currently is facing tough times. In the last couple of weeks we have seen a couple of organisations, including a quite famous club in the ACT, the Daramalan Rugby and Social Club, close their doors for the last time. Indeed, one of the major clubs in the Territory is currently operating on the basis of being in receivership. A club that I am sure is dear to the heart of our Chief Minister and members of the Government opposite is also experiencing grave trading difficulties at this time. Indeed, it is not trading at a profit either.

Anything that the ACT Government could have done to assist and protect small clubs, who still have to employ the same number of people, in a lot of ways, to operate the facilities in the club, and who still have to provide services to their members on the same basis that large clubs do, would have been most welcome, I am sure. I would have expected, given the vitality that the club industry generates within the Territory, that the major clubs, the large payers of revenue, would have been happy to share a little of the burden to ensure that some of the smaller clubs do not go under, which I think would be a loss to the community as a whole.

However, I am also advised that the rates which apply in this case will be approximately revenue neutral, as close to revenue neutral as you can get when you are fiddling with tax rates, et cetera. Some clubs are going to be worse off to the tune of \$5,000 and some are going to be \$5,000 better off. I guess that is just the luck of the draw, depending on their figures. Given the fact that it is revenue neutral and that these amendments to the rates of taxation take into account the fact that that annual licence fee is no longer required, which has been a real problem for clubs for many years, I guess that we have no real option but to support this piece of legislation.

Perhaps this variation of the tax schedules, et cetera, should be something which the new Assembly of 1992 could look at. I put on notice again that any future government that comes into existence in 1992 would be well served, and would be well serving the community, by looking at the way

that taxes are applied to the club industry in the ACT. A lot of people spend their \$10 or whatever on the poker machines and think the clubs have plenty of money, but the fact is that they have not. At the same time as clubs are expected to provide a vast range of services to the Territory they are expected to be a continual milking cow for the Government.

It should be pointed out that the rate of taxation that is applied to clubs has risen every year, from 10 per cent in 1987 to the current rate of 22.5 per cent in 1992. This Bill, of course, comes into effect from 1 January. I also note that there is going to be a refund to those people who have paid their licence fees already, on an annual basis, to the commissioner. To compensate for that loss of revenue, that refund, the clubs, on a temporary basis supposedly, are going to be charged a 24.5 per cent taxation rate from 1 January to 30 June 1992.

Like all citizens, whether they be corporate or private, I for one would have grave doubts about paying a temporary tax of 24.5 per cent and relying upon a future government to reduce that amount in the future. I look forward to hearing from the Chief Minister and, indeed, from the Leader of the Opposition, that any future government led by those respective organisations will give a solid cast-iron guarantee here and now that the rate will be dropped from 24.5 per cent to 22.5 per cent as of 1 July 1992. It is something that I certainly intend to make sure does occur. So, that deals with the taxation matters of the legislation.

In effect, this is a two-pronged Bill. The other matter that it addresses, as the Chief Minister said in her introductory speech, is the issue of preventing profits from gaming machines operated by clubs being distributed to private interests. This is something that everyone would support. Needless to say, in the ACT people assume that the profits that come from those gaming machines will go back to the benefit of members.

For the benefit of members, and perhaps members of the gallery who are not aware of why this is required, a certain situation has arisen in the Territory in relation to memberships. People know that we have a vast number of taverns throughout the Territory. As all good business people do, they have been lobbying for some time to have poker machines or gaming machines installed in their premises so as to be able to compete with the clubs that provide those facilities at their premises.

It would appear that under a loophole in the legislation there is nothing to prevent a mythical tavern in a suburb such as, say, O'Connor, the O'Connor Tavern, forming an O'Connor Social Club of some kind and inviting patrons to become members of that club, probably at no charge to the patron or with the supposed membership fee being paid by the proprietor. They could then transfer the licence, I

believe, from the O'Connor Tavern ownership to the O'Connor Social Club, obtain a club liquor licence on that basis and then apply to the Commissioner for ACT Revenue for the issue of a licence to operate poker machines. In effect, it is a backhanded technique of expanding the number of premises in the Territory in which gaming machines can be installed.

As a result of that loophole, this legislation goes to great lengths to establish exactly what the bona fides of a licensed club should be. As I said, it goes on in quite some detail. This matter has caused some heartburn to members, including me, particularly when we consider the fact that under the current rules a club is required to have only 200 members. Under this legislation a club will be required to have 200 voting members. There is an enormous difference.

Quite a number of clubs have voting members and non-voting members - members who are, for example, social. The example put to me quite forcefully is the small ethnic clubs where membership of the board is vested in members of that ethnic community who, for whatever reason, established the club in the first place. I can understand why, for quite legitimate reasons, they would like to keep control of the club within the confines of the original ethnic community that set it up.

This also applies to some sporting organisations in the ACT which, whilst not having a large number of members of the club set up to establish and maintain that sport, have, however, for whatever reason, due perhaps to the pleasant location of the premises or the fact that it is a good place to go for a good time, attracted a large number of social or non-voting members. Under these provisions some of these organisations are going to have great difficulty in meeting the requirements of a licensed club as specified. Indeed, that was the matter that led to this debate being adjourned earlier this morning.

The argument has been put that proposed new section 30G provides that all existing gaming licences shall be taken to be cancelled from 31 March 1992 and that to get their licences renewed as of that date each club will need to prove to the Commissioner for ACT Revenue that it is an eligible club under the Act. To do this it will have to have 200 voting members as defined. As I said, a large number of clubs, to my knowledge, either are unable or may be unwilling to comply with this criterion, and will therefore stand to lose their licences. Proposed new subsection 30G(7) provides that if the commissioner is not satisfied that the club is an eligible club he may "with the consent of the applicant" grant a restricted licence or impose conditions on the licence. If the commissioner does that, the higher taxation rate of 35 per cent, which applies on gaming machines which are not owned or operated by licensed clubs, will then apply.

The concern had been put that we can therefore have three categories of club: A club with a liquor licence and no gaming machine licence, which the commissioner advises me will not be able to apply under this Bill, but I am not so sure; a club that is an eligible club, with both a liquor licence and a gaming machine licence, paying the licensed club rate of taxation, which would be the majority of clubs, one would hope; and finally, a club with a liquor licence and a gaming machine licence with the higher hotel rate of taxation - all depending, of course, on the commissioner's discretion. But when you read the Bill the commissioner does not seem to have much discretion at all. People either meet these requirements or they do not.

The discussions that I have had with the commissioner, and indeed with the Government, indicate that there is, under the legislation, a further three months for clubs to comply with this requirement, having applied on 31 March. If they still do not reach the requirements, they then have a further three months to comply with the new legislation. The Government has assured me - although I think it is rather premature because by 31 March 1992 I do not believe the Government will be in a position to assure anybody about anything - that the intention of the Bill is not to try to catch people out but to - - -

Mr Berry: You are a punter. How much are you putting on?

MR DUBY: I do not know. It all depends on what rate I will be taxed at on my winnings. The intent of the Bill is primarily to prevent the unwarranted expansion of gaming machines throughout the Territory, particularly in licensed premises such as taverns. I accept that that is what the commissioner is aiming to do and I accept that he will use some discretion when it comes to interpretation under this Act; but, all in all, I am not all that satisfied with the amount of consultation that has occurred between members and the Government about this legislation. I know that the Licensed Clubs Association has done its best to distribute this amongst clubs; but I know that many clubs, for various reasons, are not aware of this piece of legislation and have not commented.

One point that needs to be made when discussing these tax rates is this: I think it is rather ironic that later today we will be discussing a Bill relating to the casino which will apply a tax rate of 20 per cent to a foreign-owned company, but our local casinos - our local casinos being our clubs - will wind up paying tax at an effective rate of 22.5 per cent, which I think is outrageous.

MR KAINE (Leader of the Opposition) (11.55): Like Mr Duby, I have some concerns about this legislation but have not had time to pursue it with the community. I note that the licensed clubs have generally agreed with this. We are told that this is what the licensed clubs want. But I wonder whether those small clubs to which Mr Duby referred really want this, because this is likely to put an additional tax burden on them.

Because they are small clubs and cannot qualify, they are going to be hit with a 35 per cent rate of tax. These are the ethnic clubs and the sporting clubs that really are the fabric of this society when you get down to it; the clubs where the ethnic people express themselves in terms of their culture, and where individual sporting groups express themselves in terms of their special interest. This legislation is likely to put those clubs into bankruptcy because they are going to have to pick up a considerable extra tax burden.

I wonder whether this is in the interests of the community. It may well be in the interests of the Licensed Clubs Association, but I wonder whether we are not allowing the Licensed Clubs Association to be the tail that wags the dog on this issue. So, I think that there are some social consequences of this which perhaps the Government, being a government committed to social justice, may well have overlooked. I think they may need to reconsider that over the next few months. I certainly hope that they will.

The other aspect of the Bill that I want to refer to, Mr Speaker, is the cumbersome financial arrangements that are encompassed in it. If somebody paid a licence this month, on 1 January they get it back. Then we hit them with a higher rate of tax until June, to get that money back, and then on 1 July we revert to a different rate of tax. That seems to me to be an exceedingly complex administrative system that somebody has to police. Somebody has to write out the cheques, somebody then has to police the tax collections for the next six months at one rate, and then, on 1 July next year, they have to adjust the tax rate.

I cannot imagine why this very complex system of financial accounting and tax collection has been contemplated. It is said that this is revenue neutral. It may be revenue neutral in the long term, but I doubt that it is revenue neutral in this fiscal year. People who paid for their licences some time in the last three months are now going to have their fee returned to them; for six months they will repay part of that licence fee, if you like, which is included in the higher tax rate; but then the rest of it falls over into the next fiscal year. So, I do not see how it can be revenue neutral in this fiscal year. I would be interested to know what the effects are, despite the differentiated tax rates that are going to be applied, and the complexity of it, and how much expected revenue from this year, after all of this convoluted accounting takes place, is going to fall over into next year.

I think it is unnecessarily complex, and perhaps could have been dealt with in some different way. I think it is rather odd that somebody who paid for a licence in July is going to have six months' worth of his fee refunded and then it is going to be collected back from him in the next six months. He has lost the use of his money for six months. He is going to get it back, but it is going to be

collected back from him over the next six months. I cannot see what net benefit there is for a club that has to go through all that routine.

It seems to me a very strange and mechanistic process of effecting a change in the basis of collection of tax. I fail to see why it could not have been put into effect, say, from 1 January and have the new conditions apply from then. Anybody who has paid a licence fee would get an offset. They would not have to go through all this. So, Mr Speaker, it seems to me unnecessarily complex. It seems to me that there is no reason why a government, having collected a licence fee, ought to refund it, and then get it back in some other way. It seems rather odd to me.

More importantly, I am concerned about the small clubs that, with this 200 voting members provision, are simply not going to qualify as eligible clubs. The net effect of that is that their tax rate goes to 35 per cent. I suspect that that will put a lot of them out of the market because they are simply no longer viable. Many of them are having trouble now. When you increase their tax rate to 35 per cent I believe that it is going to push them over the edge.

We have seen already some fairly large clubs that have not been able to cope. I suspect that many of these smaller clubs, a great number of which are ethnic clubs, are not going to survive this experience, even if they do get their licence fee repaid to them, or part of it, and then have to pay it back in the next six months. I think there is a great deal in this Bill that, with further consideration, we would have sought to change. I think that if the Government had really thought it through they would have changed it before they put it to the Assembly.

MR COLLAERY (12.00): I am indebted to Mr Duby's erudite and informed commentary on this Bill. I thought it was a very interesting speech, and I listened to it very carefully. Mr Speaker, the main issues about this Bill have been traversed and I will not detain the house. Everyone is keen to get on with the action.

There are two antithetical moves within the club industry. They are that the big clubs get bigger, and the smaller clubs get marginalised; and they are getting marginalised for a whole variety of reasons. One is management style, on occasion. Another is the fact that we simply have too many clubs in town. Another thing is that their memberships are declining, for a variety of reasons. The demography in the areas in which they were set up is declining, and some of the ethnic clubs, in particular, are not getting that sustaining level of immigration into the Territory that promoted them in the first place. Some of the ethnic clubs have moved laterally, and they have assisted themselves to get additional membership. Others are struggling, and I note that the Bill essentially gives them six months to try to get up to the 200 members limit and sort themselves out.

But there is a more overriding issue here, and that is that clubs offer facilities, they occupy land, and they employ people. They are part of the business sector in this city. They do a whole range of things in business, because they are run by business people. When those people are not business people you often find the club in some difficulty. They are run by sentiment. They are run by great sportspersons who do not necessarily translate themselves into good business people. That is one aspect of the licensed club circuit that we all know about.

The large clubs in this city, particularly, do an enormous amount of community service work. They do a lot of charitable work. They promote good causes, by and large. I know that there are sustained issues about alcohol consumption, and the fact that we have not yet brought in server intervention legislation, or codes of conduct. A lot of clubs will not continue to serve. But there is financial pressure, particularly at the smaller end of the market, in terms of behaviour and intoxication, that allows service to continue past the point where it should responsibly cease. I am just painting the broad canvas at this stage in the debate.

Coming back to the good works that the larger clubs do, that makes them self-perpetuating in many ways. In other words, they will get bigger and bigger. When you look at the machine floors of some of the big clubs it is like walking into some of the casinos we have been to interstate that have machine floors. They are like some of the many floors of the casinos.

On that point, I think it is very significant that the Chief Minister recently foreshadowed a licence for a casino with a tax rate of 20 per cent. Yet she is going to tax the clubs, the eligible clubs, at 22.5 per cent. There is a further point to make about that: What is the logic in giving an international consortium from abroad a lower rate to pay than our own home-based community serving clubs, our own clubs that spend so much of their dollar directly on the community and whose operations largely are run by business managers who are not really paid a full competitive salary and allowances and by volunteers? The smaller clubs in particular are into volunteer boards. In my opinion, all clubs should be able to afford competent salaried managers and not have to depend per se on volunteers. So, there is an inconsistency in the approach to the casino.

People will say, "Well, it is only 2.5 per cent"; but that, over the years, strings out to millions of dollars of inconsistency. I trust that the Chief Minister will respond to that and will go further than simply to say that she did mention in her presentation speech on the casino that there would be, for some time, a super tax, whatever that is. Let us hear what that is.

But that does not create a level playing field for the clubs. It creates an advantaged situation for an international consortium who are coming into our Territory. The statement by the Chief Minister on the casino gives cold comfort for those who wonder where Austrian Casinos International are going to spend their money. Where are they going to spend their money?

Mr Moore: In Canberra.

MR COLLAERY: Mr Moore interjects and says, "In Canberra". He has found a new liking, Mr Speaker, for casinos, and he can speak to that later. We need to suss out the reasons why we are slamming the clubs today, particularly the small clubs, and we have gone pretty easy on the casino. We are going to give them a licence; we foreshadow a licence. There are no conditions there about any community works they do. There are no conditions, effectively, about employing within the Territory. There are no set time limits on training.

We know that our clubs look after our own in this Territory, by and large. They take youngsters out of the School of Tourism and Hospitality at TAFE. They employ many part-time people, particularly single parents, and they provide broken hours and shift work for people who need two jobs to meet the mortgage payments and other debt encumbrances they have. I do not think we should underestimate, in any way, the profound social difference between the club circuit in this city and dividing our limited gambling dollar further into the hands of an Austrian foreign chain coming to this Territory, perhaps.

Mr Speaker, the Bill has a quarantine time, up to March 1992, to allow clubs to render themselves eligible so that they do not fall into the hotel rate, as we call it - the 35 per cent rate. I have been advised of the effect on some of the big clubs. I understand that there are some additional payments. The Canberra Workers Club, I understand anecdotally - I have not seen the figures - may have to pay an extra \$38,000 under this scheme. I do not know. Perhaps the Chief Minister can comment on that.

I do know that the Canberra South Bowling Club, of which I used to be a social member, will go down, from \$7,814 to \$856, under this proposed new arrangement. Talking about ethnic clubs, the Spanish-Australian Club, which, as far as I know, is open only three days a week, will go from \$3,071, under the current system of collection, to \$364. The Canberra Yacht Club, which is a matter of concern, goes from \$30,995 to \$27,587. I have no way of verifying their figures. The Finnish-Australian Club, for instance, goes from \$16,592 to \$9,821. The Austrian-Australian Club goes from \$31,071 to \$27,973. The ACT Tennis Club goes down from \$12,034 to \$4,796. I will stand corrected if that is not correct.

Mr Berry: Yes, you will.

Mr Moore: A deep and meaningful statement.

MR COLLAERY: Mr Berry and Mr Moore continue to laugh through the debate. I think this is a serious debate. I am pleased that the Chief Minister is listening. Mr Speaker, the current tax structure in New South Wales is a simple one per cent of the first \$100,000 profit per club per year, and 22.5 per cent of profits in excess of \$100,000 per club per year. The tax in New South Wales, unlike the proposal here, is paid on a quarterly basis, with returns lodged within 21 days of the end of each quarter.

I come to my main point: New South Wales clubs then enjoy a tax rebate system whereby any club spending 1.5 per cent of its net revenue from poker machines on approved welfare purposes - my colleague Dr Kinloch is listening - can receive a refund of one-third of the qualifying expenditure. I could not think of any better purpose for us to bring in a rebate system than to get a properly based server intervention program going for people with an alcohol consumption problem and to get some gambling counselling for that percentage of the gambling circuit who are compulsive gamblers. I have not seen that explored in this Bill.

This Bill typifies, as did the response in the house earlier this morning, the absence of a real community sensitiveness, a community awareness, by the Labor Government. It is not really aware. It wants to make sure that in February it will not be forced to the line with a mini-budget before the election. It really wants to plug the gaps and get on with getting the money in and is not moving on those social justice issues that many of us in this house have commended for so long.

Mr Speaker, the comments Mr Duby made, I believe, are quite accurate and prophetic. The Rally will support this Bill. We indicate again that this is no way, over the space of a few days, to bring in legislation with this ramification and not to consider innovative ideas of recognising the community awareness of clubs, of recognising the prospect of a rebate to fund some of the services that we still need to close gaps left by the Federal Government when they handed this Territory over to us.

I believe that the licensed clubs in this Territory do a great deal for the community. I am not entirely happy, I have to confess; I am conservative about seeing great floors of poker machines. They do not excite me, but many people avail themselves of those facilities. There needs to be a gloss of services to support problems emerging from that area, in both alcohol and machine compulsion. But we have gone out of kilter with New South Wales because the

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effective result is that the bigger clubs, with their rebates, are going to be below us. I am waiting to see what the Chief Minister says about relativity now with the Queanbeyan Leagues Club, which would be interesting, and how and why we are going out of kilter with New South Wales when I thought that one of the ideas was to bring us into kilter.

To speak positively now of the Government's Bill, if my advice is correct and clubs like the Canberra South Bowling Club can go down from \$7,814 to \$856, the effect will be that they can spend more money on capital acquisition and improvements in their club earning capacity. That may sustain them - I will concede that if these figures are correct - in the short run. But I believe that we should have, at an early date, a proper inquiry, assisted by competent bodies like the Licensed Clubs Association of the ACT and others, into the number of clubs we have, where they are going, and what the Government can do to support the transition that many clubs will need to go through after the casino, if it is established. I believe that there will be great stresses on the club circuit as a result of the casino and these smaller clubs will still not be bailed out by this diminution in the gaming machine collections.

I applaud the Government for moving on those pseudo clubs owned by private interests which have sprung up in town. I do not believe that those pseudo clubs present anything back to the community in terms of community services. I believe that it is appropriate that clubs be clubs - that is clubs for the objectives and purposes for which they are founded. I foreshadow the need for some of those clubs, if they are going to have to extend their membership - particularly the yacht club, for instance, where, as I know, membership is about \$160 a year - to alter their objectives and purposes so that they can, within the terms of their constitutions, expand their membership, which otherwise may be difficult, given the cost of membership.

Likewise, the Canberra Workers Club, which has a somewhat unusual structure, with just a few real sort of managing members and all the BWIU constitutionally entitled to be members. The effective management of that club, in a cooperative sense, has interested me for many years. I do not really need to go on about that.

The outcome of this Bill is uncertain in some respects. We are going to keep it under review. I endorse the comments made earlier about the need to examine the impact of this in six months' time. I particularly commend to the commissioner, to whom discretion has been given by this Bill, that discretion be exercised compassionately in the interests of the smaller clubs.

MS FOLLETT (Chief Minister and Treasurer) (12.16), in reply: I would like to thank members for their comments on this piece of legislation, particularly, as Mr Collaery has said, Mr Duby for a very erudite dissertation indeed. I would like to address a few of the remarks raised by members, Mr Speaker. I say at the outset that we must not lose sight of the purposes of this legislation. One of the purposes, as Mr Collaery pointed out, is to do away with or greatly discourage the existence of private clubs or pseudo clubs. Another very important purpose, of course, is to ease the burden on the ACT's existing legitimate clubs by moving them to a monthly tax regime instead of the very large lump sums they have had to face on an annual basis. Not surprisingly, these changes have been sought by the Licensed Clubs Association and will be welcomed by them, I believe.

I would also like to say that the actions that are being taken today still do favour the smaller clubs. There is no doubt about that. Mr Collaery read out a range of tax amounts for different clubs. I am not able to confirm those figures that he read out. I do not think it would be appropriate for the Assembly generally to discuss a particular business's tax liability, and I am not about to. But I would like to say that for one club, the Workers Club, which Mr Collaery mentioned, I do not believe that this new regime will make an appreciable difference to their tax liability. As I said, and I will repeat it, we have favoured the smaller clubs, and I think all members here would approve of that.

Members have also raised the issue of the tax rate on clubs, the maximum of 22.5 per cent in contrast to the casino tax at 20 per cent. Mr Speaker, I would like to say that the super tax arrangements for the casino mean that there will be an additional 10 per cent paid by way of tax in the calendar years 1992 and 1993, and a 7.5 per cent super tax in 1994 and 1995. So, for the casino the tax regime will be 30 per cent; 37.5 per cent up till about 1995; and if there are higher profits there is an additional 5 per cent tax that may be charged by way of super tax. So, I think the casino tax regime at up to 35 per cent is considerably higher than that for most of the clubs that are under debate today.

Mr Kaine raised the issue, and Mr Duby also raised the question, of the temporary increase in fees for those clubs whose annual fee is refunded and then recharged on a monthly basis. I would like to refer Mr Duby, first of all, to subclause 16(5) of the Bill, which locks in the reverting to 22.5 per cent from 1 July 1992. I think the cast-iron guarantee that Mr Duby was looking for is actually contained in the Bill.

Mr Duby: No, no; from the Labor Party.

MS FOLLETT: It is the Labor Party's Bill, Mr Duby. Mr Kaine commented that this was a pretty cumbersome arrangement and I think he is probably right; nevertheless, the arrangement that has been arrived at, I believe, has been brought about in order to avoid the situation where the ACT revenue is diminished by the repayment of the annual fee to those clubs to whom it is being repaid. Obviously, our revenue would lose some interest on those large sums of money, and the temporary adjustment reflects the revenue neutrality of this proposal. So, we do not lose or gain and the clubs do not either, for the moment, except that they do gain by paying the fees on a monthly basis instead of an annual basis for the remainder of the year.

Mr Speaker, Mr Kaine also made some comments about the need to do this. I would like to say that the club industry is very much tied to a monthly cash flow rather than a sort of annualised budget. I think that charging them on a monthly basis, and on a basis that is directly related to their profits for particular months, will make their lives much easier because it means that there are some variables in their own performance and in their own tax liability from month to month rather than being faced with a single annual fee which has caused enormous difficulty, particularly to some of the major clubs, as members well know.

Finally, Mr Speaker, I would like to correct what I said about the super tax. I said that in 1994 and 1995 the super tax is 7.5 per cent; it is 27.5 per cent. I think I may have said 37.5 per cent, but 27.5 per cent is the figure applicable there. At any rate, it is well above what we charge for clubs. I would like, finally, to mention, and I am sure members are aware, that the casino will not have poker machines in it, so there will still be that separation of at least the nature of the gambling.

Mr Berry: Plus the \$19m.

MS FOLLETT: As Mr Berry points out, Mr Speaker, there is also the up-front payment on behalf of the casino developer of \$19m to the ACT. The clubs certainly have never been called upon for that kind of payment. Finally, Mr Speaker, Mr Collaery mentioned the situation of the ACT in comparison to New South Wales. I would like to say that the legislation that is before us today is certainly consistent with the arrangements in New South Wales. I am not aware, as I said, of the particular position of the Queanbeyan Leagues Club which Mr Collaery alluded to, but I think consistency between our two adjoining States is very important, and it is my advice that this legislation is consistent.

Question resolved in the affirmative.

Bill agreed to in principle.

Detail Stage

Bill, by leave, taken as a whole

MS FOLLETT (Chief Minister and Treasurer) (12.33): I would like to move the amendment that has been circulated in my name to page 2, clause 5, paragraph (c). It is purely a housekeeping amendment. There is a wrong subsection identification there. I move:

Clause 5, page 2, line 17, paragraph (c), omit "subsection 30D(1)", substitute "section 30D".

Amendment agreed to.

Bill, as a whole, as amended, agreed to.

Bill, as amended, agreed to.

**TAXATION (ADMINISTRATION) (AMENDMENT)
BILL (NO. 3) 1991**

Consideration resumed from 11 December 1991, on motion by **Ms Follett**:

That this Bill be agreed to in principle.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

HEALTH SERVICES (AMENDMENT) BILL 1991

Debate resumed from 11 December 1991, on motion by **Mr Berry**:

That this Bill be agreed to in principle.

MR HUMPHRIES (12.24): The Liberal Party will support this amendment Bill. It amends the Health Services Act which I had the privilege of introducing into the Assembly at about this time last year. In fact, I think that that Bill was passed into law on the last sitting day of last year, so there is a certain consistency about dealing with these matters at this time of year. The amendments basically seek to do what the Government originally put forward on that day to do with respect to payment of members of the Board of Health.

I should indicate that in an interjection on Thursday, I think, I misrepresented Mr Berry's position about this Bill. I accused him of having changed his mind about the payment of members of the board. On looking back over the *Hansard* of that day in December last year, I see that in fact Mr Berry did maintain consistently that there ought to be payment for members of the board. It was for some reason to do with, I think, the Residents Rally that the Government at that time changed its mind about proceeding with its original proposal to have payment to members of the board.

Mr Speaker, the Government presumably does intend to make those payments available. The Alliance Government had not made a decision about paying members of the board, but I assume that it is quite clear that the Government at this time does intend to make those payments. I have to say that in light of recent circumstances I am sure members of the board richly deserve payment as determined by the Remuneration Tribunal, or otherwise in accordance with these provisions. As such, I think it is appropriate for us to pass this into law. It does represent, I think, a step in making sure that the board members have acknowledgment of the very onerous role that they play in running a system as complex and as controversial as our health system.

MR MOORE (12.26): Mr Speaker, it was my amendment originally, or I think my speech against the particular provisions in the Bill, that motivated the exclusion that prevented members of the board being paid. That was motivated, Mr Speaker, by part of a policy on health that I wrote which talked about the establishment of the Board of Health as being a high priority and that membership of the board would be honorary. The board that I perceived at that time is quite different from the board established by the Alliance Government. I think it can be adequately demonstrated by the fact that the clerical support for the Board of Health will be supplied from within the ACT Health Authority. Quite clearly, a separate board was perceived, rather than the board and authority being one.

Considering the task that this board takes on, I think it is appropriate that they receive appropriate remuneration. Therefore, Mr Speaker, considering that there is a major difference, I believe that it is appropriate for me to support this amendment and to recognise, in this small way, the work that members of that board do and the contribution that they make to the community beyond what would be expected of an honorary board.

DR KINLOCH (12.28): First of all, the whole question of a Board of Health for the ACT needs to be looked at again, as I have indicated in the report of the Select Committee on Hospital Bed Numbers. However, setting that aside for the moment, because that would take a special inquiry, let us now come to the present board.

I agree with Mr Moore that the Residents Rally originally had a joint policy. It was our policy that the membership of the board would be honorary. I also agree that the nature of that operation, the nature of the institution, has changed. Furthermore, we are in the process of changing our policies, and we do not now have, in our draft policy, a requirement that membership of the board be honorary. So, given the excellent case being made for some payment, and I do not think it is an expensive payment or a grandiose payment, the Rally will support this legislation.

MR BERRY (Minister for Health and Minister for Sport) (12.30), in reply: There is little for me to say in response to what has been said in relation to this amendment Bill which has been proposed by the Government. The board will work for their money; there is no question about that. It is not an issue of whether they work hard enough or not; it is an issue of principle as to whether people ought to be paid for duties performed in the interests of the community.

In many respects, people work for nothing; but in statutory positions such as this it seems to me that the responsibilities are far weightier. I think members well recognise that board members have the burden of our health system on their shoulders. They have been the subject of much criticism and much public notice. In fact, they have been the subject of much attention in this Assembly. Without going into that and the respective positions of members of the Assembly on what the board ought or ought not do in relation to its obligation to the Assembly, it is, nevertheless, a greater burden that the board will have to bear during its term of office, and members will be aware that sooner or later the terms of board members will expire.

The most important thing is that we need to ensure that professionals who offer their services to the board are not disadvantaged in any way, and that a reason for their leaving the board is not that they cannot afford to offer their services to the community. I think this amendment Bill will satisfy that issue, and many others, and it will put the board on an equal footing with similar organisations which perform similar management tasks throughout the community. I commend the Bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Sitting suspended from 12.32 to 2.30 pm

QUESTIONS WITHOUT NOTICE

Planning Legislation

MR KAINE: I address a question to the Planning Minister, Mr Wood. This morning I heard Mr John Langmore on radio attributing the planning legislation, that excellent legislation, to the previous Government. Do you agree with Mr Langmore's position on this matter?

MR WOOD: I think that when I introduced the planning legislation I acknowledged the long work in its compilation, beginning with the Follett Government, carried on in your Government and concluded under the Follett Government. I did hear, in part of the debate, a claim that it was actually formed around a ping-pong table somewhere by some members of this Assembly or their colleagues outside the Assembly. But I certainly acknowledge that it has had a long gestation and that it is a document on which there is agreement amongst members of this Assembly substantially, if not on every detail.

The Government is proud of the document. The first Planning Minister put a lot of work into it. When I took over the job after the second Planning Minister, I lined up the principles that Ms Follett had first espoused for it and satisfied myself that they should be followed in the final legislation. Quite a number of changes were made. The final legislation is legislation that we on this side of the house are quite proud of.

MR KAINE: I ask a supplementary question. You would agree that the major input by the second Planning Minister forms a very significant part of the Bill?

MR WOOD: We have always acknowledged that.

Ainslie Village

MR MOORE: Before I start, Mr Speaker, I would like to draw the attention of the Assembly to the presence in the gallery of a visiting delegation from Laos which includes very senior public servants from a whole range of ministries. I would like to welcome them to our Assembly.

My question is addressed to Mr Connolly, as Minister for Housing. Minister, I mentioned the matter of the Ainslie Village shelter to you some months ago. At that time I indicated that the Ainslie Village company, of which I am a director, would not be able to continue funding the shelter after December 1991. Considering that there has been a 30 per cent increase in the number of homeless taken care of at the Ainslie Village since the beginning of the year and that the shelter has provided the only accommodation of its kind in the ACT, particularly for men, clearly there is a

need. The Ainslie Village company has been prepared to accept a \$20,000 debt to support the shelter for nearly a year, but can no longer afford to sustain such a loss that, in effect, the residents of the Ainslie Village are financing the shelter out of their own meagre allowances. What do you intend to do to ensure that your social justice principles are implemented and that these homeless men have overnight shelter in Canberra?

MR CONNOLLY: I thank Mr Moore for the question. I thank him for extending the courtesy, which he has done in the past, of giving notice of a question of detail, which enables a Minister to provide a timely and accurate answer. As Mr Moore notes, he is a director of Ainslie Village, which performs a very valuable service in the community, providing shelter for low income persons.

From May of this year, Ainslie Village has operated the shelter, which departed from its existing practice in that it did not require a guarantee that people using the shelter would in fact be able to pay tariffs. The shelter was established without approaching the supported accommodation assistance program, or SAAP, unit in the ACT for advice on the likelihood of funding. I am told that to date no application has been received by the SAAP unit from Ainslie Village for funds for this shelter.

The 1991-92 SAAP plan was originally approved by me and is currently with the Federal Minister. Without pre-empting his decision to approve or disapprove our priorities, I certainly can indicate that the need of single men, particularly younger men, is something that has been recognised in our priorities for future SAAP funding. I would suggest to Ainslie Village that they submit a request for SAAP funding in the ordinary way. While I cannot assure Ainslie Village that it would receive favourable consideration in front of other programs that may provide a similar service, I can say that this type of service is something that the Government is mindful of, and it is a priority of ours in terms of SAAP funding, which is of course a joint Commonwealth and Territory program.

Registration of Psychologists

MS MAHER: My question is directed to the Minister for Health, Mr Berry. Minister, at the moment the ACT is the only State or Territory in Australia that does not require psychologists to be registered. Considering the important part psychologists play in counselling and the increasing demand for counselling in many areas, there is at present the risk that unqualified practitioners could practise in the ACT. Because psychologists are not required to be registered, it can be difficult to obtain medical benefits. Minister, when does the Government intend to put in place the requirement for psychologists to be registered and, if no registration process is planned, why not?

MR BERRY: That was a very good question by Ms Maher. It was a question that I would have expected during the period of the Alliance Government. I suspect, though, that it was not asked then because, as I seem to recall, many of the questions then were of a dorothy dix nature, and one does not ask a dorothy dixer if one does not know the answer. Of course, the issue of registration of psychologists has been around for - - -

Mr Humphries: Do you know the answer, Minister? You are still in the index, so obviously not.

MR BERRY: It is not in the index, as a matter of fact. The registration of psychologists, or the absence of it, has been around for longer than this Assembly. I agree with Ms Maher. I think there ought to be some sort of professional standing in the ACT to ensure that psychologists are accredited in some way and that the quality of service that people provide is up to a given standard. At the moment I understand that I could go out or you could go out and practise. I will not need to, because I think I am going to be elected next time; but you might wish to contemplate whether you might like to become a psychologist after the next election. Under the current law, ridiculous though it might seem, it is possible for anybody to hang up a shingle and call himself a psychologist.

Registration of psychologists is a priority for this Government; but it is also a priority for the Federal Government in the context of the Premiers Conference, where Federal accreditation arrangements are being examined. The difficulty in the ACT is that the number of psychologists is not high. As the respective governments have endorsed the position of full cost recovery, one has to keep in mind, when coming to a decision in relation to these matters, that the costs for individual boards could exceed the costs which individual professionals might wish to pay.

Some groups are very small. Once you adopt the standard for one of the groups that are outstanding now, such as psychologists, you run into the difficulty that a very small group, say podiatrists, might expect some sort of registration board but their costs would be significantly higher. It is something that I have been looking at in the six or seven months that Labor has been in government.

Mr Collaery: It has been lying on the couch for too long.

MR BERRY: I agree with Mr Collaery that it has been too long. But I have to say to Mr Collaery that he had 18 months to do something about it and he did nothing. The problem was - - -

Mr Collaery: I have drawn up a private members' Bill. I will bring it down in a minute. I will give it to you this afternoon. How is that?

MR BERRY: It was not something that needed to be done in 18 months, but it is something that needs to be done now! I agree that something needs to be done about it. There needs to be an accreditation which provides guarantees to the community that people announcing themselves as psychologists are up to a given standard. The matter is being dealt with currently, as I have said, within the context of the Premiers Conference on a general scale. But we will not be seeing ACT registration legislation in this term of the Assembly.

Decade of Landcare Plan

MR JENSEN: My question is directed to Mr Wood in his capacity as Minister for the Environment, Land and Planning. I refer the Minister to the ACT Decade of Landcare Plan which was tabled in the Assembly last week. Is the Minister aware that section four, "Implementation", is at variance with the recommendations developed by the ACT Decade of Landcare steering committee? Was the Minister aware of this at the time he tabled the report? If so, why did the Minister not make a comment to that effect at the time the report was tabled? Will the Minister now advise the Assembly of the difference between the plan and the committee's recommendations for implementation and the reasons why these changes were made?

MR WOOD: I think most members would know that some concern has been expressed about the implementation section of the Decade of Landcare Plan since the Conservation Council wrote to each member of the Assembly.

Mr Jensen: It was not the Conservation Council; it was the Decade of Landcare steering committee who wrote - - -

MR WOOD: I have other information as well, Mr Jensen. The committee was concerned that one of its areas of discussion - I think it would be more discussion - was not taken up. In their original document, they speculate in the area of responsibilities, suggesting that some body, whether existing or yet to be formed, be given responsibility for the oversight of the implementation of the plan. They mention a number of options for so doing.

In the event, the plan which I tabled had some change to that section. In answer to your question, I was not aware of the change. Nevertheless, it denotes the view that we are considering how the continuing oversight of the plan may be implemented, whether by a government committee or by one of the options proposed in the draft plan. In due course the Government will indicate how this process may best be continued.

MR JENSEN: I ask a supplementary question, Mr Speaker. In view of the answer by the Minister, did the Minister request of the officials who provided him with the copy to table whether there had been any changes made to the document that was put to him for tabling? If not, why not?

MR WOOD: The document came back to me. This is the document. I saw it. It was a substantial document. I was not particularly aware of any changes; but you would well know, Mr Jensen, that these things undergo quite a process, and that should not be surprising.

Tourism Commission

MRS NOLAN: Mr Speaker, my question is addressed to the Chief Minister in her capacity as Minister for tourism. I refer the Chief Minister to the advertisement that was placed in the paper for the Chief Executive Officer's position. The closing date for applications was 19 December. Is it proposed that the process observed for the Chief Executive Officer's position will be similar to last time - the tourist commissioners will determine the appointment and it will be ratified by government? Will that be done as quickly as possible, or do we assume that it cannot be done until after April?

MS FOLLETT: Mr Speaker, Mrs Nolan has raised an interesting question. Indeed, I saw the advertisement for the Chief Executive Officer myself. My first view of it was that it ought to be resolved as quickly as possible, although, Mr Speaker, I think the commission and, I must say, the ACT Administration have been very well served indeed by Mr Lawrance while he has been in that position temporarily.

Mr Speaker, I would have to speak with the Tourism Commission on what sorts of arrangements they want made. I know the arrangements that they made last time for the interviewing and selection of the Chief Executive Officer. They have not advised me of any arrangements that they want made and, of course, I think it would be best if I were to check with them whether they want to have the same process as last time or to do something new. It is a public service position and it is, therefore, not one that would come under major appointments arrangements that we have made or that we have proposed for the caretaker period of government. I would expect that it would proceed with all due speed and, because it is a public service appointment, that it would not be held up because of those caretaker arrangements.

Skim Milk

MR HUMPHRIES: Mr Speaker, my question is directed to the Minister responsible for the ACT Milk Authority. I assume that that is Mr Connolly. I refer to an incident in October in which the Milk Authority assumed control over the sale and distribution of skim milk in the Territory. Is it the case that the Milk Authority gave the Bega Co-operative and Dairy Farmers, the only two suppliers of skim milk in the ACT, just 24 hours' notice to stop selling skim milk in the Territory? Why did the authority take this draconian action? Why does the authority want to have sole control over the supply of skim milk in the Territory?

Mr Collaery: And when are you going to abolish the authority?

MR HUMPHRIES: Does the Minister endorse this action to extend the government monopoly, or will he undertake to review this decision?

MR CONNOLLY: I thank Mr Humphries for his question. I am particularly interested in the interjection from the far corner because Mr Collaery, in true Mr Collaery fashion, on Friday, at the South-East Region Economic Forum, put two propositions to the forum - that the Milk Authority should be abolished and that Bega should be given a monopoly on milk supply. The suggestion of deregulating and replacing the authority with a monopoly is a convolution in thought that is really possible only from the Residents Rally. Perhaps it was a thought that occurred to Mr Collaery in a helicopter.

I thank Mr Humphries for the question. Mr Humphries may be aware that there is litigation pending between the Milk Authority and Bega; that Bega have issued writs challenging that very decision. So, it is inappropriate for me to get into the merits of the decision, other than to say that I understand that they took the commercial decision to exercise their statutory right to prevent foreign milk from coming into the Territory. The Milk Authority Act, which was enacted many years ago by the Commonwealth, does allow the Milk Authority to say that it can take control over the source of milk coming into this Territory.

While the Milk Authority may be out of favour with the deregulatory ideology of the Liberal Party, sometimes one has to look at real results rather than ideological theory. The fact remains that the Milk Authority delivers milk to Canberra consumers at a cheaper price than consumers pay across the border in New South Wales. So long as the Milk Authority delivers milk to the consumers of the ACT at a cheap price, I think it is doing a good job.

MR HUMPHRIES: I ask a supplementary question. I take it that the Minister does not intend to interfere in this proposed court action and direct the authority to take any particular action in respect of these developments?

MR CONNOLLY: It is clearly inappropriate for me, in answer to an Assembly question, to indicate how I may or may not interfere in litigation. The matter is sub judice.

Abortion

MR STEVENSON: My question is directed to the Minister for Health, Mr Berry. Would Mr Berry explain the Labor Party Government policy on abortion in the ACT, and will Mr Berry state whether or not secret or confidential discussions were held with representatives of certain women's groups and an agreement reached to establish free abortion clinics in the ACT after the February 1992 ACT election?

MR SPEAKER: Mr Berry, I believe that that question is out of order, but you may answer it if you wish.

MR BERRY: If it is out of order, I do not think I will answer it.

Members' Offices

DR KINLOCH: My question is addressed to you, Mr Speaker. In addressing it may I congratulate you on serving uninterruptedly throughout the life of this Assembly. Congratulations to you. There are some people here who will not be standing for election again and they, of course, will vacate their offices by 15 February. There are other people - and please do not all yell at me - who know that they will be re-elected and know that they will be here on 15 February and do not have to worry about it. Their staff will continue and so forth. But there is a third category, Mr Speaker, which is people who will be standing for election and, because of the vagaries of the d'Hondt system, will not know for six or seven weeks whether they have been elected or not. I understand the thing about two weeks after the election, but could you tell us what the situation will be for those people who will be in limbo?

MR SPEAKER: Dr Kinloch, I have passed out the information to members and, if it is vague, I apologise for that. The circumstance is that there are those who will be looking to every vote. As the days roll by, I will watch the poll very carefully, and I can assure you that those who are in this predicament will be given sufficient time to move out and there will not be any hasty decisions taken.

Domestic Violence Orders

MR COLLAERY: Mr Speaker, my question is of the Chief Minister. In view of the Chief Minister's genuine and announced concern for the victims of domestic violence and in view of the fact that in November last year the Federal Government said that it would make necessary amendments to the Service and Execution of Process Act to permit portability of restraining orders, which is particularly important in this holiday season, I ask the Chief Minister why a portability Bill has not been introduced by her Government since mid-year and whether, if I handed her a Bill in the next 20 minutes, she would introduce it - in the interests of this most serious and important topic? I accept that the Commonwealth has let us down. It has not made those amendments to sections 9 and 11 of the Service and Execution of Process Act. Perhaps the Attorney can bring us up to date on that. Bearing in mind that the Commonwealth has failed to do it for the nation and bearing in mind that that has been predictable for a while, given its own priorities at the moment, I ask the Chief Minister whether she would be gracious enough to accept a Bill that has been prepared to at least attend to those protections which we can attend to for the forthcoming holiday season.

MS FOLLETT: I thank Mr Collaery for the question. Mr Speaker, as I am sure Mr Collaery knows, at the time when he had responsibility for these matters they were handed over to the Standing Committee of Attorneys-General, and in fact it is the case that not much happened as a result of that. I raised this matter myself in the course of the Special Premiers Conference meetings - there have been two meetings, in fact - and at the last meeting, the October meeting, had agreement from all States that this should be done immediately. Premiers went away with a direction to their Ministers, whether police Ministers or Attorneys-General, to ensure that this was done. So, it is clearly the intention of Premiers and Chief Ministers in all States that this must be done.

Of course, it is of particular relevance to us in the ACT, surrounded as we are by another State, and because of our special relationship with, say, Queanbeyan or the south coast. It is particularly important that ACT restraining orders have application outside the ACT and equally important that New South Wales orders are fully recognised within the ACT borders. I can certainly assure members that that commitment is given, and in the communique all Premiers and Chief Ministers have undertaken to do that as a matter of urgency.

Mr Collaery has asked whether I would accept a Bill from him. The answer is no; I will not. We have seen time and time again in the final days of the current Assembly Mr Collaery's Bills put forward very rapidly. Of course, Mr Speaker, I do not doubt Mr Collaery's good intentions. I do not doubt that he has the best interests of these particular client groups at heart. Nevertheless, we have

seen legislation drafted in haste which has contained serious flaws. Mr Stefaniak's legislation also had a fairly serious unintended effect which had to be rapidly fixed up. No, I do not propose to accept Mr Collaery's legislation at this point; but I certainly give an assurance that the portability of domestic violence orders has been agreed, at my instigation, between all States and Territories and will be proceeded with as a matter of the greatest urgency.

MR COLLAERY: I have a supplementary question of the Chief Minister. I ask her whether she would grant me leave to introduce an amendment on the basis of a restricted debate of no more than 15 minutes. In answering that, would she understand the very clear pressures upon her to protect women in these circumstances? The Bills have been properly prepared.

MS FOLLETT: It is not up to me, Mr Speaker. It is up to the members of this Assembly whether or not they wish to grant Mr Collaery leave. But my reservations stand. We have seen too often very hasty drafting efforts that have had to be amended, fixed up, because of their unintended consequences. I certainly do not intend to accept Mr Collaery's legislation. If Mr Collaery wishes to raise it at some appropriate time in private members' business, that is entirely up to him.

Better Cities Program Funding

MR STEFANIAK: I ask the Chief Minister: Is it a fact that the ACT Government has lost the opportunity to get \$1m of Commonwealth money because of a botched application under the better cities program?

MS FOLLETT: It is not, Mr Speaker; but this matter really does not come within my portfolio. I defer to Mr Wood.

MR WOOD: Mr Speaker, that would be the first I have heard of it. There was an application for better cities money, and there was no botching of that application. I do not know where Mr Stefaniak gets that idea from. The application is in front of the Federal Government, and I hope that we hear a positive response shortly.

Auditor-General

MR KAINE: I direct a question to the Chief Minister. On latest advice, the appointment of our Auditor-General expires on 31 December, 14 days from now. Has the Government made a decision about who the Auditor-General is to be from 1 January 1991 and, if so, when does the Chief Minister intend to inform the Assembly of that appointment?

MS FOLLETT: Mr Speaker, members will be aware that there has been a merit selection process going on to select the Auditor-General. That process has concluded, but at this point I should say that a recommendation has not been put before the Government. It is certainly my intention that we consider that at the first opportunity, and an announcement will be made at that time.

MR KAINE: I ask a supplementary question, Mr Speaker. Does the Chief Minister really believe that less than 14 days' notice as to whether we are to have an Auditor-General on 1 January or not is good enough?

MS FOLLETT: Mr Speaker, we will certainly have somebody in the position of Auditor-General on 1 January.

Abortion

MR STEVENSON: My question is directed to the Health Minister, Mr Berry. Will Mr Berry state whether or not he has held discussions or he is aware of secret or confidential discussions held with representatives of certain women's groups in the ACT resulting in an agreement being reached to establish free abortion clinics in the ACT, and whether or not the Government has a policy on abortions and, if so, what it is?

MR BERRY: The Government has made no decision on an abortion clinic in the ACT.

MR STEVENSON: I have a supplementary question, Mr Speaker. I asked Mr Berry whether or not meetings had been held that he was aware of.

MR BERRY: You are entitled to ask me about Executive policy, and I have told you that the Government has made no decision on the matter.

Decade of Landcare Plan

MR MOORE: Mr Speaker, my question is addressed to Mr Wood as Minister for Planning and is a follow-up question to that asked by Mr Jensen earlier in question time. It has to do with the ACT Decade of Landcare Plan. The steering committee for the Decade of Landcare Plan, of course, consists of people who are primarily not members of the bureaucracy or members of any department. My understanding of the matter raised by Mr Jensen is that the original final draft of section 16.6 contained a recommendation to establish a body to oversee the implementation, monitoring, evaluation of the Decade of Landcare Plan and to advise the Government on land care matters in the ACT. Yet the final document that you tabled had something quite different - that the Environment and Conservation Division be

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responsible for the implementation, monitoring, evaluation and review of the Decade of Landcare Plan. Do you consider it appropriate that a final version of a document that is made up by people who are not members of the bureaucracy can be changed, if it was changed, by the bureaucracy and then tabled by you? Do you think something out of order has occurred? What action are you taking to ensure that that is not the case and to inform members after this Assembly rises?

MR WOOD: Mr Speaker, I do not know that it is out of order. This Government, as did the former governments, and all governments commission a large number of reports on a wide range of subjects, and ultimately those reports are the property of the Government. I want to clarify a matter. In a sense, I have a supplementary answer for Mr Jensen. Perhaps I misunderstood him in the first instance. I do not know precisely from memory what I said when I tabled that report but - - -

Mr Jensen: You did not say anything.

MR WOOD: Yes, I think I just tabled it. But certainly, as that report came to me, the attached briefing note made comment on any changes to it. So, I should be clear about that.

Mr Jensen: You told us that you did not know about the change.

MR WOOD: Perhaps I misunderstood your question, Mr Jensen. You had a fairly long wrap-up to it, just as Mr Moore did. This is now a report of the Government. The Government considers the report. It is a report upon which we will act. I indicated that I was considering it, and we will come up with a decision on how this may be progressed. That is what I will do.

Ms Follett: Mr Speaker, I ask that further questions be placed on the notice paper.

Casino Project

MS FOLLETT: On 12 December Mr Jensen asked me about the interim planning legislation and the casino. I have a fairly lengthy answer which I will provide to Mr Jensen. I seek leave to have the answer incorporated in *Hansard*.

Leave granted.

Document incorporated at Appendix I.

Driver Training Facility

MS FOLLETT: On 20 November Mr Stefaniak asked about the Sutton Park former driver training facility being proclaimed as a transport training centre. I have a response for Mr Stefaniak. I seek leave to have the answer incorporated in *Hansard*.

Leave granted.

Document incorporated at Appendix 2.

Tourism Commission Funding

MS FOLLETT: On 19 November Mr Stefaniak asked about a bus load of tourists who were unable to buy drink or souvenirs at the Jolimont Centre. The answer that I provide merely confirms my earlier advice that that was a commercial decision, and not much has changed. I seek leave to have the answer incorporated in *Hansard*.

Leave granted.

Document incorporated at Appendix 3.

Investigations Unit

MS FOLLETT: On 19 November Mr Collaery asked a question about whether I would make an investigation if I was supplied with the name and details of an experienced public servant who alleges the discovery of listening devices. I seek leave to have the answer incorporated in *Hansard*.

Leave granted.

Document incorporated at Appendix 4.

Payroll Tax

MS FOLLETT: On 19 November Mr Collaery asked also about payroll tax and the concerns raised by the building industry, the Housing Industry Association and so on. I seek leave to have the answer incorporated in *Hansard*.

Leave granted.

Document incorporated at Appendix 5.

Tourism Commission Offices

MS FOLLETT: On 11 December Mrs Nolan asked whether rent was still being paid in the Tourism Commission's Sydney and Melbourne offices and what compensation would be required. Mr Speaker, I confirm that the Sydney and Melbourne offices closed at the end of November. Negotiations with each former landlord are continuing. I expect the matter to be resolved by the end of December. Present indications are that compensation for early termination will be reasonable. I will be happy to make the details of the final settlements available to Mrs Nolan when the negotiations are concluded. I seek leave to have the answer incorporated in *Hansard*.

Leave granted.

Document incorporated at Appendix 6.

Driver Training Facility

MS FOLLETT: On 12 December Mrs Nolan asked about the driver training centre at Sutton Park and a report commissioned by the Alliance Government. I confirm that the report is currently being finalised. It will be forwarded to me in the near future. I understand that the report contains a number of matters that are commercial-in-confidence, and I will therefore need to consider carefully the release of full details contained in that report. I seek leave to have the answer incorporated in *Hansard*.

Leave granted.

Document incorporated at Appendix 7.

Government Employees - Canberra Raiders Fundraising

MS FOLLETT: I wish to provide some additional information in respect of an answer I gave to the Assembly on 5 December following a question by Mr Kaine on the previous day. Mr Kaine asked whether some ACT public servants were paid for assisting at a Raiders fundraising event. I advised the Assembly that I was unaware of such an event. This is still the case. On advice, I provided additional information about an inquiry by the Auditor-General on the grounds that it may be relevant to Mr Kaine's question. Since answering the question, I have received further information from the Auditor-General that he believes that his inquiry is not relevant to Mr Kaine's question.

School Principal and Deputy Principal Appointments

MR WOOD: I want to add some detail on a question that Dr Kinloch asked last week about the appointment of principals. I can say that, in respect of Hawker College and Gowrie Primary School, the processes are complete and principals have been appointed. For Maribyrnong and Hawker primary schools, it is expected that appeals on those positions will be heard prior to the commencement of the next school year. With Tharwa Primary School, the appointment process is still going on and there could be appeals.

