



DEBATES

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

HANSARD

25 September 2000

Monday, 25 September 2000

Absence of Clerk.....	3121
Leave of absence	3121
Presentation of papers	3121
Auditor-General's reports—performance audit of the redevelopment of Bruce Stadium	3121
Adjournment	3122
Answers to questions:	
Community councils—funding (Question No. 287).....	3123
Promotion Centre, Regatta Point (Question No. 292)	3125
Primary schools—class sizes (Question No. 293)	3128
Land release program (Question No. 297).....	3129
Ministerial Council meetings (Question No. 300).....	3131
Ministerial Council meetings (Question No. 301).....	3135
Victims of crime—applications for special assistance (Question No. 308)	3136
Ministerial responsibility (Question No. 309)	3138
Erindale Police Station (Question No. 311).....	3139

Monday, 25 September 2000

MR ACTING SPEAKER (Mr Wood) took the chair at 10.30 am and asked members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

ABSENCE OF CLERK

Mr Acting Speaker informed the Assembly that, due to the unavoidable absence of the Clerk, the Acting Deputy Clerk would act as Clerk.

LEAVE OF ABSENCE

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

That leave of absence for Monday 25 September 2000 be given to Mr Corbell, Mr Cornwell and Mr Hargreaves.

PRESENTATION OF PAPERS

Mr Acting Speaker presented the following papers:

Legislative Assembly for the Australian Capital Territory—Alternative day of meeting—request, dated 22 September 2000, by 12 Members, pursuant to the resolution of the Assembly of 9 December 1999, that the Assembly meet next on Monday 25 September 2000.

Notice convening a meeting of the Legislative Assembly for the Australian Capital Territory for Monday, 25 September 2000 at 10.30 am, dated 22 September 2000.

Legislative Assembly (Broadcasting of Proceedings) Act, pursuant to section 8—Authority to broadcast proceedings relating to the presentation of the Auditor-General's reports of the Performance Audit of the redevelopment of Bruce Stadium and subsequent proceedings.

**AUDITOR-GENERAL'S REPORTS—PERFORMANCE AUDIT OF THE
REDEVELOPMENT OF BRUCE STADIUM
Papers**

Mr Acting Speaker presented the following papers:

Auditor-General Act—Auditor's-General's Reports—Reports of the performance audit of the Redevelopment of Bruce Stadium—

25 September 2000

- Report 1—Summary Report.
- Report 2—Value for Money.
- Report 3—Costs and Benefits;
- Report 4—Decision to Redevelop the Stadium.
- Report 5—Selection of the Project Manager.
- Report 6—Financing Arrangements.
- Report 7—Stadium Financial Model.
- Report 8—Actual Costs and Cost Estimates.
- Report 9—Market Research and Marketing.
- Report 10—Stadium Hiring Agreements.
- Report 11—Lawfulness of the Expenditure.
- Report 12—Covenants and Management.

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

That the Assembly authorises the publication of Reports numbers 1 to 12 (inclusive) of the Auditor General's performance audit of the redevelopment of Bruce Stadium.

ADJOURNMENT

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

That the Assembly do now adjourn.

Assembly adjourned at 10.33 am

ANSWERS TO QUESTIONS

Community Councils—Funding (Question No 287)

Mr Corbell asked the Chief Minister, upon notice, on 30 August 2000:

In relation to funding for community councils:

- (1) Which community councils do the ACT Government fund.
- (2) What amount of funding does each council receive.
- (3) Are there any guidelines to determine how the funding can be spent.
- (4) Are the community councils required to lodge audited accounts and documents of incorporation such as constitutions and rules, with the ACT Government.

