



**DEBATES**

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

**HANSARD**

21 May 1992

## Thursday, 21 May 1992

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**MADAM SPEAKER** (Ms McRae) took the chair at 10.30 am and read the prayer.

**PAPER**

**MRS CARNELL:** I seek leave to present a petition that does not conform with standing orders as it does not contain a request.

Leave granted.

**MRS CARNELL:** I present an out-of-order petition from 103 residents opposing the introduction of compulsory wearing of bicycle helmets.

**SUPPLY BILL 1992-93**

**MS FOLLETT** (Chief Minister and Treasurer) (10.31): Madam Speaker, I present the Supply Bill 1992-93.

Title read by Clerk.

**MS FOLLETT:** I move:

That this Bill be agreed to in principle.

Madam Speaker, this Bill is to authorise expenditure from the Consolidated Revenue Fund after 1 July 1992. It is an interim Bill which will lapse upon the enactment of the Appropriation Bill 1992-93 which will be introduced into this Assembly with the 1992-93 budget for the ACT. Supply Bills are the traditional means of continuing government services pending passage of the budget.

Madam Speaker, the Bill authorises an amount of \$619,682,800 to be issued by the Treasurer from the Consolidated Revenue Fund. This amount will be issued for the programs specified in the Schedule to cover any payments necessary for the continuing operation of government services. The amounts for each program represent approximately five months' expenditure as it is expected that the Appropriation Bill will have come into force by the end of November. No provision has been made for new policy initiatives, as is the usual practice. These and other changes in budgetary arrangements will be addressed in the formulation of the budget for 1992-93 and will be presented to the Assembly in that context.

Provision of \$8m has been included for the Treasurer's Advance. This item can be used to advance moneys only for expenditure which is urgently required for the efficient administration of the Territory and generally covers circumstances unforeseen at the time of preparing the Supply Bill. Section 47 of the Audit Act 1989 prescribes the conditions for use of this advance.

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Madam Speaker, the Supply Bill is in line with the current administrative arrangements. However, there are some changes from the 1991-92 program structure. The arts program has moved from the Department of Education and the Arts to the Department of the Environment, Land and Planning, and the Department of Education and the Arts has been renamed the Department of Education and Training. In addition, the hospitals and public and community health programs will merge to form one health program under the Department of Health.

Within each of the programs a distinction between recurrent and capital expenditure has been made, to limit the application of the moneys appropriated. I now present the explanatory memorandum for the Bill.

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

### **ANIMAL WELFARE BILL 1992**

**MR WOOD** (Minister for Education and Training, Minister for the Arts and Minister for the Environment, Land and Planning) (10.35): Madam Speaker, I present the Animal Welfare Bill 1992.

Title read by Clerk.

**MR WOOD:** I move:

That this Bill be agreed to in principle.

The Animal Welfare Bill 1992 represents a major reform of existing legislation relating to animal welfare and protection. This legislation will provide the ACT with modern and comprehensive animal welfare legislation which aligns with current community attitudes. I am proud to be able to present this Bill to the Assembly.

The Bill has been prepared from a much publicised policy statement on animal welfare and follows principles enunciated by the Labor Party. The policy statement was developed with help from a diverse group consisting of members of the RSPCA, the Australian Veterinary Association, the Rural Lessees Association, Animal Liberation, a pet shop owner who represented commercial interests, and our government veterinary officer. In addition, the community had a number of opportunities to express its views and did so effectively. The policy statement advanced our thinking on animal welfare and the Bill addresses the concerns.

The legislation prohibits rodeos, game parks and organised animal fighting competitions. The legislation also bans both the possession and the use of a sharpened spur and of a cockfighting spur cap. The general cruelty provisions include requirements that animals are transported humanely, that injured animals are appropriately treated, and that animals are adequately exercised and provided with everyday needs such as appropriate food, water and shelter. Ultimately, we will have codes of practice for the care and management of animals which will be incorporated into regulations. This major step forward for animal welfare in the ACT will detail specific requirements for people to treat animals appropriately.