Member's Facsimile Equipment

MR SPEAKER: On Thursday, 12 December, Mr Moore asked a question concerning the distribution of documents by facsimile from the office of Mr Stevenson. In particular, he asked whether it was appropriate that members use taxpayers' facilities for political campaigns for somebody outside the Territory. In a supplementary question, he asked whether I believed that the matter warranted further investigation. I took the supplementary question on notice. Facsimile machines in members' offices are essential tools for members undertaking their duties. The equipment should be used only for Assembly business, and that is for tasks directly relevant to the duties and responsibilities of members as members of the Assembly.

Often there is a fine line between what is Assembly business and what are electoral purposes or private matters. I believe that the interpretation of what is Assembly business should rest with the integrity of each member. I wish to inform members, and Mr Moore in particular, that Mr Stevenson has advised me that the article which was reported to have been faxed from his machine is material which was posted from his office at his expense and therefore the fax machine was not used to communicate with numerous addressees. On that basis, on the information provided to me I do not intend to take the matter further. However - - -

Mrs Grassby: It has the fax number on the bottom, Mr Speaker.

MR SPEAKER: I will read the last part again. Mr Stevenson has advised me that the article which was reported to have been faxed from his machine is material which was posted from his office at his expense and therefore the fax machine was not used to communicate with numerous addressees. There may have been one or two. On the basis of the information provided to me, I do not intend to take this matter any further. However, I request that members ensure that their staff are reminded of their duties and responsibilities with respect to the use and misuse of Assembly facilities which will undoubtedly result in a cost to the Assembly and hence the public purse.

ANSWERS TO QUESTIONS

MR CONNOLLY: I have responses to questions I took on notice from Mrs Nolan concerning housing loan repayments, Mr Stevenson concerning privately plated vehicles, and Mr Duby and Mr Collaery concerning Housing Trust computers. I seek leave to have them incorporated in *Hansard*.

Leave granted.

Documents incorporated at Appendix 8.

PAPERS

MR CONNOLLY (Attorney-General, Minister for Housing and Community Services and Minister for Urban Services): On 5 December Mr Humphries was agitating in a matter of public importance about contract documents for the Gordon school program, and I assured him that I would table the documents. I table the documents and wish Mr Humphries all the best over Christmas as he reads them.

AUDITOR-GENERAL - REPORTS NOS 10 AND 11 OF 1991 Stamp Duty on Conveyances and Audits to 30 November 1991

MR SPEAKER: I present for the information of members the Auditor-General's reports Nos 10 and 11 of 1991, Efficiency Audits - Stamp Duty on Conveyances, and Audits to 30 November 1991.

Motion (by **Mr Berry**), by leave, agreed to:

That the Assembly authorises the publication of the Auditor-General's Reports Nos 10 and 11 of 1991.

SUBORDINATE LEGISLATION Paper

MR BERRY (Deputy Chief Minister): Pursuant to section 6 of the Subordinate Laws Act 1989, I present subordinate legislation in accordance with the schedule of gazettal notice for a determination, as follows:

Public Place Names Act - Determination No. 104 of 1991 (S148), dated 11 December 1991.

FORWARD ESTIMATES 1992-93 TO 1994-95
Paper

MS FOLLETT (Chief Minister and Treasurer) (3.09): For the information of members, I present the Forward Estimates for the period 1992-93 to 1994-95, and I move:

That the Assembly takes note of the paper.

Mr Speaker, today I present the Forward Estimates report for 1992-93 to 1994-95. This report forecasts the ACT Government's financial position for the next three financial years, based on existing policies as set out in the 1991-92 budget. Where applicable, the estimates in the report also reflect the impact of forecast levels of price movement, population, employment and urban development. As with previous reports, the publication of the Forward Estimates is an integral part of the Government's financial management practices. It is an essential planning document, and as such will provide the framework upon which the Government will base its 1992-93 post-election budget strategy.

The monetary and fiscal qualities of the Commonwealth continue to have a greater impact on ACT finances than does the state of the national economy. The ACT economy is faring relatively well in 1991, buoyed by stable public sector employment and strong population growth. Forecasts of economic prospects for the ACT remain closely linked to Commonwealth Government policies.

Mr Speaker, for the ACT Government, the reality is that the level of financial assistance from the Commonwealth will continue to decline across the period covered by this report. There is considerable uncertainty over the extent of this decline. Although the Commonwealth has agreed to maintain general revenue assistance to the States and Territories in real terms in 1992-93 and 1993-94, it is likely that any indexation related increase for the ACT will be offset by net reductions in the transitional payments provided through the Commonwealth Grants Commission relativity factor in 1991-92. Such reductions, estimated at around \$10m per annum, will be aimed at progressively moving the ACT onto comparable State-like funding levels.

On the capital side of the budget, a new capital works program of \$76m per annum is included in the Estimates, consistent with the level of the 1991-92 program. This is in addition to full commitment to the hospitals redevelopment program. The actual level of new work will be decided in the budget context. The Estimates show that a borrowing requirement averaging some \$30m per annum results from a capital program of this size.

The Forward Estimates indicate that an adjustment of \$5.7m is required in 1992-93 to achieve a balanced recurrent budget. This relatively sound position can be largely attributed to the full year effect of the difficult revenue and expenditure savings initiatives introduced by my Government in the 1991-92 budget. However, as a result of the continuing likely decline in Commonwealth assistance and the debt servicing impact of the new borrowing requirements, the gap increases to \$10.3m in 1993-94 and \$18.4m in 1994-95. These gap figures can be compared to the 1991-92 recurrent budget gap of \$20.5m identified in last year's published Forward Estimates.

My Government will deal with these funding shortfalls through a continuation of the approaches used this financial year. We shall continue to listen to the community's views and aim to maintain a high level of quality government services. A significant part of this strategy will be the ongoing allowance of \$10m to fund restructuring projects aimed at long-term savings to the budget. These investments will be essential if the ACT's long-term financial position is to be secured.

Mr Speaker, this report will now be made available to the public. Members will recall that it was my Government which decided in 1989 to take the unprecedented step of unveiling Forward Estimates of both revenue and expenditure. That decision has allowed informed public debate about the budget position of the Territory. The Labor Government is pleased to continue its open budget processes with the release of this report. We are confident that the Canberra community will see these Forward Estimates as further evidence of the responsible management which has been provided by this Government.

MR KAINE (Leader of the Opposition) (3.14): Mr Speaker, I would like to speak briefly to the motion. Obviously, I have not had a great deal of time to examine the Forward Estimates, but there are one or two comments that I think need to be made. I note that the Chief Minister predicates her projection on a continuing strong economy in the ACT. I think some of the figures that have been coming out lately would raise questions about that, particularly the fall-off in tourism turnover, which would suggest that we are starting to feel the impact of the recession, as the rest of Australia has, and that the impact could well extend to employment, turnover in retail stores and the like.

I am not convinced that our economy is going to stand up as well over the next year as it has in the preceding years. I suspect that, over the next 12 months or so, we may well begin to feel the impact of the recession at a much greater rate than we have in the past. It is true that we are protected to some degree because of the dominance of the public sector, but that cannot protect us from all adversities of an economic kind.

I note also that the forward projections are based on present policies, and that means that of course they do not reflect new policy initiatives that this Government, or a Liberal government, might want to put into place next year. The significant thing, however, is the reference on page 4 of this document to Commonwealth Government funding, the transitional funding that was in this year's budget as a result of the recommendations of the Commonwealth Grants Commission.

My recollection is that that is something of the order of \$80m that has yet to be adjusted. That has to be taken out of our budget over a period of probably two to four years. We do not know what the impact of that on the budget is going to be in the three years to which this report relates. But there is clearly to be some adjustment, and we have not yet fully adjusted, during the transition period that has been allowed to us, to a new and lower level of Commonwealth funding. But it cannot be stated, I assume, at this stage what the effect is going to be in each of the three years in question.

So, there are some questions about the Forward Estimates that need to be noted. The Chief Minister refers to the capital works program. That no doubt will generate a requirement for borrowing. The Government was able to get away with no borrowing this year, because we had a \$53m payment to come from the Commonwealth. That has been used up. That allowed us off the borrowing hook this year, but it does not allow us off the borrowing hook in future years. There no doubt will have to be further borrowings which will add to the present level of debt and the present cost of servicing that debt.

I do not think, on the short exposure to the document, Mr Speaker, there is much more that I can say about it, except that the Forward Estimates, of course, always have a number of question marks about them, and this set of Forward Estimates is no different to previous ones. The test comes when this Government or a Liberal government in six months' time is putting the finishing touches to its budget for the next fiscal year. That is when we will know whether these Forward Estimates can be substantiated or not.

MR COLLAERY (3.18): Mr Kaine has given a useful overview. I want to concentrate on a couple of aspects, bearing in mind that we have had only a few moments to look at the Forward Estimates report. Mr Speaker, I am particularly interested in the Australian Capital Territory Housing Assistance Fund and the statements made earlier by this Government about an increase in capital works in relation to public housing. The Forward Estimates, in the budget outlook, indicate a reduction in capital works from \$31m for 1991-92 to \$23m. That is attributed to a decision to place a greater emphasis on the acquisition of selective stock through the purchase of house-land packages.

I do not necessarily disagree with that, but it is certainly at variance with the enunciations made only a few months ago by the Government in relation to expanding the construction program. So, one is left with this view: The Government made a short-term commitment to new constructions, and that had some electoral advantage; but now they are going back to the subsisting and accepted policy of purchasing house-land packages through the normal supply market rather than getting into the construction activity.

Mr Speaker, in the rental bonds area, I understand - and the Minister can correct me if I am wrong - that there are still a very large number of bonds not brought in yet by the office. I can understand the challenges facing the rental bond administration; but there is a clear expectation that all of the budgeted bonds will be lodged, because the forward estimate is based on a near 100 per cent collection of the approximately 19,500 bonds lodged per annum. We have not yet had a report from the Government as to how that process is going, and any comment the Government can make on suggestions that there are up to 6,000 bonds still not lodged would be appreciated by the Assembly. I have no means of verifying those rumours, which may have no substance to them. But the outcome is relevant to the Forward Estimates.

Mr Speaker, the forward estimates for law and order, of course, would interest Mr Stefaniak; but he is clearly not going to address the issue. The outlook for the forward years is:

The provision of police services in the ACT under the Commonwealth-ACT Policing Arrangement will continue to be reviewed over the coming years with longer term objectives for law enforcement in the ACT being addressed.

Community input on the provision of police services will continue to be sought -

and so on. There is a clear implication there that the policing arrangement is going to move towards a long-term objective for law enforcement in the ACT. That is not reflected in the Forward Estimates. The Forward Estimates suggest that the matter will sail on as usual, even though this Government has largely repudiated that arrangement. They repudiated it, of course, in the fact that the terms of the agreement were, for the Bush visit, described as trite on one day and vague on another.

Mr Connolly: I brought home the bacon on that one, Bernard.

MR COLLAERY: Mr Connolly says that he brought home the bacon. If only the *Canberra Times* could have seen us all here having a friendly laugh with Mr Connolly when he declared his monster victory over the Federal Government.

We all knew that the Federal Government was bound by the terms of the agreement, and it was one of the greatest beat-ups that we have had in self-government. Full credit to Mr Clack and to Mr Connolly, because it was a great and noble effort. It showed us winning over the Commonwealth at a time when morale was low, but that victory had very little basis in fact.

Mr Speaker, the final matter that I managed to cast my eye over a few moments ago relates to the Fire Brigade. It is interesting that this morning I received an answer to a question on notice that showed that we had 277 - yes, 277 - full-time employees in the ACT Fire Brigade. In Wollongong - with a land area of greater complexity and more difficult access issues than the ACT - they have 112 with - - -

Mr Connolly: Rally policy is to sack the firemen; is that right?

MR COLLAERY: I am not finished yet - with a complement of 100-plus volunteers and other auxiliaries. If the Government wants to look at the prospects of saving funds, we need to look at some more innovative ideas. When you look at the answer I have received to the question on notice, you will note that there are no part-time or casual employees of the Fire Brigade, unlike the profile of fire services elsewhere in Australia. They are all full-time fire workers in the Territory. There may be a good explanation for that. The answer may lie outside those figures I have been provided with. The figures may well relate to the Bushfire Council numbers and others. But I simply draw attention to that issue in highlighting the need for ongoing review of how best we can develop and phase in volunteer support and emergency service programs.

Question resolved in the affirmative.

PAPERS

MS FOLLETT (Chief Minister and Treasurer): Mr Speaker, for the information of members, I present the Head of Administration, ACT Government Service, annual report 1990-91.

MR CONNOLLY (Attorney-General, Minister for Housing and Community Services and Minister for Urban Services): For the information of members, I present the following 1990-91 annual reports: The Housing Trust, pursuant to section 21 of the Housing Assistance Act 1987, including financial statements of the ACT Housing Assistance Fund prepared in accordance with the determination made by the Treasurer under section 58(1) of the Audit Act 1989; the ACT freedom of information annual report pursuant to section 79 of the Freedom of Information Act 1989; and the Bruce Stadium Trust Account financial statements 1990-91, pursuant to subsection 58(3) of the Audit Act 1989.

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Mr Speaker, for the information of members, I present the Fair Trading (Fuel Prices) Bill exposure draft and seek leave to have my speech incorporated in *Hansard*.

Leave granted.

Document incorporated at Appendix 9.

SPECIAL ADJOURNMENT

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

That the Assembly, at its rising, adjourn until a date and hour to be fixed by the Speaker either at the request of the Chief Minister or on receipt of a request in writing from an absolute majority of Members and that the date and time of meeting shall be notified by the Speaker to each Member in writing.

CLINICAL SCHOOL Ministerial Statement

MR BERRY (Minister for Health and Minister for Sport): Mr Speaker, I seek leave to make a ministerial statement in relation to a clinical school for the ACT.

Leave granted.

MR BERRY: Today I would like to make a statement, Mr Speaker, about the Government's position on an issue that has received some media attention and a great deal of local interest over recent times. In 1989 this issue was about, and it was discussed with the then Follett Government. Of course, that issue is a clinical school for the Australian Capital Territory.

The Government's major commitment to the hospital redevelopment program currently under way in the ACT is one of a number of strategies which demonstrate this Government's strong support for improving the health of the ACT community and the quality of its health care services. By bringing together specialities provided by scarce numbers of skilled staff which were previously fragmented, the intention is to ensure that adequate peer review and quality procedures can be introduced.

A number of reviews over recent years have clearly indicated that the development of a clinical school for the ACT would bring about major benefits for the ACT community. These benefits would include a major focus on challenging existing practices to ensure that they are in line with the most progressive hospitals elsewhere in Australia. I need

hardly add that one aspect of this progressive hospital style is to expect very high levels of communication between clients of hospital services and clinicians so that issues such as informed consent to testing are very thoroughly addressed.

Another major benefit which will flow from the development of a clinical school in Canberra is the significantly enhanced ability to recruit high-quality staff across all health professional groups. We have already seen some examples of this improved recruitment ability through the hospital redevelopment program alone, and certainly creating a more satisfied and challenging work environment will not only lead to a greater ability to attract staff but also improve career prospects for staff in later years. Medical undergraduates specifically are usually more readily retained and available in the local system. These students tend to stay in the city in which they are trained.

The sorts of challenging of existing practices I referred to earlier can also be expected to lead to improved efficiencies in the provision of existing services so that testing procedures are used in the most appropriate way possible. There will also, of course, be a much greater capacity to attract research funds from a variety of national bodies which provide funding for health research.

The responsible position of government, however, is to ask what these benefits will cost the ACT community. This question has been carefully scrutinised over recent months. Firstly, the broader issue needs to be considered. According to national reports, Australia as a whole does not want to encourage an increase in the supply of medical practitioners, as supply can be demonstrated to relate to the level of services provided. This is considered high in Australia by international standards. In addition, any increased costs for training an existing number of students need to be taken into account.

In mid-September this year, Mr Speaker, the University of Sydney put forward a detailed proposal to the ACT Board of Health, at the Board of Health's request, outlining a model for a clinical school for undergraduate training which could be developed in the Australian Capital Territory. Essentially, this proposal would involve the attraction of up to 30 students a year to the ACT public hospital system so that they would complete the final three years of their six-year undergraduate course in Canberra.

The University of Sydney is interested in this development. At the moment it is changing a number of its practices in relation to other clinical schools in New South Wales. It is particularly keen, Mr Speaker, to encourage the development of a unique curriculum for Canberra which draws on the existing skills and expertise acknowledged nationally to be present in the ACT. The particular areas of emphasis proposed are those of community health and aged care and basic science.

What this proposal means is that the ACT will not be contributing an extra volume of students to the national work force, and that is significant. There is, of course, a clear delineation between the proposal, which is for a clinical school intended for the final three years of a six-year undergraduate course, and a full-blown medical school where the infrastructure costs could be expected to be significantly higher. The latter suggestion would be an inefficient one for the ACT to consider at this moment.

In terms of a net increase in the cost per student trained, the University of Sydney is proposing to fund its share of this development through a redistribution of existing resources. From the ACT's side, the proposal will be resourced mainly within the hospital system.

A number of positions in the public hospital system are due to become vacant, and there is therefore an opportunity to consider the academic positions proposed through the University of Sydney in conjunction with new appointments, so that a very significant amount of substitution can occur between existing positions and those that could operate in the future with both an academic and a clinical load. The University of Sydney proposal has been discussed with both the University of Canberra and the Australian National University, and there are clear opportunities for close collaboration with each.

Mr Speaker, my particular concern about the clinical school is the potential for it to lead to an undue emphasis on the acute care of the hospital system. As we are all aware, the health of the community is determined by many factors outside of the provision of hospital services. These factors include aspects such as the safety of the environment, clean air and water, good housing, employment levels, education levels, the types of health maintenance activities which individuals practise such as eating healthily, drinking alcohol in moderation, keeping up high levels of exercise and the reduction in smoking.

In terms of health services themselves, the acute sector must take its place beside primary health care and prevention services and those focused on the delivery of care for the chronically ill or those who need to be gradually assisted to more independent living in our community. I have therefore been particularly attracted to the idea of a strong emphasis within the proposed academic structure on community health and aged care. I will be seeking further discussions with the University of Sydney to ensure a specific focus on these two distinct areas.

This Government has made a commitment to the development of the Acton Peninsula for health related purposes, and there is currently in process a planning study to outline the plans for development. There is an enormous potential to develop on the site a state-of-the-art training facility for generalist doctors, nurses and other health

professionals whose focus would be on prevention, health maintenance, community support and health promotion, as well as the areas covering geriatric care, rehabilitation and community support, which I believe we all recognise as essential to meet the needs of Canberra's rapidly ageing population.

In this context this Government has agreed to support the development of a clinical school in the ACT. In order to take the development of this school to the next stage, I am proposing to establish a negotiating team to prepare an agreement between the University of Sydney and the ACT Board of Health clearly stating the commitments by both parties. This agreement will cover the proposed academic structure, including an emphasis on community health and aged care, as well as the financial arrangements which will need to be put in place. I will also be asking the team to clarify the longer-term implications, especially with respect to cost, given that over time there is likely to be an inevitable growth in demand.

The team will also need to negotiate agreements about relationships with the clinical school, with the Australian National University, in particular with the John Curtin School and the National Centre for Epidemiology and Population Health, and with the University of Canberra. This would involve a need to assess the student support facilities required and those facilities for research which will be needed in an ongoing sense.

The team will also be responsible for exploring all the potential avenues of funding for the clinical school project and those funds which may be made available from the business sector. I have therefore asked Mr Jim Service to chair this team, which will also comprise Ms Gillian Biscoe, the Chief Executive of the Board of Health; Dr Richard Madden, ACT Treasury; Professor Ralph Doherty, Pro-Vice-Chancellor of Queensland University; and Dr Colin Adrian of the Chief Minister's Department.

Finally, there is a very significant development in medical education in Australia on the horizon associated with the University of Sydney proposal which I believe provides an exceptional opportunity for Canberra to be at the forefront of a fundamental change in medical education in Australia. The University of Sydney has agreed in principle to exploring the notion of developing a four-year postgraduate course in medical training to replace the current undergraduate course. This postgraduate course would accept applicants from a very wide range of undergraduate courses in a variety of disciplines across different universities in Australia. Essentially, in response to Professor Doherty's national report, this proposal will provide an ability to recruit mature age students who will bring quite new approaches to their learning about medical and clinical issues.

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As Canberra does not have an existing course, it would be possible for such a concept to be put into place in the ACT well in advance of other courses elsewhere. This type of development, bringing with it as it does an opportunity for the highest quality of medical practice to be developed locally, is extremely attractive to this Government in achieving the best possible outcomes for hospital services provided to the people of the Australian Capital Territory. I present the following paper:

Proposal to develop a Medical Undergraduate Clinical School in the ACT - Ministerial statement, 17 December 1991.

Mr Speaker, I move:

That the Assembly takes note of the paper.

DR KINLOCH (3.37): There is not time to debate this matter at the moment, but I will come back to it later. I want to congratulate the Government on this proposal. I am very pleased indeed. I am sure that all members of the Hospital Bed Numbers Committee are pleased to see that we have been operating along the same lines. I am particularly pleased to see that development related to the University of Sydney. This seems to me to fit into the notions of a progressive Canberra looking to the future.

MR HUMPHRIES (3.38): I concur with Dr Kinloch. This is a quite welcome announcement by the Government. It is one I certainly was not expecting from this Government. I had every indication that Mr Berry was - - -

Mr Berry: You doubting Thomas you.

MR HUMPHRIES: I have to say that I had great cynicism about this Government's willingness even to consider this question, and I am still not convinced that this announcement has not been prompted more by a desire to take this potentially embarrassing issue off the agenda before the election than by any real conviction.

Every time I have heard Mr Berry speak about a clinical school before today, it has been in disparaging terms. He has spoken about the extra costs it entails, about pandering to doctors - matters of that kind. So, it comes as some genuine surprise to see the Minister suddenly embrace medical education with such fervour. However, whatever the reasons for his conversion, I am very pleased that it has occurred. I welcome the concept of a medical school in the ACT. I have believed for quite some time that it is appropriate and necessary in the ACT.

As Dr Kinloch indicated, this is an important initiative on which the Hospital Bed Numbers Committee has commented and urged the Government to take action. I am therefore very pleased to see that action is being taken, and I urge the Minister not to drop the ball now, particularly in the

period after the ACT election, when serious negotiations will be necessary to bring this proposal to fruition. That is until the next Government takes over and is able to run strongly with this important initiative.

MR MOORE (3.39): I would like to join with other members in welcoming the possible advent of a clinical school in the ACT. It will be a positive contribution to health in the ACT, and it is something that I shall look forward to being involved in next year.

MR BERRY (Minister for Health and Minister for Sport) (3.40), in reply: I rise briefly just to thank members for their warm words in relation to this proposal. The proposal was a long time coming. It began, as I said, in 1989, and it is to be expected that taking these sorts of steps is important. I am very pleased to have been involved in two important changes. At this point I would also like to acknowledge that the issues were not pushed aside during the period of the Alliance Government. The redevelopment of the school, although different in nature under Labor from what was proposed under the Alliance Government, will nevertheless provide very - - -

Mr Humphries: The school or the hospital?

MR BERRY: The hospital, I should say. The redevelopment of the hospital will nevertheless provide something new and fresh for the people of the ACT in the future. I am proud to have been involved in that at the initial stages. I am sure that Mr Humphries is proud to have been involved in it during the period of the Alliance Government, and I am sure that we will all be very proud of the new and better hospital system which ensues as a result of both of these very exciting proposals.

Question resolved in the affirmative.

SECOND ASSEMBLY

Discussion of Matter of Public Importance

MR DEPUTY SPEAKER: Mr Speaker has received letters from Mr Collaery, Mr Jensen, Dr Kinloch and Mr Stevenson proposing that matters of public importance be submitted to the Assembly. In accordance with standing order 79, Mr Speaker has determined that the matter proposed by Dr Kinloch be submitted to the Assembly, namely:

The challenges which face the second ACT Legislative Assembly in 1992.

DR KINLOCH (3.42): I felt that on this last day of this first ever Legislative Assembly we should have a matter of public importance, because after all this Assembly always deals with matters of public importance. I also wanted a topic which would be appropriate for us all. Anyone who

wishes could speak to this. However, there is one particular problem. There is an obligation today to be brief and to the point, so I do not propose to take up much time.

It does seem to me that many of the challenges for the future are already laid down. We have discussed them from time to time. Some of them have come up very recently. I congratulate the Government on offering us such a challenge in connection with the statement Mr Berry has just made, for example. I would love to have time to talk about an international airport, as we gaze out into the future from the top of Mount Ainslie or something of that kind; but I will set that aside.

Would that we could have a seminar of all of us, independently, as we look at challenges for the future. But I want just briefly to indicate six by name and say very briefly something about them - one, institutional; two, social economy; three, naturalness; four, education and research; five, a complex culture; and six, a place of pilgrimage.

I think the first challenge is to produce a form of self-government, with appropriate democratic mechanisms, which is best fitted to the people of Canberra. Whether the Second Assembly will approve this particular system we have here remains to be seen. That in itself we could debate all afternoon.

Secondly, the overall social economy of Canberra requires that it be a place of expertise and excellence, not just one more heavily bureaucratised metropolis. There needs to be room for the private sector to grow.

Thirdly, we need to maintain our naturalness, our place as Australia's bush capital. In relation to this, we need effective land, environmental and heritage planning under our new legislation to protect our future.

Fourthly - and here we come back again to what Mr Berry has just been talking about - it is necessary that there be stress on education and research. I do not mean elitist education in a bad sense, but an overall excellence of education, including private education from preschools to tertiary institutions and, as we have just heard, new developments in postgraduate education - not just for education, but as the industrial base for our economic future. Our future lies in this area of education and research and what flows from it.

Fifthly, we should be a free-flowing city, a complex culture of people well aware of the dangers of overly large cohorts at any level of the population. That we have to look at in the 1990s. Finally, I would argue that the most exciting thing for us on the tourist and visitor frontier is to be a place of pilgrimage for all Australians and for visitors from overseas.

MR HUMPHRIES (3.45): Mr Deputy Speaker, in light of the time I also want to be very brief. There are, of course, a whole number of challenges which will face the Second Assembly, and none of those challenges will be more important than the same challenge as has faced the First Assembly, and that is making the ACT able to pay its way; making the ACT financially resilient, financially able to meet the needs and expectations of its citizens; managing the Territory's finances in a sensible and forward-thinking way. That has absorbed much time in this First Assembly. It has generated much of the anxiety and, indeed, hostility of many members of this community towards the Assembly and the successive governments that have served in this place.

But that may be an inevitable part of trying to manage the process of change - a part which we cannot avoid, which we cannot defer or put off to somebody else, least of all the Commonwealth, to do. It is our responsibility to provide responsible leadership and, in particular, to generate an environment in which the future citizens of the ACT will have the same sorts of services and standard of living as we have enjoyed in the last few years. That will be by far the most important challenge facing us, and I believe that if we can deal with that as a matter of priority in the next Assembly we will have served the citizens of the ACT very well indeed.

MR MOORE (3.46): Mr Deputy Speaker, there has been more than enough hot air spouted in this Assembly over the past 2 years. However, since this is clearly the only chance for the majority of members to talk about what will happen in 1992, I do not begrudge them their few minutes each on what, for them, is their last momentous day. It is unnecessary to waste more of your precious time speculating on the challenges that will face just a few of us next year.

MR DEPUTY SPEAKER: The discussion is concluded.

**SCRUTINY OF BILLS AND SUBORDINATE LEGISLATION -
STANDING COMMITTEE
Report and Statement**

MRS GRASSBY: I present report No. 23 of 1991 of the Standing Committee on the Scrutiny of Bills and Subordinate Legislation. I seek leave to make a brief statement on the report.

Leave granted.

MRS GRASSBY: Report No. 23, which I table, details the committee's report on two pieces of subordinate legislation and 14 Bills that have been presented to the Assembly. Before I commend this report to the Assembly, may I thank Professor Douglas Whalan, who I think has done a wonderful job. It has been a pleasure working with him and the

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members of the committee. May I say thank you to the committee members and may I also say what a wonderful job Professor Whalan does. We are very grateful and lucky to have him. I commend the report to the Assembly.

MR COLLAERY: Mr Deputy Speaker, I seek leave to add my comments to Mrs Grassby's as a member of that committee, as you are also an august member of that committee.

Leave granted.

MR COLLAERY: I thank members. I want to endorse what Mrs Grassby said and to expand a little on the comment she made about Professor Whalan. In the early days of this Assembly a group of us went across to the Federal Parliament and, through the courtesy of Senator Bob Collins, we watched the operations of the Senate Bills committee, the equivalent committee there. That was a rare example of collaborative activity between the two parliaments. Armed with the information as to how their Bills committee worked, we came back here and our committee was set up.

We proposed very early that we also appoint a consultant, and we resolved fairly quickly that that consultant should be Professor Whalan, an eminent lawyer and an eminent adviser on these matters. Professor Whalan, in fact, has helped refine the legislation of this house more than perhaps anyone else in the last three years. It is Professor Whalan who has saved us from ourselves. It is Professor Whalan who has taken care of the minutiae required of a Bills committee composed of members who are heavily involved in all of their other parliamentary activities.

I believe that the early history of this Assembly will show that we have achieved a great deal of legislation in difficult circumstances, and a full measure of credit should go to Professor Whalan for helping us do that and for helping us to get the legislation, by and large, right not only in its technical drawing but in terms of the protection of civil liberties and the impact on the community.

Again I thank Mrs Grassby for her time as chair. I acknowledge the effective chairing of the committee before that by Ms Maher. I am pleased to say that it is the one committee of this house which has always had a woman chair since the beginning of this Assembly - firstly, Carmel Maher and, secondly, the ever punctual Mrs Grassby.

MR CONNOLLY (Attorney-General, Minister for Housing and Community Services and Minister for Urban Services): I seek leave to make a statement on this report as well.

Leave granted.

MR CONNOLLY: Mr Deputy Speaker, on behalf of the Government, I would like to thank the members of the committee for their work and in particular the committee senior legal adviser, Professor Whalan. Having served on the committee in opposition, I am very familiar with his extremely competent and expert work and, as Attorney-General - I am sure Mr Collaery would have taken the same view when he was in the office - I find the comments provided by this committee invaluable to the Government.

The contribution that Professor Whalan has made to drafting better laws for this Territory in its First Assembly will long be a matter of public record. What is particularly significant is the learning curve that the Attorney-General's Department has gone through with the assistance of Professor Whalan. A lot of the points that he was raising early on now no longer need to be raised because the draftspeople are providing better laws. There is no doubt that this committee has made a significant contribution to the good government of this Territory.

On behalf of the Government, speaking with my Executive hat, I thank all members of the committee for their contributions and in particular I thank Professor Doug Whalan for his very valuable contribution.

MR DEPUTY SPEAKER: As a former member of the committee too, I endorse all the comments made by members.

MINISTERIAL TRAVEL EXPENDITURE Leave to Move Motion

MR STEVENSON: I seek leave to move a motion of condemnation of the Chief Minister and Health Minister for using taxpayers' funds to travel to Tasmania.

Leave not granted.

Suspension of Standing and Temporary Orders

MR STEVENSON (3.54): I move:

That so much of standing and temporary orders be suspended as would prevent Mr Stevenson from moving the following motion - That this Assembly reaffirms the principle of not using public funds for party political purposes and condemns Ms Follett (Chief Minister) and Mr Berry (Health Minister) for using taxpayers' funds to attend the Labor Party National Conference in Tasmania and calls for such moneys to be repaid to Consolidated Revenue.

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

That the question be now put.

Question put:

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

The Assembly voted -

AYES, 8

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

NOES, 9

Mr Berry
Mr Connolly
Mr Duby
Ms Follett
Mrs Grassby
Ms Maher
Mr Moore
Mrs Nolan
Mr Wood

Question so resolved in the negative.

PUBLIC ACCOUNTS - STANDING COMMITTEE
Statement by Chairman

MR KAINE (Leader of the Opposition): I seek leave to make a statement regarding the Public Accounts Committee's current inquiries into Auditor-General's reports.

Leave granted.

MR KAINE: Mr Deputy Speaker, under the terms of the resolution establishing the Public Accounts Committee, the committee is required to examine all reports of the Auditor-General which are laid before the Legislative Assembly. Members will note that, according to the notice paper, there are five audit reports listed as current inquiries of the Public Accounts Committee. These reports concern efficiency audits into the ACT Government vehicle fleet and the ACT Housing Trust; and reports on audits to 30 June 1991, the lack of Auditor-General's independence, and financial administration and audit independence.

In examining Auditor-General's reports, the committee has established a practice of seeking submissions from the appropriate Minister and, as part of the analysis of those submissions, sending them to the Auditor-General for his further comment. In some cases the committee will decide to hold public hearings to gather further information. The committee then determines whether it is necessary to prepare a written report to the Assembly containing committee comment, findings and recommendations. In many

cases, if the committee considers that action responding to the Auditor's concerns either has been taken or is in train, the committee will not present a written report to the Assembly.

The committee does, however, believe that the Assembly should be advised when this course of action is taken, so that there is no ambiguity concerning the status of the audit reports that have been examined by the committee, and this has been done by way of a statement by the presiding member. In relation to the audit reports listed as current inquiries - that is, the five that I referred to - the committee has sought submissions on all reports and comment from the Auditor-General on all but one submission, the one relating to report No. 8. Public hearings were held in relation to the two efficiency audit reports and a second submission sought from the Housing Trust in relation to the inquiry into report No. 5.

The committee believes that generally the matters referred to by the Auditor-General have been responded to appropriately by the ACT Government Service and that action has been taken or is in train where appropriate. There are some matters, however, that this committee believes should be examined in further detail; but, as the Assembly is drawing to a close, time does not allow a detailed examination of those issues. In particular, the committee believes that the process by which the annual appropriation for the Government Audit Office is determined is a matter for review and recommends that the Public Accounts Committee of the Second Assembly address that issue.

The committee also notes that a number of matters relating to the audit of Health were reported upon in Auditor-General's report No. 7. The committee believes that these matters should be pursued further, and again recommends that the next Public Accounts Committee examine the issues raised.

MR JENSEN (4.01): Very briefly, as my colleague Mr Kaine said, it is a pity that we did not have these before; they are still smoking.

MR DEPUTY SPEAKER: I think you need leave, Mr Jensen. Did you seek leave?

MR JENSEN: No. I believe that I can speak to the - - -

MR DEPUTY SPEAKER: I understand that you cannot.

Mr Kaine: I have not moved any motion.

MR JENSEN: You did not move anything. I seek leave to speak to this matter.

Leave granted.

MR JENSEN: These reports are still smoking, so I guess that they will be something for the Public Accounts Committee next year to get their teeth into. I would look forward to being involved with the committee one way or the other in the future. I believe that I am the only member of the Assembly who has served on the Public Accounts Committee for the whole period of this Assembly. I think it is appropriate that I say a word of thanks to those hardworking staff who have supported the committee throughout that period, particularly Ms Karin Malmberg who has been a tower of strength and has provided the sort of support that any public accounts - - -

Mr Kaine: You are not in the adjournment debate yet, Norm.

MR JENSEN: I know; but I am just making that comment. She has been a tower of strength to the committee and assisted us in our role. I think it is also appropriate, as we refer to the Auditor-General's reports, to note the fearless approach taken by the Auditor-General. It will be interesting to see whether Mr O'Neill is still the Auditor-General next year. If he is, we will have some interesting reading in this Assembly in the future.

CASINO CONTROL (AMENDMENT) BILL 1991

Debate resumed from 12 December 1991, on motion by **Ms Follett:**

That this Bill be agreed to in principle.

DR KINLOCH (4.03): Naturally, as you would expect us to do, the Residents Rally opposes this Bill. In each case I will cut the arguments to the bone. We well recognise that the numbers of the Labor/Liberal/Hare-Clark casino coalition are against us. Here are eight statements setting out why we oppose this Bill, eight statements which try to sum up the case for opposing the Bill.

We oppose it in general as a Bill which, if passed, would allow a public gambling facility into the Territory, a facility which is inappropriate for the national capital, the seat of justice and government for the whole of Australia.

Secondly, we oppose it in general because we do not believe in the supposed economic benefits, especially at present and in view of what is happening elsewhere in Australia, including Adelaide. Such a facility is likely to cause economic hardship to several existing ACT businesses, including the licensed clubs and the racing industry. We recognise that any building construction of any kind will create temporary jobs and a temporary spurt in economic activity, but that disappears with the completion of an unneeded project. Any building project would have that effect.

Thirdly, we oppose it because we are dubious about the number of supposed jobs for young people. What kinds of jobs? On Noel Coward's birthday, may I say, "Don't put your daughter in a casino, Mrs Worthington". In any case, some increase of jobs in one place means a decrease elsewhere. We hear from the club industry that they fear the loss of thousands of jobs. I suspect that they are exaggerating, but that is what they said. In any case, what about the long-term careers of these young people?

Fourthly, we oppose it because of the overall problems faced by Australia. We need real increases in productivity, the kinds of industries and enterprises which flourish as a result of our natural benefits and our well-developed Australian skills in agriculture, mining, manufacturing and service industries. We do not need to allow ourselves to sink, to become a throw-away-your-money haven for overseas tourists. Their losses and the losses of the locals - and 70 per cent of casino business is from locals - are then siphoned back to the sources of overseas funding. That is an unhealthy economic situation. Anyway, will those overseas tourists be forthcoming in sufficient numbers as more and more casinos are opened?

Fifthly, we oppose it because of the damage to the tourist and visitor industry in Canberra. To be sure, we may find ourselves, in a casino economy, as the hub of a wheel of buses arriving from surrounding country towns. We damage them incidentally. But the long-run basic and crucial image of the nation's capital as a visitor capital will be debased in a building which at the moment bears the name "National Convention Centre". Presumably, it is now to be called the "Austrian Convention Centre".

Sixthly, we oppose it because of the heritage of false promises from the Labor Party. John Brown, Gary Punch and Clyde Holding inveigled us, you will recall, with the promise of a gambling casino and a territorial library. That was a bizarre notion which I always opposed - a casino with a library right next door to it, on the same square. But now that bizarre promise has proven completely empty. It is the rhetoric of one segment of the Labor Party. I quickly say that I recognise that there are segments of the Labor Party which oppose this whole scheme.

Seventhly, we oppose it because we believe in better enterprises and better outcomes in education and research - the very kind of thing that Mr Berry put forward so splendidly a few minutes ago. We should be looking forward to our expanded, skill-related industries; not money-shuffling enterprises, but growth enterprises for the future.

Eighthly, we oppose it because the side effects are disastrous, as so well explained by John Tully to the select committee which met here in this building and only yesterday on the ABC. I urge all members to vote against this Bill.

MR KAINE (Leader of the Opposition) (4.07): I do find it rather odd that Dr Kinloch stands up as an apologist for the Residents Rally. In all fairness, Dr Kinloch has had a firm opinion about the casino, a personal opinion, right from day one, and I respect that view; but he can hardly say that the Residents Rally has opposed the casino. The Liberal Party does not, and we make no apologies for that.

Members of the Residents Rally sat in the joint party room of the Alliance Government and agreed to the process which has just led to a decision by this Government on the establishment of a casino in Canberra. One member of the Rally sat in the Cabinet and agreed to that process. So, Dr Kinloch cannot now stand up and say that the Residents Rally opposes this casino, even for one reason, let alone eight or 10. He may speak for himself, but it astounds me that he can pretend to speak for other members of the Rally on this issue. It is rather interesting that Dr Kinloch just put forward a motion talking about a matter of public importance: The challenges for the ACT Legislative Assembly in 1992. I think the greatest challenge to the Legislative Assembly will be removed in the election of 1992 when the Rally is no longer represented in this place.

I think that it is absurd to suggest, as Dr Kinloch has, that this proposal is going to destroy Canberra. He talks about other forms of industry, and of course he is right. We should be developing other forms of industry. But the fact that we have agreed to put a casino in Canberra does not preclude the Government from doing all of those things, and the private sector from doing all of those things that Dr Kinloch is talking about. They are totally irrelevant to the argument.

The Liberal Party has pressed and will continue to press for development of the private sector, will continue to press for the development of those industries where we already have the economic resources available to us to proceed with them, and we will press for the development of new industries, not only in the Territory but also in the surrounding region, to bring together all of the resources of a community of 500,000 to 600,000 people and to become something of an economic entity here, and an economic entity with some force behind it.

Mr Deputy Speaker, the Liberal Party, as I said, supports this proposal. We have never opposed the notion of a small casino in Canberra. We have pursued that process, set in place initially by a Labor Government, to put a casino on section 19. That always was, I think, a bit ambitious and that is the reason why it failed.

To establish a small casino along the lines now proposed, I think, is a sensible thing. It is not going to solve our economic and financial problems. It has always been put forward by the Liberals on the basis of its being a small casino and just one more thing that tourists can do when

they come to Canberra; that they may be prepared to stay overnight when there is such a facility available, instead of leaving Canberra. That is an added inducement to tourists - not the inducement, not the greatest inducement, but an added inducement. I do not think anybody can argue against the view that there are people who will use this facility, but we do not claim it to be the solution to all of our problems.

I think that I would have been happier to have seen something of a construction project. I know that there is going to be a small construction element of this adjacent to the Capital Parkroyal Hotel. Our original idea, and in fairness I think the original concept of the Labor Party, was that there would be some major construction that would create something of a permanent nature for Canberra as well as providing along the way some jobs in the construction industry to keep that industry alive in Canberra, and of course in the end to provide more permanent employment for the people who will be employed in the casino and in the support industries that will provide services to that industry. However, that apparently has not been possible.

I believe that the Government has faithfully followed the proposals that they set in train and which we pursued; that the selection process in terms of the operator of this casino has been totally above board, and that in considering the proposals that were put to them they found the best operator of this casino. I have no reason to doubt that at all, and I think that we will find that the casino will be properly operated. But, of course, we have to make sure that legislation is in place to provide a bit of clout behind the control mechanisms that the Government needs to put in place with such an establishment in Canberra.

Mr Deputy Speaker, I do not think I need to say any more. We support the casino. We support the legislation that has been put to us now to formalise the establishment of the casino. We note that the interim Territory Plan needs to be amended. I have already received the proposed variation document to change the site next to the Parkroyal Hotel so that it can accommodate the casino. When I first heard that it was going to be adjacent to the Parkroyal I had visions of something being built in the middle of Glebe Park, which upset me a bit; but that is not the case. I believe that this will be accommodated appropriately on that site. I think that in years to come it will be a place of entertainment.

I know that Dr Kinloch will never go there. I probably will never go there.

Ms Follett: I will.

Mr Moore: I will have a look in.

MR KAINE: Perhaps we might go together to try this place out. But the fact that there are some people who will choose not to go there is not indicative of the view, in my opinion, of the majority of the people who live in Canberra, and it certainly says nothing about the opinion of tourists who come to Canberra. I believe that many of them will take a trip to the casino as a night out and will perhaps make a minor contribution to the well-being of our Consolidated Revenue, and that will be a good thing. Mr Deputy Speaker, the Liberal Party supports this proposal and it supports the legislation.

MR COLLAERY (4.14): There are a number of unanswered questions. I said to myself a couple of weeks ago that I would not respond to Mr Kaine's barbs about the Rally. I will not dignify them. We will see what the poll produces. We will see how the community regard the Rally and Mr Kaine's team.

Mr Deputy Speaker, the unanswered questions relate to some conceptual problems that we have with this Bill. The Rally have always said, and once Mr Moore said, that we would not allow specific laws to be passed to overcome planning instrument issues. This is a case of a law being passed to overcome planning considerations. I am going to put these remarks on the record. I do not believe that most members in the chamber are at all interested in my remarks or have any intention of giving them serious consideration, but I will put them on the record for those who historically will review this affair.

The Commonwealth gave us self-government at a time of unprecedented planning disputation in the Territory. It was a term of the Australian Capital Territory (Planning and Land Management) Act 1988, section 25 - I will refer to it as the PLM Act - that the new Assembly would, as soon as practicable, make laws providing for, among other things, establishing a Territory planning authority, conferring functions on that authority and establishing a plan. It was to make laws that should - in fact, the word used is "shall" and is mandatory - include provision for "the procedure for making the plan", including "ascertaining and considering the views of the public", and "procedures for just and timely review, without unnecessary formality", and so forth.

Much of that has been met in the planning Act we passed, the land Act, which is not law yet. But in the interim, before the land Act is law, this Federal Act, which overrides everything you do in this chamber, enjoins you as an Assembly to provide laws that provide us with scope for a procedure for ascertaining and considering the views of the public.

The Chief Minister has said, in response to a question without notice tabled today, that it is her intention to involve herself in consultation on this issue. She says:

There is nothing in the amendments to the casino Act that removes the requirement for public consultation on any changes to the Territory Plan as suggested by Mr Jensen.

I do not know how well each and every one of us understands the English language; but if I am told that there is going to be a casino there, that there is going to be an interim casino somewhere else, and then I am told that there is later going to be consultation, I think it stretches the English language. I will put it at that level, simply, at this stage. I am quite sure that better minds than mine are going to examine all of this minutely and very carefully. I will only point up those matters at this stage.

The Federal legislation overrides what you seek to do. In this Casino Control (Amendment) Bill you seek to override sections 8 and 9 of the Interim Planning Act. Those sections, essentially, adopt the injunctions put upon us by the Federal Government, the overriding injunction that you cannot walk away from in the PLM Act. Sections 8 and 9 provide the guarantee during the hiatus required by the Federal Government before the land Act and the Territory Plan, proper, come into effect. We do have a plan now; it is the amalgam of all those instruments that exist, and I will not go into it. The fact is that this Bill seeks to remove sections 8 and 9 of the Interim Planning Act, which were placed centrally in that Act following the enjoinder put upon us by the Federal Parliament, drafted at a time of unprecedented planning turmoil in this city.

I say to the Assembly that what you are doing is ultra vires the Federal Law. I say to you that you cannot provide for a vacuum in planning by way of a provision of this nature. The provision that troubles me, of course, is the provision in the Bill before the house which, in effect, acknowledges that sections 8 and 9 of the Interim Planning Act stop Ministers and any Territory authority from acting inconsistently. You are removing that injunction that has already been passed by this Assembly. You are removing it and you are saying that we are not going to be bound. That provision is in clause 9 of the Bill before the house right now and it is headed "Effect on Territory Plan". It states:

"127A.(1) Sections 4 and 39 -

that is, the ones that leapfrog the process and place a casino on site, and a temporary casino too -

have effect notwithstanding sections 8 and 9 of the Interim Planning Act 1990.

I believe that the Government should answer this and seek some advice from its lawyers. I may be wrong. I have not the capacity or the - - -

Ms Follett: I think you are.

MR COLLAERY: The Chief Minister interjects and says that I am wrong.

Mr Moore: No; she said, "You are". You do not have the capacity.

MR COLLAERY: She says that I am wrong.

Ms Follett: I said, "I think you are".

MR COLLAERY: Of course, Mr Moore joins with her with his usual comment, and we will stay away from that. The Interim Planning Act was to guarantee us a fair process, proper consultation and just and timely review until we had the Territory Plan in place.

I move now to another matter that concerns me, the lease at the National Convention Centre. There is one? I have not had time to search that yet either. Presumably, there is a sublease with lease purpose clauses in it. I would like the Chief Minister to let me know whether the placing of an interim casino in the Convention Centre is consistent with the lease purposes there. There may be a simple answer to that. If it is not consistent with it, there needs to be a variation, perhaps, and you can use section 72A of the Real Property Act. That provides for a variation of purposes for which land may be used. Members may note that that section is preserved in the Land (Planning and Environment) (Consequential Provisions) Bill, which is coming before the house, for three months after the changeover.

I am troubled by this Bill. I believe that the Minister, if she were minded to make sure that there is no unfounded speculation about these processes, should make the law officers available to brief members of the Assembly so that we can determine exactly whether we are acting consistently with the head legislation, the fount legislation, the PLM Act.

I stress that the observations I make are only observations. It is not within my time or capacity to look to those in any further detail, but they were not addressed in the presentation speech and I am using this speech to pose those questions. I often do that and I rarely, if ever, get a substantive answer to the questions I raise in this Assembly on legal matters. That is the fact of the matter and I think members know that. Perhaps I am not wrong always.

The other issue that Dr Kinloch addressed was the view on the casino. The Rally has always said about a casino that we opposed a casino at section 19, but our policy was quite specific and we sat by it during the Alliance Government. Our policy was as follows:

The ACT (Casino Control) Act 1988 -

the very Act that we are looking at now, as an amendment -

should not be implemented against the wishes of the ACT community.

The next one, which has already been given effect, was:

There should not be a casino adjacent to City Hill or the Parliamentary Triangle.

I accept that this proposal by the Chief Minister is not in conflict with that injunction. The next one was:

The question of a casino for the ACT should be decided by representative Government having regard to all proper criteria - social, economic, law and order, environmental and planning.

There is the view that the members of the Alliance Government, the Rally members at the time, took. The question of a casino should be decided by representative government, which we had, having regard to all proper criteria. During the time we were in government, environmental, planning and other issues were being examined, as surely they were. I well knew the legal problems of having an interim casino because I was instructed on that as well, as the then Attorney. The Rally policy went on to say:

In the event that the issue remains divisive to the Assembly, it should be resolved by referendum.

I am not going to retrace all these issues. I want to deal calmly and rationally with the situation we are at, and that is that a majority of this Assembly will give effect to the casino push. We hold the view that those processes of social, economic and other matters have not been fully examined. You heard me in the past, you heard me as Acting Chief Minister, make known my views on the casino.

Mr Berry: When the cat is away the mice play.

MR COLLAERY: Mr Berry says that; but I made very clear that I was very much concerned about the social implications of the casino, as I remain, and as I remain concerned about the short-term and long-term employment prospects. I have said already that there will be at least 200 jobs lost from the club industry. We are with good company on this matter because those of you who saw the comments after the announcement made by the Chief Minister saw what the Licensed Clubs Association said, and you are well aware of what racing and other elements think, putting aside what the Salvation Army and other service organisations think. So, we are not alone; but we are alone in this Assembly, and we admit that.

There is nothing inconsistent, as Mr Kaine suggested, about Dr Kinloch's position on the casino. I think his views have been well known to all of us all through, and you have all known that the Rally has remained consistently concerned about this decision being made with regard to all proper criteria. We insisted on that in the Alliance Government. We were opposed to it at section 19 and it was not resolved during the time we were in government.

The Chief Minister has moved it off section 19 and that settled a major concern of the Rally. Apart from those planning issues, which are part of the legal questions in that policy of ours, and those matters I raised which the Chief Minister may be able to respond to, there are the social and economic issues that remain and that we will agree to disagree on, I imagine.

MR DUBY (4.28): Mr Deputy Speaker, the issue of the casino has been around in the ACT community for many years. Some speakers have already traversed the history of the issue, going back to the days of former Federal Minister Punch and earlier. I have been involved with the issue of the casino only since becoming a member of this Assembly. I think it is worth recapping what the members of this Assembly have done about a casino since the matter was first raised.

I was fortunate to be on the only committee of inquiry that this Assembly established regarding the establishment of a casino in the Territory. That was a very comprehensive inquiry into all matters relating to the establishment of a casino. I am trying to remember; yes, Dr Kinloch was on that committee.

Mr Jensen: I was on the committee.

MR DUBY: Mr Jensen, I beg your pardon. Mr Jensen was on that committee. That is right; Dr Kinloch almost excluded himself from being on that committee for various reasons. Mr Wood was there. The committee was chaired by Mr Humphries, and Mr Jensen, Mr Stevenson and I were the other members. We examined all of the issues and had many public hearings into all the ramifications of the establishment of a casino in the Territory.

We examined the operations of casinos in other parts of the country and at the end of the day we were able to report that in our view the establishment of a casino in the Territory would have great economic benefit to the ACT community generally and, at that time, in 1989, to the construction industry in particular. It would also have implications in terms of long-term employment in the Territory, and that has been borne out, I think, by studies that have occurred in relation to other casinos throughout Australia.

One of the points that I would like to make from my time on that committee is this: I would like to rebut this supposed belief that the casino will be an enormous tourist grab for the Territory. In some ways Dr Kinloch, I think, shares my views. The average patronage of the casino almost invariably will come from the ACT and surrounding region. It has been shown that casinos generally have a usage rate approximating something like 80 per cent to even 85 per cent local. Undoubtedly, there will be people who will come to the Territory to utilise the interim casino and, of course, the final casino from interstate and from outlying regions who would never have come here except for that purpose.

That will have a big effect on the number of beds that will be occupied by prospective gamblers and people who come to see shows, et cetera, that will be held at the casino, particularly in that three-year period. It will probably be a lot longer, if our experience of establishing a casino is anything to go by. There is talk about a casino or two casinos being established in Sydney within the next three years; but I think people are a little bit optimistic, given what we have seen. It will probably be something like seven to 10 years.

Nevertheless, until such time as casinos are established in Sydney people will, I think, take the short drive down from the Sydney region to the ACT for a day, enjoying the sights and perhaps having a real flutter at the tables of the casino when it is established. But let me make that point perfectly clear; the usage of the casino will be in the order of 80 per cent to 85 per cent local.

I think this explains some of the causes of concern that Dr Kinloch has, and we should recognise that. Do not let us fool ourselves that it is going to be totally occupied by people from outside the Territory who are just going to come in, leave their money and go home and not leave any problems here for us to deal with. What will happen is that the gambling dollar that is spent in the ACT will expand.