Ms Carnell: The answer to the member's question is as follows:

- (1) Belconnen Community Council
Gungahlin Community Council
North Canberra Community Council
Tuggeranong Community Council
Weston Creek Community Council
- (2) Each Council is eligible to receive up to \$3,000 per annum (plus 10% GST if applicable)
- (3) The annual funding agreement between the ACT Government and each of the Councils specifies that the funds are to be used for the following purposes:
 - increase membership and the representative nature of that membership;
 - advise the Government on the views, expectations and concerns of community members;
and
 - consult with residents on behalf of the Government.
- (4) Under the funding agreements for 1999-2000, which are not required to be acquitted until 30 September, 2000, Councils are required to provide:

a completed "Acquittal of Grant", in the form attached to the General Conditions of Grant, certifying that the Organisation expended the grant for the purpose specified in the letter of offer;

an audited financial statement which identifies the receipt and expenditure of the grant; and

a written report on the Organisation's performance in terms of the purpose of the grant.

25 September 2000

The Service Purchasing standard short-form contract is being used as the basis for funding agreements with the Community Councils for 2000-01. Unless otherwise agreed, the contract will require Councils to provide by 30 July 2001 a financial statement providing full details of the expenditure of their funding from the ACT Government and a signed Form of Acquittal.

The Community Councils have not been required to lodge documents of incorporation with the ACT Government.

**Promotion Centre, Regatta Point
(Question No 292)**

Ms Tucker asked the Chief Minister, upon notice, on 31 August 2000:

In relation to the \$1 million contribution to the National Capital Authority for the construction of the ACT Promotion Centre on Regatta Point, as listed in the 1999-2000 Budget:

- (1) What is the final amount of money provided by the Government for the construction of the Centre;
- (2) What is the breakdown of expenditure covered by the ACT funding;
- (3) What was the contribution of the National Capital Authority to the construction of the Centre;
- (4) What tender process was used to select the builder for the Centre;
- (5) Were there any variations to the building contract for the Centre.

Ms Carnell: The answer to the member's question is as follows:

- (1) The ACT Government contributed \$1.1 million to the National Capital Authority for the construction of the Canberra Business Promotion Centre;
- (2) The ACT Government's contribution will go towards the construction of the redevelopment at Regatta Point. In return, the ACT Government will be granted a Licence Agreement for 20 years (250 square metres of space) to operate the Canberra Business Promotion Centre. In addition, the ACT Government has budgeted a further \$409,000 to fit-out the Centre and for furniture and technology for display purposes;
- (3) Senator Ian Macdonald, Federal Minister for Regional Services, Territories and Local Government announced in a media release, dated 6 March 2000 (copy attached), that the Commonwealth Government would spend approximately \$4 million on the redevelopment at Regatta Point, which includes the Canberra Business Promotion Centre.
- (4) The National Capital Authority carried out an open tender process to select the contractor to undertake the construction of the redevelopment at Regatta Point.
- (5) Management of the building contract is the responsibility of the National Capital Authority and I am not aware of any variations to the contract.

**CANBERRA BUSINESS PROMOTION CENTRE
FIT OUT COSTS AS AT 15 SEPTEMBER 2000**

Cost	Description	Cost
Project Management Fees	Includes design concept, project management and consultancy costs	\$68,204
Base Fit Out of Facility	Includes providing sanitary, hydraulic and electrical fit out, carpentry, carpets, tiling, etc	\$110,950
Centre Furnishings	Includes the purchase of boardroom furniture, kitchen appliances, and fitout of manager's office	\$46,237
Multi Media Technologies	Includes supply, installation and maintenance of projection, computing and associated equipment and software. (Equipment to be leased over a three year period at approx \$ 100,000 pa)	\$100,000
Exhibition Equipment	Includes the supply and installation of movable display panels, signage, etc	\$77,000
Graphic Design	Includes costs of designing display panels, signs etc	\$7,360
	Total	\$410,000

WORK BEGINS FOR NEW NATIONAL CAPITAL EXHIBITION

The Minister for Regional Services, Territories and Local Government, Senator Ian Macdonald, and ACT Chief Minister, Mrs Kate Carnell MLA, today turned the first sod to mark the commencement of redevelopment works for the new National Capital Exhibition.

Senator Macdonald said the Federal Government is spending some \$4 million on the existing building and completely new exhibition, major external works, and the construction of the extension.

“The enhanced exhibition will inspire and educate visitors about the history, development and special significance of the National Capital,” Senator Macdonald said.