The Bill recognises a major community concern in the use of animals in research and teaching. To meet this concern, all researchers and teachers must obtain prior approval from an animal experimentation ethics committee for all scientific procedures involving animals. Circuses are to be regulated by a permit system, which means that individual circuses are accepted only if they meet reasonable standards of animal welfare considerations.

We agree that the concerns about steel-jawed traps are legitimate and they have therefore been banned. Other traps will be considered on their merits and can be either banned or restricted by regulation if it is appropriate. The use of traps by the occupier or with the occupier's consent is permitted. This allows trapping of pests and feral animals to continue with deference to humane treatment.

We thought it important that there be two classes of inspectors. One class will have powers to inspect premises other than research or teaching institutions. An inspector will have the power to enter without consent and without a search warrant if the inspector believes, on reasonable grounds, that the circumstances are so serious and urgent as to require the immediate exercise of their powers. Police officers will have the powers of inspectors.

The second class of inspectors are authorised officers who will be appointed for inspection of research and teaching institutions. In addition, we propose that inspectors, authorised officers and veterinary surgeons be permitted to alleviate the suffering of an animal by providing treatment, to order the owner to provide treatment, or to destroy a severely injured animal. To protect an owner of an animal which is made ill, injured or destroyed by the negligence or malicious act of an inspector or authorised officer, there is a right to claim compensation.

We thought it very important that a court can order the removal of any animal under the charge of a person convicted of an offence under this legislation. In addition, the court may prohibit that person from taking custody of another animal.

The Bill also provides for the establishment of an animal welfare advisory committee. The functions of the committee will include advising the Minister on animal welfare matters and assisting in the review and development of codes of practice which are so important in dealing with the specifics of the care and management of animals.

The Animal Welfare Bill 1992 represents the culmination of more than five years' work by my department in developing a comprehensive reform of animal welfare legislation in the ACT. The proposals I am presenting today have been developed in close consultation with the community. The Government is proud to be introducing legislation which will lead to a significant advance in the welfare of animals in the ACT. Madam Speaker, I present the explanatory memorandum for the Bill.

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

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**PLANNING, DEVELOPMENT AND INFRASTRUCTURE -  
STANDING COMMITTEE  
1992-93 New Capital Works Program**

**MS FOLLETT** (Chief Minister and Treasurer) (10.41): Madam Speaker, I move:

That:

- (1) the proposed 1992-93 New Capital Works Program be referred to the Standing Committee on Planning, Development and Infrastructure for inquiry and report by the first sitting day of the Budget Sitings;
- (2) if the Assembly is not sitting when the Committee has completed its inquiry the Committee may send its report to the Speaker or, in the absence of the Speaker, to the Deputy Speaker, who is authorised to give directions for its printing and circulation; and
- (3) the foregoing provisions of this resolution have effect notwithstanding anything contained in the standing orders.

Madam Speaker, this motion is that the proposed 1992-93 new capital works program be referred to the Standing Committee on Planning, Development and Infrastructure for inquiry and report by early August 1992. It also has other provisions to allow the committee to report should the Assembly not be in session.

A number of capital works projects for 1992-93 have been brought forward as part of the accelerated capital works program for 1991-92 to reduce the effect of the national recession on the ACT economy. The Government is currently in the process of developing the new capital works program for 1992-93. It is necessary for the capital works program to be referred to the Planning, Development and Infrastructure Standing Committee and for that committee to report to this Assembly by early August 1992 so that the program can be included in the budget session.

This motion reflects what has been the practice in dealing with the new capital works program and I believe that it is an excellent practice to give the committee the opportunity to review and report. I commend the motion to the Assembly.

Question resolved in the affirmative.

**ADMINISTRATION AND PROCEDURES - STANDING COMMITTEE  
Report on Standing Orders 79 and 153**

Debate resumed from 13 May 1992, on motion by **Mr Lamont**:

That the report be noted.