Evidence has shown that, the more outlets there are for gambling, the more money there is gambled. It is not like a constant pie of one size. I do not believe that money will be diverted from the racing industry, for example, into the casino, or that money will be diverted from the clubs into the casino.

I think, frankly, that you will find that this will increase the gambling dollar generally throughout the Territory. Remarkably enough, it is almost symbiotic. You will find that there will be further and increased gambling, in my view, at the licensed clubs, rather than the reverse. I think the clubs have come to that conclusion; that they will not be hurt by the casino. In my view, gambling generally in the ACT will increase and you will find that club revenues will increase in terms of

turnover as soon as the casino has been established here for some short time. That means that there are going to be social problems associated with an increase in gambling in the Canberra district and in Canberra City.

In that regard I, for one, wholeheartedly support the calls that Dr Kinloch has made in the past, and will continue to make, I dare say, in the future; that the Government use some of the resources that are going to accrue to the ACT coffers from the establishment of this casino and, as I see it, from increased gambling revenues across the board, and look seriously, as was recommended by the committee in 1989, at allocating funds and resources to caring, first of all, for those members of our society who, through no fault of their own, are going to find themselves compulsive gamblers. Whilst we feel sympathy for them, the persons that we really feel sympathy for, given the fact that most of those people unfortunately are males and are breadwinners, if you look at the statistics, are the innocent victims of that, namely, their spouses and families and children.

I think it is up to the Government, in announcing what it is going to do with the revenues from this casino, to put in place, before the problem has reared its ugly head, provisions to establish a safety net to catch those people who are undoubtedly going to be hurt by this proposal. It is not all roses; there are going to be some negative social impacts as a result of the establishment of a casino. People who suggest that there are not going to be are simply fooling themselves.

I believe that I have already asked a question in question time of the Chief Minister about this matter. I would like the Government to make clear what it plans to do, first of all, with the premium from the establishment of the casino, the \$19m-odd.

Mr Berry: Community facilities.

MR DUBY: It is going to go into community facilities. I do not regard "community facilities" as an adequate enough answer. "Community facilities" can mean anything. "Community facilities" can, for example, mean the provision of a swimming pool in the Tuggeranong district. Do not forget that I have had a little bit of experience with our people at ACT Treasury as well. You would be surprised at how the definition of "community facilities" will be expanded to take into account facilities which normally would be budgeted for in a normal budget environment. The original proposal, of course, was that they should be cultural facilities, not community facilities at all. Somehow "cultural" has now become "community" and I have grave concerns about that. Nevertheless, that is something for the Government to spell out loud and clear.

In relation to doubts about the planning requirement that Mr Collaery and other members of the Rally undoubtedly will comment upon, whenever there is a complicated planning argument members of the Rally are drawn to it as moths to a flame. They have this propensity to believe that planning is the be all and end all. The simple fact is that this Assembly and this Government, or the Government, whatever its complexion, have made a decision about a certain facility which will be provided for the community and it has, in my view, every right and power to declare that something shall go somewhere.

It is no good saying to me, "I am very concerned about the lease purpose clause of a particular piece of ground and whether it allows a casino to go there". It could well be that the Government, for example, decides that a hospital shall go somewhere and it just simply has to be changed. If that is what the Government and the Assembly have decided to do, that is the end of the matter.

Mr Jensen: Ha, ha! Pull the other leg.

MR DUBY: I hear mutters from the rear, but that is really and truly my view about planning. Planning legislation is not the Old Testament or the New Testament to be revisited; it is there to serve the community, and if the community, through its elected representatives, decides to do something with it, it shall be done. That is my view.

Mr Moore: I hate to say it; but I agree with you, Craig.

MR DUBY: I hear from Mr Moore that he agrees with me. This is probably the first time in history that we two agree on a planning issue. Nevertheless, that is the fact of the matter and to try to throw up, as a last resort, a planning problem as a reason why the casino should not go ahead is, frankly, grasping at straws. Of course, those who are opposed to the development of a casino are doing just that.

We have noticed the thunderous lack of public comment about a casino since the decision has been announced. I think that is indicative of the general view of the ACT population as a whole about a casino. The matter has been debated for long and in great depth for many years now. The simple fact is that the vast majority of the people I associate with are in favour of a casino.

It was put that the Rally takes the view that there should be a referendum on this matter. Well, there is a referendum coming up. It is coming up on 15 February. If Dr Kinloch and the Residents Rally wish to campaign, as I imagine they will, as the only political organisation in the Territory opposed to the development of a casino, the people will have the perfect opportunity to return not only the current Rally members but more and to provide this Territory with a majority government that will stop a casino. Of course, we all know what the result of that

referendum on 15 February will be. It certainly will not be anything like the scenario that I outlined and it will indicate, I think, that the community as a whole accept and indeed support the concept of a casino.

I would also like to put on the record, I suppose, the absolute confidence that I have had in the process that has been entered into over the years in terms of selecting and granting approval to the eventual successful bidder for the casino licence. The efforts by the public servants - I put it on the record - and by Mr Roger Smeed in particular deserve the congratulations of the community at large and this Assembly in particular.

The end result of all that, particularly given the calibre of the final successful bidder, is that no-one will be able to sensibly hold up the argument that somehow casinos are involved with organised crime, that the facility will be used to launder money and to look after big drug deals, et cetera. When you consider that the successful tenderer is partly owned, I believe, by the Government of Austria and I believe also partly owned, if I am not mistaken, by the Catholic Church, any comment that this could possibly be linked with organised crime or anything along those lines is something that can be soundly rebutted.

I support the legislation. I support the establishment of the casino. I have done so since the committee brought down its report back in 1989. I would just caution the Government to take into account those special needs of a social nature that are going to arise in the ACT community. I think it is important that in trying to grasp the gold we do not forget some of the people who, unfortunately, by a quirk of human nature, are going to be left at the wayside. Facilities should be in place before the first dice are rolled at that casino to make sure that those persons are catered for and that their families are looked after.

MR MOORE (4.43): The last time this issue was debated was during a matter of public importance raised by Dr Kinloch in which I chose not to speak because this legislation was coming up and I knew that I would have the opportunity to speak at this point. At that stage there was a series of interjections by Mr Collaery along the lines of "wimp" and "wimping out on your policies", and statements to that effect. In fact, that was followed up by a press release that Mr Collaery put out that further emphasised that point. I was asked to respond to some of the comments made by Mr Collaery in that press release as far as my stance on the casino went.

In fact, I did respond and I responded something along these lines: That I have remained consistent to the policies upon which I was elected. As far as the casino goes, I have been, and I will continue to remain, consistent to the policies upon which I was elected, which

is much more than the three members of the Residents Rally can say. At this point they ought to hang their heads in shame. I will not run through the whole range of areas on which they have not been consistent with their policies; it is not worth it and we have been through it before.

Mr Deputy Speaker, I take pleasure in supporting this Bill. I would not and could not have supported a casino on section 19, but I am happy to support an interim casino in the National Convention Centre and a casino adjacent to the Capital Parkroyal Hotel.

A number of planning issues were raised by Mr Collaery, and earlier by Mr Jensen. Those planning issues were of some concern to me and I looked at them. At this stage I ought to point out why I interjected when Mr Duby spoke earlier and said, "Yes, I support you". No matter what decision is made in terms of planning, the authority for planning in this Territory remains with the Assembly.

There is no doubt in my mind, and I am at one with Mr Duby, that, if this Assembly decides that it wants to change the Territory Plan or to change the legislation to allow us to take certain actions, we have authority for planning in all respects other than the national capital aspects and the areas that are covered in the National Capital Plan and are controlled by the Federal Government. We have the right to do that. Not only do we have the right to do that, we have the responsibility to do that. When this Assembly as a whole decides that it needs, for some reason, to override or to change a planning issue, it has the right, and in fact the responsibility, to do so.

I am sure that members of this Assembly or the next Assembly would be reluctant at any stage to move away from a set of standard procedures that are in place to protect the community interests. We have debated long and hard in the last four weeks about those procedures and their appropriateness. So, I have no difficulty at all with those in general.

In terms of the effect on the Territory Plan and amendments to sections 4 and 39 of the Casino Control Act which are to have effect notwithstanding sections 8 and 9 of the Interim Planning Act 1990, I believe that the suggestions made very early in the piece that this in some way or another will breach the planning system are unfounded. We have had an assurance from the Chief Minister, and I accept that assurance, that there will be, as far as the planning variations go, appropriate public consultation; that we will go through the standard consultation process and there will be a variation to the plan. In fact, we have a copy of the variation now, and Mr Kaine spoke on that earlier.

One of the ironies of the Rally opposing this legislation is that it is this legislation which will facilitate the casino being put somewhere other than section 19. Do not mistake me; I understand the position they have taken.

They oppose casinos, full stop, and I accept that. I am just saying that there is an irony here; that it does facilitate having the casino somewhere other than on section 19. I suppose that if one wanted to be really picky one could say, "Well, you should just oppose those pieces". I think the point that members of the Rally are making is that they simply oppose a casino in the ACT, full stop, and, of course, that is their prerogative and I accept that.

They would be aware that I personally never held that position but was prepared to accept, as part of the policy under which I was elected, that I would oppose a casino on section 19. That is fairly consistent with the stance I have taken on controls in other areas as well. If you look at the work I have done on prostitution, illegal drugs and areas like that, I think you would consider that, generally, my position has been quite consistent in that I am very reluctant to interfere with the right of anybody to do what they wish to do, provided that it does not harm others.

That brings me to the issues that were raised by Mr Duby, and earlier by Dr Kinloch, and they are critical issues. Mr Duby's point, rightly, was that we should have in place, before the first dice is rolled, the facilities that Dr Kinloch spoke so eloquently about earlier and that were described in the committee report on the casino, and that we must be aware that in allowing a casino to go ahead we will be causing some anguish for some members of our society. That does give me some difficulty. At the same time I am aware that, because some people drive irresponsibly and crash their cars, that does not mean that we therefore should ban cars. In my own philosophy I put it at the same level; that that is not the appropriate methodology.

Mr Deputy Speaker, the other point I should like to raise at this stage is that it was on my motion that that committee to look into the casino was established. At the time that I put that motion I explained to the Assembly that I had not made up my mind about a casino. I had an open mind about it. I certainly was prepared to say, "No casino on section 19". But, in reading the report of that committee and in looking at the issue over the period, I feel quite comfortable in coming to the conclusion now that there are no major blocks as far as the establishment of a casino in the ACT goes. Therefore, Mr Deputy Speaker, I have pleasure in supporting this legislation.

MR JENSEN (4.51): Mr Deputy Speaker, my colleagues have already spoken on the issue of whether or not there should be a casino in the ACT. However, I believe that it is important that my views be on the record as well. My views on the casino and its location have not changed since my comments by way of a dissenting report to the report of the Select Committee on the Establishment of a Casino which reported in July 1989.

Mr Connolly: Okay, we know what they are; so you do not need to continue. If your views have not changed since last time, that is all we need to know; it is on the record.

MR JENSEN: I think it is important to get it on the record. It is all right for Mr Connolly to waffle on over there and to interject, et cetera. I would appreciate some support, Mr Deputy Speaker.

MR DEPUTY SPEAKER: Order, members! Let us hear him.

MR JENSEN: Mr Deputy Speaker, I have not changed my views on the proposal on the grounds of either commercial or national significance. In fact, it could be argued that with the moves to establish casinos in Sydney and Melbourne the long-term viability of such a facility without machines must be in question.

The ACT has a well-established club industry. It eventually came to the ACT. Some of us no doubt recall the lunchtime exodus to Queanbeyan before machines came to Canberra. Most of us in this room will remember that. The Queanbeyan Leagues Club suffered considerable losses. Anyone who visits the club now and who can recall those heady days prior to poker machines coming to the ACT will know what I mean. It could be argued that the Queanbeyan Leagues Club these days could be a harbinger for the future of the club industry within the ACT.

All it will take to bring machines into the casino will be the sort of debate that we are having here this afternoon. All it will take is a very simple amendment to the casino control legislation. If the numbers are here it will go ahead, and I suggest that that will be doomsday for the club industry in the ACT. Notwithstanding anything said by the Chief Minister, I do not believe that there is any model for the introduction of a casino into an environment where poker machines have such a hold. Poker machines in the States were introduced in conjunction with a casino, unlike the ACT. Poker machines are only in the casinos; they are nowhere else.

However, I really want to address my concerns about the planning issues of this proposal. I have heard some comment from the Government that the community consultation process will go ahead and that no decisions will be taken until the process has been completed. Fine; that is a fact. That is what the Chief Minister has said. I also note that Mr Moore has supported this procedure. Frankly, Mr Deputy Speaker, we cannot support the pre-empting of the community consultation process in this way. Effectively, that is what you are doing. I am surprised that Mr Moore is supporting it.

What the Government really has said to the proponents of the scheme is, "Don't you worry about the planning issues. We will go through the process. It really does not matter what the consultation process brings". In fact, what the Chief Minister said in her tabling speech was this:

The Bill amends the Act so that the Minister may designate an area where the Territory Plan currently does not allow a casino.

Mr Berry: Mr Deputy Speaker, I raise a point of order.

MR DEPUTY SPEAKER: You are raising a point of order, are you, Mr Berry?

Mr Berry: Yes. Would you ask Mr Jensen to keep his mind on the standing order in relation to tedious and repetitious remarks in the debate. This is the third time we have got - - -

MR JENSEN: It is my speech, Mr Berry; not Dr Kinloch's and not Mr Collaery's.

MR DEPUTY SPEAKER: Yes, it is his speech.

MR JENSEN: She said:

The Bill amends the Act so that the Minister may designate an area where the Territory Plan currently does not allow a casino. The Bill provides that the designation is not to be taken to be inconsistent with the plan.

Mr Berry: We know. Bernard told us, and Hector.

MR JENSEN: Well, I am surprised, Mr Berry. My colleague Mr Collaery has argued some of the legal points in this debate. The question I wish to ask immediately is: How can we just legislate that something is not inconsistent with the plan when it clearly is? The Interim Planning Act, section 8, clearly says:

The Territory, the Executive, a Minister or a Territory authority shall not do any act, or approve the doing of any act, that is inconsistent with the Plan.

So, it may well be argued that this legislation is, in fact, inconsistent with the plan.

However, the key concern is the fact that the proponent will be able to commence negotiations with planning authorities and finalise the development agreement and matters relating to the requirements of the Casino Surveillance Authority, including employees' training and casino layouts, irrespective of what happens in relation to the planning process. They will be able to do everything but turn the first sod. So, the consultation process is really just a sham.

Mr Collaery: Pre-empted.

MR JENSEN: It is pre-empting it, as my colleague interjects. It is going to be very difficult, I suggest, for a government, after that sort of work has been completed, to say, "Sorry, the community really does not want a casino there now. We have come up with all sorts of problems associated with the site, from a parking and traffic management point of view, for example. It is not appropriate for the casino to go there".

For example, is the casino going to be allowed to operate 24 hours a day? If so, what effect will that have on the current traffic and parking problems within the area? We all know about those; we come to work every morning. We drive past there and we see the problems associated with that whole area in relation to parking. They are the sorts of issues that we are really pre-empting before the decision has been made.

Let me now turn to the conditions allowed by this legislation to be developed by the various government authorities during this period when the consultation process is going on around us. What is the Government going to do when the consultation process says that certain conditions should be applied to the development?

I am not sure whether the community was even made aware of all the arrangements which allowed the development of the building in which this casino is proposed to go, either as an interim facility or as a final structure, the Parkroyal Hotel, these offices and those adjacent to the Convention Centre. Whatever arrangements were made, including some protection for Glebe Park, may never see the light of day. No-one is really sure of the arrangement that was made between the Federal government of the day and the people who built those facilities, because it was not out on the table. That is something that the Rally has always argued for; something we fought for when we were debating the planning legislation in this place.

It is therefore important that the conditions to apply to the development are made public along the lines of the approved process agreed to by this Assembly in the Land (Planning and Environment) Bill. I trust that we will get a comment from the Chief Minister in her closing summary that that, in fact, will be the case.

The issue of betterment has not been mentioned at all by the Chief Minister. We understand that the lease for the Convention Centre is for just that - a convention centre - and does not include a casino, of course, and the new site only allows for a hotel. Certainly, it does not allow for a casino. So, will there be a requirement for betterment to be paid in the normal way? The Rally will certainly be looking carefully at this, as I am sure Mr Moore will be if he is to be consistent on the issue of betterment.

Let me close my remarks, Madam Temporary Deputy Speaker, by referring to the requirements and the needs for Civic Square. I am pleased to see that some work has started in relation to Civic Square; but I think it is important to remember that in my dissenting comments, on page 35 of the select committee's report, I referred to the need for an upgrading of Civic Square. I am pleased to see that at least some work has started towards that.

But we are also concerned, as I think Mr Duby is, to get some clear indication from the Government as to what is going to be provided from the money that they seek to get from this casino licence and from the tax that they are going to claim. Is some of that money going to be used to upgrade Civic Square, which is much in need of that sort of work? I will not refer to it now, but members who wish to refresh their minds can look at my comments in relation to the Civic Square upgrading on pages 35 and 36 of the report. They go back as far as July 1989. I think it is important to remember that we were concerned about the future of Civic Square as long ago as that.

Madam Temporary Deputy Speaker, in closing I should reiterate once again the concerns expressed by people in this place in relation to the requirement for a social impact survey and services to assist people who are already suffering from the effects of gambling within the ACT, and for the gambling revenue, wherever that may come from, to fund such services. I have sought to have these sorts of facilities provided from both without and within government. We were unsuccessful. I was unsuccessful on both occasions.

I see that the Chief Minister has given some indication in her speech that there will be a development in that area. That is something on which she deserves congratulations. It is unfortunate that it has taken so long for successive governments to accept the requirement. I commend that very important recommendation to the Government and seek to have that done speedily, whether or not the casino goes ahead next year after the planning process has gone through, depending of course upon the format of this Assembly after the election in February.

MR STEVENSON (5.01): Madam Temporary Deputy Speaker, I believe that there are a number of reasons why it is unwise to introduce a casino in the ACT. However, we have surveyed this matter and the majority of people in Canberra believe that it is a good idea to have a casino. I have not surveyed the specific reasons for that and, accordingly, I will not vote against the Bill. However, I wish to make known the reasons why I think it is unwise. Perhaps I could start with the social welfare costs.

I was a member of the select committee which inquired into the casino and I came to the strong opinion, after listening to evidence presented from many people, that the costs of people becoming involved in gambling and becoming

addicted to gambling outweigh any tax that a government would receive. I refer to the costs of social welfare workers, the costs of psychologists, the cost of alternative accommodation for broken families, the cost of police.

I believe that when the casino began in Tasmania there was an increase in crime in the nearby location, particularly in the evening. That problem was solved; they simply put on more police. Obviously, there is a cost involved in putting the police on. In South Australia there are two or three pawnshops very close to the casino where people regularly go to hock things so that they can get money to gamble.

There certainly is a vast increase in gambling in Australia. The visual display poker machines are very prevalent. Once upon a time in Sydney you would have to go to a club or a TAB to have that sort of gambling; but now you will find in hotels all over the place row after row of people gambling on visual display poker machines. One wonders how many of these people are parents. One wonders how many of the people are not accepting their parental responsibility.

Mr Jensen raised what I believe is a very valid point that will be borne out without any shadow of a doubt in time, and that is the effect that the casino or casinos in Canberra will have on the local club industry. We have already seen that many clubs are under severe financial pressure. We have seen a number of clubs close. I have not the slightest doubt that with a casino we will see more close. I think that is obvious.

It is extremely difficult to keep organised crime out of a casino. I do not say that it is impossible. It would probably be more possible in Canberra than in a place like Melbourne or Sydney. However, it is difficult. It would not surprise me at all if organised crime got involved, as it does in many casinos.

One of the major reasons, we are told, for having a casino is the money it will bring in. It is a grab for cash. Certainly, Canberra needs money. There is no doubt about that. Any community does. What I would do is take an entirely different viewpoint on raising money for Canberra. What I would do is create a city that people had to come to. Anyone coming to Australia from overseas would certainly come to Canberra. I do not think they will come here for a casino; I do not think they will come here for X-rated videos; I do not think they will come here for prostitution or for any of the other things that are available in many other cities around the world.

I think they would come here if we created a different vision for Canberra, and what better place to do it than in a country that has led the way in democratic principles in the world? I believe, and I have mentioned it a number of times, that Australia has a system of parliamentary

democracy that is not matched in the world. I am not saying that these principles are applied. However, the principles are there. If they were applied they would make us a nation among few, if any, with comparable democratic values.

There could have been a competition among people in Canberra, or even around Australia, to involve the rest of Australians in their nation's capital. With the imposition of self-government in Canberra, unfortunately, to a degree, the involvement of Australians in their capital was cut off. We were told that it was no longer the responsibility of the Federal Government; that it was the responsibility of some self-government which has never been anything but a bogus self-government. So, if we created a situation where we highlighted democracy, where the original Parliament House was used to induce people to come to Canberra, I think that would be a far better thing. I think that would make a great deal more money. There is a great deal of money in tourism, but one has to act intelligently. We could have done it in Canberra; we could still do it in Canberra. The further away we get from a unique city, a unique capital city, the less opportunity we have to do that.

As for making money from a casino in Canberra, if Canberra had been the only place close by with a casino we may have had people coming from Sydney and from Melbourne. When Sydney and Melbourne get their own casinos I think we can largely rule that out. I think that one of the sorry things that will happen in Canberra is that the major amount of money made at the casino will not be made from visitors, and certainly not overseas visitors, but will be made from local people, particularly every second week.

MRS NOLAN (5.08): I am going to be very brief. This debate has gone on for quite some time. I think, though, that it is important that I place my position in relation to the casino on the record. Many years ago I was opposed to having a casino in Canberra. Some years have passed since that time. After all the work that has gone into it, after all the investigation that has gone forward, I do not see that it is going to be the big ogre that perhaps some people see it as.

I have to say that the tourism industry originally had some difficulty with the perception of a casino on section 19 with two hotels, which was the original proposal. I believe that that was because of the increased number of beds placed in this city at one time. That would have been difficult to sustain. I think that the market has determined that over a period. From the way that we have seen the process go, it really has not been a case of these people opposing it being on section 19, those people opposing it, or those people being in favour of it. I think the situation is that the market has determined that section 19 was not the appropriate place and that two hotels, or one hotel, would not have been viable at this time.

It is interesting to recall that we fought for a convention centre for this city for some 10 years. With that convention centre was supposedly a casino. We have gone full circle. Here we are now, proposing an interim casino in the convention centre, and that a casino be built on that site.

I will be supporting this Bill. I think it is appropriate. I think that this has gone on for an enormous time. It is an extra piece in the jigsaw providing additional tourism attractions for Canberra. Sure, there will not be a significant number of visitors coming here just for the casino, but I believe that it will add to those additional attractions that are available in this city for visitors and in particular the night-life.

It is very difficult to organise conventions for a city such as Canberra. One of the criticisms that continually come back to the convention industry is that there is not a lot of things for people to do in the evening. I have been away on committees with quite a few members of this Assembly, including Dr Kinloch. We visited casinos in the evening, Dr Kinloch, if you can recall. We went to one on the Gold Coast, if I recall. Neither of us wanted to spend very much money, but it was a place to go in the evening. I think that that is what will probably be beneficial to the tourism industry in this city.

Madam Temporary Deputy Speaker, as I said, I will be supporting the legislation. I think that the majority of people in Canberra now clearly hold the view that, whether or not they support it, it will eventually happen here. The choice is theirs. You do not have to go into the casino. I accept what Dr Kinloch has said. There needs to be assistance given to people who have problems with gambling, but I do not think that you can legislate to protect people from their problems. I suggest that assistance is absolutely necessary, and I support his calls in relation to some assistance, but legislation banning something is not the answer.

MS FOLLETT (Chief Minister and Treasurer) (5.12), in reply: I will respond briefly. I would like to thank members for their comments. I would particularly like to thank all three members of the Residents Rally for addressing the Bill. I do not know whether we can take it that, having heard from all of them, we now have a comprehensive view of the Rally's policy on this matter. It is my opinion that the Rally's policy on the whole casino issue has been very much a moving target. I recall a meeting between all members of my party and all members of the Rally at which the location of a casino was discussed, and the Rally's view at that time was that there should be no casino on section 19 or in the Parliamentary Triangle, and that was the end of the story. So, they have obviously changed their view considerably since that time.

They have also changed their view, I believe, in a way that is not consistent with their printed policy. I think the Bill that is before us is consistent with the Rally's published policy. It should not surprise us, Madam Temporary Deputy Speaker, that the Rally departs from its policies, nor should it surprise us that all three of them feel that they have to address this matter. I suspect that they are checking up on each other to see which one comes out the most pure.

Nevertheless, it is very pleasing that the majority of members of the Assembly will be supporting this Bill. It is very important, as a number of speakers have said. This is an important adjunct to Canberra industry; an important adjunct to our tourism and convention attractions; an important way of creating some jobs, particularly for our young people.

Dr Kinloch, of course, takes the view that these jobs are not good enough for our young people. I think that he is taking a very limited approach to employment. If he were to look, for instance, at the front page of the *Canberra Times* yesterday where there was a report of a young woman, a graduate of our college system, who was looking for a job in a fast food outlet and expressing her great disappointment that she had not, so far, secured such a job, he would realise that people have a wide variety of job aspirations at any particular time in their lives. I think that these jobs are important, both the ones that will be created in the construction industry and the later jobs, about 500, that will be created in the casino and related industries.

Some members have also made comment about the viability of this casino proposal. I really think that they are short-changing the project proponents if they think they have gone into this with their eyes shut and that they have not made a very close study of the operation of casinos in Australia and, of course, a very careful study of the operation of other gambling outlets in the ACT. Of course, they would have; they are not amateurs. They run about 100 casinos around the world and they have clearly made the judgment that this is a viable and profitable project that they are entering into in the ACT. I would also like to say that banks who will be financing the project are not noted for taking risks on matters like this. They are very conservative in their approach and they have clearly made a commitment here that indicates again that this is a viable project.

Madam Temporary Deputy Speaker, Mr Collaery raised some legal matters. I do not have legal advice available to me to respond to those matters; but I would like to point out that the Scrutiny of Bills Committee has looked at this Bill and in their report, which we received today, they made no comment on the Bill that is before us. The report merely says that this Bill amends a principal Act to provide for an interim casino. As we know, it authorises

the Minister to designate an area for the casino and the interim casino. It varies the eligibility criteria for the issue of key casino employees' licences and provides for conditions upon which an interim casino licence may be suspended or cancelled. Madam Temporary Deputy Speaker, I put a lot of faith in our Scrutiny of Bills Committee. It is magnificently served by Professor Whalan and excellently chaired, as we know. I think we can take it that, had there been any flaws in the Bill, they would have been picked up there.

There has also been a great deal of debate about the planning arrangements to apply, and I would like to run through briefly, for the information of members, the chronological sequence that is involved in the draft variation to the Territory Plan. The first step has already taken place; the draft variation has been released for public comment by notice in the *Canberra Times* on 14 December, last Saturday, and the *ACT Gazette* on 16 December 1991. There is now a period for lodgment of comments on the draft variation. That period closes on 20 March which, coincidentally, is the same date as comment is due on the draft Territory Plan itself. After 20 March copies of all responses are made available for perusal and that period, again, is for 21 days. There is a notice in the *Canberra Times* to the effect that those comments are available.

The ACT Planning Authority considers the issues that are raised in any National Capital Planning Authority comments and it submits the draft variation to the ACT Executive, together with background papers and the report on consultation. We are talking about the new ACT Government here, and, of course, the new ACT Executive. The ACT Executive then seeks recommendations of the Legislative Assembly committee or committees, whichever applies, before it makes a decision on the draft variation, and, as we know, a committee might decide to hold an inquiry before it makes a recommendation. Those arrangements are put in place by virtue of the Rally and Liberal Party amendments to our planning laws.

The Executive then receives the recommendations of the Assembly committee or committees and makes a decision on the draft variation. Assuming that the Executive approves the draft variation, we have to table the variation and supporting documentation in the Assembly within five sitting days of the approval. After tabling, members of the Assembly have another five clear sitting days in which to move a motion of rejection or disallowance. If such a motion is moved, it has to be disposed of by the Assembly within five sitting days or else the variation is deemed to have been rejected. If the variation is not rejected by the Assembly, then a notice is published in the *ACT Gazette* specifying the date that the variation comes into effect. After gazettal of the variation to the Territory Plan a lease can be issued or a variation of an existing lease executed.

That is a very lengthy process that members will generally be familiar with, but I go through it in some tedious detail to indicate that it is the normal process and that it is only after all of that normal process that new leases can be issued allowing a casino as a use. In fact, the licence cannot be issued until the plan is varied in that way. Members can appreciate that that is the normal sort of plan variation process that we will be going through. They can take part in it. I am telling them that it has been advertised already in the *Canberra Times*. The Rally, all three of them, can put in three different reports, or the same report, if they wish and thereby make sure that their views are known.

Finally, Madam Temporary Deputy Speaker, I would like to comment that I take very seriously various members' reference to the need for counselling arrangements. As I have said before, I have taken note of the Assembly committee's report of 1989 that said that these arrangements are required regardless of whether we have a casino, and, as I have said before, it is something that we will look at very seriously when there is an incoming government, I guess.

I should touch on a couple of other matters. Mr Duby raised the question of the \$19m up-front payment. I repeat that that is a matter for the incoming government. I think it would be very wrong for my own Government to have made any sorts of decisions at this point. Rather, it is a matter to be looked at in the budget context next year; but, as I said before, that money will be used for community facilities.

In closing, Madam Temporary Deputy Speaker, could I just comment that I have lived in Canberra since 1952, with only a couple of periods of absence. I have seen much more torrid debates than this amongst the community. One of the most notable was over the creation of Lake Burley Griffin. At the time the Canberra community felt that that would be divisive; that it had obvious hazards; that it would divide the community; that it would create all sorts of planning difficulties. As it has turned out, it is an integral part of the Canberra scene.

There were similar debates over the new Parliament House and enormous disquiet over its siting and design. I worked for an architect at the time that that debate was on and I can tell you that people bitterly opposed the project. The *Canberra Times* was full of alternative drawings and alternative siting proposals. It was very divisive yet it has turned out well, in my view. Similarly with the Telecom tower. I was part of the protest against the Telecom tower. I must admit that I still do not like the look of it and I still think it is too big, but there is no doubt that it is an enormous attraction for tourists. It offers a facility that our city can be proud of and it is obviously extremely popular. So, it serves a useful purpose.

People who oppose the casino because it represents change and something new in Canberra ought to remember that history and should not be frightened by the prospect of having a small and appropriate casino in the location proposed by this project. I thank members who are supporting the Bill and I trust that the members who are not supporting it will have their concerns allayed as the project develops.

Question put:

That this Bill be agreed to in principle.

The bells being rung -

MADAM TEMPORARY DEPUTY SPEAKER (Mrs Grassby): Mr Stevenson has sent a message saying that he is not coming.

The Assembly voted -

AYES, 13

Mr Berry
Mr Connolly
Mr Duby
Ms Follett
Mrs Grassby
Mr Humphries
Mr Kaine
Ms Maher
Mr Moore
Mrs Nolan
Mr Prowse
Mr Stefaniak
Mr Wood

NOES, 3

Mr Collaery
Mr Jensen
Dr Kinloch

Question so resolved in the affirmative.

Bill agreed to in principle.

Detail Stage

Clauses 1 to 8, by leave, taken together, and agreed to.

Clause 9

MR JENSEN (5.27): We have already spoken in relation to the planning issues. We believe that only by rejecting this clause of the Bill will the proper planning process be allowed to proceed and no decisions of any sort take place until the community consultation process has been completed. That is why we will be voting against this clause.

MR COLLAERY (5.28): I take this opportunity to refer to something the Chief Minister said in reply. I thought she spoke to her case very well and I do not cavil with the sentiments she offered from her position on the issue, but she did say that the Bills committee had found nothing wrong with the Bill. I was upstairs, but I heard words to that effect. I want to remind the house that the Bills committee is there to look at other issues - not substantive questions as to consistency between the Federal legislation, as we tentatively see the position, and proposed new section 127A.

Briefly, we believe that the Australian Capital Territory (Planning and Land Management) Act is the pre-eminent legislation and that it requires there to be, during any hiatus prior to the creation of the full Territory Plan, the consultative processes and the timely review processes set out therein. By abrogating that requirement, even temporarily through proposed new section 127A, we believe that this Bill is, to that extent, inconsistent with the Federal Act. We leave it to others to take that legal point and others to take that legal challenge if they wish.

We stress that that is our objection to clause 9, and our objection, we believe, might well be sustained. I believe that the Government should seek legal advice as to the legality of this provision before it goes much further, in view of the high contractual issues involved and the possibility of financial damage to the Territory.

MS FOLLETT (Chief Minister and Treasurer) (5.30): Very briefly, the Government will be supporting the retention of this clause. I think I have explained very fully the planning procedures that are to apply. I think that Mr Jensen and Mr Collaery have made a bit of a fuss over nothing. I think that it is the Territory Plan that is the major item to be considered, rather than any Commonwealth legislation, which, as far as I am aware, has no application.

Question put:

That the clause be agreed to.

The bells being rung -

MADAM TEMPORARY DEPUTY SPEAKER: Mr Stevenson is not coming.

The Assembly voted -

AYES, 13

Mr Berry
Mr Connolly
Mr Duby
Ms Follett
Mrs Grassby
Mr Humphries
Mr Kaine
Ms Maher
Mr Moore
Mrs Nolan
Mr Prowse
Mr Stefaniak
Mr Wood

NOES, 3

Mr Collaery
Mr Jensen
Dr Kinloch

Question so resolved in the affirmative.

Title agreed to.

Bill agreed to.

**LAND (PLANNING AND ENVIRONMENT)
(CONSEQUENTIAL PROVISIONS) BILL 1991**

Debate resumed from 12 December 1991, on motion by **Mr Wood**:

That this Bill be agreed to in principle.

MR KAINE (Leader of the Opposition) (5.32): I have analysed this consequential Bill in some detail, because I operate on the basis that you never really know what is hidden amongst so many pages of amendments affecting so many other Acts. But I have to acknowledge that I could find nothing in here that disturbed me greatly. They are purely amendments that need to be made to a whole range of Acts to ensure that the recent planning Act that we put into place is effective.

I had a couple of questions which I took up with the Minister, and he has satisfied me on those issues. I think that my feeling now is borne out by the fact that virtually no amendments have been put forward. So, I can safely assume, I think, that other members of the Assembly have done the same sort of review and have reached the same conclusion that I have. I therefore support the Bill.

MR COLLAERY (5.33): Like Mr Kaine, I went through this Bill. I did come up with something that I thought worthy of amending; but, given the exigencies of the house at the moment and the fact that we can correct this next year, I will not take issue with it. If members look at page 7, they will see the provisions for dividing fences - and I am sure Mr Kaine will recall something about this from when we

were in government. The fact is that, as a one-time practitioner, over the years I had a constant stream of people coming to me about the requirements put upon them by the Commonwealth to keep up - - -

Mr Kaine: Would you like a copy of the advice we got in government?

MR COLLAERY: You have a good filing system, Mr Kaine. No, I do not think I need to be reminded of what we saw in government. People, particularly those whose homes border on laneways, feel hard done by when their fences are vandalised, or when they fall into disrepair, sometimes through lack of maintenance on one side, and they have to bear the full cost of replacing them. I was minded to move an amendment; but, with the competent help of Parliamentary Counsel, I have realised that there may well be consequential effects throughout the Dividing Fences Act. It is too complex to do today, and I do not propose to do it. Even though I had an amendment drawn, which has, I believe, been circulated, I will not move it.

Briefly - to put the Minister on notice and to require some response from him - I believe that it is unfair in principle when people have met the covenants in their Crown lease, that is, they have fenced their property as is required of us all in the covenants for the first lessee and - - -

Mr Jensen: Some more than others.

MR COLLAERY: Indeed. It is usually the rear fencing. In any case it relates to a fence that has been put up to divide a property and an unleased parcel of Crown land at the property's back or side boundary. What happens, then, is that the fence falls into disrepair, or there is a grass fire, not through any cause of the lessee, and the lessee bears the full cost of replacement. That contrasts with the quite moral practice of the Housing Trust - I am sure the Attorney is nodding gravely - which treats itself as another citizen and pays its share of the fencing. I commend the Housing Trust for that. So, here is an arm of the Government, in one sense, that meets the dividing fences obligation, and there is another arm of the Government, the government at large, which does not do it.

In no way am I referring to newly leased land. In no way am I suggesting that the Government should have to bear any part of the cost of fencing the original subdivisions - and that includes the consolidation that may go on within the city area. I think that that is a part of development, and it is a part of the covenants in the lease. But I believe that the Minister should indicate whether he is going to relax that policy, which I believe is a heavy burden. It is a burden that often falls on pensioners and people who have been in possession for 20 or 30 years. The hardwood fencing falls into disrepair, and there is no contribution from the Government, which often, morally, should bear some responsibility.

I do not believe that the Government should act as anything other than another good citizen in these circumstances. It should bear its costs in circumstances where there is pre-existing fencing and the Government clearly has the use and enjoyment of land on the other side of the fence. I do not put it any higher than that. It is something that we had better look at later on, and I commend that to the house. I believe that my colleague Mr Jensen has some other comments.

MR JENSEN (5.38): I will be brief. I refer members to clause 40 of this legislation. In doing so, I will not rerun some of the arguments that have already been covered. Of course, I am referring to subclause (3) which relates to defined land. I think it is interesting to get on the record the comments made by Mr John Langmore and reported in the media today in relation to the issue of defined land. They are at variance with the position taken by Mr Wood and the ACT Labor Government. I think it is important to have that placed on the record in the context of this debate.

The process of community consultation has long been acknowledged as a feature of Canberra's planning, especially in recent years. It is something that I would encourage the Government to do, and certainly, as I have already indicated, next year we will be seeking to have this whole process of defined land looked at very carefully, because we believe that it does not provide for the degree of community consultation that the community expects and has a right to receive.

MR WOOD (Minister for Education and the Arts and Minister for the Environment, Land and Planning) (5.39), in reply: Madam Temporary Deputy Speaker, I thank members for their comments, not least because they were fairly brief at this dying hour of the Assembly. It is the case, Mr Kaine, that very good filing systems are kept in some parts of the system and information was very rapidly provided. I was most impressed. I note what Mr Collaery says about people whose fences may be adjacent to a walkway and may be damaged through no fault of their own. I can understand them feeling that, because it is a public pathway, they should not have an obligation to repair it while there is no obligation on the part of the government to make some contribution to that.

I can indicate to Mr Collaery that the Government will look at that matter in the new year, even before we are re-elected and also after we are re-elected, and we will discuss with those members who are here what might be a just procedure to follow. I take the points that Mr Collaery has raised.

Question resolved in the affirmative.

Bill agreed to in principle.

Detail Stage

Bill, by leave, taken as a whole

Amendments (by **Mr Wood**), by leave, agreed to:

Clause 10, page 3, line 14, proposed new paragraph (2)(a), before "Authority", insert "Territory Planning".

Clause 13, page 4, lines 12 to 15, paragraph 13(a), proposed new definition of "external design", omit all words from and including "but does not include" to and including "Land Act;", substitute the following:

"but does not include -

- (f) work or work included in a class of works prescribed for the purposes of paragraph (c) of the definition of "public works" in section 4 of the Land Act; or
- (g) prescribed works;"

Clause 40, page 16, lines 20 to 22, subclause 40(3), omit "as in force immediately before the commencement of the *Interim Planning (Amendment) Act (No. 2) 1991*".

Schedule 1, page 19, proposed new Part 2A, after Part 2, insert the following new Part:

"Part 2A
Casino Control Act 1988

Subsection 127A(1) -

Omit '*Interim Planning Act 1990*', substitute 'Land Act'.

Subsection 127A(2) -

Omit 'Territory'.

Section 127A -

Add the following subsection:

'(3) In this section -

"Land Act" means the *Land (Planning and Environment) Act 1991*:

"Plan" has the same meaning as in the Land Act.'".

Bill, as a whole, as amended, agreed to.

Bill, as amended, agreed to.

**TAXATION (ADMINISTRATION) (AMENDMENT)
BILL (NO. 2) 1991**

Debate resumed from 12 December 1991, on motion by **Ms Follett**:

That this Bill be agreed to in principle.

MR KAINE (Leader of the Opposition) (5.43): Again, I have been through this Bill in some detail. One of its major thrusts is to, in fact, assist some business people, who will now be excluded from certain grouping provisions. That will, of course, be useful to those people who have fallen within the net before because the Revenue Commissioner had no discretion. This Bill will confer on him such a discretion. Again, I find nothing in the Bill that I could object to, and I support it.

MR DUBY (5.43): Ditto.

MR BERRY (Minister for Health and Minister for Sport) (5.43): The Government welcomes members' support for this Bill. Its passage will bring about some changes in relation to the assessment of taxes, particularly in respect of gaming machines. It is a progressive move, and we welcome the support of other members of the Assembly.

MS FOLLETT (Chief Minister and Treasurer) (5.44), in reply: Very briefly, I would like to thank members for their support for this Bill. It overcomes a number of weaknesses in the current tax administration provisions in that it provides for a single system of administration for the majority of the ACT's tax laws, and this is the first time that that has happened. The Bill, as members would be aware, contains a number of general, technical and housekeeping amendments to clarify a number of the provisions, to rectify some anomalies and generally to streamline the administration of ACT tax laws and bring them into line with those of other State jurisdictions, where that is appropriate. I do not want to delay the Assembly. I simply thank members for their support.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

AUDIT (AMENDMENT) BILL (NO. 2) 1991

Debate resumed from 5 December 1991, on motion by **Ms Follett**:

That this Bill be agreed to in principle.

MR KAINE (Leader of the Opposition) (5.46): Again, I have been through this Bill in fine detail and I have to say that, unfortunately, this time I do find a difficulty with it. I have circulated an amendment - and, if you have not seen it, you will - which I would seek to make. The Bill does three things, in effect, and I take exception to only one of them. I must admit that, when I read the proposed section 33F, I felt like giving the Chief Minister a little quiz at question time. I thought of asking whether she could explain in detail an interest rate cap, an interest rate floor and perhaps a swap option, but I did not do that. I thought I would save it up for another time.

The matter with which I do have some difficulty and in connection with which I will move an amendment is the proposed new section 49, subsection (1A), paragraph (b), where it is proposed that an appropriated amount may, with the Minister's approval, be moved around between divisions and between subdivisions as long as it does not exceed 5 per cent of the originally appropriated amount. I did some sums on that and I was a little concerned about accountability to the Assembly.

For example, if you take this year's health budget, the amount appropriated is, in round figures, \$220m; and 5 per cent of that is \$11m. So, by an administrative act, a Minister could simply move around \$11m in his budget, not only within a division but from one division to another. I was a bit concerned by that.

Let us look at education. I acknowledge that there are four programs in the education budget, but adding them together they come to, in round figures, \$280m, and 5 per cent of that is, in round figures, \$14m. So, if we allow this to go through, we give a Minister approval to move an appropriated amount of up to \$14m not only within a division but between divisions.

That seems to me to be no control at all, because the only thing that is required in accordance with this proposed provision is that within six sitting days the Government simply inform the Assembly that this has been done. It does not say that the Assembly can do anything about it once we have been informed.

So, I was a bit concerned about that, but I am mindful of the fact that flexibility had already been granted to managers and to Ministers to carry from one year to another 3 per cent of the amount appropriated in the current budget. So, I figured that, since that latitude has already been given to the Executive, to Ministers, there

was hardly an argument that the same degree of latitude should not be given in connection with these movements. If this can be done from one year to the next, then perhaps we could agree to its being done within a year for movement between divisions and subdivisions of the appropriation.

So, with that in mind, I am prepared to accept a 3 per cent flexibility. And I must note that, in the health budget, even at 3 per cent, it allows a Minister to move around nearly \$7m, which does not seem to me to be a bad degree of flexibility; and within the total education budget a Minister would still be able to move around in excess of \$8m - or closer to \$8.5m. Again, that does not appear to me to be a bad level of flexibility to allow a Minister. I am prepared to go that far.

I must admit that I have discussed this matter with only one member of the Assembly who is not a member of my own party, and I do not know what other members of the Assembly might feel on this matter. But I commend to them my foreshadowed amendment which would change the provision of a 5 per cent flexibility to a 3 per cent flexibility. That would allow us, perhaps over the next year or so, to observe what happens and see whether or not we want to extend it to 5 per cent or something greater perhaps, once we are satisfied that there remains adequate control over appropriated amounts.

MR MOORE (5.51): Mr Speaker, this is a matter which I discussed with Mr Kaine earlier when he suggested to me that an appropriate compromise in this situation was to allow 3 per cent. It is interesting that it has been unnecessary to have this sort of flexibility up till now. One cannot help wondering why it is that somebody would need a 5 per cent flexibility for moving money around the place, particularly the sorts of amounts that have been identified by Mr Kaine. It seems to me that there is already room for some flexibility; there is the Treasurer's Advance and that provides flexibility.

Mr Berry: It is different.

MR MOORE: There was an interjection from Mr Berry, saying, "It is different", and that is true; it is different from what is proposed here. However, a tremendously long process has been gone through to arrive at a very detailed assessment of where money is going to be spent over the next year. It seems to me that, if we allowed this to go through, it would be very easy for somebody to put forward the idea that money would be spent in a particular way, knowing all along that it was planned to move that money to somewhere else. It actually opens the system up to an entirely different way.

We must recognise that there is a catch in this, in that, as I recall, it will still be necessary for the Minister to inform the Assembly where this power has been used. I seem to recall reading somewhere that the Minister will still need to allow the Assembly to know about it and that there

is that double-check. I cannot find that provision just at the moment. I hope that the Chief Minister, in response to this, will assure us that that is correct. It is for that reason that I am prepared to allow this to proceed. If a Minister allows money to be moved from division to division, or within a division, and the Assembly is then told how much has been moved and where, I think that is an appropriate way for us to be able to check and at the same time provide some flexibility.

I still support this provision reluctantly, I must say. It is that reluctance that inclines me to support the amendment that has been foreshadowed by Trevor Kaine, because I see that as the compromise position. My base position really is: Why do we suddenly need this flexibility; why is it that we have to do it? But I am prepared to accept that the vast majority of decisions that are made within the administration are made in good faith, and that a certain amount of flexibility for anybody dealing with money is important. Provided we actually know what is going on, that is a reasonable way to go about it.

Mr Kaine has pointed out that that 3 per cent figure will still mean some \$8m in respect of one budget and \$7m in respect of another. That is a considerable sum of money. Should any further flexibility be needed, then, although it is a different thing, there is the Treasurer's Advance, and I think that that is a way around it. Mr Kaine also pointed out that this 3 per cent figure is consistent with the current procedure, and therefore there is some merit in nominating 3 per cent; it is not a figure that is just picked up out of the blue. Therefore, somewhat reluctantly - for the reasons that I have given - I will support the amendment foreshadowed by Mr Kaine. But I am quite happy to support the rest of the Bill and the Bill as a whole.

MS FOLLETT (Chief Minister and Treasurer) (5.55), in reply: Mr Speaker, I thank members for their support of this Bill which, again, I think is an important tidying up exercise for another very important piece of legislation, the Audit Act 1989. I would like to address the amendment that Mr Kaine has foreshadowed. The proposal that is contained in the Bill actually represents a tightening of the present arrangements. I am sure that members know that the present arrangements provide for changes to be made at the discretion of the Treasurer under the Treasurer's Advance provisions.

To anybody who has kept a close eye on the reports on the Treasurer's Advance, it will have been apparent that very large sums indeed are moved from time to time under those provisions and that presently there is no effective limit on the extent to which appropriations to programs can be increased. No provision exists to allow savings achieved in one program to be applied elsewhere. So, I think that the proposed arrangement, which does set a limit of 5 per cent, actually represents a tightening up of the existing provisions.

It is also, of course, a budget management tool. It does allow some flexibility in budgeting; but, quite importantly, it allows savings achieved in one area to be used in another area. At the moment, of course, there is no great incentive for agencies that have savings to make good use of them, and this provides a mechanism for agencies that are extremely efficient and achieve savings not to be punished by virtue of the fact that that money cannot be used elsewhere. So, I think most members would be aware that this kind of flexibility is a very good thing.

Mr Kaine, I note, intends to move to change only the percentage that can be moved between programs. So, I take that to mean that he does accept the intention of the Bill in this regard. Mr Moore raised the question of accountability for these movements. I think, again, that the Assembly's authority over the appropriation of public moneys can actually be increased or enhanced through this process because there is a requirement that any increase or decrease in appropriations to programs be reported to the Assembly within six days. So, again, the Assembly is kept fully informed, as it is in relation to the Treasurer's Advance.

I cannot immediately work out why Mr Kaine proposes to move only to change the amount here, except that he has related it to the possible size of movements of funds between programs. I guess he has picked an arbitrary figure that is somewhat more conservative than the figure that is contained in the Bill. I am prepared to stick with the 5 per cent amount. It seems to me to represent a reasonable size; and, of course, in some cases that will represent a quite large amount of money that potentially could be moved. But that is not to say that the maximum of that would always be used or, indeed, would ever be used.

So, I will be opposing Mr Kaine's amendment and sticking with the 5 per cent figure, but I do appreciate the fact that members understand the purpose of this. I trust that they are satisfied with the accountability considerations, and I am grateful for their general support for the Bill.

Question resolved in the affirmative.

Bill agreed to in principle.

Detail Stage

Bill, by leave, taken as a whole

MR COLLAERY (6.00): Mr Speaker, I move the amendment circulated in my name - - -

Mr Connolly: Mr Speaker, I rise on a point of order. I note that the amendment which has been circulated has not been signed, but I am not particularly worried about that point of order. If the amendment that has been circulated, and not signed, directly duplicates a Bill standing on the notice paper as order of the day No. 14 - private members' business, Mr Collaery's proposed Audit (Amendment) Bill - he is again attempting to tack onto a government Bill a private members' Bill, and I would take the same point of order that I took this morning; that is, that, under standing order 181, the amendment must be relevant to the subject matter of the Bill before the house.

The Bill before the house is the amendment Bill, not the substantive Act. The amending Bill, as explained in the explanatory memorandum, goes to issues such as moving money around. Mr Kaine's amendment clearly is proper because it goes directly to the detail of the matter before the house. Mr Collaery's amendment, on the other hand, is clearly attempting to pick up a totally separate point, which was the subject of the Audit (Amendment) Bill tabled in this place by Mr Collaery on 25 November, and to tack it onto our legislation.

Browning makes the point clear at page 395 of *House of Representatives Practice*, saying that "an amendment which is outside the scope of the bill is out of order". He refers to May, and the most recent edition of May, at page 491, again says:

An amendment is out of order if it is irrelevant to the subject matter or beyond the scope of the bill ...

And "the scope of the bill" is the scope of the Bill before the house, to be determined by you, Mr Speaker, essentially by looking at the Bill and the explanatory memorandum. I would remind you, Mr Speaker, of the ruling that you gave on this matter only some hours ago, this morning.

Mr Kaine: Mr Speaker, I am no lawyer, of course; but I do not know that I agree with Mr Connolly on this point. The Government's amendment Bill in fact deals with a number of points and it purports to amend several sections of the principal Act. That being so, one can hardly focus on one issue and say that that is the substance of this Bill. In fact, just reading from the explanatory notes, it has to do with borrowings, financial exposures, guarantees, variation of appropriations, and the increase of annual appropriations as a result of Commonwealth payments. It covers a whole range of issues. So, since the principal Act is being amended in a number of ways, I suspect that, in this case, it is hardly inappropriate for a member to put forward an amendment to just another section of the Act. So, I would have to say that in this case I disagree with Mr Connolly's interpretation.

Mr Collaery: Mr Speaker, I am speaking to the point of order at this stage; I have not addressed the amendment. I would have thought, of course, given the comments of the current Auditor-General, that the Government would be moved to support this amendment, because it could then say quite clearly that it is not attempting to exercise any control over the Auditor.

Mr Kaine: Drop the reports in a bucket of water; they are still hot.

Mr Collaery: Yes. I am not standing up to question the tactics of the Government. I think it is the same approach that it had on the amendments in respect of interpreters. Government members simply do not want to assist.

I agree with my colleague Mr Kaine: This act is different from that which I tried earlier on today. This is a miscellaneous clean-up piece of legislation before the house. It is different because, when you go to the Audit Act, you see really what the Audit Act is all about; it is an Act to "provide for the collection and payment of the public moneys, the audit of the public accounts and the protection and recovery of public property, and for other purposes". It is a broad Act, but it all goes back to accountability and it all goes back to the Auditor-General.

I am speaking only to the point of order. I believe that standing order 181, clearly, in this case requires the earnest attention of this Assembly, because we are talking about a separation of powers issue, and the Auditor-General, of course, has to examine all the points raised in this amendment Bill. If the Chief Minister is seeking to expand her discretions in this way, surely it behoves us to be interested in how the Auditor-General would examine those discretions. I will not labour the point, Mr Speaker. I think it is quite different from the one that was the subject of this morning's ruling.