As part of a unique venture between the National Capital Authority and the ACT, a further \$1 million has been committed by the Carnell Government to develop an adjacent Canberra Business Promotion Centre, as part of the enhanced facility. The Centre will be linked by way of a pedestrian vestibule in which business opportunities within Canberra will be promoted.

“I am delighted that the Federal and ACT Governments have joined in this initiative,” Senator Macdonald said.

Due for completion in September 2000, the remodelling and expansion works will include a new exhibition hall, function room, office accommodation and retail shop.

Since 1988, the National Capital Exhibition building has attracted more than 4 million visitors who have learnt about the ongoing development and unique nature of the National Capital.

It is appropriate that this project occur at this time in Australia’s history with the forthcoming Centenary of Federation celebrations and Olympic Soccer competition in Canberra. Both events will give us an enormous opportunity to showcase the National Capital to an increased national and international audience, he said.

NOTE: Due to the major remodelling and expansion works, the National Exhibition Centre will be closed to the public from 21 March and re-open on 1 September 2000.

25 September 2000

**Primary Schools—Class Sizes
(Question No 293)**

Ms Tucker asked the Minister for Education, upon notice, on 31 August 2000:

In relation to class sizes in ACT Primary Schools as at the 2000 census day. For each grade, or combined grades:

- (1) What is the number of classes at each class size found in the Primary Schools.

Mr Stefaniak: The answer to Ms Tucker's question is:

This information is not currently collected as part of the school census' data in February and August.

The department is investigating with schools the methodology for collecting information on class size accurately and efficiently.

I expect to be able to provide the information from primary schools before the end of the year.

**Land Release Program
(Question No 297)**

Mr Corbell asked the Treasurer, upon notice, on 5 September 2000:

In relation to the Residential, Commercial and Community Land Release Program 2000-01 to 2004-05:

(1) What consultancies have been initiated to prepare for the release of land identified in the program.

(2) What is their purpose, in:

(a) each case; and

(b) for which areas of land.

(3) Will the Minister provide the brief for each consultancy initiated in relation to the Program.

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

Question 1

Specific consultancies have been initiated for the following areas under the land release program:

New Development areas

Gordon 6 estate
Phillip/Athllon Drive corridor
Lawson
East O'Malley estate

Studies

Yarralumla Section 102 Block 1 (Brickworks)
Griffith Section 78 (ex-Griffith Primary School)
Gungahlin District Block 354 and Ngunnawal Section 1 Block 23 (Gold Creek Homestead)

In addition to the above areas, consultancies have also been engaged by the Gungahlin Development Authority and Kingston Foreshores Development Authority to prepare land for release.

The Government is also participating in a proposal to vary the Territory Plan in respect of changing land uses within the Bruce precinct (associated with the Fern Hill development). The Fern Hill Joint Venture, not the Territory, is managing this work.

25 September 2000

As well as the above consultancies, there is a significant range of technical and other work associated with land releases, such as site investigations and prescribed conditions, engineering assessments, lease and development conditions, survey assessments and valuation advice from the Australian Valuation Office. The majority of this work involves engagement of consultants and/or contractors.

Question 2

(a) Each specific consultancy referred to in Question 1 will identify options for development/redevelopment and to prepare a development control plan for each site. The consultancies also require an extensive public consultation process in respect of their work.

(b) the new development areas and studies for which specific consultancies have been initiated are shown in response to Question 1.

Question 3

Copies of the consultancies initiated for new development areas and studies are attached.

In respect of the technical and other work indicated in Question 1, I am happy for examples of this work to be provided to Mr Corbell if required (as it will take significant resources to provide each individual request).

I am also happy to arrange further briefings for Mr Corbell by the Gungahlin Development Authority and Kingston Foreshore Development Authority on their land release strategies over the next five years, and their consultancies.

**Ministerial Council Meetings
(Question No 300)**

Mr Stanhope asked the Chief Minister, upon notice, on 7 September 2000:

In relation to Ministerial Council meetings:

1. For the period 1 July 1999 to 30 June 2000, how many meetings of Commonwealth and State and Territory Ministers were held relating to your portfolio responsibilities;
2. When and where were each of these meetings held;
3. Which of these meetings did you attend;
4. If you did not attend: (a) why not; (b) was the ACT represented; and (c) If so, by whom.

Ms Carnell: The answer to the member's question is as follows:

Number of meetings of Commonwealth and State and Territory Ministers relating to Chief Minister's Portfolio

1. There were eleven meetings at Attachment A.
2. My responses to questions 2,3 and 4 are at Attachment A.

25 September 2000

Attachment A page 1 not included

Electronic copy of this page is not available but it is included in the printed Hansard

Attachment A page 2 not included

Electronic copy of this page is not available but it is included in the printed Hansard

25 September 2000

Attachment A page 3 not included

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**Ministerial Council Meetings
(Question No 301)**

Mr Stanhope asked the Attorney-General and Minister for Justice and Community Safety, upon notice, on 7 September 2000:

In relation to Ministerial Council meetings:

- (1) For the period 1 July 1999 to 30 June 2000, how many meetings of Commonwealth and State and Territory Ministers were held relating to your portfolio responsibilities;
- (2) When and where were each of these meetings held;
- (3) Which of these meetings did you attend;
- (4) If you did not attend,
 - (a) why not;
 - (b) was the ACT represented; and
 - (c) If so, by whom.

Mr Humphries: The answer to Mr Stanhope's question is as follows:

- (1) Five.
- (2)
 - Australasian Police Ministers' Council, Intergovernmental Committee and on the National Crime Authority and National Anti-Crime Strategy Lead Ministers was held on 3 November 1999 in Sydney;
 - Three Standing Committee of Attorney-Generals and Ministerial Council for Corporations, they were held on 22 July 1999 in Sydney, 11 November 1999 in Canberra and 23 March 2000 in Melbourne;
 - Ministerial Council on Consumer Affairs on 19 August 1999 in Hobart.
 - Corrective Services Ministers' Conference was not held within that timeframe mentioned.
- (3) All
- (4) Not Applicable.

25 September 2000

**Victims of Crime—Applications for Special Assistance
(Question No 308)**

Mr Stanhope asked the Attorney-General, upon notice, on 7 September 2000:

In relation to the Victims of Crime (Financial Assistance) Act 1983:

1. In the financial years 1998/99 and 1999/2000, how many applications for special assistance were made by:

- (a) Police officers;
- (b) Ambulance officers;
- (c) Firefighters;
- (d) Victims of sexual assaults; and
- (e) Other persons.

2. How many of these applications were granted in each category.

3. What sums of financial assistance were granted by the court to:

- (a) Police officers;
- (b) Ambulance officers;
- (c) Firefighters;
- (d) Victims of sexual assaults; and
- (e) Other persons.

4. What sums of financial assistance were granted by the court to victims in these categories in the financial year 1997/98.

5. How many victims have availed themselves of the service provided by the Victim Support Scheme established under the Act.

6. What is the cost of administering that scheme?

Mr Humphries: The answers to Mr Stanhope's questions are as follows:

1 .	1998/99	1999/2000
(a) Police officers	NIL	21
(b) Ambulance officers	NIL	NIL
(c) Firefighters	NIL	1
(d) Victims of sexual assaults	NIL	15
(e) Other persons	NIL	12

The *Victims of Crime (Financial Assistance) Act 1983* did not provide for awards of special assistance prior to 24 December 1999.

2.	1998/99	1999/2000
(a) Police officers	NIL	2
(b) Ambulance officers	NIL	NIL
(c) Firefighters	NIL	NIL
(d) Victims of sexual assaults	NIL	2
(e) Other persons	NIL	2

The *Victims of Crime (Financial Assistance) Act 1983* did not provide for awards of special assistance prior to 24 December 1999.

3.	1998/99	1999/2000
(a) Police officers	NIL	\$4643
(b) Ambulance officers	NIL	NIL
(c) Firefighters	NIL	NIL
(d) Victims of sexual assaults	NIL	\$77,835
(e) Other persons	NIL	\$50,365

The *Victims of Crime (Financial Assistance) Act 1983* did not provide for awards of financial assistance prior to 24 December 1999.