Mr Moore: Mr Speaker, I must say that I think this matter could be resolved in a more appropriate way, and that is for Mr Collaery to move to suspend standing orders so that the Assembly could actually allow him to move his amendment - or to suspend standing order 181. In fact, I would be prepared to support that. But I do say that I feel that the issue is nowhere dealt with in this Bill and therefore the amendment is in contravention of standing order 181. That is certainly the way I read it, and I will be interested to hear your ruling. But there is another way of dealing with it, which would have been much more appropriate.

MR SPEAKER: I have quickly perused the Bill and the amendment and I believe that Mr Collaery's amendment is within the scope of the Bill, and that the role of the Auditor-General and his actions as they relate to this Bill are appropriately matters for amendment.

Mr Connolly: On a point of order: Could you refer me to the clauses of the Bill before the house that refer to the powers of the Auditor-General?

MR SPEAKER: No, I do not want to go into that debate now, thank you, Mr Connolly.

MR COLLAERY: Do not question his ruling on the last day. I heard an interjection from the gallery saying that it is my last day. I will remember that - until my next year.

Mrs Grassby: From your office in Manuka.

MR COLLAERY: From my office in Manuka perhaps, but we will see. Mr Speaker, I move:

Page 1, line 6, after clause 2, insert the following clause:

Insertion

"2A. After section 23 of the Principal Act the following section is inserted in Division 3 of Part II:

Freedom from ministerial direction

'23A. In the exercise of powers or the performance of functions under this Act or the regulations, the Auditor-General is not subject to direction by the Executive or any Minister.'"

The amendment seeks to make expressly clear that which may not be that apparent, because, as my inquiries show, while the position of Auditor-General is such that he or she is appointed, suspended and removed from office expressly within the powers of the Executive, the enumerated powers and functions of the Auditor-General do not appear to be qualified by any express reference to the authority of the Executive, as you will see if you look through the Act.

This may help to clarify a long-running issue. This may help to clarify the situation of the next government in the Territory. I need only go to the foreword of the Auditor-General's report No. 11 to make my point clear. I will read into the record what he said in his foreword. He said:

There has been some debate as to whether the post of ACT Auditor-General (and me personally) had been singled out for special (adverse) treatment by the Government. The Chief Minister told the Assembly that such was not the case (I disagree).

I think this is an unfortunate record in the history of the Assembly. This little amendment puts the issues beyond doubt, and the Chief Minister - he or she - will be able to say: "My hands are clean. The Auditor-General is not subject to direction from me. He or she cannot any longer say or impute that any directions have been given". I believe that this is in the interests of the current Government for the rest of its term and of good government in the Territory. I ask the Assembly to support it.

Amendment agreed to.

MR KAINE (Leader of the Opposition) (6.09): I move:

Clause 8, page 5, line 6, delete "5%", substitute "3%".

I noted before the dimensions of the amounts of money that could be moved around. The Chief Minister and Treasurer, in her comments in the in-principle stage debate, noted that there was no restraint at the moment. I think that that is even more of an argument why there should be. Further to that, I have done the sums in relation to the totality of the budget. A 5 per cent degree of freedom would allow people to move around \$60m without question - \$60m anywhere within the budget as they see fit. Even 3 per cent allows them to move \$36m, so I think that is probably enough; and I think that my point is made.

Question put:

That the amendment (**Mr Kaine's**) be agreed to.

The Assembly voted -

AYES, 11

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

NOES, 5

Mr Berry
Mr Connolly
Ms Follett
Mrs Grassby
Mr Wood

Question so resolved in the affirmative.

Bill, as a whole, as amended, agreed to.

Bill, as amended, agreed to.

HOSPITAL BED NUMBERS - SELECT COMMITTEE
Papers and Government Response

MR HUMPHRIES: Mr Speaker, I seek leave of the Assembly to table a written speech which would have been the tabling speech for the report of the Select Committee on Hospital Bed Numbers. I seek leave to table that speech and have it incorporated in *Hansard*.

Leave granted.

Document incorporated at Appendix 10.

DR KINLOCH: Mr Speaker, similarly, I ask for leave to table my speech on the same subject and to have it incorporated in *Hansard*.

MR SPEAKER: I am concerned about the incorporation of speeches in *Hansard*. The reason, of course, is that a speech can be of a five- or 10-minute duration. By incorporating a speech in *Hansard*, one could gain unfair advantage by incorporating a speech of a half-hour duration or more. However, under the circumstances, the feeling of the Assembly on this auspicious occasion is that Dr Kinloch should be given leave.

Leave granted.

Document incorporated at Appendix 11.

MRS GRASSBY: Mr Speaker, I too ask for leave to table my speech on the hospital beds inquiry and have it incorporated in *Hansard*.

Leave granted.

Document incorporated at Appendix 12.

MR BERRY (Minister for Health and Minister for Sport): Mr Speaker, I table the Government's response to the report of the ACT Legislative Assembly Select Committee on Hospital Bed Numbers and seek leave to have it incorporated in *Hansard*.

Leave granted.

Document incorporated at Appendix 13.

CRIMES (AMENDMENT) BILL (NO. 5) 1991
Recommittal

MR COLLAERY (6.18): Mr Speaker, I seek leave to move a motion concerning reconsideration of the Crimes (Amendment) Bill (No. 5).

Leave granted.

MR COLLAERY: I thank members. Mr Speaker, I move:

That the Crimes (Amendment) Bill (No. 5) be recommitted and that -

- (1) the resolutions of the Assembly agreeing to
 (a) the amendments moved by Mr Collaery; and
 (b) the Bill as amended, be rescinded; and
- (2) consideration of the Bill at the detail stage recommence forthwith.

The reason for this is that I circulated two amendments at the time the Bill was being debated. The Bill had been before the house for some considerable time. The amendments were to take account of advice from the Attorney to render the Bill consistent with the Children's Services Act. Two amendments were presented to the house to do that, one in one fashion and one in another fashion. The one in the second fashion, prepared by the parliamentary drafting office, was the better one; but, unfortunately, both were voted on.

They both have the same effect and I simply ask members, on the advice of Parliamentary Counsel, whether they would allow amendments Nos 1, 2 and 3 as moved to stand and give me leave to withdraw amendment No. 4. I understand that members have a copy of these sheets.

Members: No.

MR COLLAERY: They do not? I thought they had been circulated in the chamber.

Mr Moore: Why don't we come back to that?

MR COLLAERY: We will come back to it, if they have not been circulated. I thought they had been circulated.

MR CONNOLLY (Attorney-General, Minister for Housing and Community Services and Minister for Urban Services) (6.20): Mr Speaker, the Government will support this motion. This is a classic example of the problems of legislating on the run. This problem arose through the habit of back-of-the-envelope style amendments and multiple amendments moved by a single member. We had so much paper flying around in the Assembly on the day that we voted on two separate but

intentionally identical amendments. It is the result of legislation on the run, of attempts to make quick decisions. It is unfortunate that this now has to be done, but it does have to be done.

The legislation in question is important. Members will recall that it was the legislation in relation to fingerprints in particular. The problem was that the legislation, as originally drafted, would have, in fact, provided less protection to children than that protection that is currently provided in the Children's Services Act. The Government brought that to Mr Collaery's attention. We proposed an amendment that would have saved the protection of the Children's Services Act. Unfortunately, we have both that amendment and another amendment. It is an unsatisfactory state of the law. We need to fix it up. But this episode shows the problems of decision making on the run.

MR COLLAERY (6.21), in reply: I thought the Attorney might have been more gracious, but we have not had the advantage of that today. This is not law making on the run. The Bill was before the house for some considerable time. The Attorney pointed out an inconsistency to me, and I had the amendment drawn hurriedly on 3 December. The date is on the copy circulated to members. In introducing the amendment sought by the Attorney's law officers, I neglected to have Nos 3 and 4 on the circulated sheet withdrawn. So, accordingly, Mr Speaker, I seek leave to withdraw Nos 3 and 4 on the circulated sheet signed by me. I merely move the amendments Nos 1, 2 - - -

MR SPEAKER: At the moment we are speaking to the motion to have this matter reconsidered.

Question resolved in the affirmative.

Detail Stage

MR COLLAERY (6.22): I will now formally resubmit amendments Nos 1 and 2. I will withdraw amendments Nos 3 and 4 on the circulated sheet. I will further move the circulated first amendment that deals with the Children's Services Act.

Clauses 1 and 2, by leave, taken together

MR SPEAKER: Mr Moore, do you want to speak to clause 3?

MR MOORE (6.23): I do not care what I speak to. This is entirely unsatisfactory. It is an entirely unsatisfactory circumstance. I do not have the Bill in front of me.

Mr Collaery: You have already agreed to the same amendments.

MR MOORE: I have a single piece of paper in front of me and Mr Collaery tells me that I have already voted in support of it. We do not have an appropriate piece of paper in front of us, and we are being asked to trust a combination of Mr Collaery and Mr Connolly. I feel half inclined to go one way. It really is an entirely inappropriate circumstance.

Obviously, there has been some intention to do this for some time. Had we been told, I would have had enough time to go upstairs, find my copy of the Crimes (Amendment) Bill (No. 5) and clarify what the situation is. But this is an entirely unsatisfactory piece of work, and I am not inclined to support anything that is going on in this fashion. I understand that we were going to proceed with No. 13 and No. 14 on the daily program. I would be happy to have a bit of time to have this explained to me and come back to this after No. 14.

MR SPEAKER: Order! Mr Moore, the Bill has just been placed on your table.

MR MOORE: Thank you. The situation is improving.

MR KAINE (6.34): Mr Speaker, I remember the debate and the circumstances of the debate intimately, and I recall that there was some confusion. It would be nice if I had the Bill in front of me, but I remember it quite clearly. I accept the fact that an amendment is necessary. Mr Collaery and Mr Connolly have reached a proper agreement as to how to process it, and I support the amendment.

MR DUBY (6.25): Mr Speaker - - -

Mr Kaine: You remember it intimately too, do you?

MR DUBY: Not only do I remember it intimately, Mr Kaine; but, if members check the *Hansard* of the time, they will remember that I advised them of this problem.

MR MOORE (6.25): I now have the papers in front of me. I recall the situation and I recall the problem, so I am delighted to have the opportunity to support what Mr Collaery is trying to do.

Clauses agreed to.

Clause 3

MR COLLAERY (6.25), by leave: I move:

Page 2, line 1, omit "who is of or above the age of 14 years".

Page 2, line 10, after "identification", insert ", including fingerprints, handprints or photographs".

Page 2, line 12, omit subsection 353A(4), substitute the following subsection:

"(4) Nothing in subsection (3) authorises action that would contravene section 36 of the *Children's Services Act 1986*."

Mr Speaker, the amendment proposing a new subsection 353A(4) was passed at about 12.40 pm, when members were waiting to go to lunch. I was indebted to the house at the time for delaying the lunch hour slightly. Mr Berry wanted to finalise another matter after it. I agree that Mr Duby pointed the error out, but the bell went and it was too late. We realised straightaway. The Parliamentary Counsel immediately advised me that we had duplicated the amendments. I apologise to the house for what occurred.

Amendments agreed to.

Clause, as amended, agreed to.

Title agreed to.

Bill, as amended, agreed to.

BETTER CITIES PROGRAM FUNDING

MR WOOD (Minister for Education and the Arts and Minister for the Environment, Land and Planning): I seek leave to elaborate on an answer I gave to a question earlier today.

Leave granted.

MR WOOD: Earlier today Mr Stefaniak asked me a question concerning the ACT submission to the Commonwealth relating to the better cities program. In particular, he asked me to confirm or to deny a radio report about it. A number of aspects of this need to be explained. The first is that the program is structured in such a way as to guarantee each State and Territory a per capita share of the funding over the life of the program. This is not an annual guarantee but a guarantee over a five-year program.

The second aspect is that we were never advised formally of any deadline for submissions. My officials had been in contact with a vast range of Federal authorities about the program for several months since it was announced in the budget. The department has found that discussions on funding proposals under the better cities program have required consultation with the NCPA, the Department of Health, Housing and Community Services and the Department of the Prime Minister and Cabinet. In fact, the ACT Government submitted draft proposals on the program in July. These were acknowledged by the Prime Minister's Department at the end of July, and I quote from the first paragraph of that response from Mr Codd of the Department of the Prime Minister and Cabinet to Mr Harris:

I would like to thank you for your draft proposals on the Building Better Cities strategy. As you will appreciate the strategy is still at a very early stage and any funding must be considered by the Government in the budget context.

So, you can see that the approach was clearly made. The fact that the ACT has not yet gained funding does not indicate that the ACT will lose out or will not get its fair share. Rather, it reflects the Commonwealth's urgent need to reach agreements with the major States where the greatest needs for better city initiatives are seen. It is only after the States and the most urgent urban problems have been addressed that the Commonwealth will be likely to justify allocating money to the ACT. However, the guarantee about per capita funding still exists.

Details of the ACT proposals were discussed with the NCPA and staff of the Deputy Prime Minister over two months ago. A formal submission was forwarded to the Prime Minister at the end of November and an advance copy was sent to the NCPA at about the same time as the Victorian proposals were submitted, so there was no lateness in submission.

ORDER OF BUSINESS

MR COLLAERY: I seek leave to have private members' business order of the day No. 19 called on.

Leave not granted.

Suspension of Standing and Temporary Orders

MR COLLAERY (6.30): Mr Speaker, I move:

That so much of standing and temporary orders be suspended as would prevent the Payroll Tax (Amendment) Bill 1991 being called on forthwith.

I seek to have this issue considered at the very least at this stage, considering the long parliamentary break and the issues affecting payroll tax. The Chief Minister, as Treasurer, has competent advice. She may well advise the house alternatively in relation to the Bill. I believe that it behoves the house to at least consider this Bill and to consider it quickly. The issues have been well ventilated.

Mr Connolly: We have just seen what happens with one of your quick Bills.

MR COLLAERY: You are very churlish today, Terry. You have had the same problems with a lot of your Bills.

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Question put:

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

The Assembly voted -

AYES, 9

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

NOES, 8

Mr Berry
Mr Connolly
Mr Duby
Ms Follett
Mrs Grassby
Ms Maher
Mr Moore
Mr Wood

Question so resolved in the affirmative.

PAYROLL TAX (AMENDMENT) BILL 1991

Debate resumed from 11 December 1991, on motion by **Mr Collaery**:

That this Bill be agreed to in principle.

Mr Collaery: Firstly, I want to say at the commencement of this debate that I have mentioned this matter on - - -

MR SPEAKER: I just advise members that you close the debate, Mr Collaery.

Mr Collaery: I am sorry, Mr Speaker. I do not want to close it yet.

MR SPEAKER: Is there any member wishing to take the floor? I call Ms Follett.

MS FOLLETT (Chief Minister and Treasurer) (6.34): Mr Speaker, the Government will not be supporting Mr Collaery's Bill, because it is a subterfuge and because it is unnecessary. It is presented on the basis of meeting a need to clarify the service contract provisions of the Payroll Tax Act introduced on 1 November 1989, but in fact what Mr Collaery is doing is attempting to mask a very devious proposal which he hopes will win him a few votes from the tax cheats who benefit from his Bill. In short, Mr Speaker, the main purpose of the Bill is to make it virtually impossible for the Commissioner for ACT Revenue to administer the provisions and to give in to the noisy demands of a few who have been evading their tax obligations to date.

Mr Speaker, let me first address the masking provisions - that is, those that are unnecessary and serve only to disguise the real purpose behind this Bill. Clause 3(a) purports to clarify the exemption of labour costs which are ancillary to the supply of goods. This provision is not known to be causing any particular problems, and, if clarification is called for, then it can be provided, as in New South Wales and Victoria, by a commissioner's ruling.

The fact is, Mr Speaker, that the "Collaery clarification", so-called, will cause havoc in the building industry by catching several subcontractor arrangements which are currently exempted by commissioner rulings. I think we have seen this kind of legislation on the run before from Mr Collaery. For example, Mr Speaker, electrical and plumbing subcontractors now exempt would be caught by this Bill's amendments simply because labour costs would usually exceed the cost of goods supplied under such contracts.

What is also a worrying aspect of the Bill is the removal from the commissioner of any discretion to exclude from payroll tax labour costs in contracts which are genuinely ancillary to the supply of goods where those labour costs exceed 35 per cent of the contract price. The absence of such discretion has the potential to cause hardships and unfairness in the administration of the Act. This amendment is unnecessary and it is an amateurish interference in taxation administration by Mr Collaery.

Clause 3(b), Mr Speaker, is simply putting into the Act what is the clear meaning of the current provision. The so-called "Collaery clarification" serves no useful purpose other than to pretend to be doing something useful so that the real purpose of the Bill is not so apparent. Clauses 3(c) and 3(d) also serve no useful purpose as the commissioner has issued clear rulings exempting service contracts which do not in total exceed 90 days in any single financial year.

The trouble with the "Collaery clarification" is that it opens up avoidance opportunities which are not present in the commissioner's rulings, or in the New South Wales and Victorian provisions and rulings from which Mr Collaery sought his inspiration. The amateurish and so-called "clarification", in fact, only opens the door to smart avoidance practices by slightly altering the nature of the services provided by the subcontractor so that they can be categorised as different from those supplied earlier by him or her.

Clause 3(e) is the real purpose behind the Collaery Bill, and it is put there by Mr Collaery to legitimise tax evasion. Service contract provisions were introduced in the ACT, New South Wales, Victoria and Tasmania - and are under consideration in South Australia - because there was growing tax avoidance through the simple expedient of using

so-called contractors in lieu of employees. As with all tax cheating, the honest pay for the dishonest, and the service contract provisions address this simple fact of life.

In essence, the service contract provisions bring within the payroll tax net payments for labour when provided by contractors who are considered to be a mere substitute for direct employment of labour. The Act does not seek to catch genuine independent contractors and specifically exempts payments to contractors who provide services to the public generally. What Mr Collaery's Bill seeks to do is exempt certain categories of contract simply because the subcontractor is a partnership or, in the case of a sole trader, if he or she arranges with another person to work on the job.

The Bill is defective, Mr Speaker, in what it aims to do by excluding any reference to services provided by companies. It is surely apparent that, if the principals in a partnership are to be given an exemption as proposed in this Bill for providing labour, then the principals of a private company should similarly be exempted. By failing to provide for this, the Bill creates a serious anomaly which will cause severe inequities in the Act. Hopefully, however, this anomaly will not arise, because members, I trust, will agree with the Government that the Bill should be rejected.

Mr Speaker, the Bill is the answer to the tax cheat's prayers. Given that Mr Collaery has been informed of the avenue of tax evasion he is opening up, one can only question why he is so anxious to help the dishonest at the expense of the honest taxpayer. Anyone can enter into a partnership or other working relationship with another person or persons and, if there is an opportunity to reduce or eliminate tax, that is all the incentive that may be required. It is surely very plain to see that, if the principals in such a relationship actually provide the labour in a service contract, then that is no different to those same people providing the labour as individuals.

The Commissioner for ACT Revenue has closely studied the way these provisions are administered in New South Wales and Victoria. These were the first two States to introduce service contract provisions to curb tax avoidance. Both States have the same legislative provisions in relation to work done by the principals of a partnership, but they administer the provisions differently. Having seen the experience of other jurisdictions, the ACT has sensibly retained the primary test - whether the subcontractor is providing services to the public generally or, in other words, is a genuine independent contractor. This is consistent with the way the provisions are administered in Victoria. It quite obviously follows that a partnership or other relationship can readily fail this independence test by being solely or predominantly engaged on work for one person.

If Mr Collaery's amendment is approved, there will be a plethora of partnerships and other working arrangements established just to avoid payroll tax. The Territory will lose significant revenue of at least \$1m per annum and maybe more. The loss of revenue, Mr Speaker, is bad enough, but morally what Mr Collaery is doing is wrong. It is simply wrong to encourage tax avoidance; it is simply wrong to penalise honest taxpayers by making them pay for tax cheats; and it is simply wrong for a private member to attempt to interfere in the complex area of tax administration by attempting to foist on the Government amateurish and ill-conceived amendments to the tax laws which make the task for the Commissioner for ACT Revenue more difficult and in some cases impossible and which cause a loss of revenue.

Mr Speaker, clauses 3(f) and 3(g), clause 4, clause 5(a) and clause 6 propose inserting the words "prime motive" in substitution for the words which require the commissioner to prove a direct or indirect intent to avoid or evade tax. Mr Speaker, the ACT provisions parallel those of the other jurisdictions and use accepted anti-avoidance language. The "Collaery clarification", so called, will only confuse everyone and in the process make it virtually impossible for the commissioner to effectively use the provision to attack tax evasion. The proposal is yet another example of misguided interference in the complex and professional art of legislative drafting.

Finally, Mr Speaker, clause 5(b) is another attempt to clarify what does not seem to need clarifying. The words which are proposed to be added merely follow the commissioner's interpretation of the Act. Although no difficulties are known to arise for taxpayers, the words suggested by Mr Collaery could be advised to taxpayers by way of commissioner's rulings. This issue hardly calls for legislative action.

In summary, Mr Speaker, the Government does not support the Bill in whole or any part of it. It is an ill-conceived and amateurish interference, as I have said before, in a very complex area of law. It proposes to advantage tax cheats. It will disadvantage honest taxpayers. It will increase the complexity of some provisions, and it will certainly introduce unfamiliar terms into the legislation. Mr Speaker, I urge other members to reject this Bill, even if they feel that the amendments made in 1989 in some way disadvantage particular sectors of industry.

Mr Collaery: So, now you concede it.

MS FOLLETT: I know that some members do feel that way. Some members voted against it, Mr Collaery, in 1989. But it is simply not good enough for this Assembly to make legislation on the run at Mr Collaery's whim. We have seen before - today, minutes ago - the unintended effects of Mr Collaery's so-called clarification Bills. I urge all

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members to reject this Bill and, if need be, in the fullness of time in the Second Assembly, to take this up as serious private members' business. But do not do it on the run. That would be foolhardy indeed.

MR KAINE (6.45): I must say that having such an amendment put on the table for debate at this time in the life of the Assembly is a little disconcerting, but I have to say to the Chief Minister that I do not find it as offensive as she seems to. I voted against this Bill in 1989 because I did not like the grouping aspects of it, and I have indicated publicly in connection with this particular aspect of it that the Liberals in government would eliminate any anomaly between our law and that in New South Wales.

The Chief Minister implies that the provisions are the same as those in New South Wales, and she may be right. If that is true, then it comes down to the rulings of the commissioner. If the law is the same and we intend it to be enacted and put into effect in the same way, why then does the commissioner not come down with the same rulings as the revenue commissioner in New South Wales? If the Act is the same, there are clearly differences in the way the Act is administered, and that has caused a great deal of concern to people in business.

I have received a constant stream of comment and complaint about the payroll tax legislation since it was introduced in 1989. The thing that Mr Collaery is attempting to address is one of the major points of contention. If I have been receiving submissions on this over the last 2 years, I am sure the Government has too. If they are not prepared to listen to logical argument put to them - and the most recent argument was put to me in a document dated 5 December which I think was sent to all members of this Assembly - - -

Mr Berry: You are not saying that logical argument comes from him?

MR KAINE: This did not come from Mr Collaery. This came from people whose opinion I respect. It came to me and I presume that it went to every member of the Assembly.

If the Government are serious and if they are interested in listening - they talk about themselves as being a consultative government listening to the voice of the community, and I presume that the business community is part of that - why have they not listened? Why is it that Mr Collaery at this stage of the Assembly feels impelled to put this case when the Government itself does not listen?

Mr Moore: Why did he not do it when he was in government?

MR KAINE: I take your point, Mr Moore. The Liberals voted against this Bill in 1989 and our position on that matter has been unchanged. Although Mr Collaery now attempts to rectify it, at no time during that 2 years until now did

he indicate to me that he had changed his view and would now support my position on this matter. But that does not affect my position and it does not affect the position of the Liberals that the law was always wrong and that it should have been changed in 1989 and it should have been changed ever since. If in the last 2 years any sentiment had been expressed in this Assembly in support of changing it, we would have attempted to do so.

But on 17 December 1991 Mr Collaery, presumably based on good advice that he has received, comprehensive advice that he has received, and documented opinion, now seeks to rectify his omissions of 2 years. I am in duty bound, because of my conviction on this matter, to support him. I can only say that it is a pity that he did not do it a long time ago.

I do not accept that this Bill is aimed at helping tax evaders; I do not accept that at all. There are legitimate businessmen who believe that for 2 years they have been subjected to payroll tax impositions that they should not have to pay, and I think that there is some validity to that. If Mr Collaery's amendment - and I have not had time to check it; I have to take his assurance on this - reflects the advice that I have had, and I would wait for him to assure me that it does, then - - -

Mrs Grassby: You are going to vote on something you are not sure about. For God's sake, Trevor!

Mr Connolly: This is too important to mess around with.

MR KAINE: You have taken a particular view on this matter, and the Chief Minister and Treasurer used some very strong language in describing your ideological position in connection with it and talked about tax cheats and tax evaders. I do not see people who seek to be taxed reasonably as tax cheats. I do not accept the description that the Chief Minister and Treasurer used.

Unless somebody can convince me that these provisions that Mr Collaery is putting forward are unreasonable - and the Chief Minister calling people tax cheats does not demonstrate to me that they are unreasonable - then I must say that I will support Mr Collaery's amendments, even though I accept - - -

Mrs Grassby: You do not know what it is, Trevor.

MR KAINE: The little voice up the back still keeps chirping away. It is not going to stop me speaking, though. We have to deal with this sensibly. I am concerned that it has not been done before. Had it been put forward before, it would have had my support in principle. I am not going to back away from that now.

MR MOORE (6.52): I understand the position that the Leader of the Opposition is coming from. I know that he has consistently held that policy since arriving in this chamber, and I suppose it is interesting that, of all evenings, this evening we should hear that view reiterated. I can understand that. What concerns me is that the ramifications of what is going to be done by this Bill have not been clearly spelt out. The Chief Minister ran through a whole series of problems and they have been presented.

I still am not aware of, for example, just what the impact of this measure on the ACT revenue is going to be and whether or not - - -

Mr Connolly: At least \$1m.

MR MOORE: I hear an interjection, "At least \$1m". If it is going to have that kind of ramification, is it appropriate for us to make that decision now? I would argue that it is not.

The other factor is: What is it going to do, therefore, for the last six months of this year? Should this Bill, in fact, be prepared and brought in as part of a budget strategy next year or should it be indicated by whoever is in this chamber next year that that is going to be the case? I think most of us would agree that Mr Kaine is going to be here in the chamber next year. He at least would have the option to go through this and do it properly and make sure that we do not get into the sort of situation that we have been in twice.

I strongly suggest to the Leader of the Opposition that, whilst he supports the concept of this Bill, he assure the people of Canberra that he will look at it and bring it back to the chamber at the beginning of the Second Assembly. That would be better than the Assembly trying to deal with it now in this fashion. We could get the principal Act from the table; we could all rush in and have 17 members - - -

Mr Collaery: You have had the Bill for a week.

MR MOORE: Mr Collaery says that we have had the Bill for a week. Whoopee! A point that Mr Stevenson has made again and again is that unless something is declared an urgent Bill it ought be on the table for a minimum of 30 days. It is a point that I agree with. There were a couple of times when, I have to say, I have been convinced by other people not to follow that course of action, although Mr Stevenson, of course, has remained consistent on that issue in this chamber right from the time he came here.

I would say that we certainly have some very good indications that there are some ramifications of this Bill that we are not sure of. There are certainly some indications that some of the issues that it raises are raised unintentionally. We have had this Bill for a week

and we really ought not support it under these circumstances. It is an entirely inappropriate set of circumstances in which to do it now. The reality is that it is another one of Mr Collaery's political stunts.

MR DUBY (6.55): Mr Speaker, it is a red-letter day when Mr Moore and I seem to agree on all points. Again I rise to endorse the comments that have been made by Mr Moore and, indeed, to add some further comments which might be even more applicable. Mr Moore has not been a member of a government whilst this Assembly has been in place; I have.

Mr Berry: And with Bernard.

MR DUBY: Thank you very much. So have Mr Collaery, Mr Kaine and Mr Humphries. The fact is that this Act was passed in 1989 with the supposed arrangements which are apparently causing such difficulty in the community. Since 1989 there has been consistent pressuring and lobbying to have these matters removed. People are aware of that. There have been consistent letters, particularly from people in the building industry, saying that this is an unfair proposition. As Minister for Finance I took it upon myself to investigate those complaints with the Revenue Office.

The former Chief Minister says that if he had only known that Mr Collaery had such a feeling he could have done something in the joint party room. That may well be the case. I took the matter up with the Revenue Office and I asked for an expose of the claims that people were making that they were somehow being cheated or defrauded of money that they should not have to pay. I would not put it in such strong words as the Chief Minister has expressed tonight, but I came to the conclusion that these particular charges are simply taxes that people are required to pay under the payroll tax provisions. People are complaining because they are now caught in a net which they were not caught in before. I, for one, do not endorse the removal of these provisions, which will enable people to avoid what I regard to be their rightful duty to pay.

The point was raised, I think quite appropriately, about this being the right time and place to do it and the fact that Mr Collaery has said that this has been on the private members' notice paper for a week. I believe that it was introduced a week ago. The fact remains that it has been agreed by this Assembly that there will not be an additional sitting day after this day. I, for one, was not expecting any further private members' business. I had no idea until a matter of a half-hour ago when somebody whispered in my ear, "Are you going to support us on the payroll tax private members' Bill?".

The Bill was introduced last week. It was introduced, on my understanding, as a quite legitimate political ploy on behalf of the Residents Rally, so that they could say, "Look what we would have done if we could have".

Mrs Grassby: That is what he said.

MR DUBY: I agree with that. There is nothing wrong with doing that. We are all big boys and girls here and we understand the politics of doing things that cannot be followed through. However, I had no idea that this was to be brought on and I, for one, again, unfortunately, do not have a detailed argument supporting the case that I believe to be correct. The Chief Minister undoubtedly did have some comments and I guess it is appropriate. Frankly, I am pleased that the record will show that she was able to put those appropriate comments about this proposed legislation into the Hansard.

This is a matter which should not be addressed on the last sitting day. On 15 February we are going to an election. If this is a matter of such importance, it should be debated openly in the election campaign. It is something that people can take positions on in the election. No matter what the outcome of the election is, there will be members in this Assembly - Mr Kaine, of course, clearly is going to be returned - who can, whether in government or in opposition, introduce a private members' Bill, if required, or do it as government business, to amend this legislation to whatever he feels, or the Liberal Party feels, should be the appropriate way for it to run. It will be done in a proper fashion then.

Frankly, I have grave concerns over the wording of the legislation. As the Chief Minister has said, and others have said, this really is a little bit over the top. If this does go ahead, apart from the rights or wrongs of the loss of revenue, which we have been told is \$1m - that is another point that I would like - - -

Mr Connolly: At least.

MR DUBY: At least. That is another point that I would like to raise. I cannot see the difference between private members' business imposing additional costs on an administration or upon a government not being allowed if, by the same token, you are allowed to introduce legislation which will reduce the revenue of the Government by substantial amounts of money. We debated, for example, not having the increased motorcycle registration fees. The amount of money there was enough to make me worry. It was \$50,000, I believe. This is \$1m. The effect of this legislation, if it is passed - - -

Mr Kaine: We do not know that. We do not know how much it is.

MR DUBY: Mr Kaine, I beg to differ. I do know that, because I made inquiries in the Department of Finance at the time. This is a substantial amount of money. If this is introduced, the Chief Minister will be duty bound, to my way of understanding, to gazette this and bring it into law. It would have the implications of at least a half a million dollars in this financial year.

We all know that businesses are finding it tough; that people are saying, "If I can avoid the amount of tax I have to pay, or if the law can be changed so that I do not have to pay this tax, that will help me". It might even have the benefit of retaining some people in work in the building industry. But this is not the right way to go about it. This will have a real effect on ACT revenues. Not only that; it has been introduced in a very incorrect fashion, in my view.

No matter what is going to happen here - I have said this to Mr Collaery already - the Residents Rally will get the flak out of this and, at the end of the day, from the part of the community that wants to see these provisions removed, the Liberal Party will get the credit. So, I cannot, for the life of me, understand what you are trying to achieve with this. It is a foolish amendment politically.

As I said, the Residents Rally will be put up as being, once again, the haphazards who do things on the fly, and the Liberal Party will get the credit for it. I do not understand why anybody in their right mind would do it this way. I am not making a personal attack on Mr Collaery or the other Residents Rally members; but, as often happens, I do not think they have thought through the implications of their actions. I do not support this private members' business. There should be no private members' business at all on today.

MR CONNOLLY (Attorney-General, Minister for Housing and Community Services and Minister for Urban Services) (7.03): Mr Speaker, in the 18 months that I have been a member of this Assembly I have seen the Residents Rally do some pretty strange and pretty silly things, but this takes the cake. In the dying minutes of the last sitting day, as the clock ticks past 7 o'clock, here we are debating a measure that Mr Collaery springs on us and that is going to cost the revenue at least \$1m. That is the advice of our advisers; that is the word of the Treasurer and Chief Minister. If you do not believe the Treasurer and Chief Minister, it is the word of the Finance Minister in the Alliance Government who made the same inquiries.

So, here you are, voting on a proposal which is going to cost at least a million dollars, and it is incumbent upon any of you members who vote for this to tell us where the money should come from. Should it come out of the police budget, Mr Stefaniak? Should we take another million dollars out of there? Ms Maher is probably too sensible to vote for this. Should this come out of the welfare budget? Mr Collaery is always wearing the heart on the sleeve about welfare and is always calling for me to put more money into the welfare budget. Should the Chief Minister take the million dollars out of my welfare budget, Mr Collaery?

Mr Stevenson: You can take some out of the fluoride budget.

MR CONNOLLY: Mr Stevenson says "the fluoride budget", but it is not high enough. The point is, Mr Speaker, that any person who proposes such a fundamental attack on the budget is honour bound, if they are fair dinkum, to say where the money should come from. I have not heard.

What Mr Collaery is doing is creating a charter for avoidance. He is creating a loophole so wide that you could drive a truck through it. At the moment we are talking principally about the building industry, because that is where the complaints have come from; complaints which the Finance Minister in the Alliance Government investigated and said were not substantiated. But that is where the complaints are coming from.

Once this becomes the law, every other industry will take advantage of this. Other people will structure their affairs in order to avoid taxation. There is nothing illegal about that. Mr Collaery is creating an optional tax system. Mr Collaery is creating a system where people in this town, properly advised, can just decide, "Well, we will not pay payroll tax, thank you very much. The Assembly said that we do not have to, thank you very much. Nice people". At least a million dollars, maybe two or three; who can tell? It is a stupid proposal.

Mr Speaker, I will address my remaining questions to the Liberal Party in the hope of a rational response. The Liberal Party has always opposed this legislation. That is an honourable position for them to take. They will argue in the election for the repeal of this legislation. That is an honourable position for them to take. If we were debating the repeal of the legislation, that again could be an honourable position for them to take.

I said "could", because Mr Kaine is committed to the community not to destabilise the budget. He said that it was the Government's budget. He disagreed with it, but he said that we will answer for it to the people on 15 February. We know that the people on 15 February will endorse us; but in essence, Mr Kaine, your commitment not to destabilise the budget does not sit very well with any proposal that wipes at least a million dollars out of that budget. So, I would remind you of your commitment to the people some months ago and see whether, in the dying moments of the Assembly, you honour that commitment or you take some opportunistic stunt along Mr Collaery's lines.

Your other point, Mr Kaine, was that you thought that this legislation, if it was to be there, ought to model New South Wales. You said that you thought, by and large, that it does; but the problem, you said, was the way the rulings are given by the Revenue Commissioner. You take the view, and Mr Collaery urged this, that he is taking a different view from the view that revenue commissioners have given in other States.

Mr Collaery: That is correct.

MR CONNOLLY: Fair enough. That is correct, so we are all agreed on that. The Act provides a right of appeal from rulings to the Administrative Appeals Tribunal, from the Administrative Appeals Tribunal to the Supreme Court of the Australian Capital Territory, from the Supreme Court of the Australian Capital Territory before a single judge potentially to the Full Court, and from the Full Court potentially to the High Court. So, if the problem is the ruling, there is a right of appeal. So, that cannot be a problem.

Mr Kaine made a statement in his speech which, if he and his Liberal colleagues vote for this, will really expose them in the eyes of the community. After saying that he disagreed with the principle of payroll tax he said, "Well, I have not really had a chance to study Mr Collaery's Bill, but I think it is in favour of what we agree with; so we will vote for it". How can you, Mr Kaine, as a professional accountant, a person who is trained in these financial matters, say that you are going to vote for a tax measure because it might be near enough to or something like what you believe in?

In this type of law, more than any other, it is incumbent upon members to be absolutely sure of what they are voting for. The Leader of the Opposition says that he is not really sure what Mr Collaery's Bill does, but he thinks that because it is against something he is against he is going to vote for it.

Mr Speaker, if the Liberals and the Rally do this, they will stand condemned in the eyes of the Canberra community. The Australian Labor Party could not hope for a better advertisement for a stable majority Labor Government than if you people, in the dying minutes of this Assembly, wipe out a revenue measure that is worth at least a million dollars and, with proper advice around this town, probably two or three million dollars, because people are not silly and not slow about finding ways to legally minimise their tax.

What Mr Collaery is doing is creating a regime in which many people in many industries can legally minimise their tax. Interestingly, he is also creating a system where people who are presently exempt may become liable. So, some people are now going to be hit by a tax by which they were not hit before. But he probably was not aware of that. It is like what we were doing half an hour ago when we had to pull apart a back-of-an-envelope amendment and fix it up.

Mr Speaker, the people of this Territory will express their judgment on this Assembly, and all of us, on 15 February. If this Assembly is prepared to whack through a tax measure like this, with no notice and in the dying hours, the community will judge you people harshly, and properly so.

MR HUMPHRIES (7.09): We on this side of the chamber are attacked, apparently, for taking an axe to a tax like payroll tax. I have to say that, if I were in the position of choosing a single tax anywhere in the Territory to get rid of or to mitigate, it would be payroll tax, because payroll tax is a tax on employment; it is a tax on jobs.

I, for one, do not wish to rise in this place and pretend that it is fine for any government, with 1,000,000 or 900,000 Australians unemployed, and 10,000 Australians unemployed in the ACT, to say that payroll tax is too important to deal with in this context; that I would rather see that harsh and unconscionable tax remain in place for another six months or longer and leave the opportunity to mitigate it as much as possible. I am not at all ashamed to say that I support any measure that will mitigate the effect of payroll tax in this community, because I think payroll tax is counterproductive. It is a tax, as I said, on jobs. It is a tax which ought to go.

We know, Mr Speaker, that payroll tax is going all over the country. The Victorian Government is making a major attack. The Victorian Labor socialist Government is making a major attack on payroll tax. The Federal Opposition has announced that it is going to abolish payroll tax. It bears remembering, Mr Speaker, that it is quite possible by the abolition of these provisions - that is, the changes being proposed in this amendment of Mr Collaery's - that we will see a number of Canberrans gain employment at this time. That is entirely on the cards.

Mr Berry: It will go straight into someone's pocket.

MR HUMPHRIES: You people across the way seem to think that any relief in the area of payroll tax will result in bigger, fatter profits to the corporate sector, the employers of this Territory. I do not agree. I think most employers in this Territory want to employ more people, and they cannot do so because one of the most substantial on-costs to their businesses is payroll tax. It is a very major on-cost to their businesses.

Mrs Grassby: You are voting on something you do not even know about, Gary.

MR HUMPHRIES: We have argued about these provisions before - many times before. Particularly, we argued about them in 1989. The Liberal Party's position at that time was clear. It has not changed and it is again a position we take here today. We will support these provisions because they result in relief in this area and that, I think, is good news for the unemployed in this Territory who so far have seen from this Government absolutely nothing to provide any relief.

MR COLLAERY (7.11), in reply: Mr Speaker, when I introduced this Bill I referred to the employment aspects - - -

Mr Connolly: Does anyone else want to speak, Bernard?

Mrs Grassby: Does anybody else want to speak?

MR SPEAKER: Order! Mrs Grassby and Mr Connolly, do you mind!

MR COLLAERY: Thank you. I hope that this debate can pass with a constructive commentary on this Bill. Firstly, Mr Speaker, the Bill was prepared following an advice, I can say, received from one of the most eminent advisers on this subject, a person who has written on more than one occasion, to my knowledge, as a correspondent on the subject in the *Canberra Times*. I am not going to give - - -

Ms Follett: Was it Matt Abraham?

Mr Kaine: It was not Richard Farmer.

Mr Stevenson: I was feeling confident till then.

MR COLLAERY: Okay. Mr Speaker, this eminent national firm of accountants that advises governments and currently advises the ACT Government - the current ACT Government, in fact - prepared for all members of this Assembly a detailed submission. All members should have it. I have asked Mr Stevenson, and he has it and various other members have it.

Mr Berry: Who are they acting on behalf of?

MR COLLAERY: You have taken a lot of mickey out of me and it has been very personal. I was hoping that we could finish the day without that. You can do what you are doing.

Mr Moore: Oh, poor Bernard!

MR COLLAERY: I am capable of laughing at myself and I will join with you. The fact is that I took extreme steps to make sure that we prepared a competent series of amendments to deal with these anomalies. I will read to you the introduction to the brief prepared by this eminent firm:

The Act -

the one that we are looking at -

is based on self assessment -

of course, that answers Mr Connolly's rhetoric earlier about review -

therefore the onus is on taxpayers to determine their liability to payroll tax.

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Let me remind members that people then go from the Revenue Office and search those firms' records a year back and two years back, and they have to have made a decision themselves on whether they are liable. The advice to me goes on:

However, the provisions are complex and give rise to many difficulties in interpretation, thereby potentially exposing ACT businesses to the imposition of penalties, for non-compliance.

That is another factor that moved me to do this. I know that a number of firms are being audited now, or have been in the last few weeks. They do not know, because of the complexities of this, because this commissioner has issued only two rulings on this topic, unlike New South Wales and Victoria. The law should be certain. One of the principles that Mr Connolly, as a lawyer, should endorse is certainty in the application of the law. This area is universally regarded as uncertain by all the eminent people that I know in the accounting and legal professions. It is uncertain.

The commissioner of New South Wales payroll tax has responded to these concerns by preparing a number of revenue rulings to assist in the interpretation of comparable legislation that exists in New South Wales. I have done some research on that, too. In the ACT we have only two rulings and they are of limited assistance. I will give you an example provided to me and to us by this firm. For example:

The owners of a building in the ACT engage an individual cleaning contractor who earns 80% of his/her cleaning revenue from the cleaning of that building. The remaining 20% of revenue is derived from another two sources. The cleaning contractor has an advertisement in the yellow pages. Can the services be considered to be those rendered by a person who ordinarily renders services of that kind to the public generally?

I would think that the law should be capable of interpreting that and helping that cleaning contractor determine his or her liability to payroll tax. I am advised, on this best available advice, and a principal of this firm has been an eminent adviser to successive governments, that that situation is uncertain. So, I am faced with that situation.

I am also aware that subcontractors are affected by this even though they are not mainstream builders, because there is a flow-on effect of the liability for this tax, and that does restrict employment, on all of the anecdotal evidence put to me by subcontractors. I certainly know all about the whingeings that people go on with about paying tax. We all see that, as parliamentarians, from our constituents.

I determined, after seeking advice and after reading an article in the financial pages of the *Canberra Times*, that we should relook at this issue. Mr Kaine said that I did not raise it in government. I wish to say that it was not my portfolio responsibility. I was aware of it and I did raise it. I want to say to Mr Kaine that I did, indeed, raise it in a meeting with business representatives on 16 May. I still have the document issued on that, on 16 May. Indeed, I wrote to the Chief Minister on 20 May. I have that correspondence, but it is not my purpose here to take any points on the issue. The realisation that we had a serious problem in payroll tax came to me late in our term as the Alliance Government, in May. My letter to the Chief Minister happens to be dated 20 May. Of course, we went out of government shortly after that.

The Chief Minister has to hand the detailed brief from this firm. I have made several attempts to have a meeting with her in the last couple of days. I accept that she is extremely busy, but I have managed to pass a few words to her in passing. In no way, shape or form have I taken this Government by surprise. I do not know what the Chief Minister is telling her colleagues; but in no way, shape or form have I taken the Government by surprise.

I delivered a Bill in the house a week ago and I indicated that we should at least talk about it. When I moved to suspend standing orders a few minutes ago, I said that we should at least clarify the issues. I said that we should at least have this debate because I had been asking questions without notice of the Chief Minister, as she knows, consistently about the effects of this. I am indebted to her; I got a detailed response today about what she believes is the employment impact of it, and last week we received advice from her that the impact is \$1m.

In my presentation speech I indicated that the housing and building industry is prepared to accept the licensing of subcontractors. In New South Wales and Victoria people like bobcat drivers, ceramic tilers and others who do work that has occupational health and safety aspects are licensed. Any licensing scheme that was introduced and lined up with New South Wales or Victoria would return, on my advice, \$800,000 at least. I said that a week ago.

I believe that some cheap points have been taken on my genuine attempt to have this matter ventilated. No press release was issued by me when I moved the Bill. No publicity was sought and there was no attempt to score a point on the Liberals. I made that clear. If members want to look at my file, they can. I made that clear to the industry representatives and the others who have been writing to us all - that I did not see this as a matter for point-scoring off the Liberal Party. I lent the file to Mr Humphries earlier on. I do not know whether he had time to read it, however.

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I conclude, members, by saying that if the Chief Minister says that there is an unintended effect in these provisions, that is, that it embraces plumbers and electricians, I believe that it is incumbent upon her, having dodged this issue, essentially, for several months, to come up with details. She said that it has an unintended effect. She has not referred to the section, so that I can move an amendment or withdraw something.

Ms Follett: I have.

MR COLLAERY: She has referred to clause 4, or section 3C.

Ms Follett: Clause 3(a).

MR COLLAERY: The Chief Minister, through you, Mr Speaker, refers to clause 3(a) but has not foreshadowed an amendment to rectify that matter, which we all do. If she had acquainted me with the amendment - - -

Mr Moore: Exactly what we cannot do, because we did not know that it was coming on.

MR SPEAKER: Order!

MR COLLAERY: Mr Speaker, it is not very easy to make laws in this atmosphere. Several members clearly have not even read the Bill. They have not looked into the presentation speech. Most regrettably, it is just turning into a point-scoring exercise. I wanted to have this debate, in principle, to see what the parties wanted to do.

Question put:

That this Bill be agreed to in principle.

The Assembly voted -

AYES, 9

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

NOES, 8

Mr Berry
Mr Connolly
Mr Duby
Ms Follett
Mrs Grassby
Ms Maher
Mr Moore
Mr Wood

Question so resolved in the affirmative.

Bill agreed to in principle.

Detail Stage

Clause 1

MR MOORE (7.23): Considering the circumstances and our lack of knowledge on this Bill, I move:

That the debate be now adjourned.

Question resolved in the affirmative.

MR GERALD GOLD Statement by Speaker

MR SPEAKER: I wish to inform members that I have received a series of letters from Mr Gerald Gold concerning the content of certain documents tabled by Mr Stevenson on 7 August. Other members may have received the same or similar letters. The thrust of Mr Gold's grievance is that seven documents, entitled "Operation Manna", included a document headed "The Canarbon Group" which is an invalid insertion in the Operation Manna documents, in which he is named in association with others. He has sought action to clear his name.

The accusations made by Mr Gold are very serious. However, as Speaker, there is very little that I can do on this matter. Members may recall that the Assembly has before it a recommendation of the Administration and Procedures Committee proposing that it adopt mechanisms similar to those of the Australian Senate which allow the right of reply to private citizens aggrieved during debate. My intent in making this statement is to place on the record my concern in this matter and to draw members' attention to the possible ramifications of material presented in this parliament.

AUDITOR-GENERAL - REPORT NO. 12 OF 1991 ACT Government

MR SPEAKER: For the information of members, I present report No. 12 of the Auditor-General. I note the Auditor-General's assertion that the report is transmitted pursuant to authority contained in the Audit Act of 1989. I also note that this report and report No. 11 tabled earlier this day contain copies of pages from proof Hansards. This is a matter of some concern and on which I intend to take further action to prevent recurrences.

ADJOURNMENT DEBATE

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

That so much of standing and temporary orders be suspended as would prevent the adjournment debate from continuing until 8.15 pm.

ADJOURNMENT

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

That the Assembly do now adjourn.

Valedictory

MR SPEAKER: Members, this is a momentous and historic occasion. Tonight we bring to a conclusion the final sitting of the first parliament of the ACT under self-government. This has been a most difficult period, not only because of the legislative process and the difficulties associated with bringing a previously free enterprise ACT public service to heel, but also because of the depressed economic climate and the hardships being encountered within the community at large.

These aspects were coupled with considerable anti-self-government sentiment - still held by some Territorians who are continually being fed abolish self-government sentiments - and the media-driven embellishment of the negatives, with little balance to build up the positive and excellent efforts of members of this parliament. Derision has been misrepresented as fair comment on minor events and individual happenings which deserve to be overlooked and ignored by the media.

That is not to say that the media should not keep the Assembly members on their toes. They should, and they did. What I am commenting on is the fact that the media has not presented an understanding in the community of just how hard their elected representatives have worked. Who is aware that a total of 84 committee reports have been presented - and of the thousands of hours of dedicated effort that they represent? Who is aware that the Assembly has passed into law about 220 Acts? Self-government in its current form, or some improvement thereto, is here as the direct result of a majority vote at the last election - and, I add, is here to stay.

Regardless of their preferences, I am sure that all constituents agree that the Assembly has given to them a significant voice in their community affairs which was previously unavailable to them. Therefore, I would like to congratulate all members on their dedication to their

duties and the mostly amicable manner in which the parliamentary process was conducted. That, of course, does not play down the torrid times which resulted in the two changes of government, but highlights just how riotous this parliament could have become if it were not for the underlying goodwill and the desire to do what is best for our community.

I wish to personally thank all members for the guidance and encouragement that they have offered to me throughout my period as Speaker of this Assembly. I consider that I have been bestowed with a great privilege, for which I will be forever grateful. In conclusion, I offer my thanks for the splendid efforts of members of staff, the Clerks at the table, the secretariat staff, the library staff, the Australian Protective Service and Wormald staff, officers of the ACT Government Service and officers of the Parliamentary Counsel, and Professor Douglas Whalan, to whom we owe a considerable debt.

I take this opportunity to wish those members who are contesting the election all the success that they deserve, and to wish members and their partners and all those people I have mentioned, and any I may have inadvertently missed, a merry Christmas, and a safe, happy and prosperous new year.

Valedictory

MR KAINE (Leader of the Opposition) (7.30): I think that the Hansard record will show that I very rarely speak in the adjournment debate. I think that most of us say more than we should during the normal debates in this Assembly and much of what has been said in the adjournment debate has been idle chatter anyway. I do not say that of all of it, but a great deal of it has been. I think this is an occasion, however, when some comment is called for. This Assembly was born in discontent on the part of the community. We were elected by a system that people did not understand and still do not understand, and there remains, I believe, some disillusionment in the general community about the fact that this Assembly exists.

I believe, however, that history will show that the first three years of the life of this Assembly have, in fact, been quite productive and very successful. I think our record in tackling the problems of today has been very good. I doubt whether any parliament in Australia, at its birth, has had to confront the issues that we had to confront - and not the least of those has been the hostility, if you like, towards the fact that we were even here. We inherited enormous financial problems from the Commonwealth, and those financial problems have not yet been dealt with fully. There remains, I believe, a further transition period, and perhaps the next Assembly will,

during its entire three-year life, still be confronting this question of arriving at the new levels of finances and delivery of services that are needed within the constraints of that budget.

But I believe that legislation such as the planning legislation, which by anybody's standard is landmark legislation, is an achievement that the members of this Assembly can be justly proud of. When we look back at our record of legislation passed, we see that it is not only the planning legislation; there has been a lot of good legislation - the Weapons Bill and the Discrimination Bill, which others would have liked to call something else. They are pieces of legislation that any community can be proud of. So, I do not come to the end of the life of this First Assembly with any feeling of failure or any feeling of a lack of achievement. I think that we have done well, and I look forward to doing even more in the next three years.

I think it is regrettable that we all have not, perhaps, got along together as well as we might; but that is, I suppose, a part of the give and take of politics. We came with different political viewpoints, and sometimes that leads to heated debate on the floor of the house when others have a view different from one's own and one does not appreciate the manner in which that view is expressed. I think that probably none of us is free from some guilt in terms of being provocative at times. It leaves, if you like, a bit of a bitter aftertaste in one's mouth afterwards when one thinks that it could have been done much more pleasantly.

I would like to echo the remarks of the Speaker in terms of the thanks that I believe are due to the secretariat that supports this body, the committee secretariat, and our personal staff, who have not had it easy in many ways - and that, again, is perhaps a penalty that people pay for taking on the task of working for a politician. It is not easy. For my own part, I thank my own staff who have been loyal supporters for nearly three years. I think I should pay tribute to the senior officers at least of the ACT Government Service. I have always found them to be professional; I have always found that they have given me good advice when I have asked for it. It is not always the advice that I look for; but I believe, in retrospect, that it has always been good advice, and I look forward to working with those senior officers again.