4.	1997/98
(a) Police officers	NIL
(b) Ambulance officers	NIL
(c) Firefighters	NIL
(d) Victims of sexual assaults	NIL
(e) Other persons	NIL

The *Victims of Crime (Financial Assistance) Act 1983* did not provide for awards of financial assistance prior to 24 December 1999.

5. There is no Victim Support Scheme established under the *Victims of Crime (Financial Assistance) Act 1983*. There is an interim Victims Services Scheme (VSS) established by regulations under the *Victims of Crime Act 1994* on 24 December 1999. Since that date:

232 victims have contacted the VSS, resulting in:

137 registered clients;

11 ineligible clients; and

84 informal client contacts.

6. The cost of the interim Victims Services Scheme from 24 December to 31 August 2000 is as follows:

\$107,000	(fixed price to 30 June 2000)
\$16,670	(monthly payment for July 2000)
\$16,670	(monthly payment for August 2000)
\$4240	(disbursements to third party providers)
\$144,580	TOTAL

**Ministerial Responsibility
(Question No 309)**

Mr Kaine asked the Chief Minister, upon notice, on 7 September 2000:

In relation to the administration of the Australian Capital Territory by the Executive and, in particular, the responsibilities of all Ministers of the Territory and their conduct in the administration of their portfolios:

- (1) Is the Westminster concept of ministerial responsibility still relevant;
- (2) Do the Chief Minister's earlier statements (a) that "our whole system of government is based upon ministers being responsible for what happens in their departments" made on ABC Radio on 24 November 1994; and (b) in evidence to the VITAB inquiry on 10 May 1994 that (i) "I believe that it would be up to a government that I was minister in to ensure that absolute accountability was in place" (Transcript, p. 136); (ii) "I think the major issue comes back to accountability, to, well, straight ministerial and departmental control" (Transcript, p. 137); and (iii) "At the end of the day the minister is responsible" (Transcript, p. 142) reflect current Executive policy;
- (3) Since 1995 has the Chief Minister been applying criteria in deciding the applicability of ministerial responsibility; if so, (A) what are they, and (B) is the Chief Minister able to provide an explanation as to under what circumstances she would (a) require a minister's resignation for breach of ministerial responsibility; and (b) deem it necessary for herself to (A) resign from the Executive or (B) step down from office for the period of an inquiry into her conduct;
- (4) Is the Code of Conduct for Ministers issued on 27 August 1998 still applicable, in particular (i) the provision that the general obligations of Ministers are to include respect for the law and the system of government, respect for persons, integrity, diligence and economy and efficiency; and (ii) the provision in the preamble that, *inter alia*, "Ministers must accept standards or conduct which may set a higher standard to those applying to others having office in the Assembly or the wider community".

Ms Carnell: The answer to the member's question is as follows:

- (1) Yes.
- (2) Yes.
- (3) Appropriate standards of ministerial responsibility can only be determined and applied in the context of the circumstances of particular situations.
- (4) Yes.

**Erindale Police Station
(Question No 311)**

Mr Wood asked the Treasurer, upon notice, on 7 September 2000:

In relation to the old Erindale Police Station:

- (1) Which groups are now renting space in the building, and what are the terms and conditions of these arrangements, including the rent being paid.
- (2) Has an application for lease variation been made.
- (3) If so, what does it contain.
- (4) Is space available for lease to community bodies.

Mr Humphries: The answer to the member's question is as follow:

- (1) The following community organisations rent space in the former Erindale Police Station:
 - (a) Valley FM Broadcasters Association Incorporated is occupying 35 m² at \$95 per m² on a month to month basis.
 - (b) The Ngunnawal ACT & District Indigenous Peoples Aboriginal Corporation Incorporated was granted a one year occupancy licence which commenced on 1 August 2000. The corporation occupies 524 m² and the rent payable is \$ 60 m². The corporation pays all outgoings for the rented space.
- (2) Under the Territory Plan, the Land Use for Block 1 Section 132 Wanniasa is identified as "Community Facility". No application for lease variation was made nor was it required.
- (3) Not applicable
- (4) There is no additional space available in this building for lease to community bodies.