So, at the end of the life of this first parliament of the ACT, I can say that I personally will look back on it with great satisfaction. To those that I have offended along the way, I apologise. I know that there are some who do not always like my manner; they see me perhaps as being a bit abrasive, and indeed I often am, because I think that in politics you have to, once in a while, be hard-nosed. You cannot always be as soft as marshmallow. In a way, I do not apologise for it. On the other hand, to those that I have offended, I do apologise.

Valedictory

MR COLLAERY (7.35): Mr Speaker, I am pleased to follow you and Mr Kaine, and no doubt the Chief Minister, representing her party, will speak. For my part, I believe that we owe a great debt to all those who advised us in the early days of self-government. Some were experienced with parliament. Mr Wood had served in the Queensland Parliament, and Mr Whalan and Mr Kaine had served in the previous Assembly.

Mr Moore: And Ms Follett.

MR COLLAERY: And Ms Follett, of course. They brought with them some knowledge, and certainly - and regrettably - some good tactical skills which we had to match, and we tried very hard. I think many of us learnt parliamentary skills and we joined a rare company, in the Westminster system at least, of people who acquire a new skill - a parliamentary skill. I believe that, overwhelmingly, that skill that we learnt and perfected was used to the benefit of the community. I think all of us have travelled, in one fashion or another, with the odd slip on the way - and, as the former Chief Minister says, all of us have had that odd slip - along the path to serving the community.

I think we are truly representative only if we have at times some of the foibles and idiosyncrasies of the community that we represent, and I think that they can well understand us often through the things we do. For that reason, I have never taken too seriously some of the somewhat idiosyncratic behaviours of members in this Assembly. I felt that it made local colour. Nothing could compete with the Northern Territory Assembly's colourful character parade.

There have been some notable events in the chamber. I will not catalogue them; I will leave it to some wits in the chamber. But certainly there has been a good move in this town towards a healthy examination of politicians. At times it has been very close to the bone, but those of us who can endure that do so in service of the community - and we have done it. With respect to the minor events along the way, there has been some humour - but not enough. I hope that the next Assembly is a little more cohesive and a little less tense, and I confidently expect that it will be.

I believe that, from the Residents Rally's point of view, Norm Jensen, Hector Kinloch and I have forged true bonds, a true camaraderie, and a true strength because we have often felt out of the mainstream of the major party machines. We felt different, and we have been treated differently. And today was no exception. So be it. That is our lot and we will continue to do that in pursuing the interests that we see fit to pursue.

Moving from political aspects, let me say that we need to look for some humour in this debate. I see that there is a suburb of Harrison, named after that great precursor of the Rally, the late Peter Harrison. Some wry wit said to me the other day, "I wonder whether the planners have put a cul-de-sac in Harrison named Moore Place". I am wondering whether that will happen, or whether Clarrie Hermes Drive will have a Ray O'Shannassy Place. We need to have a little bit of wit in what we do in this Assembly, and sometimes I think we take it all too seriously.

The process in this house in the last few days of watching members write Christmas cards has been something to behold. I think we have also met and become known to a great many people. It remains to be seen how they will stick with us, because we have often stuck with them in difficult times in this Assembly. We have pushed their interests and one is sometimes obliged to represent the lucky, the unlikeable, the defendants and all of those other people in the community. I think we have done it well, as a community group here in this chamber, and I am pleased and honoured to have been part of the historic First Assembly in the ACT.

Hon. Lionel Murphy : Valedictory

MRS GRASSBY (7.40): My speech is not going to be quite like Mr Collaery's. I rise today to address the Assembly about a gross abuse of parliamentary privilege. I refer to the cowardly attack by the National Party Senator Bill O'Chee on the late senator and justice of the High Court, Lionel Murphy. Senator O'Chee made this attack in the early hours of the morning in the Senate just recently.

Under the protection of parliamentary privilege, Senator Bill O'Chee gloated about the death of Lionel Murphy and also accused Justice Murphy of corruption. Senator O'Chee, who, I gather, is known as the lunch monitor to the rest of the Senate, may be excused for his youthful high spirits by his own party, but not by those of us who understand why parliamentary privilege exists. It does not exist to attack those who cannot defend themselves, and for this reason I feel that Senator O'Chee's remarks are disgusting.

I have not risen to defend Lionel Murphy. I do not think that is necessary, as his record is beyond reproach. However, I am going to list some of Lionel Murphy's achievements and let history decide which of these men has contributed more to Australia: Murphy, the reformist High Court judge or the Queensland senator, with the honour of coming from the most corrupt branch of the most corrupt party in Australia. The Fitzgerald inquiry proved that.

We all know that the largest branch of the National Party in Queensland is to be found in Boggo Road Gaol, and I understand that Senator O'Chee's involvement in South American money rackets shows that he is fit to be in that party.

Murphy's outstanding achievements, both as a senator and as a High Court justice, would continue for pages, and we do not have the time to go through them all today. However, let me just refresh members' memories on some of the things that he did by recalling some particular events: The Trade Practices Act; the Racial Discrimination Act; the abolition of the death penalty; the Australian Legal Aid Office; the Commonwealth Ombudsman; the establishment of an environmental law group; the Prices Justification Tribunal; and the abolition of appeals to the Privy Council in London. That is just to name a few of the things that Justice Murphy did.

What is Justice Murphy's most significant contribution to the Australian people? I am sure I cannot answer that, for Justice Murphy, both in the Senate and on the High Court bench, has left all Australians with a legacy of reform and advancement far beyond that of his predecessors, and one which has yet to be equalled. Senator O'Chee is a newcomer to public life in Australia. I gather that he did not even stand for election; he was appointed to the Senate last year.

I suppose that we should make allowances for his youth; but my advice to Senator O'Chee is that, if he must resort to this sort of sordid attack on a great Australian, he should consider retirement at the next election, for I believe that if he had to stand for election as a toilet attendant in Goodooga he would not win even that seat.

I would like to thank the people who have worked in the Assembly in the three years that we have been here, particularly the attendants, who have been most helpful, the secretariat and all the staff. I would like to thank my four Labor Party colleagues who have stood by me through, we could say, thick and thin, and I am very grateful that I had such great colleagues.

For the other members of the house, I suppose I could say that there were times when I thought that they did a reasonable job; but there were times when, of course, I was thinking to myself, "Some of them will not be back here", and I will not be sorry to see that. However, I would like to say what you said, Mr Speaker: I hope that they get what they deserve. I thought that was a very good comment from you, Mr Speaker. As I say, to the staff who have helped us to keep the Assembly on track, thank you very much for that, and may I wish everybody a very merry Christmas.

Valedictory

MR DUBY (7.44): Mr Speaker, as usual, Ellnor Grassby is a very hard act to follow. But, when it is an Ellnor Grassby-Lionel Murphy double act, it is very, very hard to follow. Like Mrs Grassby, I also take off my hat to the memory of Justice Murphy - a great Australian.

This is the last opportunity that I shall have - and we all will have, I guess - to speak in the Assembly, in this year at least. Some of us, of course, are not going to be here next year and some will. I guess that that is in the lap of the gods. I would like to join other members in thinking back on the good times that we have all had in this Assembly. I think, when we look back at tonight's final debate, in effect, we will see that it was an example of some of the animated and heated discussions that we can enter into in this Assembly, and have done since May 1989.

On behalf of other members, I would like to thank you for the way that you have handled yourself in the position of Speaker during the life of this First Assembly. I guess it says something that, as governments have come and gone, Mr Prowse the Speaker has remained. I guess that whoever occupies that chair in future times will have a tradition to follow that, I am sure, will be hard to maintain. To the other members of the Assembly on all sides, I would like to say thank you for, in effect, putting up with all of us, I guess. It has been quite a learning experience from May 1989, but I think we have all learned the lessons pretty well by now.

To my colleagues who were with me in the Alliance Government, thank you very much indeed for providing me with the opportunity to be involved in some planning and decisions which really have affected, and will affect for many years, the future of many, many citizens in the ACT. That has been, indeed, a rare privilege, as has just being a member of this Assembly. I would also like to give particular thanks to my colleague Carmel Maher. Carmel has been of great assistance to me personally throughout the 2 years that we have been in this Assembly. It has always been nice to know that I can usually count on at least one additional vote in the Assembly.

Ms Follett: Not always.

MR DUBY: Not always, I have noticed recently, and I am starting to get a bit worried. But thank you very much, Carmel; I do appreciate that very, very much. For all of the members who are facing the electorate in February, good luck, I guess. As the Speaker has said, in a lot of ways the future of many of us is in the lap of the gods; but I am sure that, whatever the outcome, the First Assembly is an experience that none of us will ever forget, whether we are returned in the Second Assembly or not. Thank you very much, merry Christmas and God bless all.

Valedictory

MR STEFANIAK (7.47): I join my colleagues in thanking especially the staff and attendants of the Assembly. As I was Deputy Speaker, I would like to personally thank our current Clerk and Deputy Clerk, Mark McRae and Tom Duncan, for their great assistance, not only to me on the occasions that I was standing in for you, Mr Speaker, but also to the Assembly as a whole. I think they do a wonderful job. I am delighted also to see Professor Whalan in the back of the room, because I have worked with him on the Scrutiny of Bills Committee and I know what a fine job he does and just how indebted we in the Territory all are for his assistance over the life of this First Assembly.

To all the other staff - the committee staff, especially the committee staff I have worked with; the attendants, who are always cheerful, despite the fact that some of the members might not be - I express my thanks for your help over the last three years, and my very best wishes to you all. I would like to thank my personal staff for their efforts over the period of the Assembly. As Mr Kaine said, it is not easy being the personal staff of a politician. I would like to believe you, Mr Speaker, when you said that you hope that everyone gets what they deserve in terms of being re-elected.

Mr Kaine: Do you reckon that you would be elected?

MR STEFANIAK: I reckon that, if that were so, I probably would; but who knows? A lot of us will not be here, and I might well be one of those; but you never know. So, on that basis, I have certainly been privileged, at least, to be a member of the First Assembly. Also, I think I am probably doubly privileged to have been the only member of the First Assembly who was actually born in Canberra and who grew up here. I think it is good that there was at least one person in that category, although I note that the Chief Minister was not too far behind. She came here when she was very young indeed and had all her schooling in Canberra.

Mr Humphries: She was here before you were.

MR STEFANIAK: I do not know whether she was in Canberra before I was, Gary. I was born on 8 January 1952. Anyway, I have been privileged to be part of this First Assembly. I hope that I have made a number of constructive and useful contributions. I certainly have been pleased with the support, particularly this year, for two measures, one of which was reintroduced and the other one introduced. They are, of course, the move-on powers and the dry areas legislation. I was very pleased to see the majority of members support those very sensible measures.

I was also pleased to see, during my time in the Assembly, I suppose, a maturing on the part of a lot of people, in terms of an appreciation of what really makes Canberra tick. One other area that I have been happy to have some involvement in, and I hope have assisted in, is the sporting area. I think all members in this Assembly now realise how terribly important that is, not only economically but also for the physical well-being of the people of the Territory.

Finally, I wish everyone well for the coming election. Most people are standing. You, of course, Mr Speaker, are not standing. It has been a privilege to work with you as Speaker. As a person who has had to stand in for you on occasions, I have certainly enjoyed that role. To my colleagues and my former colleagues in the Liberal Party, I express my thanks for having the opportunity to serve with you. Politics being what it is, I am not overly happy being where I am on the ticket; but these things happen and that is life.

To my non-Liberal Party colleagues, it has been very enjoyable, on the whole, working with you, along with my former colleagues in the Alliance Government. We certainly had a difficult time on occasions and we had a wide diversity of views, but I think that coalition of 10 people worked surprisingly well. I am especially grateful for the privilege of having worked with members such as Craig Duby, Carmel Maher, Hector, Norm and Bernard - Bernard especially in many ways, as I did work with him on a daily basis. Although we certainly did not see eye to eye on a number of things, it certainly was an interesting experience, and I think, overall, a beneficial one; beneficial, I hope, to the Territory, too.

To the other members and to the current Labor members, it has also been a pleasure working with you. I certainly do not see eye to eye with some of the Labor people on a number of issues; but I certainly have a high regard for you all as individuals and, I believe, as professionals. I wish all the very best to everyone - not just to those of you who will be re-elected to the Second Assembly but to all of you. All the best for whatever you do in the future; merry Christmas and God bless.

Valedictory

MS MAHER (7.52): Mr Speaker, serving in the First Assembly has been a privilege and an experience that I will not forget. I will not be standing at the next election, but I hope to take all the work that I have done and what I have learned into the community and still work with it. I wish to thank all the staff - the secretariat and the committee staff - for all the work and support they have provided; also my personal staff, and Maylin Duke, who is no longer with me.

I thank Mr Duby, without whom I would not have been here, for all the support that he has given me, and also my son Aaron, who has given me a lot of support during this time. I just want to say that it has been a privilege to be here. I have certainly learnt a lot, and it is an experience that I will not forget. I wish all members who are standing all due success at the election next year, and I wish everyone a happy Christmas and new year.

Valedictory

MS FOLLETT (Chief Minister and Treasurer) (7.53): Mr Speaker, I think we would all agree that the First Assembly got off to an inauspicious start, as a result of the election result that we have all been living with for the past three years. But there have been some extraordinary achievements of this First Assembly, and I think that it is worth mentioning what some of them are, because they are all matters that improve the lives of our Canberra citizens.

They include such initiatives as the occupational health and safety legislation; the anti-discrimination legislation, which we have just recently passed; the planning laws, which were a very long time in coming and were worked upon, of course, by all three governments, but they are here now and they are passed; the Weapons Act, again worked on by more than one government; workers' compensation amendments, which we have recently passed; and, of course, the guardianship and powers of attorney laws which have been passed here; domestic violence amendments; and all of the consumer law amendments which have been passed through the Assembly.

All of those matters do assist our Canberra citizens and we can all be proud of them. I think that most people in the community welcome those initiatives, and a number of people in the community look forward to further initiatives like that in the Assembly as it continues.

I would like to pay tribute to a number of people who have played a very significant part in the life of the First Assembly and, of course, in the life of the Government. There are two individuals who deserve special mention.

The first of those is Mr Gary Whitley, who will go down in history as the public servant who played the key role in the implementation of self-government. All of those who supported self-government owe a debt of gratitude to Mr Whitley for the work that he did and for the very open and consultative manner that he displayed all the time that he was doing that work. He has retired now, and I am sure everyone would wish him well in his retirement.

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I would also like to mention our first Clerk, Mr Don Piper. Mr Piper, of course, was very instrumental in establishing this Assembly, in drawing up the standing orders and in helping us all to actually get the Assembly under way. He was dealing with the newest Australian parliament, so I have no doubt that he enjoyed the task. I know that Mr Piper was awarded the Public Service Medal for the work that he did - a very much deserved award.

Of course, I would also like to mention our current Clerk, who performs with great distinction. I believe that all of the members very much admire Mr McRae's patience, his tolerance and his generosity with advice.

All of the members of the Assembly secretariat, the attendants and the committee secretariat deserve our thanks, and I am pleased that most members have thanked them for that. Without the work and the long hours that those people put into the Assembly, it simply would not be possible for us to operate. That, of course, goes for not just the attendants but also the security personnel, who are there at the moment as well. They do a very good job and do it with enormous grace.

I would like to thank my Labor colleagues for their support and their loyalty throughout our period in the Assembly, whether in government or in opposition. We have been, I think, unique in enjoying exceptional unity in our team, and I know that that will continue; and I should say that it makes my task a great deal easier than it would otherwise be. It is a privilege to lead such a team.

Our personal staff have put in extraordinary hours and an extraordinary effort. A lot of them have been with us since day one, so they have seen all of the vicissitudes of this First Assembly. They have weathered the storms and they have done it wonderfully. They have been an incredible support to all of us, and I would like to pay tribute to them.

Mr Speaker, politics is a hard game. I am not going to wish good luck to anyone except my four Labor colleagues and our other candidates, but I certainly do wish everybody in the Assembly a very happy Christmas. I hope that you have a good rest and I hope that, whatever next year brings, you will be able to enjoy it and find it fulfilling.

Valedictory

MR HUMPHRIES (7.58): Mr Speaker, we have been writing political obituaries with some vigour in recent weeks. I think it is worth bearing in mind that the Latin maxim *momento mori* roughly translates as saying that sooner or later we all have to kick the bucket, politically speaking. Whether we are carried out on a wave of voter cynicism or carried out in a box, ultimately another bum will warm each and every seat in this chamber. So, in the charitable spirit of Christmas, I have some suggestions as to what each and every one of us might be able to do in the political afterlife.

Ms Follett, for example, might consider becoming public relations director at the Canberra Casino, where she would enjoy sweet success in persuading patrons who lose the shirts off their backs that they really are better off in her casino.

Mr Kaine would be temperamentally suited to become the ACT's first administrator, since this is a mere extension of the pomp and ceremony and rubber-stamping associated with being Chief Minister.

Ms Maher could start a consultancy in assertiveness training. She has certainly developed that in the last three years.

Could I suggest to Messrs Connolly, Collaery and Stefaniak that they might consider entering into a legal partnership. It would be interesting. It makes a lot of sense. Mr Stefaniak could specialise in prosecuting, Mr Collaery in defending, and Mr Connolly in any matters with the potential for personal appearances in the High Court. Let me say that I do foresee some problems with that firm. The post of senior partner would probably change from month to month - one month Mr Connolly with the support of Mr Collaery, the next Mr Stefaniak with the support of Mr Collaery. I do not think, though, that Mr Collaery would ever quite make the post of senior partner.

Mr Wood could audition to become the model for a new cuddly but educational children's toy - soft and fluffy, with no sharp edges.

Dr Kinloch could apply to become the manager of the Quaker home for ageing academics, a place where no-one ever argues and where bed numbers never get cut.

Mr Duby, of course, needs no advice. He being a man who has had more political parties than Cat Stevens has had religions, I do not believe that he ever needs to be pointed in the right direction. I expect that he has already registered the name "Dial-a-Party" at the Corporate Affairs Office, the idea being that people who ring up expecting a good time instead will hear a 20-minute speech on options for improving public revenue in the ACT.

I am told that in my Christmas message last year I completely forgot to make reference to Mr Jensen, an oversight which I will not repeat this year. Some members are harder to overlook than others. Mrs Grassby, for instance, is in that category. For her I foresee a return to running a pub where her steamrolling humour and pithy aphorisms will attract customers from miles around to see her pull the beers and regale the clientele with stories of what Bernard said and, "How I cut the grass in Canberra".

For Mr Stevenson I envisage, Mr Speaker, emigration to the United States and a successful career as a tele-evangelist. Here is one ministry Mr Stevenson can accept with a clear conscience. Of course, he would, like other tele-evangelists, receive no personal reward for his ministry.

I was going to suggest to Mr Moore that he establish himself as the new king of ACT daytime radio talkback, but he has already done that. Alternatively, he might contemplate establishing "Independents International", an organisation which will bring together independent politicians from all around the world, however much a contradiction in terms that might seem to be. World travel is an attractive optional perk. If the international headquarters is in question, I can recommend an excellent French chateau.

Mr Berry should volunteer to fly spy missions over enemy territory during the next armed conflict in which Australia is involved. Should he be shot down, his superiors can rest in confidence knowing that there is no possibility of the enemy getting him to answer any of their questions.

Mrs Nolan's interest in tourism could be put to good use if she were to set up "Tuggeranong Magical Mystery Tours", featuring the Whalan nursery, the Duby effluent outlet and the Tuggeranong tax office.

Finally, Mr Speaker, could I invite you personally to turn to God. You would, I am convinced, possess great qualities as a man of the cloth, although not in the same way as Mr Stevenson. Like St Paul, you once set out to destroy a new faith, but instead became its most ardent proponent. Mr Speaker, I hope that my colleagues - - -

Mr Connolly: What about you, Gary?

Mr Duby: What about Mr Jensen?

Mr Connolly: And Mr Jensen.

Mr Stevenson: I will look after that, if you like.

MR HUMPHRIES: Oh, I have suddenly forgotten my speech. I am sorry. I hope, Mr Speaker, that my colleagues will forgive me for my frankness as I wish them all a very peaceful Christmas and a full-blooded and successful campaign in 1992.

Valedictory

MR STEVENSON (8.04): Mr Humphries left himself out and that was so that I could, perhaps, put him back in. I think that at No. 5 on the Liberal ticket it is a wonder that Mr Humphries could put his attention on what he has done today so well. I think that what he is really concerned about after the elections is whether he will be able to say, "I'm free".

Big Bill Stefaniak mentioned that he might not be back. Perhaps if he could get some of those footballers to pack down behind him they could give him a push over the line. He might make it with a quota of his own and do a bit of jumping.

Mr Prowse said, most pointedly, at the start of his speech - this is the bit that he certainly wrote himself - when he talked about abolishing self-government, that it is here to stay. That, as always, is really in the hands of the people, where the power lies. I know that members of parliament think that they have the power, but in the final analysis - and history shows us this - the power lies in the hands of the people, and all they would need to do at any time is decide that they want to use it. It has been done very effectively in Australia's history.

I certainly thank people in the secretariat and the attendants. One thing that can be said is that the staff of other members in the Assembly have been most helpful indeed, many times. I also would like to thank, as no-one else has, the security staff and the cleaners. I think you can understand that I have a better understanding of them than anyone else here.

There is no doubt that the election, whatever else it brings, will bring interest to not only all of us but also a lot of people in Canberra. Who really knows what will happen? We all have our ideas. The many people who will stand for new parties and the new independents, as they call them, have their ideas. If you add up the number of people that are going to be elected to this Assembly, from talking to people, we are already around about 40. I am not sure that there are enough seats for us.

One of the things I have thought for a long time as I think about how things are in the Assembly is that we need to get on better. Being 16 to 1, I suppose the suggestion is that I have not got on all that well with some people at different times, although in the case of the discrimination legislation that has been mentioned a couple of times I would like to thank Mr Duby for voting with me at least once, even if it was a mistake.

I think the answer in Australia is that we do get on better together. People in the Labor Party and the Liberal Party and every other party are not really going to make it separately, although we might think that is the case. We

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might think that our particular ideology or our particular thoughts are going to rise above everybody else's and solve all of the problems. But it will never happen. Only together will we create the sort of Australia we could have and give an example to many countries in the world that are not as fortunate as we are.

I wish all members in this Assembly and their spouses and children a wonderful Christmas and look forward to seeing them next year.

Valedictory

MR MOORE (8.08): Mr Speaker, I am aware of the shortening time, so I will attempt to be brief. One of the most important things in this Assembly has been the committee system and I think that in the next Assembly it ought to be strengthened. At this point, as is appropriate, I need to pay particular thanks to those people in the committee secretariat who offered me support in the work, particularly Ron Owens on the Select Committee on HIV, Illegal Drugs and Prostitution, and Bill Symington, while I was chair, and still am chair, of the Standing Committee on Conservation, Heritage and Environment.

Rather than repeat all the thanks that everybody else has uttered, I just add my voice. I particularly would like to mention, in addition to all of those other people mentioned, the support that we have all had from Hansard. Sometimes it is easy to forget that they are there, but as soon as somebody mentions it we realise just how critical they are to a great deal of what we do. I do not recall anybody actually mentioning thanks to Hansard, although I see the Chief Minister indicating that she did.

It is very interesting to note the Canberra community's perspective of what has happened over the last two years, particularly with reference to people other than those in the two major parties. The Canberra community perspective is, broadly, that they have seen turnaround after turnaround. Largely, they are correct.

I would like to thank my own staff who have supported me over the last two or three years. I would like particularly to thank Peter Wise, who was of great assistance to me in the early stages before he went to Murwillumbah to a quieter life. I was very fortunate to have Jeannine Lee as my assistant until she was poached by the Speaker with an offer of a better deal. My thanks go also to Kylie Miller and Carol Jarman, whose work I have appreciated.

Mr Speaker, thank you for your efforts. Members, I have enjoyed working with you during the committee work more than anything. I appreciate that and I am pleased to have had that opportunity.

Valedictory

MRS NOLAN (8.10): I also am aware of the time constraints placed upon us. I would like to endorse the comments made by each member in thanking all staff, in particular the secretariat staff. I have been very proud and privileged to serve in this First Assembly. For those of you who probably are not aware, I do have a long family history. I had a great-great-uncle who was a founder of Federation; so to me it has further endorsed a commitment that has been a long-time family tradition.

I would also like to say, Mr Speaker, that it is unfortunate that there perhaps has not been more camaraderie in this First Assembly. I hope that that changes in the Second Assembly. Those who have had involvements with other parliaments around Australia know that we can have all the sparring on the floor of the house, but it would be nice if we had a little more camaraderie.

The other thing I would like to mention in particular is women in parliament. We are all aware that in State and Federal parliaments around Australia there are still only some 100 women out of, I think, a total of some 853. We have been very lucky that this Assembly or the Canberra community has had a little better representation than some other parliaments in having four women, including our now Chief Minister. My prediction is that there will be many more women in the Second Assembly. I would go so far as to say that I think there will be eight out of the 17. I would just like to place that on record. Ending my prediction, I would like to wish everyone a very happy Christmas.

MR SPEAKER: Members, I take it that it would be appropriate for all members to be given the opportunity to speak tonight.

Valedictory

MR WOOD (Minister for Education and the Arts and Minister for the Environment, Land and Planning) (8.12): Mr Speaker, I was careful to have some of my remarks recorded in the first *Hansard*. It had not been particularly planned that that would happen, but I took the opportunity to rise and make some comments about the future of this parliament. I think that for me and my colleagues, and maybe for some others, the aims I espoused then have substantially been achieved. So, I am keen now to get my remarks in the last *Hansard* and to reflect on the future briefly and the election that is just a couple of months away.

This will be my seventh election for a State or Territory or Federal parliament. My record is not bad in the others; I won three and lost three. On each occasion I was never sure of the outcome, but I have to say that I am coming into this next election with the greatest equanimity that I can find. While nobody is absolutely sure on this occasion, I am reasonably confident. So, given my past record, when it sometimes has been quite anxious in marginal seats in difficult times, colleagues, I feel for you.

Valedictory

MR JENSEN (8.14): Mr Speaker, it gives me some sense of privilege to follow my colleague Mr Wood. I think it is fair to say that all of us in this Assembly have a certain degree of liking for Mr Wood. We have served with him on committees or as a Minister. I think we all appreciate the support, advice and assistance that he has given us throughout the period. Thanks very much, Bill.

Mr Speaker, I would like to thank the members of the committee secretariat staff who worked long hours to ensure that the committee reports were prepared on time. At the risk of missing any of them, I think it is appropriate that I should remember Mr John Cummins, who was the first committee secretary in this Assembly. I was very privileged to work with John, as I know other members were. John, as we know, has returned to the Federal Parliament and I am sure that we all wish him well there.

Another stalwart of the committee staff is Ms Karin Malmberg, now the senior committee secretary, who has provided support to the Public Accounts Committee. I have already thanked Karin today and I will not continue. I would also like to thank Mr Greg McIntosh, who has been the secretary for the Planning, Development and Infrastructure Committee, which has had an interesting time during the life of the Assembly. I would like to thank Greg for his advice and assistance over that period.

Mr Speaker, as my colleague Mr Moore has indicated, the committee system has been a major feature of our Assembly. It has certainly been my privilege to serve as a member of standing and select committees within this Assembly. I am sure that in the next Assembly we will see a further development of this process, which I see as being very important in relation to the review of our government, particularly the Executive. I think it is something that we all appreciate, particularly as this house, as I have said before, has no review process other than the committee system.

I have said many times that when the history of this Assembly is written, after people have forgotten that it was forced upon the people of the ACT, people will find that there have been a number of real achievements by this Assembly. I think the Chief Minister, Ms Follett, has catalogued some of them. I think this has been a reforming parliament. We were left a legacy of neglect by a series of Federal administrations and I think it has been a very good and productive process that will not be appreciated until long after all of us have gone.

While there have been occasions, Mr Speaker, when things have been a bit tense - I have been in your chair on the odd occasion; that has been an interesting exercise and I appreciate that opportunity - there has been a degree of camaraderie between members. It is a small Assembly and that probably has something to do with it. Like my colleague Mr Collaery, I have been privileged to serve with you all. I must not forget Mr Whalan who, as my colleague Mr Collaery said, was a formidable opponent. I guess that in some respects we missed him from that point of view when he went, and I think we said that at the time.

I would like to thank the members of my staff who have provided sterling support, particularly Mrs Cathy Rossiter, who served with me for the majority of the time, Patti Collins, and, more recently, Kay Rudolph-Borgar and Lisa Middlebrook, who have both provided particular support in these last few months. Of course, Mr Speaker, we cannot forget the secretariat, who have provided sterling support. Mr Mark McRae and Mr Don Piper have already been mentioned.

I think it would be remiss of me if I did not also pay a tribute to my family, particularly my wife Wendy, who has been of considerable support to me over this period. I think we all appreciate how difficult the life of a politician can be for our families. I think we all owe them a debt of gratitude. In closing, let me wish you and yours all the best for the festive season, and I hope to see a few of you back here next year.

Valedictory

MR CONNOLLY (Attorney-General, Minister for Housing and Community Services and Minister for Urban Services) (8.19): Mr Speaker, I have not had the pleasure of sharing the full three years with you in this place. I came in as a casual appointment and will be both the first and the last person to be appointed by that provision because, whatever happens at the referendum, the most likely result is that if there are future resignations or retirements there will be a by-election for the local member constituency. Even in the event that the Hare-Clark Independence Party's favoured choice wins, and there is a Hare-Clark system, there will be a countback. So, the casual appointment provision operated only for this First Assembly and will not operate again. So, there is a footnote in any event.

The thing that strikes me so much about this First Assembly, as someone who has read fairly deeply in Australian political history, is how it took 50 years in Australia for responsible government to evolve into a two-party system, really from the 1850s to the first decade of Federation in the State parliaments, and it took the first decade of the Commonwealth Parliament for the system to evolve. It has really taken three years for us here to go through that process.

I think we are going through, in three years, the process that was gone through in that first 50 years of responsible government in Australia, from fractured interest groups into a stable two-party system. It is certainly my view, and the view of our party, that that is what the electors want. They will see that the system that was tried in the States and that operated for the first decade of the Commonwealth does not provide stable government; it provides chaos and it will go the way of the three XIs of Alfred Deakin's famous comment in the Federal Parliament in the first decade of Federation.

Mr Speaker, I would like to join in the thanks that everyone has offered to Assembly staff and to all the political staff. People working on ministerial staffs and opposition staffs put in the same long hours and hard work as members and Ministers, but they do not get the recognition and the thanks for it, sometimes. So, I thank everyone who has served on my staff in the 18 months I have been here. Also, as Mr Jensen specifically said, I certainly thank my spouse. Families of politicians get it hard. It is difficult enough without children; but I certainly feel for members who have children, young or not so young, because politics does make a demand on your time. We who are in the public eye have to accept that; but it is difficult on families, and I certainly would like to thank my wife Helen for accepting the impositions that that has put upon her. Merry Christmas.

Valedictory

DR KINLOCH (8.21): No-one has been saying "Thank you, Mr Speaker", but may we all say, "Thank you, Mr Speaker". I had the pleasure of speaking with David earlier today on a somewhat historical note and I was saying that, whatever else happens, one day his CV will be in the *Australian Dictionary of Biography*. This is going to be true for all of us. We are an historic Assembly. It has been a great thrill for me, and I know for all of you, to be here for this first ever Assembly. I wish Paul Whalan were here with us, too, to join in that. I hope that 50 years from now, 100 years from now, we will all be cosily enclosed in some computer edition of the *Australian Dictionary of Biography*.

Mr Kaine: Or have streets named after us.

DR KINLOCH: Or have streets named after us. Happily, all 18 of them would be in the one suburb.

Mr Kaine: There is a whole suburb out there somewhere where the streets are going to be named after us.

DR KINLOCH: In that one suburb, yes, called "The First Assembly" - a lovely idea. Now, there is a bit of unfinished business; it is the question of what Gary Humphries should do. That was not resolved, was it? I wish to reveal a secret about Gary Humphries. I want you all to look at him and ask who he reminds you of. Of course, it is a very distinguished Hollywood film director. Gary has made about six films. I think he pays people so that these will never be shown again. The task I have for him is to make the film about the First Assembly. There was a stage play, *The Summer of the Seventeenth Doll*. We can have "The Season of the Seventeen Members" and Gary could direct us. I did put down parts for everyone, but perhaps I will not now say those. I will circulate them privately.

There is a particular group we have not been mentioning. I join with everyone about staff and cleaners and everyone. Especially, may I mention Helen Lawlor, who has been my chief assistant for three years, and recently Noel Haberecht; also Joan Hogan and Silva Cengic, and all our staff. You know that we could not operate without them.

There is a particular group we all are very close to and, if we are all in the *Australian Dictionary of Biography*, they should be there too. I am going to give you their first names and whether you want to cheer or smile or whatever is up to you. Let me start: Pru, Matthew, Julie, Elaine, Lucy, Sophia, Leanne, Karen, Jody, Hugh, Chris, Amanda, Virginia, Mike, Claudia, Hugh, Patrick, Jane and Duncan. Very recently, I noticed that Stan Grant - very early on, he was with one of the television stations - has really hit the high time with a program of his own in Sydney. I am sorry that I have forgotten some.

Mr Jensen: What about Sandra?

DR KINLOCH: Sandra, indeed. Anyone else?

Mr Duby: Philip Hobbs.

DR KINLOCH: Indeed; we wish him well. We hope that he is well. I think we cannot talk about ourselves without also talking about the media.

Mr Collaery: And Geoff Pryor.

DR KINLOCH: Geoff Pryor, of course; where would we be without Geoff Pryor? I was very touched, Trevor, by your opening remarks today and your very handsome apology. We return apologies, and may we meet in friendship. I say that to everyone. I very much agree with Mr Moore about *Hansard*.

Now, I want to say a strange thing. When I first came to the Assembly I had retired and I felt fairly dodderly, but you have probably noticed that by taking the occasional nap one restores oneself. I have no doubt at all - look around - that we are all younger than we were three years ago. Look at Ellnor, shining; Rosemary; everyone. I have this feeling that politics has been good for our health. Politics may not be good for bed numbers, but it is certainly good for our health.

I had the very great pleasure, on the eve of my sixty-fourth birthday last week, to go to The Grange Deakin, where most people are about 15 years older than I am. It is an old age home, almost as good as the Italian one. Ellnor, what is that called?

Mrs Grassby: Villagio.

DR KINLOCH: Villagio, that is terrific. At The Grange Deakin I was trying to say what was the best show in town. It was a talk on "Theatre in Canberra" and I said that we have matinees on Tuesdays, Wednesdays and Thursday, and on Tuesdays we meet in the evening. The seats are free. We have been, for the people of Canberra, the best entertainment they have had in their lives. If only they could also see us fully at work. Well, it has been absolutely wonderful to be part of these three years. I feel greatly honoured. I join with Carmel in feeling that. I wish you all the best for Christmas and the new year.

Valedictory

MR BERRY (Deputy Chief Minister) (8.27), in reply: One has to echo the thanks that have been extended by members to all of the staff who have been associated with this Assembly in so many ways. I will not go through them all; they have been mentioned, so I merely echo what has already been said. My special thanks, of course, go to my staff who were with me in the former Government, and most of all to Sue Robinson who has been in two governments and in opposition. Her hard work has been helpful, along with all of the other Labor Party staffers who have helped and who have had to have tolerant spouses and partners to be able to put in the level of work that has been required. As you would expect, my extra special thanks go to my partner and mother of my children for her forbearance and tolerance.

For me this has been a great year because it is the hundredth year of the Labor Party. What better way to work for the Labor Party than to be working in the parliamentary wing of the party 100 years after it commenced. It was a great year for somebody who came into politics out of the trade union movement. The history of the Labor Party is well known. It was born out of solidarity and I think that

that solidarity found its way into the Labor Party team here. I do not think anybody would argue against the single front that we have put up throughout the life of this little parliament. It has been a single front from day one.

There are some players in this parliament who are to be congratulated. I will not mention them all, but I will mention one particular school. There is a very famous school, now closed, that produced two prominent parliamentarians in this parliament, two Deputy Chief Ministers, no less. That is the Cundletown St Joseph's Convent School. I do not know that when Sister Mary Athanasius was thumping me during the course of my piano lessons she would have thought that not only I but also Paul Whalan would find ourselves on the parliamentary benches one day. It is a famous little school. I am not sure that it will be recorded in the history books, Hector, but I thought I would throw that one in anyway.

It has been a great deal of enjoyment for me to have been involved in the thrust and parry of debate here - not because I have liked the people that I have been thrusting at and parrying with, but because this is really about us and them. The Labor Party was born out of a struggle. The struggle goes on. There is no question about that. The union movement, from whence I came, believes, and I firmly believe, that we still have a battle in front of us to ensure that all of the progressive things that have happened because of the Labor Party's entry into politics can be furthered and extended in the interests of not only members who support the Labor Party or people who support the Labor Party but even people who do not. We want to make this a better place and we will all continue to work very hard to do that.

During the course of this Assembly there have been some flirtations between us. Some have joined with us to win things and some have joined with us to lose things, and I point to Michael Moore; but these were merely flirtations. It is about winning and losing and I, for one, do not like losing. I like winning, and I like winning on behalf of the constituency that I represent. My colleagues of this First Assembly, all I can say in closing is: May we all live in peace.

Question resolved in the affirmative.

**Assembly adjourned at 8.32 pm until a date and hour
to be fixed**

ANSWERS TO QUESTIONS

MINISTER FOR HEALTH

LEGISLATIVE ASSEMBLY QUESTION

QUESTION 431

Hospitals - Private Patients

Mr. Humphries - asked the Minister for Health

1. What is the net financial cost to the government when a private patient occupies a public hospital bed.
2. Does the Medicare system encourage the use by privately insured patients of the ACT public hospital system.
3. What is the ratio of public to private hospital beds in the ACT.
4. How does this compare with all other States and Territories.
5. Does the government intend to make a written submission to the national review of Medicare, formally known as the National Health Strategy. If not, why not.

Mr Berry - The answer to Mr Humphries question is:

1. The answer to this depends on the way in which the non-public bed is occupied.

If a non-public patient occupies a bed and this is an extra bed (ie. non public patient does not displace a public patient) in the system then the net marginal cost is \$173 per bed day (90/91 figures). If, on the other hand, a non-public patient displaces a public patient then there is a net marginal gain of \$277 per bed day after the extra revenue has been taken into consideration.

2. The Medicare system for universal health cover recognises that privately insured patients use the public system. Indeed in 1990/91 around 34% of the clients in ACT public hospitals were private patients (excluding ineligible, compensable and DVS patients). It must also be said that many privately insured residents do so for choice of doctor purposes and could not afford the expensive cover required for ACT private hospitals.

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3 & 4 ACT residents have access to a larger percentage of affordable public hospital beds than the average across Australia. Around 16% of ACT hospital beds are private beds whereas 26% of beds Australia-wide are private beds and more expensive for the privately insured than the public system. Approvals have been provided for a further 32 beds at John James and 70 at Calvary Private Hospital.

5. Yes

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MINISTER FOR HEALTH
LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO. 437

Ambulance Service

Mr Humphries - Asked the Minister for Health on Notice on 6 August 1991:

How does the ACT compare with metropolitan areas of NSW in terms of: (a) the ratio of ambulance officers to population and (b) the number of restated ambulance crews to population.

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

In preparing this response, the assistance of the NSW Ambulance Service, in particular Sydney, Newcastle and Wollongong, was sought. You will note the variations between different NSW centres, making direct comparisons with the ACT Ambulance Service difficult. Some NSW areas operate single officer crews on their ambulance vehicles and also operate a clinic transport service. The ACT Ambulance Service operates two officer crews and a single officer clinic bus transfer service.

(a) The ratio of Ambulance Officers to population is as follows:

Sydney

Population Approx 4 000 000

Ambulance Officers 1 023 (operational staff)

Ratio 1 : 3 910

Newcastle - Outer/Inner Hunter Region

Population 510 000

Ambulance Officers 239 (inclusive of training and administration staff*)

Ratio 1 : 2 133

Wollongong

Population 250 000

Ambulance Officers 91 (exclusive of training and administration staff)

Ratio 1 : 2 747

ACT

Population 280 000

Ambulance Officers 53 (exclusive of training and administration staff)

Ratio 1 : 5 283

*Only available figures, not easily comparable, will overestimate staff.

(b) Ratio of Ambulances (crews) to population:

Sydney Ratio

Day 104 1 : 38 461

Afternoon 14 (overlap shift) 1 : 285 714

Night 65, 1 : 61 538

Intensive Care Cars

Day 17 1 : 235 294

Afternoon 8 (overlap shift) 1 : 500 000

Night 11 1 : 363 636

Newcastle

Day 42 1 : 12 142

Night 21 1 : 24 287

Intensive Care Cars

Day 2 1 : 255 000

Night 2 1 : 255 000

Wollongong Wollongong

Day 9 1 : 27 777

Night 4 1 : 62 500

Intensive Care Cars

Day 1 1 : 250 000

Night 1 1 : 250 000

ACTT

Day 4 1 : 70 000

Night 4 1 : 70 000

There are no dedicated Intensive Care Cars in the ACT. Advanced Life Support (ALS) Officers crew the ambulances and therefore the number of ALS cars varies shift to shift; however, they are incorporated into the four cars listed.

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(c) Average case load per 24 hours and the ratio to population:

Sydney Ratio (caseload to
population)

Case load/24 hours : 1 010 1 : 3 960

Newcastle

Case load/24 hours : 214 1 : 2 383

Wollongong

Case load/24 hours : 80 1 : 3 125

ACT

Case load/24 hours : 31 1 : 9 032

(d) Ratio Ambulance Crews to case load:

Sydney R Baltic (crews to
caseload)

Crews/24 hours 93 1 : 10.8

Newcastle

Crews/24 hours 86 1 : 1.248

Wollongong

Crews/24 hours 13 1 : 6.15

ACT

Crews/24 hours 4 1 : 7.75

The ACT is a unique environment with a good road system and relatively short travelling times.

There is little demand in the ACT for the types of non-urgent cases that ruralist undertake. This means that the ACT Ambulance Service is being used more efficiently to focus on urgent cases,,where high levels of support systems are required. In addition, the use of the Ambulance Service in the surrounding areas, engaged in non-urgent work, is viewed as an expensive and inefficient use of resources.

The caseload in the ACT is low by comparison with other metropolitan areas and may be reflective of good alternative transport arrangements for non-urgent cases..

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

Question No 443

Canberra Airport - International Freight Terminal

MR HUMPHRIES - Asked the Chief Minister upon notice on 6 August 1991:

- (1) What action is the Chief Minister taking to help ensure that an international freight terminal is developed at the Canberra Airport.
- (2) What are the potential social and economic benefits to Canberra of an international freight terminal.

MS FOLLETT - The Answer to the member I s question is as follows:

- (1) As you are aware the Federal Airports Corporation (FAC) is currently developing proposals for establishing a major airfreight terminal at the Canberra Airport. This is an exciting proposal with the potential for substantial benefits to the Canberra community and the surrounding Region.

I understand that the FAC has undertaken preliminary work on the feasibility of establishing a wider range of commercial uses on the airport site and of developing a major air freight facility at Canberra. Early indications are that these proposals would be feasible and further detailed study is proceeding.

At this stage the Canberra FAC has not completed its detailed feasibility and other studies necessary to finalise its proposal to the national FAC Board. I have asked the South East Economic Development Council to pursue this opportunity as it offers much to Canberra and the Region. The Council has included the establishment of the air freight facility as one of the recommendations in its South East Economic Development Strategy.

My government is prepared to actively consider a proposal to upgrade the Canberra Airport for international freight transport. This consideration will examine the costs and benefits associated with such a terminal and provide the opportunity for public consultation.

- (2) While specific social and economic benefits will depend on a detailed FAC proposal it is expected that benefits could include new jobs, expanded business opportunities, and lower transport costs malting business in the Region more competitive.

Also the South East Economic Development Council has identified the establishment of international airfreight facilities as an important objective for the long term economic development of the Canberra Region.

QUESTIONS ON NOTICE
NOs 499 to 507

Government Service - Staff Numbers

Mr Collaery - Asked the following questions upon notice on 6 August 1991.

499 On 1 July 1991, how many employees were there in each Division and Branch of the Attorney-Generals Department and each of the agencies that report to it, and what is the break down by classification level, by permanent or casual, and by full or part time.

500 On 1 July 1991, how many employees were there in each Division and Branch of the Housing and Community Services Bureau and each of the agencies that report to it, and what is the break down by classification level, by permanent or casual, and by full or part time.

501 On 1 July 1991, how many employees were there in each Division and Branch of the Department of Urban Services and each of the agencies that report to it, and what is the break down by classification level, by permanent or casual, and by full or part time.

502 On 1 July 1991, how many employees were there in each Division and Branch of the Department of Education and the Arts and each of the agencies that report to it, and what is the break down by classification level, by permanent or casual, and by full or part time.

503 On 1 July 1991, how many employees were there in each Division and Branch of the Department of Environment, Land and Planning and each of the agencies that report to it, and what is the break down by classification level, by permanent or casual, and by full or part time.

504 On 1 July 1991, how many employees were there in each Division and Branch of the Department of Health and each of the agencies that report to it, and what is the break down by classification level, by permanent or casual, and by full or part time.

505 On 1 July 1991, how many employees were there in each Division and Branch of the Sport and Recreation Bureau and each of the agencies that report to it, and what is the break down by classification. level, by permanent or casual, and by full or part time.

506 On 1 July 1991, how many employees were there in each Division and Branch of the Chief Ministers Department and each of the agencies that report to it, and what is the break down by classification level, by permanent or casual, and by full or part time.

507 On 1 July 1991, how many employees were there in each Division and Branch of the Treasurers Department and each of the agencies that report to it, and what is the break down by classification level, by permanent or casual; and by full or part time.

Ms Follett - The answer to the members questions is as follows:

The tables attached provide as much information as is currently available from the payroll about the composition and location of the ACT Government Service workforce. The figures are as at 4 July 1991, pay 1 of 1991-92.

TABLE 1: STAFFING BY EMPLOYMENT TYPE AND AGENCY (1)

AGENCY	Permanent Full Time	Permanent Part Time	Temporary Full Time	Temporary Part Time	Total Full Time	Total Part Time	Casual	Inoperative	TOTAL
Chief Minister's	348	15	124	4	472	19	24	69	584 (2)
Treasury	206	3	17		223	3	4		230
Attorney-General	348	9	44	8	392	17	13		422
Dept of Health	2838	584	729	582	3567	1166	717	147	5597
Dept of Ed & the Arts	3466	214	236	108	3702	322	1450	465	5939
H&CSB	441	10	68	3	509	13	25		547
DELP	561	13	620	18	1181	31	29	16	1257
DUS	1358	83	693	37	2051	120	12	197	2380
ACTION	1043		29	1	1072	1		9	1082
ACT Fire Brigade	277				277				277
TAFE	742	55	56	10	798	65	815	47	1725
ACTEW	1341	11	6	2	1347	13		14	1374
TOTAL	12969	997	2622	773	15591	1770	3089	964	21414

Notes: 1 - This table disaggregates Appendix C Table 1 of the Head of Administration Annual Report
2 - Staff in the Office of the ACT Auditor General and the Legislative Assembly are shown under Chief Minister's

OTHER ACT PUBLIC SECTOR AGENCIES
PAY PERIOD 1 OF 1991/92 (3)

	PERM		TEMP		CASUAL	INOP	TOTALS
	F/T	P/T	F/T	P/T			
ACT TAB							
TAB Act	25	1	-	-	80	-	106
Canberra Theatre Trust							
Canberra Theatre Trust Act 1965	18	2	-	-	34	-	54
Totalcare Industries							
TWU	26	-	-	22	12	1	61
P&G	82	-	18	-	16	-	116
PS Act	13	-	1	-	-	-	14
Maintenance Staff (FEDFA/MEWU etc)	27	-	-	-	-	-	27
Sub Total	148	0	19	22	28	1	218
Milk Authority							
Milk Authority Act	6	-	-	-	-	-	6
National Exhibition Centre							
NATEX Trust Act 1976	6	-	-	-	-	-	6
ACT Region Police							
AFP Act (* inc 29 on training)	735 *	4	2	-	-	9	750
Calvary Hospital							
General Conditions of Service	60	16	-	-	9	-	85
PS Act	56	38	-	1	-	-	95
General Service Officer	26	2	1	-	19	-	48
Technical Awards	20	-	-	-	-	-	20
Medial Officers	8	2	4	-	36	-	50
Professional Officers	16	6	1	-	9	1	33
Nursing Awards	99	79	-	-	111	5	294
Sub Total	285	143	6	1	184	6	625
TOTALS	1223	150	27	23	326	16	1765

Note: 3 - This table disaggregates Appendix C Table 2 of the Head of Administration Annual Report

THE MINISTER FOR EDUCATION AND THE ARTS

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO. 512

Primary Schools - Student Costs

MS NOLAN - asked the Minister for Education and the Arts on notice on 7 August 1991.

What is the Government cost per student per year attending the following primary schools:

Ainslie; Aranda; Arawang; Calwell; Campbell; Chapman; Charnwood; Chisholm; Cook; Co-operative School; Curtin; Duffy; Evatt; Fadden; Farrer; Florey; Flynn; Forrest; Fraser; Garran; Gilmore; Giralang; Gowrie; Griffith; Hall; Hawker; Higgins; Holt; Hughes; Isabella Plains; Kaleen; Latham; Lyneham; Lyons; MacGregor; Macquarie; Majura; Maribyrnong; Mawson; Melba; Melrose; Miles; Monash; Mount Neighbour; Narrabundah; North Ainslie; Red Hill; Richardson; Rivett; Southern Cross; Spence; Taylor; Telopea; Tharwa; Torrens; Turner; Urambi; Uriarra; Village Creek; Wanniasa; Wanniasa Hills; Weetangera; Weston; Yarralumla.

MR WOOD - the answer to Ms Nolans question is:

The attached tables and explanatory notes provide the required information, with the exception of Telopea School. This school is a combined Primary and High School and costs are shared by both levels. Therefore, a comparable costing for the primary school is not available.

Table A represents Total Per Student Costs 1990-91, Table B represents Per Student Costs For Salary Expenditure 1990-91 and Table C represents Schools Non-Salary Recurrent Costs 1990-91.

It must be noted that these per student costs reflect only the gross cost of a child attending a particular site (school). The costs represent the expenditure incurred in keeping the site running and functional, as well as the on-site staff salary costs. The costs are not discounted for any revenue generated by the school. For example, funds generated through community use or leading of available space to tenants have not been taken into account. Two schools have had their costs reduced for the proportional share of costs incurred by the Regional Support Centres on their sites. These are marked by ** in Table C.

The costs do not represent the unit cost of educating a child in the ACT public school system, since the per student costs do not include Head Office, Regional Support Centre and other various

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overhead costs such as curriculum, library and other services supplied to all schools by Central Office.

It is important to realise these costs provide a general indication of the costs incurred in providing a site for schooling and community use. An important function of the ACT public school system is to provide community facilities in a number of forms. The value of this service to the community in both tangible and intangible costs/benefits is difficult to quantify.

These per student costs do include allocations for the provision of special education services. Since special education services are provided in different ways and to different extents across sites, per student costs are subject to variation from site to site.

Other factors impacting on the per student costs of individual sites include

. the number of specialise the school . the age level and special needs of students; . the type of heating/cooling and lighting required; . the extent and type of after hours/community use;; . specialised curriculum activities; . building and grounds maintenance needs; . the existence and extent of special education provision; . the architectural design of the building; . the age and condition of the building; . the implementation of energy conservation measures; and . the amount of unused/vacant space.

Hackett and Holder Primary Schools have been reported separately since they closed at the end of 1990. Theodore Primary opened at the beginning of 1991; therefore, costs do not reflect a full financial year.

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TOTAL PER STUDENT COSTS IN 1990-91

TABLE A

SCHOOL	total enrol (avgluly Aug)	SALARY total	per student	NON-SALARY total	per student	TOTAL COST	TOTAL PER STUDENT COST
AINSLIE	345	857,515	2,485.55	165,920	480.93	1,023,434	2,966.48
ARANDA	365	796,919	2,183.34	138,240	378.74	935,159	2,562.08
ARAWANG	395	798,399	2,021.26	178,997	453.16	977,396	2,474.42
CALWELL	428	967,316	2,260.08	151,009	352.83	1,118,325	2,612.91
CAMPBELL	273	590,513	2,163.05	128,187	469.55	718,700	2,632.60
CHAPMAN	329	686,793	2,087.52	143,179	435.19	829,972	2,522.71
CHARNWOOD	364	783,276	2,151.86	171,083	470.01	954,359	2,621.87
CHISHOLM	450	1,011,906	2,248.68	169,820	377.38	1,181,726	2,626.06
COOK	123	237,966	1,934.68	88,973	723.36	326,938	2,658.04
CURTIN	311	1,086,543	3,493.71	155,705	500.66	1,242,248	3,994.37
DUFFY	255	581,080	2,278.74	142,306	558.06	723,386	2,836.81
EVATT	376	796,077	2,117.23	169,086	449.70	965,163	2,566.92
FADDEN	489	1,007,492	2,060.31	153,471	313.85	1,160,963	2,374.16
FARRER	338	706,721	2,090.89	130,627	386.47	837,348	2,477.36
FLOREY	452	967,729	2,140.99	167,141	369.78	1,134,871	2,510.78
FLYNN	388	796,528	2,052.91	191,584	493.77	988,112	2,546.68
FORREST	398	855,637	2,149.84	163,404	410.56	1,019,041	2,560.41
FRASER	385	846,844	2,199.60	155,449	403.76	1,002,293	2,603.36
GARRAN	407	861,020	2,115.53	146,749	360.56	1,007,769	2,476.09
GILMORE	523	1,146,369	2,191.91	153,833	294.14	1,300,202	2,486.05
GIRALANG	425	981,013	2,308.26	191,437	450.44	1,172,450	2,758.70
GOWRIE	433	925,688	2,137.85	195,469	451.43	1,121,158	2,589.28

TOTAL PER STUDENT COSTS IN 1990-91

SCHOOL	total enrol (avg July Aug)	SALARY total	per student	NON-SALARY total	per student	TOTAL COST	TOTAL PER STUDENT COST
GRIFFITH **	219	557,887	2,547.43	69,116	315.60	627,003	2,863.03
HALL	151	343,887	2,277.40	71,333	472.41	415,220	2,749.80
HAWKER	255	625,512	2,452.99	113,021	443.22	738,533	2,896.21
HIGGINS **	250	695,775	2,783.10	129,778	519.11	825,553	3,302.21
HOLT	392	864,136	2,204.43	159,926	407.97	1,024,062	2,612.40
HUGHES	283	713,854	2,522.45	184,113	650.58	897,967	3,173.03
JERVIS BAY	144	426,961	2,965.01	83,024	576.56	509,985	3,541.56
KALEEN	444	976,903	2,200.23	178,720	402.52	1,155,623	2,602.75
ISABELLA PLAINS	526	1,031,293	1,960.63	149,960	285.09	1,181,253	2,245.73
LATHAM	324	717,137	2,213.39	138,400	427.16	855,537	2,640.55
LYNEHAM	515	1,136,645	2,207.08	170,983	332.01	1,307,629	2,539.08
LYONS	106	294,653	2,779.75	95,316	899.20	389,969	3,678.95
MACGREGOR	432	1,002,360	2,320.28	179,984	416.63	1,182,343	2,736.91
MACQUARIE	200	489,788	2,448.94	125,480	627.40	615,268	3,076.34
MAJURA	356	747,422	2,099.50	175,714	493.58	923,136	2,593.08
MARIBYRNONG	316	779,965	2,468.24	145,562	460.64	925,527	2,928.88
MAWSON	236	631,882	2,677.46	157,314	666.58	789,195	3,344.05
MELBA	285	765,178	2,684.84	179,192	628.74	944,370	3,313.58
MELROSE	235	579,824	2,467.34	123,016	523.47	702,840	2,990.81
MILES FRANKLIN	407	886,115	2,177.19	155,828	382.87	1,041,943	2,560.06
MONASH	435	1,011,184	2,324.56	167,231	384.44	1,178,415	2,709.00
MT. NEIGHBOUR	390	825,785	2,117.40	155,397	398.45	981,182	2,515.85
NARRABUNDAH	187	537,845	2,876.17	122,759	656.46	660,603	3,532.64
NORTH AINSLIE	393	814,260	2,071.91	167,905	427.24	982,166	2,499.15
RED HILL	426	910,693	2,137.78	198,280	465.45	1,108,973	2,603.22
RICHARDSON	336	900,220	2,679.23	195,893	583.02	1,096,113	3,262.24

TOTAL PER STUDENT COSTS IN 1990-91

SCHOOL	total	SALARY		NON-SALARY		TOTAL COST	TOTAL PER STUDENT COST
	enrol (avgluly Aug)	total	per student	total	per student		
RIVETT	247	699,670	2,832.67	153,769	622.55	853,439	3,455.22
SOUTHERN CROSS	304	762,530	2,508.32	142,634	469.19	905,165	2,977.51
SPENCE	281	655,978	2,334.44	144,281	513.46	800,260	2,847.90
TAYLOR	311	809,503	2,602.90	152,632	490.78	962,135	3,093.68
THARWA	36	88,983	2,471.74	36,189	1,005.25	125,172	3,476.99
TORRENS	398	847,127	2,128.46	144,313	362.60	991,440	2,491.06
TURNER	374	1,524,894	4,077.26	274,087	732.85	1,798,981	4,810.11
URAMBI	455	985,092	2,165.04	173,399	381.10	1,158,490	2,546.13
URIARRA	22	95,366	4,334.83	22,120	1,005.47	117,487	5,340.30
VILLAGE CREEK	420	1,106,207	2,633.83	183,430	436.74	1,289,637	3,070.56
WANNIASSA	558	1,188,555	2,130.03	198,760	356.20	1,387,315	2,486.23
WANNIASSA HILLS	495	1,034,915	2,090.74	196,184	396.33	1,231,099	2,487.07
WEETANGERA	264	628,580	2,380.99	132,634	502.40	761,215	2,883.39
WESTON	321	704,173	2,193.69	130,488	406.51	834,662	2,600.19
YARRALUMLA	200	471,909	2,359.55	114,977	574.89	586,886	2,934.43
TOTAL	21,181	49,159,991	2,320.95	9,444,814	445.91	58,604,804	2,766.86

Turner Primary becomes \$3,885.48 per student if Hartley Street enrolments (89) are included.

NB: Costs for the Hartley Street Annex at Turner Primary are not maintained separately. Costs reflect the site as a whole. Therefore, per student costs do not reflect the true costs attributable to the the mainstream and the special students.

TOTAL PER STUDENT COSTS IN 1990-91

SCHOOL	total enrol (avgluly Aug)	SALARY total	per student	NON-SALARY total	per student	TOTAL COST	TOTAL PER STUDENT COST
<i>CLOSED SCHOOLS END '90</i>							
HACKETT	140	226,092	1,614.94	71,107	507.90	297,199	2,122.85
HOLDER	187	310,699	1,661.49	107,977	577.42	418,676	2,238.91
<i>NEW SCHOOL '91</i>							
THEODORE	334	302,784	906.54	30,487	91.28	333,270	997.82
	661	839,575	1,270.16	209,570	317.05	1,049,145	1,587.21

PER STUDENT COSTS FOR SALARY EXPENDITURE 1990-91.

TABLE B

PRIMARY	AVG ENROL JULY 90/91			SALARIES			TOTAL	PER STUDENT COST
	MAINSTREAM	SPECIAL	TOTAL	TEACHING	NON-TEACHING	EVENING CLASSES		
AINSLIE	327	18	345	732,026	125,489		857,515	2,485.55
ARANDA	365	0	365	722,030	74,889		796,919	2,183.34
ARAWANG	395	0	395	68,688	729,711		798,399	2,021.26
CALWELL	428	0	428	864,143	103,173		967,316	2,260.08
CAMPBELL	273	0	273	522,870	67,642		590,513	2,163.05
CHAPMAN	329	0	329	610,973	75,820		686,793	2,087.52
CHARNWOOD	364	0	364	703,904	79,372		783,276	2,151.86
CHISHOLM	432	18	450	894,153	117,753		1,011,906	2,248.68
COOK	123	0	123	200,324	37,642		237,966	1,934.68
CURTIN	287	24	311	942,237	144,306		1,086,543	3,493.71
DUFFY	255	0	255	516,022	65,058		581,080	2,278.74
EVATT	376	0	376	720,288	75,789		796,077	2,117.23
FADDEN	489	0	489	917,014	90,478		1,007,492	2,060.31
FARRER	338	0	338	630,076	76,644		706,721	2,090.89
FLOREY	452	0	452	877,059	90,670		967,729	2,140.99
FLYNN	388	0	388	715,585	80,943		796,528	2,052.91
FORREST	398	0	398	777,267	78,370		855,637	2,149.84
FRASER	385	0	385	766,781	80,063		846,844	2,199.60
GARRAN	407	0	407	775,797	85,223		861,020	2,115.53
GILMORE	509	14	523	1,030,099	116,270		1,146,369	2,191.91
GIRALANG	405	20	425	850,154	130,859		981,013	2,308.26
GOWRIE	420	13	433	817,799	107,889		925,688	2,137.85

PER STUDENT COSTS FOR SALARY EXPENDITURE 1990-91.

PRIMARY	AVG ENROL JULY 90/91			SALARIES		EVENING CLASSES	TOTAL	PER STUDENT COST
	MAINSTREAM	SPECIAL	TOTAL	TEACHING	NON-TEACHING			
GRIFFITH	219	0	219	469,988	87,898		557,887	2,547.43
HALL	151	0	151	290,467	53,420		343,887	2,277.40
HAWKER	255	0	255	554,906	70,606		625,512	2,452.99
HIGGINS	250	0	250	618,323	77,452		695,775	2,783.10
HOLT	392	0	392	787,050	77,086		864,136	2,204.43
HUGHES	283	0	283	618,759	95,095		713,854	2,522.45
JERVIS BAY	144	0	144	331,376	95,585		426,961	2,965.01
KALEEN	444	0	444	891,967	84,936		976,903	2,200.23
ISABELLA PLAINS	526	0	526	944,542	86,750		1,031,293	1,960.63
LATHAM	324	0	324	646,644	70,493		717,137	2,213.39
LYNEHAM	509	6	515	1,032,862	103,783		1,136,645	2,207.08
LYONS	106	0	106	246,368	48,285		294,653	2,779.75
MACGREGOR	410	22	432	870,855	131,505		1,002,360	2,320.28
MACQUARIE	200	0	200	430,114	59,673		489,788	2,448.94
MAJURA	356	0	356	670,883	76,540		747,422	2,099.50
MARIBYRNONG	316	0	316	693,795	86,171		779,965	2,468.24
MAWSON	231	5	236	534,153	97,729		631,882	2,677.46
MELBA	262	23	285	649,718	115,461		765,178	2,684.84
MELROSE	235	0	235	560,218	19,606		579,824	2,467.34
MILES FRANKLIN	407	0	407	798,528	87,587		886,115	2,177.19
MONASH	421	14	435	885,746	125,439		1,011,184	2,324.56
MT. NEIGHBOUR	390	0	390	739,849	85,935		825,785	2,117.40
NARRABUNDAH	165	22	187	438,734	99,111		537,845	2,876.17
NORTH AINSLIE	393	0	393	735,854	78,406		814,260	2,071.91
RED HILL	426	0	426	820,021	90,673		910,693	2,137.78
RICHARDSON	299	37	336	760,071	140,149		900,220	2,679.23

PER STUDENT COSTS FOR SALARY EXPENDITURE 1990-91.

PRIMARY	AVG ENROL JULY 90/91			SALARIES		EVENING CLASSES	TOTAL	PER STUDENT COST
	MAINSTREAM	SPECIAL	TOTAL	TEACHING	NON-TEACHING			
RIVETT	224	23	247	588,829	110,841		699,670	2,832.67
SOUTHERN CROSS	279	25	304	654,352	108,178		762,530	2,508.32
SPENCE	281	0	281	570,729	85,250		655,978	2,334.44
TAYLOR	286	25	311	676,520	132,983		809,503	2,602.90
THARWA	36	0	36	72,763	16,220		88,983	2,471.74
TORRENS	398	0	398	770,100	77,028		847,127	2,128.46
TURNER	365	9	374	1,211,717	313,177		1,524,894	4,077.26
URAMBI	455	0	455	890,205	94,887		985,092	2,165.04
URIARRA	22	0	22	77,174	18,192		95,366	4,334.83
VILLAGE CREEK	388	32	420	967,578	138,629		1,106,207	2,633.83
WANNIASSA	558	0	558	1,091,909	96,645		1,188,555	2,130.03
WANNIASSA HILLS	495	0	495	944,286	90,628		1,034,915	2,090.74
WEETANGERA	260	4	264	532,434	96,146		628,580	2,380.99
WESTON	321	0	321	629,427	74,746		704,173	2,193.69
YARRALUMLA	200	0	200	400,344	71,565		471,909	2,359.55
				21,181	42,755,446	6,404,545	0 49,159,991	2,320.95

Turner Primary becomes \$3,293.50 per student if Hartley Street enrolments (89) are included.

NB: Costs for the Hartley Street Annex at Turner Primary are not maintained separately. Costs reflect the site as a whole. Therefore, per student costs do not reflect the true costs attributable to the the mainstream and the special students.

PER STUDENT COSTS FOR SALARY EXPENDITURE 1990-91.

PRIMARY	AVG ENROL JULY 90/91			SALARIES		EVENING CLASSES	TOTAL	PER STUDENT COST
	MAINSTREAM	SPECIAL	TOTAL	TEACHING	NON-TEACHING			
CLOSED SCHOOLS END'90								
HACKETT	140	0	140	190,382	35,710		226,092	1,614.94
HOLDER	187	0	187	274,787	35,912		310,699	1,661.49
NEW SCHOOL '91								
THEODORE	320	14	334	269,196	33,587		302,784	906.54
	647	14	661	734,366	105,209	0	839,575	1,270.16

SCHOOLS' NON-SALARY RECURRENT COSTS, 1990-91

TABLE C

PRIMARY	MAIN STREAM ENROL.	SPECIAL ED ENROL.	TOTAL ENROL.	DISCRETIONARY FUNDING	WASTE COLLECTION	TELEPHONES	FIRE BRIGADE MONITORING	HEATING	ELECTRICITY
AINSLIE	327	18	345	29,823	902	8,133	1,258	22,329	10,218
ARANDA	365	0	365	31,328	459	6,959	1,172	12,455	13,063
ARAWANG	395	0	395	33,576	884	11,672	1,719	15,235	15,039
CALWELL	428	0	428	36,973	1,150	11,766	405	19,617	17,298
CAMPBELL	273	0	273	23,525	452	8,802	405	12,925	6,854
CHAPMAN	329	0	329	27,645	676	8,219	1,929	9,120	21,877
CHARNWOOD	364	0	364	30,960	884	8,908	2,090	8,786	24,992
CHISHOLM	432	18	450	41,380	1,358	4,400	2,782	12,598	26,436
COOK	123	0	123	8,100	445	5,855	1,048	18,944	8,785
CURTIN	287	24	311	24,227	899	14,786	1,258	10,879	9,492
DUFFY	255	0	255	21,665	687	7,944	1,929	7,866	20,555
EVATT	376	0	376	31,651	899	5,939	2,090	11,850	20,023
FADDEN	489	0	489	42,181	943	8,595	2,782	12,712	16,354
FARRER	338	0	338	28,589	676	8,521	2,560	14,450	10,784
FLOREY	452	0	452	40,920	899	11,241	1,865	11,322	12,715
FLYNN	388	0	388	33,293	918	9,581	2,090	10,835	27,329
FORREST	398	0	398	34,097	1,315	9,873	1,048	11,660	8,585
FRASER	385	0	385	33,020	914	9,832	2,090	9,035	24,871
GARRAN	407	0	407	35,843	884	8,084	1,048	13,518	10,181
GILMORE	509	14	523	45,945	884	12,295	2,782	10,771	14,750
GIRALANG	405	20	425	37,270	904	11,069	2,367	23,153	24,894
GOWRIE	420	13	433	37,310	869	9,561	2,782	16,045	25,579
GRIFFITH **	219	0	219	10,418	884	10,788	1,048	5,769	12,698

WATER RATES	PEST CONTROL	SANITARY DISPOSAL	BUILDING MAINT.	MINOR BUILDING MAINT.	SECURITY SURVEILLANCE	SECURITY PATROLS	SECURITY MAINT./ UPGRADE	COMPUTER LINES	CLEANING	GROUND MAINT.	TOTAL	COST PER STUDENT	SCHOO
7,614	128	143	6,600	886	643	31	0	3,366	55,123	18,725	165,920	480.93	AINSLIE
4,600	128	143	7,200	4,580		398	0	2,741	43,282	9,731	138,240	378.74	ARANDA
7,602	128	190	9,100	1,012	2,704	832	420	2,741	49,555	26,587	178,997	453.16	ARAWANG
6,800	128	285	4,800	414	0	2,915	0	2,741	33,623	12,095	151,009	352.83	CALWELL
5,737	128	190	8,500	5,036	0	31	0	3,738	41,804	10,060	128,187	469.55	CAMPBELL
6,454	128	190	3,000	1,078	2,704	1,112	1,229	2,741	36,923	18,153	143,179	435.19	CHAPMAN
7,571	302	237	6,800	3,471	2,704	473	420	2,741	41,154	28,590	171,083	470.01	CHARNWOOD
11,981	256	190	6,500	1,524	2,704	1,326	735	2,741	37,904	15,005	169,820	377.38	CHISHOLM
6,997	128	119	4,200	841	0	160	0	2,151	21,747	9,453	88,973	723.36	COOK
10,788	0	162	13,700	734	2,704	9,799	295	2,741	32,138	21,105	155,705	500.66	CURTIN
14,876	128	237	7,100	1,561	0	15	0	2,741	39,422	15,580	142,306	558.06	DUFFY
9,783	64	285	7,100	1,844	2,704	1,152	85	2,741	43,535	27,341	169,086	449.70	EVATT
5,142	90	380	6,900	675	2,704	1,615	295	2,741	37,621	11,741	153,471	313.85	FADDEN
4,300	52	190	6,800	218	0	15	0	2,741	42,225	8,506	130,627	386.47	FARRER
6,648	128	285	13,380	510	2,704	7,324	330	0	27,740	29,130	167,141	369.78	FLOREY
10,407	128	190	9,600	1,652	0	222	0	2,741	42,927	39,671	191,584	493.77	FLYNN
6,534	128	190	10,100	90	2,704	739	230	2,741	50,538	22,832	163,404	410.56	FORREST
8,622	128	333	8,300	270	2,704	1,431	420	2,741	37,616	13,122	155,449	403.76	FRASER
348	180	143	7,600	0	0	0	0	2,741	51,541	14,639	146,749	360.56	GARRAN
6,646	128	237	5,700	491	2,704	747	420	2,741	32,476	14,115	153,833	294.14	GILMORE
12,978	128	237	9,900	4,852	0	79	0	2,741	47,360	13,504	191,437	450.44	GIRALANG
4,341	128	285	6,200	1,401	2,704	46	0	2,741	45,173	40,304	195,469	451.43	GOWRIE
6,746	0	190	4,100	208	0	454	45	0	30,934	1,935	69,116	315.60	GRIFFITH**

SCHOOLS' NON-SALARY RECURRENT COSTS, 1990-91

PRIMARY	MAIN STREAM ENROL.	SPECIAL ED ENROL.	TOTAL ENROL.	DISCRETIONARY FUNDING	WASTE COLLECTION	TELEPHONES	FIRE BRIGADE MONITORING	HEATING	ELECTRICITY	WATER RATES
HALL	151	0	151	19,752	442	7,575	2,644	0	8,215	2,000
HAWKER	255	0	255	21,525	473	9,408	1,929	7,865	17,678	947
HIGGINS**	250	0	250	23,215	884	9,393	4,306	13,332	9,914	9,999
HOLT	392	0	392	33,470	967	8,333	1,929	8,178	15,063	8,500
HUGHES	283	0	283	49,524	459	8,105	962	11,655	12,669	13,054
JERVIS BAY	144	0	144	20,421	0	5,380	0	0	0	0
KALEEN	444	0	444	38,026	928	8,704	2,367	17,496	28,423	14,694
ISABELLA PLAINS	526	0	526	45,985	1,025	4,708	2,698	9,372	17,054	3,741
LATHAM	324	0	324	27,214	899	8,436	1,929	9,608	15,340	6,752
LYNEHAM	509	6	515	43,869	1,231	10,375	1,048	13,050	14,312	8,535
LYONS	106	0	106	7,100	709	8,460	1,048	15,320	9,888	9,305
MACGREGOR	410	22	432	38,374	884	9,306	1,719	16,839	15,295	9,478
MACQUARIE	200	0	200	23,055	742	8,919	1,048	14,640	9,932	4,300
MAJURA	356	0	356	30,321	1,358	10,692	1,048	16,088	15,333	11,849
MARIBYRNONG	316	0	316	27,149	914	9,606	2,367	9,403	16,701	4,800
MAWSON	231	5	236	21,405	459	18,265	1,929	20,561	11,522	7,880
MELBA	262	23	285	34,716	869	10,527	2,090	11,665	13,354	13,806
MELROSE	235	0	235	20,873	687	9,879	962	15,034	13,934	5,299
MILES FRANKLIN	407	0	407	34,794	1,239	9,943	2,090	13,544	23,227	6,413
MONASH	421	14	435	38,760	860	9,658	2,782	0	34,460	4,500
MT. NEIGHBOUR	390	0	390	33,240	928	8,436	2,505	13,516	22,390	1,876
NARRABUNDAH	165	22	187	25,922	698	8,234	1,929	9,723	14,755	6,804
NORTH AINSLIE	393	0	393	42,815	694	9,844	1,048	14,289	9,576	11,984
RED HILL	426	0	426	36,587	884	10,485	1,929	24,740	12,947	7,774
RICHARDSON	299	37	336	30,227	899	9,876	2,782	11,848	23,929	6,145

WATER RATES	PEST CONTROL	SANITARY DISPOSAL	BUILDING MAINT.	MINOR BUILDING MAINT.	SECURITY SURVEILLANCE	SECURITY PATROLS	SECURITY MAINT./ UPGRADE	COMPUTER LINES	CLEANING	GROUPS MAINT.	TOTAL	COST PER STUDENT	SCHOOL
2,000	128	95	5,000	305	0	45	0	91	17,282	7,760	71,333	472.41	HALL
947	320	143	6,300	2,046	0	1,170	0	2,741	28,949	11,527	113,021	443.22	HAWKER
9,999	128	190	10,300	941	493	142	0	2,741	53,805	15,370	129,778	519.11	HIGGINS**
8,500	128	261	8,700	2,294	534	754	0	2,741	53,597	14,475	159,926	407.97	HOLT
13,054	0	190	8,500	1,954	0	15	0	2,741	56,491	17,795	184,113	650.58	HUGHES
0	201	230	4,200	2,925	0	0	0	1,975	47,693	0	83,024	576.56	JERVIS BAY
14,694	256	194	7,700	3,300	0	366	0	2,741	42,338	11,187	178,720	402.52	KALEEN
3,741	128	190	8,100	83	2,704	3,213	823	2,741	36,768	10,628	149,960	285.09	ISABELLA PLAINS
6,752	128	190	8,200	629	493	497	160	2,741	36,800	18,384	138,400	427.16	LATHAM
8,535	128	237	9,300	1,088	0	46	0	3,366	50,731	13,667	170,983	332.01	LYNEHAM
9,305	192	198	4,300	0	0	30	0	2,363	26,432	9,972	95,316	899.20	LYONS
9,478	128	190	8,900	2,111	522	521	0	2,741	39,922	33,053	179,984	416.63	MACGREGOR
4,300	282	143	7,300	88	0	1,766	0	2,741	35,177	15,348	125,480	627.40	MACQUARIE
11,849	128	428	11,300	6,879	2,704	3,059	110	2,741	46,953	14,725	175,714	493.58	MAJURA
4,800	128	190	8,300	1,817	0	260	0	3,119	52,209	8,599	145,562	460.64	MARIBYRNONG
7,880	128	143	9,500	1,714	0	0	0	2,530	52,566	8,713	157,314	666.58	MAWSON
13,806	128	143	13,500	1,818	2,704	1,523	0	2,741	48,210	21,397	179,192	628.74	MELBA
5,299	232	190	7,500	760	2,704	1,398	530	2,741	36,264	4,028	123,016	523.47	MELROSE
6,413	180	333	6,200	0	0	92	0	2,741	39,515	15,518	155,828	392.87	MILES FRANKLIN
4,500	128	237	5,900	198	2,704	465	45	2,530	43,565	20,440	167,231	384.44	MONASH
1,876	256	190	3,600	388	2,704	1,435	0	2,741	41,722	19,469	155,397	398.45	MT. NEIGHBOUR
6,804	128	190	9,700	3,970	0	203	0	2,741	29,994	7,768	122,759	656.46	NARRABUNDAH
11,984	0	174	9,600	482	0	30	0	3,517	43,675	20,177	167,905	427.24	NORTH AINSLIE
7,774	0	143	16,500	3,075	534	474	138	2,741	62,679	16,650	198,280	465.45	RED HILL
6,145	128	380	14,800	5,268	2,704	1,218	1,744	2,741	41,630	39,575	195,893	583.02	RICHARDSON

SCHOOLS' NON-SALARY RECURRENT COSTS, 1990-91

PRIMARY	MAIN STREAM ENROL.	SPECIAL ED ENROL.	TOTAL ENROL.	DISCRETIONARY FUNDING	WASTE COLLECTION	TELEPHONES	FIRE BRIGADE MONITORING	HEATING	ELECTRICITY	WATER RATES
RIVETT	224	23	247	22,427	1,254	11,812	1,929	14,507	10,463	10,633
SOUTHERN CROSS	279	25	304	27,105	869	9,043	1,929	23,971	11,503	4,400
SPENCE	281	0	281	15,150	884	9,049	2,090	12,738	16,079	6,559
TAYLOR	286	25	311	27,317	914	9,154	405	12,877	23,899	6,662
THARWA	36	0	36	7,975	0	1,230	3,939	0	1,914	3,763
TORRENS	398	0	398	33,525	1,256	9,259	2,560	14,602	9,790	9,553
TURNER	365	9	374	61,703	869	13,767	2,500	38,162	23,905	6,033
URAMBI	455	0	455	38,941	899	9,621	2,505	15,329	18,401	12,957
URIARRA	22	0	22	9,612	0	789	0	886	3,424	0
VILLAGE CREEK	388	32	420	37,882	687	10,839	2,505	11,816	37,294	7,264
WANNIASSA	558	0	558	46,939	899	9,885	2,505	19,320	27,114	10,233
WANNIASSA HILLS	495	0	495	42,009	906	8,749	2,505	14,785	31,906	7,258
WEETANGERA	260	4	264	22,824	891	8,997	1,929	12,368	21,097	4,893
WESTON	321	0	321	27,413	928	9,495	1,929	13,362	8,392	3,420
YARRALUMLA	200	0	200	17,603	884	9,125	962	11,925	4,460	7,041
	20,827	354	21,181	1,926,503	52,054	576,183	117,827	816,286	1,018,928	454,617

**excludes
Regional Office

Costs

WATER RATES	PEST CONTROL	SANITARY DISPOSAL	BUILDING MAINT.	MINOR BUILDING MAINT.	SECURITY SURVEILLANCE	SECURITY PATROLS	SECURITY MAINT./ UPGRADE	COMPUTER LINES	CLEANING	GROUPS MAINT.	TOTAL	COST PER STUDENT	SCHOOL
10,633	128	190	9,700	3,997	0	604	0	2,741	48,561	14,822	153,769	622.55	RIVETT
4,400	128	143	8,600	65	2,704	1,769	45	3,001	43,082	4,276	142,634	469.19	SOUTHERN CROSS
6,559	102	190	5,100	1,806	2,704	998	0	2,741	57,259	10,832	144,281	513.46	SPENCE
6,662	128	190	7,700	624	1,352	1,212	0	2,741	43,186	14,273	152,632	490.78	TAYLOR
3,763	0	95	3,100	2,377	0	15	0	147	11,634	0	36,189	1,005.25	THARWA
9,553	0	190	7,200	987	0	128	0	2,741	37,506	15,016	144,313	362.60	TORRENS
6,033	412	570	7,000	4,156	1,210	1,251	0	3,366	76,395	32,787	274,087	732.85	TURNER
12,957	0	190	7,700	666	1,169	1,318	55	2,778	43,131	17,739	173,399	381.10	URAMBI
0	128	95	1,150	0	0	44	0	58	5,934	0	22,120	1,005.47	URIARRA
7,264	128	190	8,600	4,080	493	342	42	2,741	40,924	17,601	183,430	436.74	VILLAGE CREEK
10,233	128	190	7,800	4,171	0	294	0	2,741	40,737	25,804	198,760	356.20	WANNIASSA
7,258	128	237	8,200	255	0	766	0	2,741	53,377	22,362	196,184	396.33	WANNIASSA HILLS
4,893	128	190	6,100	7,520	0	45	0	2,741	39,732	3,181	132,634	502.40	WEETANGERA
3,420	0	190	7,700	0	0	44	0	2,903	35,991	18,720	130,488	406.51	WESTON
7,041	94	143	8,100	1,540	2,704	773	465	2,812	37,501	8,846	114,977	574.89	YARRALUMLA
454,617	8,207	13,213	490,130	109,727	66,931	59,242	9,081	161,674	2,602,277	1,004,408	9,444,814	445.91	

Turner Primary becomes \$591.98 per student if Hartley Street enrolments (89) are included.

NB: Costs for the Hartley Street Annex at Turner Primary are not maintained separately. Costs reflect the site as a whole. Therefore, per student costs do not reflect the true costs attributable to the mainstream and the special students.

SCHOOLS' NON-SALARY RECURRENT COSTS, 1990-91

PRIMARY	MAIN STREAM ENROL.	SPECIAL ED ENROL.	TOTAL ENROL.	DISCRETIONARY FUNDING	WASTE COLLECTION	TELEPHONES	FIRE BRIGADE MONITORING	HEATING	ELECTRICITY
<i>CLOSED SCHOOLS END '90</i>									
HACKETT	140	0	140	6,600	609	6,239	962	12,533	5,157
HOLDER	187	0	187	7,900	884	8,335	405	10,349	12,239
<i>NEW SCHOOL '91</i>									
THEODORE	320	14	334	16,935	0	5,023	725	1,721	2,756
	647	14	661	31,435	1,493	19,597	2,091	24,603	20,152

WATER RATES	PEST CONTROL	SANITARY DISPOSAL	BUILDING MAINT.	MINOR BUILDING MAINT.	SECURITY SURVEILLANCE	SECURITY PATROLS	SECURITY MAINT./ UPGRADE	COMPUTER LINES	CLEANING	GROUND MAINT.	TOTAL	COST PER STUDENT	SCHOOL
9,466	128	142	0	3,782	0	76	0	4,246	11,909	9,257	71,107	507.90	HACKETT
7,955	0	142		3,680	0	242	0	1,656	28,257	25,932	107,977	577.42	HOLDER
198	0	36	0	161	676	257	0	1,999	0	0	30,487	91.28	THEODORE
17,620	128	321	0	7,624	676	575	0	7,901	40,166	35,189	209,570	317.05	

Co-operative School (includes 25 Preschool enrolments)

NON-SALARY COSTS

Enrolments 76	\$
Discretionary Funding	5,071
Waste Collection	320
Telephones	1,006
Fire Brigade	0
Heating	0
Electricity	2,977
Water Rates	0
Pest Control	128
Sanitary Disposal	48
Building Maint.	1,500
Minor Building Maint.	700
Security Surveillance	722
Security Patrols	0
Security Maint/Upgrade	0
Computer Lines	0
Cleaning	16,529
Grounds Maint.	4,174

Total	33,173

Cost per student 436.49

SALARY COSTS

Teaching	123,883
Non-teaching	24,762

Total	148,645

Per student cost 1,955.85

Total cost per student \$2,392.34
=====

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**MINISTER FOR EDUCATION AND THE ARTS
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO. 529**

Education and..the Arts Portfolio - Public Relations Staff

MR KAINE - asked the Minister for Education and the Arts on notice. on 7 August 1991:

What are the numbers and classification levels of staff engaged in public relations, media, advertising, promotional and related tasks in (a) the Ministers office; (b) the Ministers Department; and (c) each agency for which the Minister has responsibility?

MR WOOD - the answer to Mr Kaines question is:

(a) Nil;

(b) 1 Director Public Relations (Journalist Grade A2)

1 Journalist Grade A1

1 Teacher Level 2 (Secondary);

(c) (i) ACT Institute of TAFE:

1 part-time Journalist Grade A (30 hours per week);

(ii) Vocational Training Authority:

1 x AS06 (mainly for promotional and marketing tasks);

6323

**MINISTER FOR HEALTH
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO 567**

Hospital in the Home Program

Mr Humphries asked the Minister for Health:

1. Did an officer or officers from the Department of Health attend a seminar in Sydney organised by the Australian Council on Healthcare Standards on 9 August 1991 concerning the Hospital in the Home program undertaken at the Centre Hospitalier De Verdun in Quebec.
2. if officers did attend, will their report on the seminar be made available to the Assembly.
3. What action is the minister taking to evaluate the merits of the Hospital in the Home program.
4. if no action is being taken, will the Minister consider the merits of this program in light of the potential financial advantages of the program to the ACT Government and the social and therapeutic advantages to patients.

Mr Berry - the answer to Mr Humphries question is:

1. No officers from ACT Health attended a seminar in Sydney on the Hospital in the Home program.
2. No, as no officers attended.
3. The merits of this specific program are not being investigated at present.
4. The Hospital in the Home program is a hospital-based program which offers acute care in the home. The programs objectives are:

to shorten and/or avoid a hospital stay for a specific group of clientele while still providing treatment and quality care on a social level; and

to provide quality acute care at a significantly lower cost.

From a legal point of view this program is classified as being the same as other inpatient units within the hospital. The program is geared towards patients wishing to continue their hospitalisation in the home.

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While there is no comparable structure to the Hospital in the Home program in the ACT, much of the work undertaken by the program is covered by Community Nursing, for example:

long term intravenous antibiotic therapy other parenteral treatments treatment for serious wounds
pharmacological treatment of illness inhalation therapy/home oxygen care of oncology patients.

In addition we now have in place a number of programs aimed at reducing hospital length of stay such as:

.. day procedures pre-admission clinic Miscall program discharge planners.

We are also of course restructuring our hospital system to ensure that the highest possible quality of care is provided to the community at a cost that is affordable.

6325

MINISTER FOR HEALTH
LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO. 570

Ambulance Service

Mr Humphries - Asked the Minister for Health on Notice on 10 September 1991:

In relation to the ACT Ambulance Service for each of the months June, July and August 1991 -

- (1) How many requirements for overtime shifts occurred to cover for staff shortages.
- (2) What percentage of total shifts did this represent.
- (3) How many shifts were not covered because of crew shortages.
- (4) On what occasions did ambulance stations close and for what periods.
- (5) On what occasions did staffing levels fall below full crew complements.
- (6) On what occasions were there three ambulances or less on duty.
- (7) On what occasions were there two ambulances or less on duty.
- (8) Were there any occasions when only one ambulance was available.
- (9) What was the first, second and third longest wait for an ambulance for Priority One cases.
- (10) What was the first, second and third longest wait for an ambulance for Priority Two cases.
- (11) Oft how many occasions did an ambulance officer have to go out on a job by themselves.

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

- (1) The requirement for overtime shifts to cover staff shortages was 55 shifts for June, 37 shifts for July and 67 shifts for August.

Staff shortages were due to sick leave, long term sick leave, workers compensation, training, special leave and the requirement to cover sporting functions.

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(2) The percentage of total shifts were 22.9% in June, 14.91% in July and 27.01% in August.

(3) Nil

(4) Nil

(5) Nil

(6) Nil

(7) Nil

(8) Nil

(9) In June, the average response time for a priority one case was 9.75 minutes and the first, second and third longest wait for a priority one case was:

1 case up to 34 minutes - (Case on Brindabella Road)

2 cases up to 26 minutes - (Dickson to Richardson;

Belconnen to Waramanga)

1 case up to 25 minutes - (Heavy Workload)

In July, the average response time for a priority one case was 9.36 minutes and the first, second and third longest wait for a priority one case was:

1 case up to 29 minutes - (Calwell to Waramanga)

1 case up to 25 minutes - (Dickson to Gilmore)

1 case up to 23 minutes - (Heavy Workload)

In August, the average response time for a priority one case was 9.63 minutes and the first, second and third longest wait for a priority one case was:

1 case up to 31 minutes - (Mountain Creek Road Uriarra)

3 cases up to 26 minutes - (Mitchell to Hyperdome)

1 case up to 24 minutes - (Farm near Tharwa)

(10) In June, the average response time for a priority two case was 17.65 minutes and the first, second and third longest wait for a priority two case was:

1 case up to 117 minutes

1 case up to 112 minutes

1 case up to 111 minutes

In July, the average response time for a priority two case was 18.46 minutes and the first, second and third longest wait for a priority two case was:

1 case up to 156 minutes

2 cases up to 141 minutes

1 case up to 140 minutes

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In August, the average response time for a priority two case was 20.96 minutes and the first, second and third longest wait for a priority two case was:

1 case up to 146 minutes

1 case up to 140 minutes

1 case up to 135 minutes

All of these priority two cases were non urgent hospital transfers.

(11) Nil

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**MINISTER FOR EDUCATION AND THE ARTS
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO 572**

Teachers - Separation Survey

MRS NOLAN - asked the Minister for Education and the Arts on notice on 10 September 1991:

In relation to a separation survey designed to collate information necessary for determining improvements in the education system which was distributed to personnel late in 1990 who were retiring, resigning or intending to leave the ACT Education System -

- (1) How many Separation Survey forms were distributed.
- (2) How many Separation Survey forms were completed.
- (3) What were the results of the survey.
- (4) If there are no results as yet; why not.
- (5) What areas in the current system were identified as needing attention.
- (6) What follow up action does the Government intend to take on responses received from the survey.

MR WOOD - the answer to Mrs Nolans question is:

- (1) The Separation Survey was sent to 130 Teaching Service staff who resigned or retired during 1990.
- (2) 54 Separation Survey forms were returned to the Department.
- (3) The results of the survey are not yet available.
- (4) The completion of the Separation Survey Report has been delayed by both the late return of some Survey forms, and a shortage of resources within the Department. The Report is expected to be completed during Term 4.
- (5) s
- (6) The answers to these questions will not be available until the Report has been completed and the outcomes of the survey have been assessed.

6329

**MINISTER FOR HOUSING AND COMMUNITY SERVICES
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO. 591**

Owner-Occupied Home Sites

MR MOORE- asked the Minister for Housing and Community Services - What is the -

- (1) Total number of owner-occupied home sites in the ACT.
- (2) Total value of owner-occupied land in the ACT.
- (3) Resulting average land value per owner-occupied site.
- (4) Average number of occupants in owner-occupied homes in the ACT.
- (5) Average of all ACT rateable land value per head of population.

MR CONNOLLY - The answer to the Members question is as follows:

- (1) 63 700
- (2) \$3 248 700 000
- (3) \$51 000
- (4) 3.01 occupants
- (5) On 1 July 1991, the value of rateable land in the ACT was redetermined at the total of \$5 987 514 500. The population of the ACT at that time was 293 300, thus giving an average land value per head of population of \$20 414.

6330

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QUESTIONS ON NOTICE

QUESTION NO 592

Government Service - Staff Numbers

MR COLLAERY - Asked the Chief Minister upon notice on 22 October 1991:

When may I expect an answer to my questions Nos 499, 500, 501, 502, 503, 505, 506, and 507 placed on notice on 6 August 1991 asking details, inter alia, about how many employees each of the ministers had in their Departments.

MS FOLLETT - The answer has been provided.

6331

MINISTER FOR HEALTH
LEGISLATIVE ASSEMBLY QUESTION

QUESTION 593

Wheels Service

Mr Humphries - asked the Minister for Health:

1. Do public hospitals in the Territory prepare for the Meals-on-Wheels service?
2. If so, what financial arrangements are in place to cover the cost of providing these meals?
3. Is it the case that the charge for a meal provided by Meals-on-Wheels has increased from \$2.50 to \$3.00?
4. Has the increase resulted from additional charges applied by the hospitals; if not, what is the cause of this cost increase?
5. If a government agency has influenced the price increase, what is the rationale behind that increase?

Mr Berry - the answers to Mr Humphries questions are:

1. Yes.
2. In 1980, the Capital Territory Health Commission set the price of meals for the Red Cross Societys Meals-on-Wheels service at 40t of the average cost of all meals produced at Commission hospitals. The meal cost was derived from the total cost of labour and materials in the then two Food Services Departments, without any attempt to exclude non-meal related costs. This appears to have been an attempt to arrive at a "marginal cost", but it is not explained as such. Using this formula, the initial average cost is 51.72/meal, with a concessional charge set at 50.70/meal.

By 1989/90, the average cost of meals produced by the hospitals had increased to \$4.20, with the concessional (or "marginal cost") charge to the Red Cross Society, by the same formula, being set at 51.70/meal. The charge was to be reviewed annually.

3. The charge for a meal provided by the Red Cross Societys Meals-on-Wheels rose from \$2.50 to 53.00/meal on 14 October 1991.

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4. The Director of the Meals-on-Wheels service advises that the following factors contributed to the price increase:

The Meals-on-Wheels service was in deficit at the end of the 1990/91 financial year.

For the 1990/91 financial year, there was an increase of 23% in the number of meals being served.

Due to the increase in the number of meals served, there were additional costs in purchasing disposable eg foils in which meals are served, gel-packs (to maintain temperature of meals, either hot or cold) and carrying facilities.

In 1990/91, Meals-on-Wheels paid a kilometre allowance to volunteers to cover the cost of petrol and wear and tear on vehicles.

A proposal to Home and Community Care (HACC) who subsidise the Meals-on-Wheels service for an allowance of \$20 000 pa to cover this allowance for 1990/91 was approved late in the year and a subsidy of only \$5 000 was received to cover the last quarter.

The charge made by Woden Valley Hospital to Meals-on-Wheels rose by 10 cents/meal to 51.80/meal on 1 November.

The charge made by Calvary Hospital to Meals-on-Wheels rose from \$1.85 to 51.88/meal on 20 November. The charges made by Calvary Hospital are CPI indexed and reviewed quarterly.

5. See 2.

6333

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

Question Number 597

Treasury Portfolio - Consultants

MR KAINE - asked the Treasurer upon notice on 20 November 1991:

- (1) In the period from 7 August 1991 to 31 October 1991, what consultants were employed by (a) the Minister; and (b) each agency in the Ministers portfolio.

MS FOLLETT - the answer to the members question is as follows:

- (1 a) Over the period 7 August 1991 to 31 October 1991 no consultants were engaged by the Treasurer.
- (1 b) Westpac Banking Corporation were employed during the period 7 August 1991 to 31 October 1991.

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

Question Number 598

Chief Minister Portfolio - Consultants

MR KAINE - asked the Chief Minister upon notice on 20 November 1991:

- (1) In the period from 7 August 1991 to 31 October 1991, what consultants were employed by (a) the Minister; and (b) each agency in the Ministers portfolio.
- (2) For each consultant employed, what was (a) the purpose; (b) the duration; and (c) the cost of the consultancy.

MS FOLLETT - the answer to the members question is as follows:

- (1 a) As advised in the answer to Question No 542, Morris Guest Pty Ltd was engaged for the purpose of providing ACT budget public information. This consultancy was for the period 2 September 1991 to 20 September 1991 at the cost of \$14250.
- (1 b & 2) Details of the consultants, the purpose, duration and cost of each consultancy service engaged by each agency within the Chief Ministers portfolio over the period 7 August 1991 to 31 October 1991 is provided in the table below.

6335

CONSULTANTS PURPOSE DURATION COST

CHIEF MINISTERS DEPARTMENT

W S Brooks Consultation/research for various Sept-June 92 \$1500
writing assignments
Gwynne Scofford Development of structural efficiency Sept-Nov 91 \$36150
Associates P/L In the Tourism Commission
B Davis ACT retail space inventory database 29 Aug-Nov 91 \$13800
Consultants
Coopers & Lybrand Review of the role of the Agents Board 28 Oct-Nov 91 \$7850
and Agents services
Mr R Minns Advise on process & methodology 5-22 Nov 1991 \$3000
in relation to the conduct of enquiries (6 days total)
Denis Johnston & Assoc, Study into the Economic Benefits of 14 Oct-May 92 \$50000
o Mainsail P/L Canberra - South Coast road
Dwyer Leslie & Assoc. (50% of costs to be met by NSF Govt) (ACTG. component)
o
Coulston, Budd , Hunt Parking & traffic flow for proposed 14-18 Oct 91 \$1700
and Twiney P/L casino sites
Datacol Survey of visitors at Floriade Sept-Nov 91 \$7000
(part of cost to be met by DOS)
N F Clark P/L Strategic Plan for Operation of the 23 Aug-Oct 91 \$31500
National Industry Extension Service
(NIES) in the ACT
(funded jointly by the ACT & Commonwealth
from the NIES Trust Account)

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MINISTER FOR EDUCATION AND THE ARTS

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO. 599

**Education and the Arts Portfolio -
Consultants**

MR KAINÉ - asked the Minister for Education and the Arts on notice on 20 November 1991:

- (1) In the period from 7 August 1991 to 31 October 1991, what consultants were employed by (a) the Minister, and (b) each agency in the Ministers portfolio.
- (2) For each consultant employed, what was (a) the purpose; (b) the duration; and (c) the cost of the consultancy.

MR WOOD - the answer to Mr Kainés question is:

- (1) (a) Nil.
- (b) See Attachment.
- (2) See Attachment.

6337

ACT INSTITUTE OF TAFE

CONSULTANTS PURPOSE DURATION COST

TASK Executive Search Recruitment of Associate June-Sept 1991 \$ 26,046.40

Pty Ltd Director, Corporate Services

State Training Board Research officer for industrial 6 months \$ 4,000.00
relations network

John Wade Superstudy workshop 14 August 1991 \$ 122.00

Computer Training & Teach computing 27-29 August 1991 \$ 2,250.00

Consultancy

GRS Australia OLSAS programming Dec 1990-Nov 1991 \$ 45,600.00

Performance Focus Literature search August 1991 \$ 1,084.00

Ross Wilkinson Statistics consultant 15 August Oct 1991 \$ 565.00

Caroline Burn Library consultant Aug-Sept 1991 \$ 1,352.00

Ernst & Young Internal audit 1991 \$ 27,553.00

A L Bloom & Associates Review of community education July 1991-present \$ 16,830.00

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VOCATIONAL TRAINING AUTHORITY

CONSULTANTS PURPOSE DURATION COST

C Morris Industry training secretariat 10 hours per week \$50.00 per
- continuing week

DEPARTMENT OF EDUCATION AND THE ARTS

CONSULTANTS PURPOSE DURATION COST

Prof. I G OBrien Collection of hazardous 25 September 1991 \$ 200.00
chemicals

Pairweather Bebbington Departments publishing August 1991 \$ 1,000.00
Associates Pty Ltd program

Hugh Malcolm Selby Apprenticeship 120 25 September 1991 \$ 1,600.00

Bartlett & Associates Skill recognition policies 27 September 1991 \$ 2,000.00
and procedures

Peter Kearns & Accreditation of industry 23 September 1991 \$, 5,000.00
Associates training

Peter Kearns & Accreditation of industry 30 September 1991 \$ 1,000.00
Associates training

Burston Marstellar Higher education marketing 26 25 Aug 1991 \$ 5,245.94
strategy

MINISTER FOR THE ENVIRONMENT, LAND AND PLANNING

LEGISLATIVE-ASSEMBLY QUESTION

QUESTION NO 600

Environment, Land and Planning Portfolio - Consultants

Mr Kaine - asked the Minister for the Environment, Land and Planning -

- (1) In the period from 7 August 1991 to 31 October 1991, what consultants were employed by (a) the Minister; and
(b) each agency in the Ministers portfolio.
- (2) For each consultant employed what was (a) the purpose; (b) duration; and (c) the cost of the consultancy.

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

- (1) (a) NIL
- (1) (b) & (2)

CONSULTANT DURATION AND PURPOSE COST

Turnbull Fox Preparation of public 56,250

Phillips consultation material
for the Draft Territory Plan
(August - November 91)

R J Nairn & Planning advice on TRANSHIP 1,000

Partners P/L model (August - December 1991)

Graham Moseley Advice on the application & 1,000

Planning effectiveness of Draft Energy
Guidelines (August -
November 1991)

Planning Australia Policy variations for Defined 4,000

Consultant Land (September - December 1991)

Freeman Planning Garema Place shade analysis 2,000
P/L (September - December 1991)

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Denis Johnston & Associates P/L Assessment of parking generation 3,000
Associates P/L & provision in Braddon Sections
18 & 19 (September 1991)

Scott & Murphy Land use investigation block 1 5,341
Engineers P/L section 145 Florey (September 1991
- January 1992)

Banton P/L Preparation of Draft Variations 6,400
to the Territory Plan
(September 1991)

A O Bloxwich & Partners Investigation of air conditioning 5,000
Partners problems in the John overall offices
(September 1991- March 1992)

Dwyer Leslie P/L Assessment of possible development 4,500
sites in Belconnen Area - part 2
(September 1991)

Purdon Associates Preparation of Draft Variations to 20,000
P/L the Territory Plan
(September - December 1991)

Banton P/L Provision of computer aided 22,500
drafting and related technical services (October 1991 - June 1992)

Purdon Associates Provision of draft variations 20,000
P/L to the Territory plan
(October - December 1991)

RFL Professional Coordination of review of 15,000
Services standard practices: Guidelines
on planning and design practices
(October 1991 - June 1992)

Lincoln Sharpe Installation & upgrading of PC 21,060
software and hardware
(October 1991 - June 1992)

Banton P/L Preparation of Draft Variations 7,500
to the Territory Plan
(October - December 1991)

Kinhill, Engineers West Belconnen Area - 19,800
P/L Documentation and Graphics
(October - December 1991)

Freeman Planning Assessment of proposals for 4,200
P/L the development of section 65
City (October 1991 - January 1992)

6341

Nick Forenstenko Provision of engineering services 15,000
(to 30 June 1992)

Martin Bowland Provision of engineering services 21,800
(to 31 January 1992)

Graeme Walker Provision of engineering services 40,500
(to 30 June 1992)

Hare & Associates Provision of engineering services 40,700
(to 30 June 1992)

Bill Guy & Provision of engineering advice 1,675

Partners P/L on minor site servicing
(6 August - 31 October 1991)

Hughes Truman Survey of select fill & borrow 450

Ludlow pits in banks and North Lanyon
(7 August - 29 August 1991)

Hughes Truman Survey of Bonython stockpile 1,058

Ludlow (8 July - 29 August 1991)

Scott & Furphy Presentation of plans on the 3,600
stormwater masterplan for
Ginninderra Creek catchment
(27 August - 31 October 1991)

Scott & Furphy Provision of engineering 12,386
assistance on Gungahlin Golf
Course estate and golf course
irrigation (10 September -
31 January 1992)

Scott & Furphy Study brief for asbestos disposal 1,165
(12 September - 26 September 1991)

Kinhill Engineers Study brief for Gungahlin Golf 4,915
P/L Course estate (12 September -
13 November 1991)

Hughes Truman Provision of engineering services 9,758
Ludlow and investigation assistance for
Nicholls 1, Nicholls 2 and
Ngunawal 1 (20 September -
31 January 1992)

Ronald Brooker Provision of engineering services 16,500
(2 October 1991 - 31 January 1992)

Scott & Furphy Extension to Ginninderra Creek 3,958
catchment study (28 October -
31 December 1991)

M C Sedwick Land Development Consultant 38,149
assistance (to 30 June 1992)

6342

17 December 1991

Golf & Gungahlin Golf course Estate 6,600

Recreational Design and construction

Planners P/L specification (13 September 1991

- 31 January 1992)

Scott & Murphy Planning requirements for Condor 9,179

North (13 September 1991 -

31 January 1992)

Scott & Murphy Ginninderra Creek - Analysis of 4,400

low flow components. (23 September

1991 - 31 January 1992)

Scott & Murphy Provision of engineering assistance 2,700

for Bonython East (23 September 1991

- 31 January 1992)

Colin Nicholas Residential field survey carried 6,500

Consultants out on a quarterly basis

(1 July 1991 - 30 June 1992)

L Mc Donald Attendance at Surveyors Board 170

meeting (19 September 1991)

Allan J Mail Attendance at Surveyors Board 340

& Associates meeting (19 September 1991) and

examination of plans and

candidates (29 August 1991)

N Hall Attendance at Surveyors Board 680

(19 September 1991) and examination

of plans and candidates (14, 15 &

29 August 1991)

Peter Gately & Detail survey of Block 1 1,000

Associates Section 66 Ainslie

(18 October - 30 November 1991)

Michael Hickey Detail survey of Block 19 1,100

Section 82 Ainslie

(18 October - 30 November 1991)

Robert J McCauley Detail survey of Block 6 1,020

Section 65 Downer

(18 October - 30 November 1991)

J R Vaughan Detail survey of Charnwood High 1,460

Burton & Associates School (25 October -

31 December 1991)

Price Waterhouse Review of the future direction of 6,700

the Cadastral Data Base

(28 October - 31 January 1992)

Allan J Mail & Detail survey of flock 24 1,600

Associates Section 14 Campbell (28 October -

31 January 1992)

6343

WCS Local Programming documentation and 1,250
Government testing of unit fraction details
Systems for existing valuation list
(23 September - 13 November 1991)
The Change Agency manager development training 43,000
program (18 October 1991 -
6 March 1992)
Wizard Information Provision of secretarial services 948
Services (periodic)
Dept of Provision of secretarial support 450
Employment, (periodic)
Education &
Training
Deloitte Ross Total Quality Management 3,600
Tohmatsu development assistance - 3 days
Harris Van Meegan Provision of staff selection 2,000
services to Estate Development
(to 28 October 1991)
Samantha Gale Provision of statistical and 5,000
administrative assistance
(15 August 1991 - 28 February
1992)
Bruce Mc Murtrie Financial assistance to Lands 7,791
accounts (to 26 September 1991)
Fearon Brennan Provision of financial 80,000
assistance to Lands by
I Thomson (to 28 February 1992)
Ken Cook Provision of lease certification 11,858
and accounts certification
services (to 30 September 1991)
Jacques Colas Financial consultancy services 31,200
(to 31 December 1991)
Brian Boyd Provision of financial assistance 8,540
to Land accounts (to
31 January 1992)
Paul Smith Provision of financial assistance 5,198
to Land accounts (to
31 January 1992)
Martin Jacobs Provision of financial assistance 2,888
to Land accounts (to
28 November 1991)
Drake Overload Provision of secretarial support 692
(period)
6344

17 December 1991

ECHO Personnel Provision of printing and 13,385

Ltd drafting support

Drake Overload Provision of secretarial support 12,700

by Karen Watts

(to 31 December 1991)

Peter W Burns Provision of consultancy services 1,900

P/L for Job 5247 - Booby

Road stage 3

Woburn P/L Provision of managerial services 29,167

to Applications Section and

Systems (to 31 October 1991)

Parity People Provision of computer support 26,640

P/L (to 31 December 1991)

Drake Overload Provision of secretarial services 9,576

(periodic)

MCB, Investments P/L Provision of computer assistance 31,600

(to 31 October 1991)

Dominica Majchrzak Provision of computer support 7,464

(to 30 September 1991)

Wizard Information Provision of computer assistance 41,785

Services P/L (to 30 November 1991)

Stuart Row Provision of computer support 11,200 (to 20 August 1991)

Computer Power P/L Stage 3 of development approvals 47,255

register and tracking system (1 July - 31 December 1991)

ACT Government Computer assistance for network 2,640

Computer Service and analysis (20 August -

31 December 1991)

Parity People P/L Provision of management services 28,000

for ACTILIS (to 30 September 1991)

Pinnacle Provision of consultancy services 54,599

Consulting P/L for development applications register and tracking system (to 31 October 1991)

ECHO Personnel Provisioner secretarial support 1,408 P/L (to 30 November 1991)

Armor International Recruitment-search for the new 35,000

Territory Chief Planner (period of three months)

6345

Julianna Madden Editorial services for the 1990/91 3,600
Annual Report (to August 1991)

Barry Baulman Assess requirements and establish 32,175
and implement a departmental
asset register. Draft, issue and
maintain up to date guidelines
for handling of assets. Provide
advice on local security,
accommodation, vehicle parking
and staff amenities
(to June 1992)

ACTAID Design and preparation of a 3,350
Basic writing course for staff
with non-English speaking
background (period to
3rd September 1991)

Coopers & Lybrand Presentation on How to develop 1,240
performance indicators
(August .1991)

Management Solutions 1/2 day presentation on EEO 500
awareness (September 1991)

Management Solutions 1 hour presentation on EEO 100
awareness for Frontline
Supervisors
,(September 1991)

Thomas Mackintosh Design.and artwork for DEEPS 7,230
induction kit, (brief amended to late March 1992) John Gray Research and consultation too 20,000
Consultant produce a Discussion Report on the management of Village Creek Corridor, Kambah;
preparation of a preliminary and final Draft Management Plan for Village Creek Open Space,
(February 1991 to April 1992)

John Gray Research and consultation to 20,000
Consultant produce a Discussion Report on the management of Glebe Park;
preparation offe preliminary and final Draft Management Plan for Glebe Park, (September 1991 to
July 1992)

Paul Gilchrist To develop an exotic disease 16,000
contingency plan for ACT Environment and Conservation
(1 September to 29 November 1991)

Commonwealth funding - \$10,000, ACT contribution - \$6,000

6346

17 December 1991

Internet Develop a plan to meet 20,000
interpretation and education needs
at Tidbinbilla Visitor Centre
(December 1990 to September 1991)

Tom Hewitt Design, produce and implement 50,000
planned interpretation and
education material for the
Tidbinbilla Visitor Centre
(December 1990 to September 1991)

Joan Meecham Prepare the "Decade of Landcare" 36,000
plan (7 February to
6 November 1991)

Commonwealth funding - \$18,000, ACT contribution \$18,000

Keryn Kefous Landcare education - establish 72,000
Landcare strategies for ACT and
NSW Governments (1 March 1991 to
28 February 1993)

Fully funded by the Commonwealth Government

Catherine Hird Provide natural resource survey. 50,000
of rural lands in the ACT
(24 July 1991 to 23 July 1993)

Fully funded by the Commonwealth Government

Graham Savage Review the operations and 14,000
resource usage of the ACT
Landcare Unit (27 May to
16 August 1991)

KPMG Peat Review corporate support and 28,000

Marwick administrative support functions
within Environment & Conservation
(April to August 1991)

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**MINISTER FOR HOUSING AND COMMUNITY SERVICES
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO 602**

Housing and Community Services Portfolio - Consultants

MR KAINE - asked the Minister for Housing and Community Services:

(1) In the period from 7 August 1991 to 31 October 1991 what consultants were employed by (a) the Minister; and (b) each agency in the Ministers portfolio.

(2) For each consultant employed, what was (a) purpose; (b) the duration; and (c) the cost of the consultancy.

MR CONNOLLY - the answer to the Members question is as follows:

(1)(a) Nil

(1)(b) CONSULTANT (2)(a) PURPOSE (2)(b) DURATION (2)(c) COST

Ms Anne Stumpf policy advice on ongoing \$6,187

Family Services 7/8/91 -
legal matters and 31/10/91
legislation

Ms Michelle Bolitho conducts ongoing \$315

psychological 7/8/91 -
assessments for 31 /10/91
Family Services

Harris van Meegan staff selection August - \$3,287.50
assistance October 1991

Purdon and Associates research and September - \$3,000

Pty Ltd disbursements: October 1991

Canadian Social
Housing

MINISTER FOR HEALTH
LEGISLATIVE ASSEMBLY QUESTION

QUESTION 608

Health Portfolio - Consultants

Mr Kaine - asked the Minister for Health on notice :on 20 November 1991:

(1) In the period from 1 August 1991 to 31 October 1991 what consultants were employed by (a) the Minister;

and (b) each agency in the Ministers portfolio.

(2) For each consultant employed, what was (a) the purpose;

(b) the duration; and (c) the cost of the consultancy.

Mr Berry - the answer to Mr Kaines question is as follows:

1(a) The Minister has not employed any consultants in the period from 1 August 1991 to 31 October 1991.

1(b) A full list of consultancies for ACT Health for the period 1 August 1991 to 31 October 1991 indicating the purpose and cost of each consultancy is attached. All expenditure listed in the Attachment has been paid within this time period. . Some of the consultancies listed are not completed and are identified in the Attachment by the word "ongoing".

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Cost Of Consultants Fees Paid For Services Rendered

From 1 AugMst 1991 to 31 October 1991

Name of Consultant	Pmrpose	Duration	Cost to Date
Judi Ann Dawson	Case Mix	ongoing	\$2,034
Duffy	ACT Development		
Elaine Harris	Case Mix	ongoing	\$1,080
Campbell	ACT Development		
Pembroke Financial	Redundancy	Completed	\$150
Planners Ltd	Counselling		
Manuka	ACT		
MANN Accountants P/L	Redundancy	Completed	\$150
Weston Creek	ACT Counselling		
Fill McLeod	Redundancy	Completed	\$150
Ainslie	ACT Counselling		
Jenny Morison	Financial	Completed	\$6,000
OMalley	ACT Statements		
TWA Research	Health Care & Ongoing		\$3,600
Seaford	Vic Insurance Survey		
Effective Business	Accounting	Completed	\$345
Systems	System Review		
Tuggeranong	ACT		
Computer People	Computer Systems.	Ongoing	\$6,077
Garran	ACT Consultancy		
Ausitech	Computer Network	Ongoing	\$15,095
Kingston	ACT Support		
Ungermann Bass	Network Review	Completed	\$9,000
Kingston	ACT		
ACT Public Works	Feasibility	Completed	\$258
Canberra	ACT Study, WVH		
Walter and Assoc	Internal Audit	Completed	\$2,800
Canberra	ACT Project		
Rochford Bancroft	Annual report	Completed	\$3,660
and Associates	Consultancy		
Canberra	ACT		
Kevin Hardy & Assoc	Organisational	Completed	\$8,504
Hunters Hill	NSW Assessment, Corporate		
	Development, Seminar		
	Design & Facilitation,		
	Debriefing		
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Cost Of Consultants Fees Paid For Services Rendered

From 1 August 1991 to 31 October 1991

Name of Consultant Purpose Duration Cost to Date
TASA/ERC Pty Ltd Staff Selection Completed \$1,975
Melbourne Vic Service
Corbel and Bega Redundancy Completed \$150
Dickson ACT Counselling
Jill Turner and Co Redundancy Completed \$150
Canberra ACT Counselling

Unisys Computer Network Completed \$4,736
Waterloo NSW
Detente Systems Computer Systems Completed \$5,685
Silverwater NSW Consultancy

Helen McHugh Hysterectomy Completed \$150
Tharwa ACT Review
Stephen Wall & Assoc Counselling Completed \$800
MacGregor ACT Skills Workshop
Chris Adams & Assoc Counselling Completed \$2,400
Phillip ACT Skills Workshop
Ken Gilbert & Assoc Organisation Completed \$2,500

Chapel Hill QLD Development Workshop

Better Services Bureau Organisation Completed \$1,500

North Adelaide SA Development Seminar
Dr Guggenhamer Trainers Network Completed \$200
Canberra ACT Workshop
Dr Plummer Trainers Network Completed \$400
Canberra ACT Workshop

Aust Property Group Ambulance Completed \$400
Canberra ACT Station Review
Work Futures Ambulance Completed \$8,532
Sydney NSW Service Review

Image Word Enterprises Computer Network ongoing \$500

Campbell ACT Consultancy
Kevin Hardy & Assoc Mental Health Completed \$1,385

Hunters Hill NSW Nurses Career
Structure
6351

MINISTER FOR EDUCATION AND THE ARTS

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO. 616

**Education and the Arts Portfolio -
Public Relations Staff**

MR Kaine - asked the Minister for Education and the Arts on notice on 20 November 1991:

- (1) When might I receive a reply to my Question No. 529 of 7 August 1991 concerning numbers and classification levels of staff engaged in media etc. activities?
- (2) Why has there been a three month delay in providing a response to this simple question, which has been replied to by all other Ministers?

MR WOOD - the answer to Mr Kaine's question is:

- (1) A reply to Question No. 529 has now been provided.
- (2) The delay in response was caused by the need to ensure accuracy in the classifications and details of the positions involved.

6352

MINISTER FOR EDUCATION AND THE ARTS

LEGISLATIVE ASSEMBLY QUESTION

Question No. 619

Canberra Contemporary Art Space

MR KAINE - asked the Minister for Education and the Arts
on notice on 10 December 1991:

Further to your reply to question No. 554 on 9 October 1991
concerning Canberra Contemporary Art Space (CAS) -

- (1) How is the \$12,587 interest shown as revenue generated by CAS during 1990 derived (a) from the annual government grant of \$93,000: or (b) from some other source.

If the interest shown is derived from the annual government grant, does this not reduce the revenue actually generated by AS to only \$10,919.

Has consideration been given to charging the 16,500 people OCAS claim visited in 1990, in order to reduce dependency on government grants.

- (4) If the answer to (3) is negative: why not.

- (5) Has OCAS plans to increase revenue by any other means to decrease dependency upon the ratepayer and; if so; how.

MR WOOD - the answers to Mr Kaines questions are:

- (1) After receiving appropriate professional advice, AS placed all 1990 revenue, including ACT Government grant installments, in high interest bearing deposits.
- (2) All ACT Government grant recipients are strongly encouraged to generate additional revenue and to manage their resources well. The Arts Development Board takes into account all potential revenue in determining recommended level of funding.
- (3) Throughout Australia there is no tradition of charging general admission to contemporary arts spaces or commercial galleries. Most Government galleries and museums only charge admission for major touring or international exhibitions.

(4) AS receives government funding specifically to expose the Canberra community to innovative and visual arts and to provide exhibition opportunities for ACT artists, in particular emerging artists. AS is nationally and internationally recognised for its work, and is the only gallery funded by the ACT Government to play this role.

(5) AS efforts to generate additional revenue are monitored by the Government in the grant application process. I am pleased to report that AS has

established an annual fund-raising function and art auction, with works donated by local visual artists

following recent Commonwealth legislation, sought tax-deductibility status to encourage private donations, and

achieved modest success with corporate sponsorship, particularly in-kind support, in a very difficult economic climate.

6354

MINISTER FOR HEALTH
LEGISLATIVE ASSEMBLY QUESTION

QUESTION NUMBER 624

Health Portfolio - Consultants

Mr Kaine - Asked the Minister for Health:

How do you explain the inconsistency between your answers to questions Nos. 544 of 12 September 1991 and 556 of 17 September 1991, ie the reply to question No. 544(b) states no consultants have been engaged in public relations tasks for your department, while the reply to question No. 566(1)(b) lists two consultancies: KIZCLIP Pty Ltd and COMMUNIQUE Solutions as having public relations purposes for an ongoing duration.

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

My answer to Question Number 544 is correct.

It seems that in drawing up the list of consultants attached to my answer to Question Number 556 the definition of a consultant as quoted in Report 302 of the Joint Committee of Public Accounts. "Engagement of External Consultants by Commonwealth Departments" published in November 1989 was not used. This definition reads as follows:

"In the public sector external consultants are usually regarded as specialists engaged to undertake short-term projects which assist the development or refinement of a Departments activities. In contrast external contractors are usually regarded as tradespeople or professionals engaged on a temporary basis to undertake more routine work, or to help the Department carry out its already defined activities."

In terms of this definition both KIZCLIP Pty Ltd and COMMUNIQUE SOLUTIONS fall into the category of "external contractors" and thus should not appear on the list. Using this criterion, which was applied in my answer to Question Number 544, Premier Service should also be deleted from the list.

Also the contract with KIZCLIP Pty Ltd does not involve public relations functions. This contractor is involved in the "Managing Organisational Change" process which is associated with the Principal Hospital Redevelopment Project.

6355

MINISTER FOR HEALTH
LEGISLATIVE ASSEMBLY QUESTION

QUESTION NUMBER 625

Health Portfolio - Consultants

Mr Kaine - Asked the Minister for Health:

With reference to your answer to question No. 556(1)(b) of 17 September 1991 -

- (1) What are the public relations tasks for ACT Health being undertaken by KIZCLIP Pty Ltd and COMMUNIQUE Solutions.
- (2) Are these ACT-based public relations companies and if not, why were local companies not selected for the tasks.
- (3) Payments made to KIZCLIP Pty Ltd (\$7,833) and COMMUNIQUE Solutions (\$8,000) are shown as payments only to 31 July 1991. Are both consultancies still ongoing and; if so, how much in fees has been paid to 31 October 1991 and how much longer will they be contracted to ACT Health.
- (4) If their tasks are completed, how much in total fees was paid to each consultancy.

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

- (1) KIZCLIP Pty Ltd was contracted by the previous Acting General Manager of Woden Valley Hospital to provide services associated with the "Managing Organisational Change" process which is a part of the Principal Hospital Redevelopment Project. Functions included information to staff. This contract is due to expire at the end of this financial year. ,

COMMUNIQUE SOLUTIONS performs functions as follows:

- (a) 50% of the time used as part of the "Management of Organisational Change" team and
- (b) 50% of the time used to provide general public relations services for Woden Valley Hospital.

The previous Acting General Manager of Woden Valley Hospital was of the view that under normal circumstances, the full-time permanent public relations position which had been allocated to the Hospital was not really necessary. It was only the

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extra demands of the Hospital Redevelopment Project which had generated a workload requiring a full-time operative. The contract is due to expire at the end of the financial year.

More specifically the public relations functions performed by COMMUNIQUE SOLUTIONS are as follows:

- Membership of the Public Information Working Group providing advice on Hospital Redevelopment public information issues to the Consolidation Committee and involving coordination and organisation of public information events at Royal Canberra and Woden Valley Hospital.
- Liaison and co-ordination of media inquiries, events and appearances for Royal Canberra and Woden Valley Hospital, including writing media releases and feature articles.
- Attendance at Hospital Executive/Hospital redevelopment project office meetings.
- Regular liaison with the Project Office Information officer to facilitate the flow of information to hospital staff.
- Organisation of regular information seminars for staff and associated hospital groups on the redevelopment.
- Co-ordination of external displays and exhibitions featuring the hospital and the Redevelopment project.
- Speech writing and special events management and co-ordination for internal and external hospital events other than those related to the redevelopment.
- Provision of Ministerial briefs relating to media functions and events at the Hospital.
- Provision of advice to groups within the hospital producing publications and brochures for internal and external readership.
- Co-ordination of hospital public relations with Board of Health Public Relations Unit.
- Media monitoring and advice to Hospital Executive on media issues.

2. Both KIZCLIP Pty Ltd and COMMUNIQUE SOLUTIONS are ACT-based companies.

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3. Both contracts are still ongoing. Payments made between 1 June 1991 and 31 October 1991 are:

- KIZCLIP Pty Ltd \$16,168
- COMMUNIQUE SOLUTIONS \$34,086

Both companies are contracted until the end of this financial year.

4. Not applicable.

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MINISTER FOR HEALTH
LEGISLATIVE ASSEMBLY QUESTION

QUESTION 626

Health Portfolio - Consultants

Mr Kaine - asked the Minister for Health on notice on 20 November 1991:

With reference to your answer to question No 556(1)(b) concerning consultancies to ACT Health, of the 40 consultants or consultancies listed, how many are ACT based.

Mr Berry - the answer to Mr Karnes question is as follows:

There were a total of 28 consultants or consultancies who were ACT based out of the 40 consultants or consultancies listed.

6359

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

Question No. 627

Chief Minister Portfolio - Consultants

MR KAINE - Asked the Chief Minister upon notice on 20 November 1991:

With reference to your answer to Question No. 520 concerning consultants to your department, of the 7 consultants or consultancies listed, how many are ACT-based?

MS FOLLETT - The answer to the members question is that five of the seven consultancies have a head office in the ACT while a further one has an ACT office but is based elsewhere.

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CONSULTANTS DOES THE FIRM IS THE ACT OFFICE THE
HAVE AN ACT OFFICE ? HEAD OFFICE ?

B. Davis Consultants yes yes

A. Shean yes yes

Harris Van Meegan yes yes

ALASKA Consulting Pty Ltd yes yes

CSA Consulting Pty Ltd yes no

NSW Australia Pty Ltd yes yes

a w a

Barclays Bank

Australia Limited no no

MINISTER FOR EDUCATION AND THE ARTS

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO. 628

**Education and the Arts Portfolio
Consultants**

MR Kaine - asked the Minister for Education and the Arts on notice on 20 November 1991:

With reference to your answer to Question No. 521 concerning consultancies to your portfolio, of the ten consultants or consultancies listed, how many are ACT-based?

MR WOOD - the answer to Mr Kaine's question is:

Seven of the consultants/consultancies listed in the answer to Question No. 521 are ACT-based.

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MINISTER FOR THE ENVIRONMENT, LAND AND PLANNING

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO 630

Environment, Land and Planning Portfolio - Consultants

Mr Kaine - asked the Minister for the Environment, Land and Planning -

With reference to your answer to question No 522 concerning consultancies to your portfolio, of the 55 consultants or consultancies listed, how many are ACT - based.

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

Of the consultancies listed in the answer to question No 522, 48 are ACT based.

6363

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

Question No 636

Chief Minister Portfolio - Public Relations Consultants

MR KAINE - Asked the Chief Minister upon notice on 26 November 1991:-

Further to your reply to question No. 542 concerning the brief, duties and cost of Molonglo Cottage Film Productions-

(1) Were any politicians featured in this video.

(2) If so, who were they (by name).

MS FOLLETT - The answer to the members question is as follows:

(1) No, there were no politicians featured in the video.

(2) N/A

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MINISTER FOR THE ENVIRONMENT, LAND AND PLANNING
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO. 638

Lease Change - Canberra Bowling Club

Mr Jensen - asked the Minister for the Environment, Land and Planning -

Can the Minister provide the details and any documentation on the change of the lease for Block 1, Section 12, Forrest to a City Area Leases Ordinance Lease on 22 April 1982?

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

Yes - the change of lease of Block 1 Section 12 Forrest from a lease granted under the Leases (Special Purposes) Ordinance to a lease granted under the City Area Lease Ordinance occurred in 1982 and followed a Commonwealth Government decision that rent should be paid by the Club on the new lease and a recognition that such rent could only be imposed at that time under the City Area Leases Ordinance.

The policy developments leading to the grant to the Canberra Bowling Clubs lease under the provisions of the City Area Leases Ordinance 1936 occurred at a time when the ACT leasehold estate was administered by the Commonwealth Government and as a consequence, I am responding from a historical perspective alone.

Departmental records indicate that the club first approached the Department of the Capital Territory in September 1979 about the renewal of its twenty year term lease under the Lease (Special Purposes) Ordinance 1925 which was due to expire on 6 April 1980.

In 1970, the Leases (Special Purposes) Ordinance 1925 was amended at Section CAB to reduce the level of land rent to a nominal level for all those leases granted under the Ordinance with the exception of those for diplomatic purposes. A similar amendment was made to the City Area Leases Ordinance 1936. These amendments were made in the context of the Commonwealth Governments municipal budget initiatives for the ACT which saw the virtual abolition of land rent in favour of the introduction of higher municipal rates.

Whereas the City Area Leases Ordinance 1936 was subsequently amended in 1974 to allow land rent to be charged in certain situations for leases granted under that Ordinance after that date, the Leases (Special Purposes) Ordinance 1925 was never so amended.

This meant that if a lease for other than diplomatic purposes was to be

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granted or regretted under the Leases (Special Purposes) Ordinance 1925 after January 1971, it was no longer possible for land rent to be charged.

Following changes to the ACTS liquor and gambling legislation which saw the lifting of restrictions on the operating hours of licensed clubs and the introduction of poker machines, the Commonwealth Governments leasing policies towards clubs became much more commercial.

The revenue raising potential of licensed clubs was recognised and leasing policies were changed to account for this development. From 1974 onwards, the Commonwealth Government policy required clubs seeking the grant of leases over prime town or group centre sites to establish licensed premises to pay land rent. As rental leases could not be granted under the Leases (Special Purposes) Ordinance these new club land rent leases were granted pursuant to the City Area Leases Ordinance 1936.

Documents supporting the above are available on various Commonwealth Government files and if required can be made available to Mr Jensen.

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MINISTER FOR EDUCATION AND THE ARTS

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO. 641

Teacher Recruitment

MRS NOLAN - asked the Minister for Education and the Arts on notice on 3 December 1991:

- (1) How many interstate teachers has the Education Department recruited for teaching positions in the ACT in (a) 1991; (b) 1990; and (c) 1989.
- (2) How is the recruiting done and what is the cost.
- (3) How many teachers will be recruited for the 1992 school year.
- (4j) What are the numbers of teacher graduates from the ANU and Canberra University unable to gain teaching employment in 1991.

MR WOOD - the answer to Mrs Nolans question is:

- (1) In 1991, 50 teachers will be recruited from interstate for employment commencing in 1992.

In 1990, the Department recruited 48 teachers from interstate to commence in 1991.

Figures for 1989 are not available since the system of recruitment was different.

It should be noted that interstate recruits may be Canberra residents who are studying interstate and that students at the University of Canberra may have come from interstate to study there.

- (2) The Department obtains new teaching staff for its schools by a bulk recruitment exercise each year, as do most other states in Australia.

Teachers respond in July to the Departments advertisements in the national press. It is normal to receive over 1,000 applications. These

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applications are merit ranked by selection panels. Highly ranked applicants may be interviewed by a panel of two teachers either in Canberra or interstate. Some of these teachers will be offered appointment for the new school year.

The cost of the above, plus recruited teachers travel and removal and storage of goods, is in the vicinity of \$120,000.00.

(3) Offers of employment have been made to 196 teachers for the 1992 school year.

(4) The Australian National University does not have a teacher education program.

Figures for teacher graduates from the University of Canberra unable to gain teaching employment in the ACT in 1991 are not held by the Department. However, 70 recent graduates of the University of Canberra have been employed by the Department in 1992.

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

Question No. 642

Driver Training Facility

MRS NOLAN - Asked the Chief Minister upon notice on 3 December 1991:

- (1) How many staff are employed to operate the Police Driver Training Centre on Sutton Road?
- (2) Who pays the salaries and what functions do they perform?
- (3) What is the income derived from the centre on a yearly basis?
- (4) Who sets the rates for hiring the centre and what are the hiring charges on weekdays and weekends?
- (5) To what extent is the facility used during the week and on weekends?
- (6) What is the cost of maintaining the Centre and its surrounds?
- (7) What organisations or groups can utilise the facility and on what basis?

MS FOLLETT- The answer to the members question is as follows:

The answers to your questions are as follow:

- (1) One person on partial duties is based at the Driver Training site. The Executive Director of the Transport and Distribution Industry Training Council manages the site on an interim basis on behalf of the Territory. He performs these duties in conjunction with his role as the Executive Director of the Council.
- (2) The Transport and Distribution Industry Training Council pays the Executive Directors salary. The driver training complex is managed by the Executive Director under the policy direction of my Department.
- (3) Between the handover of the site to the Territory on 1 May 1991 to 4 September 1991, \$3,300 of hiring fees was received from one-off use and hiring by Government organisations.

Since interim operations commenced on 4 September 1991, \$4,500 has been received in hiring fees.

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It is estimated that if the Driver Training Centre was operating as a permanent full time facility and promoted the annual revenue would be about \$80,000 - 85,000.

(4) After considering the rates charged at other driver training centres, I have agreed to the following fees during the interim period:

(i) skid pan, manoeuvring area and training track:

\$100 per day for light vehicles and \$200 per day for heavy vehicles;

(ii) Class Room: \$100 per day.

The rates are the same for weekdays and weekends.

(5) The usage rate during the interim period has been approximately 30\$ for week-day driver training and approximately 85\$ for week-ends. No promotion or advertising has taken place.

(6) The estimated annual cost of maintaining the complex with full-time driver training in operation is as follows:

Track, skid pan and manoeuvring area 2,000

Grounds/landscape 2,000

Building 1,000

Given the lower level of use during the interim period, the maintenance costs have been lower for this period.

(7) For the interim period, I have agreed that any organisation meeting the following guidelines can hire the Driver Training Centre:

General:

All vehicles shall be road registered and be in good mechanical condition.

All occupants of vehicles shall wear approved seat belts and all motor cycle riders shall wear approved safety helmets.

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PERMITTED Activities:

The following activities have been agreed by the ACT Government as permitted interim uses of the Sutton Road Driver Training complex:

- driver training activities using cars and light vehicles on the manoeuvring area, skid pan and training track;
- driver training activities using trucks and buses on the manoeuvring area and training track where semi trailers are permitted to carry a maximum payload of 15 tonnes and rigid buses and other single rear axle vehicles are permitted to carry a maximum payload of 6 tonnes;

NB. axle trailers are not permitted to undertake tight manoeuvring practice on the manoeuvring area;

- driver training activities using motor cycles on the manoeuvring area and training track;
- motor sports activities such as motorkhanas and rallies that do not involve racing or high speeds. Acceptable events include time trials around set courses of witches hats on the manoeuvring area or skid pan and time consistency laps around the training rack; and
- car launches and test drives of vehicles that do not involve excessive speeds.

EXCLUDED Activities:

Activities that are specifically excluded from the site are:

- motor car and motor cycle racing;
- practice racing sessions for motor car and motor cycles;
- certain car rallies and motorkhanas involving high speeds;
- earth moving equipment training;
- off-road manoeuvres by four-wheel drive vehicles and motor cycles; and
- fork lift operator training.

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Any person or organisation may be refused permission to hire the site, where, in the opinion of the Site Manager, that person or organisation is likely to breach the above guidelines, misuse the facilities or bring discredit to the driver training complex or the Government.

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MINISTER FOR EDUCATION AND THE ARTS

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO. 644

Overseas Students

MR COLLAERY - asked the Minister for Education and the Arts on notice on 10 December 1991:

Would the Minister provide details by amounts and nationality of all fees charged by the ACT Government for the attendance at ACT Government schools of the children of privately-funded overseas students?

MR WOOD - the answer to Mr Collaerys question is:

At present fees are not charged by the ACT Government for the attendance at ACT Government schools of the children of privately-funded overseas (now termed fee paying international) students.

From 1 March 1992 a new Commonwealth and State/Territory agreement will come into effect and, subject to certain exemptions, an agreed national fee will be charged for such students.

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CHIEF MINISTER FOR THE AUSTRALIAN CAPITAL TERRITORY

LEGISLATIVE ASSEMBLY QUESTION

Question No 645

Gaming Machine Repairers

MR COLLAERY - Asked the Treasurer upon notice on 10 December 1991:

How many repairers certificates have been issued under gaming machine legislation by date, name and location.

MS FOLLETT - The answer to the members question is as follows:-

I am advised that there are some 700 repairers certificates on issue. The Treasury has arranged for Mr Collaery to be briefed on the issue and I trust that this satisfies the purpose of his question.

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

Question No 646

Advertising - Neville Jeffress Pty Ltd

Mr Collaery - Asked the Treasurer upon notice 10 December 1991:

How much has the ACT Government paid and /or contracted to pay Neville Jeffress Advertising Pty Ltd since 1 July 1991.

Ms Follett - The answer to the members question is as follows:

Advertising expenditure through Neville Jeffress Pty Ltd amounted to \$711,432. Of this amount \$158,343 was retained by Neville Jeffress Pty Ltd as follows:

- \$96,889, General Production costs for ACTEW and TAFE
- \$61,454, represents 10% fee for placement of ACT Government advertisements, Radio, Television and print media. For this fee Neville Jeffress Advertising Agency Pty Ltd
- books space for ACT Government advertisements
- liaises with media outlets on behalf of the ACT Government
- pays the bills on behalf of the ACT Government in advance.

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**MINISTER FOR URBAN SERVICES
LEGISLATIVE ASSEMBLY QUESTION**

QUESTION NO. 647

Three for Free Parking Scheme

Mrs Nolan - asked the Minister for Urban Services:

- (1) What is the cost of implementing and maintaining the Three for Free parking scheme operating in Civic and Woden Town centres.
- (2) How many cars are using the scheme in (a) Civic; and (b) Woden.
- (3) Have any projections been formulated that indicate how many cars would use the scheme if it was a reduced parking fee for cars carrying two passengers or more; if so, what additional revenue would be obtained by implementing this scheme.

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

- (1) The Three for Free car parks were established in Woden Town Centre in December 1988 and in Civic in February 1990 at a total cost of around \$2,000. Substantial expansion and upgrading and much improved signage for the car parks in September 1991 cost about \$4,000 in total. The car parks cost an estimated \$23,000 a year to operate.
- (2) In November 1991
 - (a) an average of 80 cars a day; and
 - (b) an average of 30 cars a day.
- (3) No. The prime rationale behind the Three for Free car parks is not to raise revenue, but to encourage more efficient vehicle use by commuters. This is best achieved by providing worthwhile incentives for people to use their cars to the optimal extent by carrying three or more occupants.

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**MINISTER FOR URBAN SERVICES
LEGISLATIVE ASSEMBLY QUESTION**

QUESTION NO 648

Bedding Sand - Supply Contractors

Mr Moore - asked the Minister for Urban Services on 10 December 1991

Would the Minister provide the names of

- (1) All contractors and sub-contractors, contracted to supply bedding sand to the ACT Administration
- (2) Those contractors and sub-contractors supplying bedding sand for the ACT public works at Gungahlin.

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

- (1) The following contractors provide washed sand to the ACT Administration

_ A3ney Brothers Pty Ltd Queanbeyan . Dalkon Pty Ltd

The following sub-contractors supply bedding sand to the ACT Administration

K J 8 M L Mosworthy
. Goulburn Produce
. Tharwa Sands

- (2) There are no contractors supplying bedding sand for ACT public works at Gungahlin.

The following sub-contractors supply bedding sand for ACT public works at Gungahlin

K J & M L Nosworthy
. Goulburn Produce
. Tharwa Sands

6377

MINISTER FOR EDUCATION AND THE ARTS

LEGISLATIVE ASSEMBLY QUESTION

QUESTION TAKEN ON NOTICE 15 AUGUST 1991

Stromlo High School

DR KINLOCK - asked the Minister for Education and the Arts:

Could the Minister advise us of any major building and grounds deficiencies or faults in Holder High School and Weston Creek High School, the twin campuses under the care of the Principal of Mount Stromlo High School? •.. Will these deficiencies or faults be corrected and/or remedied for the beginning of the 1992 school year?

MR WOOD - Further to the information I provided to the Assembly on 15 August 1991, the answer to Dr Chinch's question is:

Stromlo High School will consolidate on the Waramanga campus from the beginning of 1993.

There are no major deficiencies or faults at either the Waramanga or the Holder campus which would prevent the school operating for the remainder of this year and in 1992.

Necessary routine maintenance on both campuses will continue as usual.

6378

MINISTER FOR EDUCATION AND THE ARTS

LEGISLATIVE ASSEMBLY QUESTION

QUESTION TAKEN ON NOTICE 17 OCTOBER 1991

Before School Care

MR MOORE - asked the Minister for Education and the Arts:

What are the responsibilities of schools in looking after children prior to starting times?

MR WOOD - the answer to Mr Moores question is:

The main features of the current ACT Government School guidelines on supervision of students before school are:

- (1) Principals should make necessary arrangements for the adequate oversight of playgrounds and buildings during the period of half an hour before school begins;
- (2) for the half hour period prior to commencement of lessons efficient supervision is to be provided;
- (3) efficient supervision does not necessarily entail direct observation;
- (4) students activities should be confined to those which are safe;
- (5) parents/guardians should be advised in writing of supervision arrangements for each school.

Recent court cases have established a number of important considerations in relation to the provision of direct supervision by teachers. It has been determined, in some cases, that a school authority owes its students a duty to ensure that reasonable care is taken of them when they are on the premises during hours when the school is open.

In general a higher standard of care is expected by the Courts of teachers in respect of children under 15 years of age to that ordinarily owed to children over that age. It is difficult to indicate with any degree of precision what the courts would consider adequate supervision in a particular situation.

The Department is currently developing a revised playground supervision policy. Following consultation with schools and unions it is expected that the new policy will be implemented in 1992. In developing the new policy, the question of before school care programs and the involvement of school support staff in the supervision of students will be addressed.

**MINISTER FOR EDUCATION AND THE ARTS
LEGISLATIVE ASSEMBLY QUESTION
QUESTION TAKEN ON NOTICE 19 NOVEMBER 1991**

Teacher Applications

MR HUMPHRIES - asked the Minister for Education and the Arts:

Is the Minister aware of claims that students at the University of Canberra, who have lodged applications for jobs with the Department of Education, have been waiting four months for replies from the Department despite the fact that applications for these jobs closed in July? Will the Minister undertake to investigate the claims and will he provide an assurance to the house the students who applied for jobs with the Department will be kept properly informed in future about the status of their applications?

MR WOOD - The answer to Mr Humphries question is:

The Department obtains new teaching staff for its schools by a bulk recruitment exercise each year, as do most other school systems throughout Australia.

Applicants (including graduating students from the University of Canberra) who respond to press advertisements in June are short-listed and ranked on merit in each category of teaching expertise likely to be required.

Well in excess of one thousand applications were processed in this way during August-September 1991.

In October and November 1991 some 600 advertised job vacancies were filled by transfer of current staff and by making about 200 offers of employment to new applicants.

All new applicants are made well aware of these procedures, and the fact that job offers cannot be made until actual vacancies are finalised in November. This is the shortest possible time-frame for meeting all the Departments requirements; including recruitment of high quality teaching staff for our schools.

All applicants are provided with written advice as to the result of their application. This year these letters were despatched in the week ending 29 November 1991.

6380

MINISTER FOR EDUCATION AND THE ARTS

LEGISLATIVE ASSEMBLY QUESTION

QUESTION TAKEN ON NOTICE - 3 DECEMBER 1991

Overseas Students

MR COLLAERY - asked the Minister for Education and the Arts:

I ask the Minister whether he is aware that the Federal Government has decided that all private overseas students should pay for the education of their dependants in Australia.

I ask the Minister whether the Federal Governments decision does not, in fact, amount to a decision for the Treasurer of our Territory to have to raise a levy effectively and I ask the Minister whether that levy will diminish our grants under the other arrangements as a result.

WOOD - the answer to Mr Collaerys question is:

Currently the Grants Commission does not make an allowance for dependants of international students. However, the ACT Government receives a general recurrent per capita grant for these presently unidentified students.

The Commonwealth has requested that such students be identified and charged at the recently agreed appropriate national fee by the State or Territory. The Commonwealth general recurrent grant would not then be paid for such students.

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17 December 1991

APPENDIX 1: (Incorporated in Hansard on 17 December 1991 at page 6187)

**CHIEF MINISTER FOR THE AUSTRALIAN CAPITAL TERRITORY
LEGISLATIVE ASSEMBLY QUESTION
QUESTION WITHOUT NOTICE**

12 DECEMBER 1991

MR JENSEN: CAN THE CHIEF MINISTER ADVISE IF THE PROPOSAL TO CIRCUMVENT THE A.C.T INTERIM PLANNING LEGISLATION VIA THE AMENDMENT TO THE CASINO CONTROL ACT TODAY WHICH REMOVES THE REQUIREMENT FOR PUBLIC CONSULTATION ON ANY CHANGES TO THE TERRITORY PLAN AS IT STANDS AT THE MOMENT, CAN SHE ADVISE AND ASSURE THE ASSEMBLY THAT THIS ATTEMPT TO CIRCUMVENT THE LEGISLATION DOES NOT OFFEND SECTION 26 OF THE ACT PLANNING AND LAND MANAGEMENT ACT 1988 WHICH OF COURSE AS WE KNOW IS A FEDERAL ACT AND CANNOT BE CHANGED BY THE A.C.T.?

MY ANSWER IS:

1. S.26 OF THE ACT (PLANNING AND LAND MANAGEMENT) ACT 1988 PROVIDES THAT:

" THE TERRITORY PLAN HAS NO EFFECT TO THE EXTENT THAT IT IS INCONSISTENT WITH THE NATIONAL CAPITAL PLAN BUT SHALL BE TAKEN TO BE CONSISTENT WITH THE NATIONAL CAPITAL PLAN TO THE EXTENT THAT IT IS CAPABLE OF OPERATING CONCURRENTLY WITH THE NATIONAL CAPITAL PLAN"

2. IF THE QUESTION IS ALLUDING TO THE DESIGNATION OF AN AREA FOR A CASINO IN SECTION 65 CITY (GLEBE PARK) BY THE MINISTER UNDER THE CASINO CONTROL ACT, AND THE DRAFT VARIATION TO THE TERRITORY PLAN PUBLISHED BY THE A.C.T. PLANNING AUTHORITY ON 14 DECEMBER 1991 TO PERMIT THE CASINO AND AN INTERIM CASINO ON SECTION 65 CITY, I CAN ASSURE MEMBERS THAT NEITHER ACTION IS INCONSISTENT WITH THE NATIONAL CAPITAL PLAN AND THERE IS NO OFFENCE AGAINST SECTION 26 OF THE COMMONWEALTH ACT.

3. THE CASINO CONTROL ACT HAS BEEN AMENDED TO PROVIDE, AMONGST OTHER THINGS, THAT DESIGNATION BY THE MINISTER OF AN AREA FOR A CASINO OR AN INTERIM CASINO HAS EFFECT NOTWITHSTANDING SECTIONS 8 AND 9 OF THE INTERIM PLANNING ACT AND IN THIS REGARD I REFER MEMBERS TO MY PRESENTATION SPEECH IN WHICH I SAID THAT BEFORE A CASINO COULD BE CONSTRUCTED OR OPERATED IT WOULD BE NECESSARY TO VARY THE TERRITORY PLAN IN THE NORMAL WAY. THERE IS NOTHING IN THE AMENDMENTS TO THE CASINO ACT THAT REMOVES THE REQUIREMENT FOR PUBLIC CONSULTATION ON ANY CHANGES TO THE TERRITORY PLAN AS SUGGESTED BY MR JENSEN.

4. THIS MEANS THAT WHILE THE MINISTER MAY DESIGNATE AN AREA FOR A CASINO AND AN INTERIM CASINO AND IDENTIFY

DEVELOPER WITHOUT DOING AN ACT WHICH IS INCONSISTENT WITH THE TERRITORY PLAN, ANY OTHER ACTIONS ON THE PART OF THE TERRITORY OR AN AUTHORITY, SUCH AS THE GRANT OF A LEASE OR LICENCE IS DEPENDENT ON THE EVENTUAL VARIATION OF THE TERRITORY PLAN. FOR A CLEAR STATEMENT OF THE CONDITIONS APPLYING TO DESIGNATION, I REFER MEMBERS TO SECTION 127A OF THE AMENDED ACT WHICH PROTECTS THE TERRITORY PLAN AGAINST THE TYPE OF CIRCUMVENTION ABOUT WHICH MR JENSEN APPEARS CONCERNED.

5. DEALING WITH THE REMAINING PARTS OF MR BENSONS QUESTION, SECTION 65 IS NOT WITHIN A DESIGNATED AREA, AND THERE IS NOTHING IN THE NATIONAL CAPITAL PLAN PREVENTING THE A.C.T. GOVERNMENT FROM LOCATING A CASINO ON LAND UNDER ITS OWN CONTROL. THE DRAFT VARIATION TO THE TERRITORY PLAN PUBLISHED ON 14 DECEMBER 1991 IS SUBJECT TO THE USUAL PROCESS OF PUBLIC CONSULTATION PROVIDED FOR UNDER THE INTERIM PLANNING ACT AND THERE IS NO ATTEMPT TO CIRCUMVENT THIS PROCESS AS SUGGESTED BY MR

JENSEN.

17 December 1991

APPENDIX 2:

(Incorporated in Hansard on 17 December 1991 at page 6188)/)17

THE AUSTRALIAN CAPITAL TERRITORY

LEGISLATIVE ASSEMBLY QUESTION

QUESTION WITHOUT NOTICE

20 NOVEMBER 1991

Electronic data not available but it is included in the printed Hansard.

APPENDIX 3:

(Incorporated in Hansard on 17 December 1991 at page 6188)

CHIEF MINISTER FOR THE AUSTRALIAN CAPITAL TERRITORY

LEGISLATIVE ASSEMBLY QUESTION

QUESTION WITHOUT NOTICE

19 NOVEMBER 1991

MR STEFANIAK: CAN THE MINISTER EXPLAIN WHY A BUS LOAD OF TOURISTS COMING TO CANBERRA CANNOT BUY A DRINK OR SOUVENIRS AT THE JOLIMONT CENTRE ON THE WEEKEND DUE TO THE CAFETERIA BEING CLOSED.

HOW MANY JOBS PREVIOUSLY EXISTED TO MAN THAT CAFETERIA HAVE NOW BEEN AXED DUE TO THE ALP. GOVERNMENTS FUNDING CUTS TO TOURISM INDUSTRY?

MY ANSWER IS:

THE BUSINESSES IN THE JOLIMONT CENTRE ARE PRIVATELY OWNED AND OPERATED. THEY ARE CONDUCTED ACCORDING TO THE COMMERCIAL JUDGEMENTS OF THEIR OWNERS. IT IS UNLIKELY THAT SUCH BUSINESS PEOPLE WILL OPERATE WHEN IT IS UNPROFITABLE TO DO SO.

I AM INFORMED THAT THERE HAS BEEN NO CHANGE IN THE EMPLOYMENT PATTERNS IN EITHER OF THE SNACK BARS OPERATING IN THE JOLIMONT CENTRE. THERE IS NO CONNECTION BETWEEN THE A.C.T. GOVERNMENTS TOURISM APPROPRIATION AND THE STAFFING LEVELS IN THE SNACK

BARS.

17 December 1991

APPENDIX 4:

(Incorporated in Hansard on 17 December 1991 at page 6188)

CHIEF MINISTER FOR THE AUSTRALIAN CAPITAL TERRITORY

LEGISLATIVE ASSEMBLY QUESTION

QUESTION WITHOUT NOTICE

19 NOVEMBER 1991

MR COLLAERY:

SUPPLEMENTARY QUESTION

I ASK THE CHIEF MINISTER IF SHE IS SUPPLIED WITH THE NAME AND DETAILS OF AN EXPERIENCED PUBLIC SERVANT WHO ALLEGES THE DISCOVERY OF LISTENING DEVICES AT SOME STAGE IN A CERTAIN PLACE WHETHER SHE WILL UNDERTAKE TO INVESTIGATE THAT AND REPORT TO THE HOUSE?

MY ANSWER IS:

ON THE BROAD ISSUE I AM AWARE THAT THE A.C.T. DOES NOT HAVE LEGISLATION TO CONTROL THE USE OF LISTENING DEVICES BY PEOPLE OTHER THAN THE POLICE, UNLIKE THE COMMONWEALTH AND THE STATES. I UNDERSTAND THOSE DEVICES ARE ITEMS WHICH ARE COVERTLY PLACED IN PREMISES TO ALLOW CONVERSATION AMONG PARTIES NOT AWARE OF THE PRESENCE OF THOSE DEVICES, TO BE RECORDED FOR LATER COLLECTION, OR TRANSMITTED TO A REMOTE LOCALITY. FOLLOWING THE CHANGE OF GOVERNMENT IN JUNE 1991 MY GOVERNMENT HAS DECIDED TO INTRODUCE LEGISLATION TO REGULATE THE USE OF SUCH DEVICES, TO BRING THE A.C.T. IN LINE WITH THE COMMONWEALTH AND THE STATES.

IN RELATION TO MR COLLAERY'S SPECIFIC QUESTION, I WILL EXAMINE ANY INFORMATION HE MAY MAKE AVAILABLE TO ME WHICH WOULD INDICATE THAT THE INVESTIGATIONS UNIT MAKES USE OF LISTENING DEVICES. I SHOULD HOWEVER SAY I HAVE BEEN ADVISED THAT THE INVESTIGATIONS UNIT DOES NOT POSSESS ANY LISTENING DEVICES NOR HAS IT BEEN INVOLVED IN ANY CASE WHERE SUCH LISTENING DEVICES HAVE BEEN USED TO GATHER EVIDENCE.

APPENDIX 5:

(Incorporated in Hansard on 17 December 1991 at page 6188)

CHIEF MINISTER FOR THE AUSTRALIAN CAPITAL TERRITORY

LEGISLATIVE ASSEMBLY QUESTION

QUESTION WITHOUT NOTICE

19 NOVEMBER 1991

MR COLLAERY: IN VIEW OF THE PETITIONS PRESENTED IN RELATION TO PAY ROLL TAX, IS THE GOVERNMENT GOING TO RESPOND TO THE MANY STATEMENTS BY THE BUILDING INDUSTRY, THE HOUSING ASSOCIATION INDUSTRY AND OTHER EMPLOYER AND SUB CONTRACTORS AND ACCEPT THE GOVERNMENT SHOULD EXAMINE THE PROSPECT OF ALLOWING TO A REFORM OF THE PAY ROLL TAX SYSTEM DOLLAR TO DOLLAR WITH YOUTH EMPLOYMENT SCHEMES.

CHIEF MINISTER ANSWERED FIRST PART OF THE QUESTION.

SUPPLEMENTARY:

IN VIEW OF YOUR RESPONSE YOU WILL ONLY LOOK AT THE APPRENTICESHIP SIDE OF THE EQUATION. IN VIEW OF THE FACT THAT YOUTH UNEMPLOYMENT HAS SUSTAINED ITSELF AT CLOSE TO 20% FOR THE LAST 2 YEARS AND CLEARLY URGENT AND REFORMIST MEASURES ARE AVAILABLE, WILL YOU COMMIT YOUR GOVERNMENT TO EXAMINING WHETHER WE CAN NOW RE-EXAMINE THE PAY ROLL TAX ISSUE THAT THIS ASSEMBLY LOOKED AT IN 1989 WITH A VIEW TO DETERMINING WHETHER ON A DOLLAR TO DOLLAR BASIS WE ARE NOT BETTER OFF ASKING THOSE EMPLOYERS TO PUT A PROPORTION INTO YOUTH AND TRAINEE EMPLOYMENT TO RELIEVE OUR BUDGET OF OUR OTHER DIRECTIONS BE TO SUSTAIN YOUTH UN-EMPLOYMENT ADDRESSED IN THE FIRST.

MY ANSWER IS:

MY GOVERNMENT IS CONCERNED AT THE HIGH RATE OF YOUTH UNEMPLOYMENT AND SINCE RETAKING OFFICE HAS MADE A NUMBER OF INITIATIVES RELATING TO THE ISSUE OF YOUTH EMPLOYMENT AND TRAINING.

IN THE CONTEXT OF THE 1991/92 BUDGET I ANNOUNCED INITIATIVES AIMED AT IMPROVING TRAINING AND EMPLOYMENT PROSPECTS, PARTICULARLY FOR YOUNG PEOPLE. THESE INCLUDED -

60 FULL TIME PRIORITY PLACES FOR A.C.T. SCHOOL LEAVERS IN "HIGH DEMAND" ASSOCIATE DIPLOMA COURSES AT TAFE

17 December 1991

RE-ESTABLISHMENT OF AN ENROLLED NURSES TRAINING PROGRAM TO BE RUN BY
A.C.T. TAFE

DOUBLING THE INTAKE OF TRAINEES UNDER THE AUSTRALIAN TRANSSHIP
SCHEME INTO THE A.C.T. GOVERNMENT THIS FINANCIAL YEAR

FUNDING OF \$200,000 IN A FULL YEAR TO SET UP A NEW "VENTURE AND
DEVELOPMENT ASSISTANCE PROGRAM" FOR YOUNG PEOPLE

FUNDING TO "INVOLVE" AND "JOBLINE" TO INCREASE THE OPPORTUNITIES FOR
WORK EXPERIENCE THROUGH VOLUNTARY AND CASUAL EMPLOYMENT.

THESE ARE POSITIVE MEASURES ANNOUNCED BY MY GOVERNMENT AND WILL BE
ADDED TO IN THE FUTURE AS OTHER PROPOSALS BEING DEVELOPED ARE
BROUGHT FORWARD FOR CONSIDERATION.

IT WOULD NOT BE APPROPRIATE TO LINK YOUTH EMPLOYMENT AND TRAINING
WITH THE WIDER ISSUE-OF PAYROLL TAX. PAYROLL TAX EXEMPTIONS ARE
PROVIDED TO 1ST YEAR APPRENTICES AND PERSONS ENGAGED UNDER GROUP
APPRENTICE SCHEMES CONDUCTED BY A.C.T. INDUSTRIES.

WIDER LINKAGES WITH FUNDING FOR TRAINING WOULD DUPLICATE THE
COMMONWEALTH TRAINING LEVY SCHEME WHICH PROVIDES PRIVATE
ENTERPRISE EMPLOYERS WITH AN INCENTIVE TO ACTIVELY ENGAGE IN STAFF
TRAINING AND DEVELOPMENT FOR YOUNG EMPLOYEES. IT WOULD NOT
PROVIDE ANY BENEFIT TO THE MAJORITY OF SMALLER A.C.T. EMPLOYERS WHO
ARE UNDER THE PAYROLL TAX THRESHOLD OF \$500,000 AND THEREFORE
WOULD NOT BE AFFECTED BY ANY ARRANGEMENT TO OFFSET THEIR
CONTRIBUTION TO TRAINING AGAINST PAYROLL TAX.

CONTACT: NEIL HACKMAN
A.C.T. REVENUE OFFICE

APPENDIX 6:

(Incorporated in Hansard on 17 December 1991 at page 6189)

CHIEF MINISTER FOR THE AUSTRALIAN CAPITAL TERRITORY

LEGISLATIVE ASSEMBLY QUESTION

QUESTION WITHOUT NOTICE

11 DECEMBER 1991

MS NOLAN: IS RENT STILL BEING PAID IN THE A.C.T. TOURISM COMMISSIONS SYDNEY AND MELBOURNE OFFICES. IF SO, HOW LONG IS THAT TO CONTINUE AND WHAT IS THE COMPENSATION PAYOUT REQUIRED TO GET OUT OF THE LEASE ON BOTH OF THOSE OFFICES?

MY ANSWER IS:

BOTH THE SYDNEY AND MELBOURNE OFFICES CLOSED AT THE END OF NOVEMBER. NEGOTIATIONS WITH EACH FORMER LANDLORD ARE CONTINUING AND I EXPECT THE MATTER TO BE RESOLVED BY THE FN. OF DECEMBER. PRESENT INDICATIONS ARE THAT COMPENSATION FOR EARLY TERMINATION WILL BE REASONABLE.

I WILL BE HAPPY TO MAKE THE DETAILS OF THE FINAL SETTLEMENTS AVAILABLE TO MS NOLAN WHEN THE NEGOTIATIONS ARE

CONCLUDED.

17 December 1991

APPENDIX 7:

(Incorporated in Hansard on 17 December 1991 at page 6189) 7- 0

CHIEF MINISTER FOR THE AUSTRALIAN CAPITAL TERRITORY

LEGISLATIVE ASSEMBLY QUESTION

QUESTION WITHOUT NOTICE

12 DECEMBER 1991

MRS NOLAN: MY QUESTION IS TO THE CHIEF MINISTER IN HER CAPACITY AS MINISTER FOR REGIONAL DEVELOPMENT. ISSUE RELATES TO THE DRIVER TRAINING CENTRE AT SUTTON PARK. A REPORT THAT WAS COMMISSIONED BY THE FORMER ALLIANCE GOVERNMENT IN MAY 91.1 WOULD LIKE TO ASK THE CHIEF MINISTER WHEN WILL THE ASSEMBLY AND THE COMMUNITY SEE THE REPORT WHICH WAS COMMISSIONED?

MY ANSWER IS: I UNDERSTAND THAT THE REPORT IS CURRENTLY BEING FINALISED AND THAT IT WILL BE FORWARDED TO ME IN THE NEAR FUTURE. I ALSO UNDERSTAND THAT THE REPORT CONTAINS A NUMBER OF MATTERS THAT ARE COMMERCIAL-IN-CONFIDENCE AND I WILL THEREFORE NEED TO CONSIDER CAREFULLY THE RELEASE OF FULL DETAILS CONTAINED IN THE REPORT.

APPENDIX 8:

(Incorporated in Hansard on 17 December 1991 at page 6191)

**MINISTER FOR HOUSING AND COMMUNITY SERVICES
LEGISLATIVE ASSEMBLY QUESTION**

QUESTION TAKEN ON NOTICE

19 NOVEMBER 1991

Mrs Nolan - asked the Minister for Housing and Community Services

The brochure promoting the scheme states loan repayments are set at 27 per cent of household income. However, the small print in the contract says the percentage is at the discretion of the Commissioner.

What assurances can the Minister give that Trust clients will not be misled /disadvantaged by participating in the scheme?

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

The brochure promoting the HomeBuyer program is not intended to mislead or disadvantage borrowers. The program extends access to home ownership to low and moderate income earners by increasing their capacity to borrow. The brochure highlights key points.

I acknowledge however that taken in isolation, the brochure could mislead a person about their consumer rights. In reality however, borrowers are in receipt of additional information that explains the terms and conditions of the current loan program.

The ACT Housing Trust is indeed aware of the Australia wide credit reform processes, particularly in respect of information disclosure. With this in mind, I am pleased to be able to say that the Trust is currently examining a draft of the Uniform Credit Bill with a view of ensuring that programs administered on behalf of the government meet the highest standards of consumer protection.

As part of this exercise, all home loan assistance information, including the HomeBuyer brochure, will be reviewed and modified as necessary to ensure that the cost of credit is disclosed and that the documents otherwise comply with the highest standards of consumer protection.

As an interim step and to eliminate any ambiguity that may exist in the text, the Commissioner for Housing is now improving the brochure by removing specific reference to any rate in the brochure itself. All program variables such as interest rates and the date of effect, will be included in a loose leaf flyer which will accompany the brochure

17 December 1991

MINISTER FOR URBAN SERVICES

LEGISLATIVE ASSEMBLY QUESTION

QUESTION WITHOUT NOTICE

ON THURSDAY 28 NOVEMBER 1991 MR STEVENSON ASKED ME ABOUT THE NUMBER OF PRIVATE PLATED VEHICLES IN THE A.C.T. GOVERNMENT.

THERE ARE 152 VEHICLES THAT DO NOT HAVE A.C.T. GOVERNMENT NUMBER PLATES

**MINISTER FOR HOUSING AND COMMUNITY SERVICES
LEGISLATIVE ASSEMBLY QUESTIONS**

QUESTIONS TAKEN ON NOTICE

27 November and 28 November 1991

Mr Duby - asked the Minister for Housing and Community Services on 27 November 1991

"Why did the Housing Trust install and commence operations on a computer system that they knew cannot accommodate tenants paying their rent through the payroll deduction system?

and

Mr Collaery - asked the Minister for Housing and Community Services on 28 November 1991

"Is the problem with the Housing Trusts new computer system and rent arrears also related to the change in the start of the fortnightly rent accounting period from a Thursday to a Sunday? Is a public notice appropriate in view of the queries coming in on this issue?"

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

First of all by way of background information I would like to explain the following:

Choice of computer system

After exhaustive investigations of available computer systems, a decision was made to buy the proven Victorian Housing Authoritys system.

Extensive testing of the system was conducted before placing it in operation. As the problem did not arise from a normal processing action it could not have been identified in the testing process. Some problems, particularly in relation to payments by payroll deduction only became apparent when the system became operational.

Problem causing factors

Many tenants were already in arrears

There was an unidentified ceiling of \$99,999 on transfers from the subcontrol account. Payments are made from this account to the

17 December 1991

accounts of those tenants paying by deduction. When this barrier was breached, not all payments could be processed.

The delay while modifications were carried out resulted in deduction accounts going into arrears and the computer moving directly to the third stage in the arrears process. The third stage is a letter to tenants in arrears mentioning the possibility of eviction if rent is not paid promptly.

In answer to the specific questions asked I wish to state the following:

1. Can the system handle payments bpi deductions?

It is designed to do so. The reason there was a problem was an inbuilt ceiling in the Victorian system because of the smaller number of tenants paying by this method in that State. Remedial action has now been taken.

In clarification of what went wrong I should explain that previously there was a greater reliance on staff to initiate action on tenant arrears. Under the new system, the computer is geared to prompt staff action in the light of information it holds on the state of tenants accounts. The system is designed to generate letters to tenants appropriate to the level and length of arrears. This is done in three stages - an initial letter of arrears, a follow up letter and a final letter. During this process Trust staff also make several attempts to contact tenants personally to try to negotiate an agreement to repay arrears.

When the processing of deductions failed, the accounts of some tenants were placed into the arrears cycle because the computer was unable to process all deductions. Trust staff then took action to suppress the first arrears letter which the system was designed to produce. However the system then produced the third stage letter.

Staff intercepted as many letters as possible. However many of them were still delivered. A letter of apology has been sent to any tenant who erroneously received a letter.

Tenants who have written inquiring about the arrears letter are being answered on an individual basis.

2. Change of days on which rent is debited and length of debit period

With the introduction of the new computer, the commencement of the rent debiting period changed from Wednesday to Sunday. Rent is also now displayed on accounts as a weekly rather than a fortnightly debit.

A letter advising tenants of the new computer system was sent to all tenants in mid October. This advised them of the introduction of the weekly accounting period.

The change of the day on which rent debiting occurs is an internal accounting alteration and does not affect the day on which tenants should pay their rent each fortnight . This remains Wednesday. A notice explaining this matter will be placed in the next issue of the Tenants Newsletter which will be available during the week ending 20 December 1991.

3. Additional three days rent

The changed day for the commencement of the rent debit period (from Wednesday to Sunday) did not add three days rent to their accounts. Where accounts were already in arrears, this additional debit could have breached the threshold at which the computer would begin the arrears recovery cycle.

A revised threshold is being programmed to allow for the three days rent to be taken into account in the commencement of the arrears cycle. This will be completed by mid January 1992. In the meantime processing of arrears recovery has been temporarily halted. The backlog will be caught up when processing is recommenced.

Tenants paying by salary deduction have also been temporarily removed from the systems arrears recovery cycle. This will prevent the wrongful issue of letters while appropriate recovery action is taken manually.

The Trust is maintaining an on-going process of monitoring the operation of the system and correcting problems as they arise

17 December 1991

APPENDIX 9:

(Incorporated in Hansard on 17 December 1991 at page 6197)

TABLING STATEMENT

FAIR TRADING (FUEL PRICES) BILL 1991

EXPOSURE DRAFT

To be Delivered by
Terry Connolly MLA

Attorney General

MR SPEAKER, I PRESENT AN EXPOSURE DRAFT OF THE FAIR TRADING (FUEL PRICES) BILL 1991.

MR SPEAKER, THERE HAS BEEN CONSIDERABLE COMMUNITY UNREST ABOUT PETROL PRICES IN THE A.C.T.. THERE IS A WIDESPREAD PERCEPTION IN THE COMMUNITY THAT PETROL PRICES ARE SOMETIMES HIGHER IN THE A.C.T. THAN THEY SHOULD BE. A.C.T. RESIDENTS CAN HAVE THAT PERCEPTION EVERY TIME THEY TRAVEL BY CAR TO SYDNEY, AS MANY RESIDENTS DO REGULARLY, AND THEY CAN SEE THE PRICES ADVERTISED OUTSIDE PETROL STATIONS BY THE ROADSIDE. MR MATT ABRAHAMS OF THE ABC RADIO MORNING PROGRAM IS ABLE TO INFORM US NEARLY EVERY MORNING THAT PETROL IN FAR FLUNG PLACES IN THE OUTBACK IS CHEAPER THAN IN CANBERRA.

THE PRICES SURVEILLANCE AUTHORITY RECENTLY PUBLISHED A REPORT DEALING WITH ITS SURVEY OF CANBERRA AND SYDNEY PRICES AND THAT REPORT, ALTHOUGH CONCEDING THE LIMITED NATURE OF THE SURVEY, CONCLUDED THAT IN GENERAL TERMS A.C.T. PRICES WERE NOT EXCESSIVE. UNFORTUNATELY THAT SURVEY DID NOT CAPTURE THE NOTORIOUS PRE-EASTER PRICE HIKE WHICH CAUSED MUCH CONSUMER CONCERN EARLIER THIS YEAR.

MR SPEAKER, THE GOVERNMENT BELIEVES THAT THE PRICES SURVEILLANCE AUTHORITY STUDY WAS USEFUL AND VALUABLE. THE SURVEY POINTED TO A NUMBER OF FACTORS SUCH AS FREIGHTAGE AND OTHER COST FACTORS WHICH COULD AFFECT THE CANBERRA PRICE RELATIVE TO SYDNEY AND OTHER CAPITALS. THE SURVEY ALSO RECORDED MANY INSTANCES OF QUITE LARGE GAPS BETWEEN A.C.T. PRICES AND SYDNEY PRICES AND IT DID FIND THAT PRACTICES OCCURRED IN THE SYDNEY MARKET AND IN THE A.C.T. WHICH SOMETIMES MEANT THAT PRICE BENEFITS MIGHT NOT BE PASSED ON TO CONSUMERS IN THE A.C.T.

MR SPEAKER, THERE SEEMS TO BE EVIDENCE OF THE EXISTENCE OF POSSIBLY ILLEGAL PRACTICES IN ELEMENTS OF THE INDUSTRY. THE TRADE PRACTICES COMMISSION HAS LAUNCHED TWO PROSECUTIONS INVOLVING THE PETROL INDUSTRY IN SOUTH AUSTRALIA AND IN N.S.W

THIS YEAR. THE A.C.T. CONSUMER AFFAIRS BUREAU HAS ALSO BEEN ACTIVELY INVOLVED IN MONITORING THE LOCAL SITUATION.

MR SPEAKER, IT IS AGAINST THIS BACKGROUND THAT THE GOVERNMENT HAS DECIDED TO TABLE THIS BILL. BUT WE ARE DEFINITELY NOT SAYING TO THE COMMUNITY: "EVERYTHING IS OK, WE THE GOVERNMENT HAVE TAKEN OVER THE PROBLEM AND WE WILL FIX IT WITH THE STROKE OF A PEN."

THE GOVERNMENT IS NOT TABLING THIS BILL WITH THE IDEA THAT THE PROBLEMS INVOLVED IN THE MARKETING AND SUPPLY OF FUEL CAN ALL BE SOLVED BY THE STROKE OF THE LEGISLATIVE PEN. THAT IS NOT REALISTIC. THERE ARE LIMITS TO WHAT GOVERNMENT CAN AND SHOULD DO IN THE MARKETPLACE. WHAT WE DO SEEK TO DO BY TABLING THIS EXPOSURE DRAFT IS AT LEAST TO CONTRIBUTE TO A SENSIBLE COMMUNITY DISCUSSION OF THE ISSUE.

A BILL PROVIDES A CONCRETE BASIS FOR SUCH DISCUSSION, AND IT IS THERE READY TO BE ENACTED INTO LAW IF NECESSARY.

LEGISLATIVE REGULATION IN THIS FORM MAY NOT BE THE WAY TO GO IN THE LONG RUN, BUT SOME STATES SUCH AS VICTORIA AND WESTERN AUSTRALIA HAVE APPROACHED THE ISSUE IN THIS WAY. THOSE STATES HAVE ENACTED LEGISLATION ALONG SIMILAR LINES TO THE DRAFT BILL WE ARE TABLING TODAY AND HAVE ACHIEVED SATISFACTORY RESULTS.

MR SPEAKER, THE BILL IS FAIRLY SIMPLE IN STRUCTURE. IT WOULD ENABLE THE MINISTER RESPONSIBLE FOR CONSUMER AFFAIRS TO GAZETTE MAXIMUM PRICES FOR FUEL ON THE RECOMMENDATION OF THE DIRECTOR OF CONSUMER AFFAIRS. THE DIRECTOR WOULD ALSO BE EMPOWERED ON A CONFIDENTIAL BASIS TO OBTAIN RELEVANT INFORMATION FROM THE INDUSTRY FOR THE PURPOSES OF ADVISING THE MINISTER. THE BILL ALLOWS THE SETTING OF MAXIMA, IT DOES NOT EMPOWER THE SETTING OF RECOMMENDED PRICES OR MARGINS BECAUSE THAT WOULD LESSEN COMPETITION BY PRICE AND DISCOURAGE TRADING AT LOWER PRICES.

4

WE ARE PLACING THE ISSUE BEFORE THE COMMUNITY IN ACCORDANCE

WITH THIS GOVERNMENT'S GENUINE COMMITMENT TO CONSULTATION AND WE INTEND TO LET IT LIE ON THE TABLE UNTIL THERE HAS BEEN TIME TO ASSESS THE BILL AND RECEIVE RESPONSES TO IT IN THE NEW YEAR.

HOWEVER, MR SPEAKER, WE DO NOT INTEND TO LEAVE IT AT THAT. THE GOVERNMENT IS OF THE VIEW THAT THERE NEEDS TO BE A

COMPREHENSIVE APPROACH. EVEN IF WE DO DECIDE TO ADOPT REGULATION OF PETROL PRICES THAT WILL NOT BE THE WHOLE ANSWER

IN THE A.C.T. THERE ARE A RANGE OF LONGER TERM ISSUES THAT AFFECT THE CANBERRA MARKET AND WE ARE ALSO ADDRESSING THESE. THERE ARE FACTORS RELATED TO PLANNING AND SITING OF PETROL STATIONS FOR EXAMPLE. THERE ARE A RANGE OF MATTERS THAT ARE BEING

LOOKED AT AT A NATIONAL LEVEL BY THE SPECIAL FEDERAL

PARLIAMENTARY LABOR CAUCUS COMMITTEE OF INQUIRY INTO ASPECTS OF THE AUSTRALIAN PETROLEUM INDUSTRY CHAIRED BY MR KEITH

WRIGHT AND THERE WILL BE A RESPONSE TO THOSE MATTERS FROM THE FEDERAL GOVERNMENT.

WE HAVE DECIDED TO APPROACH THESE MATTERS BY THE ESTABLISHMENT OF A WORKING GROUP TO EXAMINE ALL A.C.T. GOVERNMENT POLICIES AND PRACTICES WHICH AFFECT PETROL PRICES,

INCLUDING THE NUMBER AND LOCATION OF PETROL STATIONS, AND TO EXAMINE ALL RELEVANT ISSUES WHICH MAY ARISE FROM THE FEDERAL GOVERNMENT'S RESPONSE TO THE WRIGHT COMMITTEE REPORT.

MR SPEAKER THIS GROUP IS COMPRISED OF SENIOR OFFICERS LED BY MY

DEPUTY LAW OFFICER MR LEN SORREL. IT HELD ITS FIRST MEETING ON 4 DECEMBER 1991 AND IT WILL BE REQUIRED TO MAKE A REPORT TO THE

GOVERNMENT WITHIN SIX MONTHS.

IN THE MEANTIME THE GOVERNMENT AND THE RELEVANT AGENCIES WILL BE CLOSELY MONITORING THE PRICING SITUATION IN THE A.C.T. OVER THE CHRISTMAS PERIOD AND INTO THE NEW YEAR TO SEE HOW THE MARKET PERFORMS.

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5

MR SPEAKER, EVERY MOTORIST IN CANBERRA WILL BE DOING HIS OR HER OWN MONITORING AT THE PETROL PUMP DURING THIS PERIOD AND I AM CONFIDENT THAT CANBERRA MOTORISTS WILL WELCOME THIS GOVERNMENT INITIATIVE AND THE ATTENTION ON THIS ISSUE WHICH WILL BE CREATED

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APPENDIX 10:

(Incorporated in Hansard on 17 December 1991 at :y:pag :.f ?49 j

TABLING SPEECH

SELECT COMMITTEE ON HOSPITAL BED NUMBERS

MR SPEAKER,

LAST FRIDAY I TABLED THE REPORT OF THE SELECT COMMITTEE ON HOSPITAL BED NUMBERS AND I WOULD NOW LIKE TO ADD SOME REMARKS CONCERNING THE REPORT.

THE REPORT WAS PREPARED IN A VERY SHORT SPACE OF TIME BUT DESPITE THIS MEMBERS COVERED A GREAT DEAL OF GROUND, BOTH PHYSICALLY AND INTELLECTUALLY, AS A PERUSAL OF THE "ACKNOWLEDGMENTS" SECTION WILL REVEAL. I BELIEVE IT IS TRUE THAT ALL MEMBERS "STARTING POSITION" WAS MODIFIED BY EVIDENCE THAT WE HEARD IN THE COURSE OF THE INQUIRY, SURELY A SIGN OF AN OPEN INQUIRY. ALL OUR VIEWS ON THE SUBJECT MATTER BEFORE US WERE TESTED BY THE EVIDENCE TIME AND AGAIN, AND I BELIEVE IT STRENGTHENED THE FINAL TENOR OF THE REPORT.

THE REPORT IS CLOSE TO UNANIMOUS, A REFLECTION OF HOW SERIOUSLY MEMBERS TREATED THE TASK OF REPORTING IN ACCORDANCE WITH THE EVIDENCE.

THE INQUIRY HAD ITS ORIGINS IN A PROPOSAL BY THE A.C.T. GOVERNMENT TO REDUCE THE NUMBER OF BEDS IN THE PUBLIC HOSPITAL SYSTEM BY BETWEEN 63 AND 91, LEAVING SOMEWHERE BETWEEN 609 AND 641 BEDS OVERALL, BY ABOUT MARCH NEXT YEAR.

IN THE VIEW AT LEAST OF THE MEMBERS OF THE COMMITTEE, THIS INQUIRY WAS ONE ABOUT QUALITY, THAT IS, COULD QUALITY HEALTH SERVICES BE SUSTAINED WITH THE BED REDUCTIONS THE GOVERNMENT HAS FORESHADOWED? IN THIS RESPECT IT WAS IMPRESSED UPON US AT AN

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z.

EARLY STAGE OF OUR INQUIRY THAT BED NUMBERS ARE ONLY ONE, RATHER CRUDE INDICATOR OF QUALITY. IT IS POSSIBLE, OF COURSE, TO USE BEDS MORE EFFICIENTLY, OR EVEN NOT AT ALL (FOR EXAMPLE, DIALYSIS TREATMENT OR TREATMENT OF CONDITIONS BY DRUGS) BUT STILL ACHIEVE THE EFFICIENT TREATMENT OF PATIENTS PROBLEMS AND A HIGH DEGREE OF PATIENT SATISFACTION.

THE COMMITTEE WAS DIRECTED TO A NUMBER OF "ALTERNATIVE INDICATORS", INCLUDING ADMISSION LEVELS, DWGs (DIAGNOSIS-RELATED GROUPS), HSI (RELATIVE STAY INDEX), CASEMIX SYSTEMS, OCCUPIED BED DAYS, COST PER BED DAYS, COSTS PER ADMISSION, SEPARATION RATES, READMISSION RATES OR RATES OF INFECTION, TO NAME BUT A FEW. HOWEVER IN THE COURSE OF CONSIDERING THESE INDICATORS, TWO PROBLEMS EMERGED.

FIRST, EACH OF THESE "ALTERNATIVE INDICATORS" ARE IN VARYING DEGREES MEASURES OF PERFORMANCE, NOT CAPACITY; THEY SHOW WHAT THE SYSTEM HAS DONE, NOT WHAT IT WAS CAPABLE OF DOING.

SECONDLY, MOST OF THE MORE SOPHISTICATED METHODS OF ASSESSING EVEN PERFORMANCE ARE QUITE EMBRYONIC. IN SOME CASES THE COMMITTEE WAS TOLD THESE METHODS ARE FIVE YEARS FROM BEING A USEFUL TOOL IN DETERMINING POLICIES GOVERNING SERVICES. THUS, ALTHOUGH WE ACCEPT AND INDEED OUTLINE IN THE REPORT THE LIMITATIONS OF BED NUMBERS AS AN INDICATOR OF THE QUALITY OF A HOSPITAL SYSTEM, TO DISCARD BED NUMBERS ALTOGETHER AS A TOOL WOULD LEAVE US, AND THE PUBLIC OF CANBERRA, LARGELY UNABLE TO ASSESS HOW CAPABLE OUR HOSPITAL SYSTEM IS IN THE IMMEDIATE FUTURE OF MEETING THE ACUTE HOSPITAL NEEDS OF OUR

PEOPLE.

3.

AS SUCH, THAT WOULD ALSO MEAN THAT WE WERE UNABLE TO ASSESS WHETHER THE GOVERNMENTS PROPOSED REDUCTION IN THE HEALTH BUDGET IS REALISTICALLY COMPATIBLE WITH THE MAINTENANCE OF HIGH QUALITY SERVICES. MEMBERS SAW THIS AS PERHAPS THE CENTRAL ISSUE IN THE INQUIRY, AND ONE WHICH COULD NOT LIGHTLY BE PUT ASIDE ON THE BASIS THAT AN ANSWER COULD NOT EMPIRICALLY AND CONCLUSIVELY BE DETERMINED. THERE WERE HOWEVER INDICATORS OF THE CONSIDERABLE AMBITION ENTAILED IN MEETING THE TARGETS THE GOVERNMENT HAD SET FOR THE SYSTEM. COMPARISONS WITH N.S.W. WERE MOST REVEALING:

- IN N.S.W. A BED/POPULATION RATIO OF 4.6 BEDS PER THOUSAND COMPARES WITH OURS OF 3.72 BEDS PER THOUSAND (GIVING SOME 20% MORE BEDS IN THE N.S.W. SYSTEM)
- THE LEVEL OF DAY SURGERY USE IN N.S.W. (DAY SURGERY BEING, WHERE WE ARE TOLD, AN ESSENTIAL TOOL IN IMPROVING THROUGHPUT) IS NEAR TO THE NATIONAL AVERAGE, WHEREAS THAT IN THE A.C.T. IS ABOUT HALF THE NATIONAL AVERAGE. INDEED A MEMBER OF THE NATIONAL DAY SURGERY COMMITTEE WHO APPEARED BEFORE THE COMMITTEE ADVISED THAT IT WOULD BE TEN YEARS BEFORE DAY SURGERY WAS ABLE TO MAKE A SIGNIFICANT IMPACT ON NUMBERS IN EITHER THE PUBLIC OR PRIVATE SECTORS.
- THE PROPORTION OF PRIVATE BED USE IN N.S.W. IS CONSIDERABLY HIGHER THAN IN THE A.C.T. (THE PROPORTION OF PRIVATE BED USE EVERYWHERE ELSE IS HIGHER THAN IN THE A.C.T.). THE RESULT IS THAT THE A.C.T. IS MUCH MORE DEPENDANT ON ITS PUBLIC HOSPITAL SYSTEM, AND THE BEDS THEREIN, FOR THE DELIVERY OF HOSPITAL SERVICES

4.

- DESPITE ITS MORE GENEROUS STARTING POSITION, N.S.W. PLANS TO REDUCE ITS BED NUMBERS IN LINE WITH ADVANCES IN TECHNOLOGY AND GREATER USE OF DAY SURGERY, TO A POINT APPROXIMATELY WHERE THE A.C.T. NOW FINDS ITSELF, BUT OVER A 10 YEAR PERIOD.

IT NEEDS TO BE ASKED, THE COMMITTEE FELT, WHAT MAKES US FEEL WE CAN ACHIEVE IN 10 MONTHS WHAT N.S.W., FROM A MUCH BETTER STARTING POSITION, AIMS TO ACHIEVE IN 10 YEARS?

OTHER FACTORS COMPLICATE THE SCENARIO FOR BED REDUCTIONS IN OUR SYSTEM. THE COMMITTEE REACHED THE VIEW THAT IT WAS IMPERATIVE THAT THE GOVERNMENT MAINTAIN THE NUMBER OF NURSING BEDS IN OUR PUBLIC HOSPITALS, IN PARTICULAR IN THE ABSENCE OF ALTERNATIVE ACCOMMODATION FOR THE PEOPLE WHO PRESENTLY OCCUPY THOSE BEDS. THE CONCLUSION WE REACHED, THAT THERE IS A DESPERATE NEED FOR A RANGE OF ALTERNATIVES, INCLUDING REHABILITATION/CONVALESCENT FACILITIES, MORE HOSTEL BEDS AND ADDITIONAL RESPITE CARE FACILITIES DOES NOT DETRACT FROM THE FACT THAT THESE FACILITIES ARE UNLIKELY TO BE AVAILABLE IN THE NEAR FUTURE. THE COMMITTEE ALSO REACHED THE CONCLUSION NO OPERATING THEATRES SHOULD BE CLOSED, DESPITE THE FACT THAT THE BOARD OF HEALTH IS, WE WERE ADVISED, CONSIDERING THE CLOSURE OF SOME AMONG THE OPTIONS FOR REDUCING COSTS IN THE SYSTEM. THIS COMMENT PARTICULARLY APPLIES TO THEATRES USED FOR DAY PROCEDURES. THE COMMITTEE FELT, ON THE CONTRARY, THAT GREATER THROUGHPUT COULD BE ACHIEVED BY USING THEM ON WEEKENDS. (IT IS PARTICULARLY PUZZLING THAT THE BOARD SHOULD CONSIDER THE INCREASED THROUGHPUT WHICH FEWER BEDS WOULD ENTAIL WHILE AT THE SAME TIME CLOSING OR REDUCING THE OPERATIONAL CAPACITY OF THEATRES

5.

THE COMMITTEE FURTHER RECOMMENDS THAT THERE BE NO REDUCTION IN INTENSIVE CARE BEDS, WITHOUT AT LEAST A DETAILED RATIONALE OF HOW THIS COULD OCCUR WITHOUT A LOSS OF QUALITY. THE VIEW WAS ALSO REACHED THAT THERE NEEDS TO BE AN EXPANSION OF TEMPORARY ACCIDENT AND EMERGENCY FACILITIES AT WOVEN VALLEY HOSPITAL, WHERE THERE WERE CLEAR SIGNS THAT A SHORTAGE OF BEDS WAS HAVING A DELETERIOUS EFFECT ON THE QUALITY OF SERVICE.

ALL IN ALL THE COMMITTEE HAD THE GRAVEST DOUBTS ABOUT THE CAPACITY OF THE SYSTEM TO LOOSE ONE BED IN NINE IN A FEW MONTHS AND RETAIN THE LEVEL OF CARE WHICH CANBERRANS HAVE COME TO EXPECT. HENCE THE CENTRAL RECOMMENDATION OF THE REPORT:

THE COMMITTEE RECOMMENDS THAT THE BOARD OF HEALTH, IN CONJUNCTION WITH THE GOVERNMENT, RECONSIDER ITS PROGRAM OF BED REDUCTIONS AS A MATTER OF URGENCY.

DESPITE THE SHORTNESS OF TIME AVAILABLE TO THE COMMITTEE, A LARGE NUMBER OF OTHER MATTERS WERE COVERED IN THE REPORT. FIRST, THE COMMITTEE IDENTIFIED A NEED FOR "QUALITY INDICATORS" TO BE AVAILABLE WITHIN THE HEALTH SYSTEM. THERE IS, AT THE PRESENT TIME, NO RELIABLE, CONSISTENT AND COMPREHENSIBLE QUALITY INDICATORS WHICH DO NOT CHANGE FROM YEAR TO YEAR AND WHICH MEASURE CAPACITY AS WELL AS PERFORMANCE. THE INDICATOR WHICH PERHAPS COMES CLOSEST TO MEETING THIS TEST IS THE ACCREDITATION WHICH IS GIVEN BY THE AUSTRALIAN COUNCIL ON HEALTH CARE STANDARDS SACHS. OF COURSE, IT GOES WITHOUT SAYING THAT WODEN VALLEY HOSPITAL HAS NEVER ACHIEVED THIS ACCREDITATION FULLY, AND IT IS INDEED A RECOMMENDATION OF THE COMMITTEE THAT THE BOARD OF HEALTH PURSUE THAT ACCREDITATION AS AT LEAST ONE INDICATOR OF IMPROVING STANDARDS IN OUR SYSTEM.

6.

THE COMMITTEE ALSO FELT THAT IT WOULD BE HELPFUL IF THE GOVERNMENT AND THE BOARD WERE TO BE MORE OPEN AND ACCOUNTABLE ABOUT THE NATURE OF ISSUES FACING THE HOSPITAL SYSTEM, AND WERE TO DISCUSS THOSE ISSUES THROUGH PUBLIC EDUCATION AND OTHER MEANS IN A WAY WHICH MADE THE A.C.T. COMMUNITY MORE TOLERANT OF THE CHANGES OCCURRING IN THE SYSTEM AND THE PRESSURES UPON IT. FOR EXAMPLE, A VERY DIFFERENT VIEW OF THE REASON FOR WAITING LISTS IN THE HOSPITAL SYSTEM WAS PRESENTED TO THE COMMITTEE THAN REACHES THE PUBLIC FROM TIME TO TIME.

THE COMMITTEE WAS ALSO ALARMED AT THE EXTENT TO WHICH OVERSTAFFING IN THE A.C.T. PUBLIC HOSPITAL SYSTEM HAS NOT YET BEEN FULLY ADDRESSED. IT HEARD EVIDENCE FROM DR. JAMES BUTLER OF THE ANU. ABOUT THE COMPARISON OF STAFF RATIOS IN A.C.T. PUBLIC HOSPITALS WITH SYSTEMS ELSEWHERE. THE COMMITTEE HEARD THAT, BASED ON 1987/88 DATA, FOR EVERY ONE ADMINISTRATIVE AND CLERICAL STAFF POSITION IN THE AVERAGE AUSTRALIAN HOSPITAL SYSTEM, THERE IS 1.8 POSITIONS IN THE A.C.T. THE COMMITTEE ACKNOWLEDGES THAT ALTHOUGH MUCH HAS BEEN DONE TO RELIEVE SUCH ODIIOUS COMPARISONS IN RECENT YEARS, MUCH STILL REMAINS TO BE DONE. THE COMMITTEE ALSO NOTES THAT CUTS IN BEDS GOES HAND IN HAND TO SOME EXTENT WITH CUTS IN STAFF, MOST NOTABLY HOWEVER WITH "COALFACE" STAFF SUCH AS NURSES. ACCORDINGLY, THE COMMITTEE STRONGLY FELT THAT THE GOVERNMENT SHOULD TARGET OVERSTAFFING (ESPECIALLY ADMINISTRATIVE OVERSTAFFING) BEFORE IT TARGETS BED NUMBERS.

THE COMMITTEE TOOK EVIDENCE ABOUT THE RELATIVE UNDERSEA OF PRIVATE HOSPITAL BEDS IN THE A.C.T. SUCH UNDERSEA REPRESENTS A SERIOUS RESOURCE PROBLEM TO THE TERRITORY, AND IS BECOMING PROGRESSIVELY MORE ACUTE. WE HEARD THAT IN 1989/90, THE PERCENTAGE OF PRIVATE PATIENTS OF TOTAL PATIENTS AT WODEN

7.

VALLEY/ROYAL CANBERRA HOSPITALS WAS 38%, COMPARED WITH 26% SOME TWO YEARS LATER. MOREOVER, THIS SHIFT APPEARS TO BE PLACING MORE PATIENTS INTO PUBLIC BEDS RATHER THAN INTO PRIVATE BEDS IN PRIVATE HOSPITALS. EACH SUCH SHIFT TO THE PUBLIC SECTOR PLACES BURDENS ON OUR PUBLIC HOSPITAL SYSTEM WITH WHICH IS INCREASINGLY UNABLE TO COPE. EVERY PATIENT WELL OFF ENOUGH TO PAY FOR PRIVATE HEALTH CARE THAT USES PUBLIC FACILITIES USES THEM AT THE EXPENSE OF PUBLIC PATIENTS WHO CAN'T AFFORD PRIVATE FACILITIES. THE COMMITTEE WOULD BE LESS CONCERNED IF THE PUBLIC SYSTEM WERE IN FACT ABLE TO ACCOMMODATE ALL COMERS, BUT CLEARLY THIS IS NOT THE CASE.

THE COMMITTEE HEARD THAT THERE ARE INDEED EXPRESSIONS OF INTEREST IN BUILDING ADDITIONAL PRIVATE FACILITIES IN THE A.C.T. AS SUCH THE COMMITTEE RECOMMENDS TO THE GOVERNMENT THAT IT RE-OPEN TENDERS FOR PRIVATE HOSPITAL FACILITIES, ALTHOUGH IT FEELS THAT SUCH FACILITIES MAY WELL BE MOST PRACTICALLY PLACED NEAR TO A PUBLIC HOSPITAL AND WOULD IDEALLY CONTAIN AT LEAST 100 BEDS.

MY COLLEAGUES WILL UNDOUBTEDLY SPEAK ABOUT OTHER MATTERS, IN PARTICULAR THE NEED FOR A CLINICAL MEDICAL SCHOOL IN THE A.C.T. AND THE REQUIREMENTS FOR HOSPICE FACILITIES. I PERSONALLY VIEW THE ESTABLISHMENT OF A CLINICAL SCHOOL AS A HIGH PRIORITY, AND URGE THE GOVERNMENT TO TREAT THIS ISSUE ACCORDINGLY. I WISH ONLY AT THIS JUNCTURE TO THANK MY COLLEAGUES, WHOSE CO-OPERATION WAS PLEASANTLY FORTHCOMING, AND IN PARTICULAR THE STAFF OF THE COMMITTEE, NOTABLY MR ROD POWER AND HIS ASSISTANT MS ANNA PATEL. THE PRESSURE ON THEM IN THE FINAL FEW HOURS BEFORE THE REPORT WAS TABLED WAS, AS MEMBERS MAY BE AWARE, QUITE ENORMOUS AND I AM INDEBTED TO THEIR PROFESSIONALISM IN THOSE CIRCUMSTANCES.

I MOVE THAT THE REPORT BE NOTED.

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APPENDIX 11: (in Hansard on 17 December 1991 at page 6249)

Hector Kinlochs statement at time of tabling of "Beds" Cie. 1

SELECT COMMITTEE ON

HOSPITAL BED NUMBERS

Statement for tabling by Hector Kinloch

Tuesday, 17 December, 1991

First of all I want to pay tribute to Rod Power, our committee secretary, whose devoted work was way beyond the call of duty. He came into the committee at short notice, and then gave it his full and excellent attention. We are indebted to him, not only for his competence and good understanding of the issues, but also for those necessary last minute efforts to finalize the production of the report under difficult circumstances.

1. The following personal views are not in dissent from but in addition to the report. They are conclusions drawn from an exposure to the range of evidence related to hospital beds. That evidence necessarily stretched beyond the question of the numbers of beds to include discussions of the overall efficiency of our health-care system.
2. As a result of visits to two health-care areas in New South Wales, and in the light of some of the evidence given at our public hearings, I am now of the view that one of the basic faults in our own A.C.T. health-care system is that it is too small to be efficient.

It would be difficult to give an exact optimum size of population, but it is certainly larger than either the 300,000 or so in the A.C.T., or the 400,000 -450,000 or so in our immediate catchment area. Even in the latter case of the surrounding area, the circumstances are such that there are two or three competing administrations of health-care.

Hector Kinlochs statement at time of tabling of "Beds" Cie. 2

It is clear that we have a top-heavy administration not only of our hospital system, but also of our entire health-care system. 1 N.S.W. health-care systems which cater for populations of 500,000 appear to be far more efficient in terms of administration and bureaucracy. 2 A health-care area of 1 m. might be more appropriate. Whatever the number, I am in little doubt that we should try to negotiate with New South Wales to create a much larger health-care administration which would include not only the A.C.T. and the South East Region but also the health-care facilities of towns and country areas, including adjacent shires, and such towns and their peripheries as Batemans Bay, Braidwood, Bungendore, Cooma, Goulburn, Queanbeyan and Yass. Batemans Bay, in particular, should be considered, for health-care purposes, as almost an extension of the A.C.T. Might Moruya and Narooma also be considered in the same light? Should this proposed area go even so far as Cootamundra and Wagga Wagga?

In welcoming the recommendation of the Committee to conduct an inquiry into this matter, I would like to see an exploration of the possibility of some kind of Joint A.C.T. and N.S.W. Board of Health for the proposed area or areas. Already there are co-operative discussions in the South East Region related to the needs of the frail aged, but these negotiations now need to be much wider in scope.

1 Consider the written and oral evidence of Dr. J. Butler of the ANU. 2 Consider the informal advice given to us by both of the N.S.W. health-care centres we visited.

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APPENDIX 12:

(Incorporated in Hansard on 17 December 1991 at page 6249)

ELINOR GRASSBY

HOSPITAL BED NUMBERS INQUIRY

FIRSTLY, I WANT TO THANK ROD POWER FOR ALL THE HARD WORK HE DID ON THIS COMMITTEE. THIS WAS A COMMITTEE THAT WAS PULLED TOGETHER TO DELIVER A REPORT AT VERY SHORT NOTICE. NOT ONLY DID ROD ARRANGE A VERY GOOD ITINERARY AT SHORT NOTICE AND CARRY IT OUT TO THE FULL BUT HE HAS SHOWN VERY GREAT ABILITY IN PUTTING TOGETHER THE REPORT. I THANK THE MEMBERS OF THE COMMITTEE WITH WHOM I HAVE ENJOYED WORKING. IN SPITE OF THE FACT THAT WE CAME FROM THREE DIFFERENT PARTIES, I FOUND IT ONE OF THE MOST ENJOYABLE COMMITTEES TO SIT ON. THERE WERE MANY INTERESTING POINTS TO COME OUT OF THIS INQUIRY BUT ONE OF THE MOST APPARENT

FACTORS WAS THAT BED NUMBERS ARE NOT THE NUMBER
ONE FACTOR TO DETERMINE THE EFFICIENCY AND SERVICE OF ANY HOSPITAL.
THIS WAS VERY CLEAR FROM OUR SUBSEQUENT VISIT TO SYDNEY TO ST.
VINCENTS HOSPITALS AND THE ST GEORGE AREA HOSPITALS. HOWEVER, THIS IS
THE WAY THE A.C.T. IN THE PAST HAS LOOKED AT WHETHER ROYAL CANBERRA
AND WODEN VALLEY HOSPITALS WERE PROVIDING GOOD CARE TO PATIENTS
AND ACHIEVING OPERATIONAL EFFICIENCIES.

THE VISIT TO ST. VINCENTS PUBLIC HOSPITAL WAS MOST EDUCATIONAL. WE
LEARNT THAT EFFICIENCY IN DAY SURGERY AND SHORT STAY CARE NEEDED
SHARP DISCIPLINE AND NEEDED TO BE MONITORED ON A DAY-TO-DAY BASIS.
THIS WAS THE ONLY WAY THEY COULD GET FEED BACK AND THEN BE IN A
POSITION TO SEE WHAT OTHER DISCIPLINES THEY COULD BRING IN TO CUT
DOWN COSTS

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1

BY DECREASING LONG STAY BEDS AND INCREASING SHORT STAYS AND CHANGING SERVICES SO THAT PATIENTS WERE HAVING ALL TESTS DONE BEFORE ARRIVING AT THE HOSPITAL, ALSO CUT DOWN ON COSTS TO THE HOSPITAL. AS BEDS HAD BEEN LOST, ADMISSIONS HAD INCREASED BECAUSE OF THE SHORT STAY PRACTICE. ST. VINCENTS HAD CLOSED 50 LONG STAY BEDS OVER THE PAST 2 YEARS. ONE OF THE OTHER SAVINGS WAS A 24-HOUR ACCIDENT AND EMERGENCY SERVICE AND THE USE OF OPERATING THEATRES, SEVEN DAYS A WEEK. ACCIDENT AND EMERGENCY DID NOT EVER TURN PATIENTS AWAY AS THEY HAD DONE IN THE PAST. BEDS HAD TO BE FOUND! IT IS, OF COURSE, THE MEDICAL REGISTRARS DECISION WHETHER TO DISCHARGE EARLIER THAN PLANNED, THEREBY MAKING ROOM FOR ACCIDENT AND EMERGENCY ADMISSIONS.

IT WAS ALSO POINTED OUT THAT HOSPITALS WERE SPECIALISING IN CERTAIN AREAS AND NOT DUPLICATING SERVICES.

ST. VINCENTS PRIVATE, OF COURSE, IS RIGHT NEXT DOOR TO THE PUBLIC HOSPITAL. IT SEEMS THIS IS AN EXCELLENT WAY FOR BOTH PUBLIC AND PRIVATE TO WORK. THEY HAD ALSO JUST BUILT A NEW MEDICAL CENTRE WHICH HOUSED MOST OF THE SPECIALISTS AND THEY FOUND THIS WAS AN ASSERT. THEY WERE ALSO ADAMANT ABOUT THE NEED FOR A HOSPICE OF SOME SIZE AVAILABLE TO BOTH PUBLIC AND PRIVATE HOSPITALS.

ST. VINCENTS HAS A VERY LARGE HOSPICE ACROSS THE ROAD.

THE VISIT TO THE DEPARTMENT OF HEALTH IN THE ST.

GEORGE AREA WAS OF INTEREST AND IT WAS POINTED

OUT THAT DECREASING BEDS DOES NOT MEAN DECREASING COSTS BUT IT CAN BE USED TO CONTAIN

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COSTS. IT WAS ALSO POINTED OUT THAT A LARGE BUREAUCRACY IN A HEALTH DEPARTMENT EAT UP A LOT OF THE COSTS THAT COULD BE GOING TO THE HOSPITALS.

WE WERE TOLD THAT LAST YEAR THE ST. GEORGE AREA HOSPITAL SAW 50,000 ADMISSIONS YET WAITING LISTS WENT FROM 36,000 TO 30,000. ALSO, THEIR AVERAGE WAIT WAS 6 MONTHS BUT THEY AIM TO BRING THEIR WAITING LIST TO 20,000.

THE ADMINISTRATOR POINTED OUT THAT THEY HAD TRIED TO INCREASE PRIVATE BEDS BUT HAD VERY LITTLE INTEREST FROM PRIVATE PATIENTS AND THAT THE PROBLEM WAS THAT MORE PEOPLE WERE OPTING OUT OF HEALTH FUNDS AND NOT CHOOSING TO INSURE THEMSELVES. DOCTORS BY AND LARGE, PREFER TO TREAT PATIENTS IN PUBLIC HOSPITALS WHERE SERVICES WERE EXCELLENT AND EQUIPMENT WAS FAR SUPERIOR TO

PRIVATE ESTABLISHMENTS. THIS STATEMENT HAS BEEN REINFORCED BY THE CANBERRA HOSPITAL ADMINISTRATORS.

ST. GEORGES ADMINISTRATOR POINTED OUT THAT A CLINICAL MEDICAL SCHOOL IN THE A.C.T. WOULD COST THE CANBERRA COMMUNITY IF THE EDUCATION SECTOR HAD NO FUNDS TO CONTRIBUTE TOWARDS IT.

IT WAS EXPLAINED THAT MANY PRIVATE HOSPITAL BEDS WERE FULL OF GERIATRIC PATIENTS AND WERE BEING USED AS NURSING HOME BEDS. MANY PRIVATE HOSPITAL BEDS WERE USED FOR DAY SURGERY ONLY WHILE STILL OTHERS WERE JUST REHABILITATION HOSPITALS.

THESE REMARKS ARE INTERESTING FOR THEIR SIMILARITY TO FEEDBACK FROM OTHER NSW HOSPITAL ADMINISTRATIONS AND A.C.T. HOSPITALS.

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FINALLY, MR SPEAKER, I WOULD LIKE TO GIVE SOME CREDIT WHERE CREDIT IS DUE. I WOULD LIKE TO REMARK ON THE EXCELLENT WORK PERFORMED BY THE STAFF AT THE WODEN VALLEY HOSPITAL, PARTICULARLY IN THE ACCIDENT AND EMERGENCY SECTION, WHO THROUGH FAST TRACKING OF THE CLOSURE OF THE ROYAL CANBERRA HOSPITAL, HAVE PUT UP WITH CONDITIONS FAR WORSE THAN ANY MEDICAL TEAM WORKING IN A WAR ZONE.

I ALSO APPLAUD THE ADVICE AND CO-OPERATION THAT THE BOARD OF HEALTH GAVE TO THIS INQUIRY PROCESS. NO WHERE IN THE REPORT HAS IT BEEN SHOWN THAT NOT ONLY IS THE A.C.T. BOARD OF HEALTH RUNNING A HOSPITAL SYSTEM AND A COMMUNITY HEALTH SYSTEM, BUT IT IS ALSO PERFORMING THE FUNCTION OF A DEPARTMENT OF HEALTH AND CREDIT SHOULD BE GIVEN TO THE WORK DONE IN THIS AREA.

THANK YOU, MR

SPEAKER.

APPENDIX 13:

(Incorporated in Hansard on 17 December 1991 at page 6249)

**GOVERNMENT RESPONSE TO A.C.T.
LEGISLATIVE ASSEMBLY SELECT
COMMITTEE REPORT ON HOSPITAL
BED NUMBERS**

PRESENTED BY WAYNE BERRY

17 December 1991

17 December 1991

GOVERNMENT RESPONSE TO ASSEMBLY COMMITTEE REPORT ON HOSPITAL BED NUMBERS

I made it clear in the debate in the Assembly which led to the establishment of this Committee that I regarded it as a political stunt. After reading the Report of the Committee I am still firmly of the same view.

The Committees report proves my point to this Assembly that the quality of a hospital system cannot be measured or judged on such a simplistic criterion as bed numbers.

The Committees examination of the complexities of health services planning, budgeting and delivery can only be described as cursory and its recommendations demonstrate this.

The evidence presented to the committee has been interpreted selectively by the majority to achieve the main agenda (the obsession of the Former Liberal Minister for Health) - that of getting a new private hospital built. I will deal with this issue in more detail later.

I will firstly address the specific recommendations of the report.

In relation to bed numbers

Recommendations

the Board of Health, in conjunction with the Government, consider its program of bed reductions as a matter of urgency. (4.45)

the Board reassess its long term strategy for bed numbers to the year 2000 to take into account the low bed/population ratio existing in the ACT at the commencement of the bed cuts. (7.13)

the Board provide a detailed rationale to Government before closing any intensive care beds. (4.21)

a detailed study be undertaken of the impact on nursing homes and hostels in the ACT consequential upon any reduction in the number of acute and long term stay hospital beds in the ACT. Further the Committee recommends that nursing homes and hostels operating within the ACT be involved in the study and invited to participate in discussions. (4.31)

Response

The Board of Health has developed a bed management strategy which it has recommended to Government. That strategy is under constant review. It seeks to ensure that services are maintained while complying with the Governments requirement to contain costs within our health system.

The Committees report fails to recognise the strategies already in place which address all the issues raised. It also fails to recognise the new financial and activity reporting systems being progressively implemented by the Board which will allow better resource planning and the delivery of a more efficient health service for the people of Canberra.

On the specific issue of consultation on nursing home services I can assure the Assembly that this Government will consult on any proposed changes and ensure that there is full participation in any decision making process.

In relation to the quality of care

Recommendations

the Board of Health provide the ACT community detailed information on quality of health indicators. (3.25) the Board construct annual statistical information on ACT Health in a form comparable to information produced in NSW. (3.26) the Board of Health make every effort to facilitate the grant of accreditation status to Woden Valley Hospital in 1993 and in each ensuing year. the Board of Health develop an overall strategy for assessing the quality of health - the strategy to utilise demonstrable indicators able to be monitored by the community, including comment on the significance to be accorded to hospital bed numbers. (4.5) the Board of Health prepare and issue discussion papers on the factors and directions affecting the future of the ACT health system. (7.16)

Response

The Labor Government is committed to consultation with all players in the health system to ensure that it is affordable, accessible and accountable to everyone in the community. Because of the considerable progress which has been made in financial and activity reporting systems in the last six months, many of the statistics contained in NSW documents are already provided in the Boards Annual Report. I was happy to be able to table the annual report on time this year for the information of all members. Another source of information on quality and performance assessment of health is to be found in the budget papers and work on performance indicators is continuing to be done by the Board.

The Government would also agree with the committees view that Woden Valley Hospital should make every effort to become accredited in 1991 and retain that accreditation. Of course with the advent of the Clinical School we can expect accreditation at a higher level for our Public Hospital System - a bonus for the people of Canberra.

I also welcome the recommendation that the Board prepare and issue discussion papers and will pursue this recommendation with the Board.

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In relation to hospital costs

Recommendations

The Board of Health make the achievement of more efficient staff/patient ratios its primary focus in reducing the overall costs of, the health system. The Committee considers this should take priority over bed reductions. (5.40) the Government compile the relevant information on the case-mix of NSW patients treated in ACT hospitals with a view to seeking compensatory funding in the next Grants commission investigation of ACT financing. (8.9)

Response

Bed reductions have never been a priority for this Government nor for the Board of Health. The Board of Health has taken a variety of actions aimed at reducing unit costs and will continue to pursue these vigorously.

The Government notes with regret that the previous governments presentation to the Grants Commission inquiry may have failed to fully take up the issue of compensation to the ACT for interstate patients. I can assure the Assembly that the development of case-mix systems is being undertaken to ensure that not only is our own information base enhanced but that the ACT is best able to demonstrate the true costs of interstate patients to the ACT health budget.

In relation to the new facilities

Recommendations

The Government reopen tenders for additional private hospital facilities in the ACT, preferably to be located adjacent to an existing public hospital. Further the Committee recommends that the bed capacity of such a private hospital be not less than 100. (6.22) the Government, as a matter of priority, pursue negotiations leading to the establishment of a clinical school in the principal hospital. (10.10) the Government examine, as a matter of priority, the provision of suitable facilities for convalescent/rehabilitation patients - possible at Acton Peninsula. (4.38) the building of a hospice proceed as a matter of urgency. (10.13)

Response

The true reason for this report is revealed in the way in which the issue of a private hospital is dealt. In spite of evidence to the Committee that there are unused private beds in the ACT, that there is little interest in NSW in constructing private beds at this time, that what interest there is in the not-for-profit sector, the Committee recommends that the Government reopen tenders for another private hospital. This time it is to be located adjacent to an existing public hospital - not beside a lake. This recommendation flies in the face of all economic and health planning advice and ignores the fact that such a private hospital would force ACT residents into expensive private hospital insurance.

The other recommendations in this sections are all matters of Government policy. The provision of convalescent, hospice and rehabilitation and aged care services on Acton Peninsula were announced in 6 August 1991. A detailed planning study has been underway since that time and I am expdcting the results at the end of the month.

The Governments decision on the Clinical School will be (has been) dealt with in my Ministerial Statement today.

In relation to operating theatres

Recommendations

the Board of Health advise the Minister about the feasibility of using operating theatres in public hospitals on weekends. (4.11) the Board of Health does not reduce the number of operating theatres, particularly day-surgery theatres, in use in ACT public hospitals. (4.19)

Response

I will seek advice from the Board on the feasibility of weekend operating sessions. I would speculate however that on staff costs alone this would be a doubtful proposition.

I would like to correct a misconception implied by the statement at (paragraph) 4.18 concerning the level of day surgery performed in the ACT. Contrary to the view being reported, the ACT is doing relatively well with about 340 of all surgical procedures at Woden Valley Hospital being done through Day Surgery.

In relation to emergency facilities

Recommendations

pending completion of the new Diagnostic and Treatment Block at Woden Valley Hospital, the Board of Health urgently upgrade the present facilities in the Emergency Department of Woden Valley Hospital. (4.23) the Board of Health urgently develop appropriate procedures to facilitate in-patient admissions through the emergency department of Woden Valley Hospital. (4.26)

Response

In relation to the recommendation concerning accident and emergency facilities at Woden Valley Hospital, I am happy to advise that five primary care cubicles have been commissioned in the Accident and Emergency Department since the Committees visit there, improving the flow through. of course there were many pressures placed on staff and services in our public health system by the previous governments decision to fast track the closure of Royal Canberra Hospital.

In relation to structures

Recommendations

the next Legislative Assembly consider setting up an inquiry into the appropriate structure to meet the health needs of the ACT and adjoining regions. (9.12)

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the Government and the Board of Health clarify the role and responsibility of the Board and senior management; and also clarify the status of the term ACT Health. (11.5) the Board of Health liaise with the Community Health Association about the resources available to be made to community health needs. (11.7)

Response

The ACT is involved in a review of South East Region health services and planning for the future.

It is unfortunate that the Committee failed to fully understand the level of integration between the ACT and its surrounding region in relation to health services.

This liaison will of course continue to ensure that the planning needs for the whole region are met.

The Government supports continuing liaison with the community in the development and review of major programs. It has also moved to ensure that strong links are developed between the clinical school and community health and aged care.