**MR CORNWELL** (10.43): May I say at the beginning of this debate, and this refers to the next item as much as the item before us, that when I adjourned the debate on these two matters last week there was a grumble from the other side of the chamber that rather inferred, I thought, that we should be accepting these



matters without examination. I would like to state quite categorically that we on this side of the house will not do such a thing. All Assembly members have every right to examine any report that is tabled in this Assembly, and there is no way that we are blindly going to accept something that has been put before us, perhaps simply to expedite business. However, I am happy to say that, so far as this report on standing orders 79 and 153 is concerned, I am quite happy with the decision reached by the committee.

Members will recall that I raised these matters in the Assembly and they were referred to the Administration and Procedures Committee for examination. I am happy because I believe that I have achieved my purpose, and that was to draw attention to certain practices which had occurred in the previous Assembly and which I thought were quite undesirable. They were that far too many matters of public importance were being raised by a single individual, and that far too many divisions were called for in this house by one person.

I still believe that these are undesirable practices; but I have to say, in fairness, that in this Second Assembly to date - and I know that we are very young - these abuses of the Assembly procedures have not been in evidence. Indeed, I think I can say that yesterday we saw an example of some very sensible behaviour. It is a pity that the Government did not allow Mr Stevenson to have an extension of time; nevertheless, Mr Stevenson acted, I believe, in a most responsible fashion subsequently by calling one division only when, had he wished to do so, under existing standing orders he could have fought every clause of the fluoride Bill by calling a division. He elected not to do so, and that gives me hope for the operations of this Assembly in relation to these two standing orders on future occasions.

I believe that this new sensible behaviour is also reflected in the committee's comments where it states at point 10, in relation to standing order 79, that the committee "felt that these figures were representative of business of the last Assembly and would not necessarily reflect that of the second Assembly". In relation to standing order 153 and the need not to amend it, the committee took the view that "the conduct of the current Assembly was such, to date, that the proposed amendment was not required, but it would be kept under continual review".

The committee has resolved to continue to monitor the operation of these two standing orders. I have no objection to that. I believe that we are on the right track. I welcome the decision of the committee to continue to monitor them, as I shall, and I look forward to an improved Assembly in relation to these two matters, which, I must say, in the First Assembly were a cause of some irritation.

**MR LAMONT** (10.47), in reply: I take this opportunity to comment on the proposal before the Assembly, and particularly to refute, firstly, a number of the arguments which Mr Cornwell made in his first discussion on this matter when he sought a referral to the Administration and Procedures Committee of these changes and, secondly, some of the comments which unfortunately may have been thrust upon you, Madam Speaker. It was, nevertheless, the collective wisdom of the Assembly that it was the appropriate way to deal with the matter.

The suggestion that in the previous Assembly there was the opportunity for a single member to act in a vexatious way when using the provisions of the standing orders, particularly standing order 153, is not in fact borne out when a close examination is made of the record. In fact, it was used on very few

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occasions, albeit with considerable publicity. I refer Mr Cornwell to page 2 of the report of the Standing Committee on Administration and Procedures. Paragraph 14 reads:

The Committee considered that the proposed amendment again raises significant issues in relation to the rights of independent Members. There may be occasions where a Member may wish to have a call of the Assembly on an issue even though the eventual outcome is clear, so that the Member's dissent is officially recorded.

I believe that that is a significant provision which should be retained by the Assembly, and that is the reason, and one of the major reasons, why the standing committee has decided to move in this way. It goes on:

If it is clear that a Member is acting in a vexatious manner it is always open to the Assembly to adopt a special order to cope with the situation.

We believed that that was the appropriate way in which to deal with this, to ensure the rights of individual members, who are, after all, elected by the citizenry of the ACT. They have a right to be heard in this house. We have said that we will keep this proposal under review. If Mr Cornwell at any stage feels miffed at the actions of any member, the provisions of the standing orders are available to him, as they are to anybody else, to deal with that matter, at your pleasure, Madam Speaker.

It is with some appreciation that I conclude my discussion on this matter. That appreciation should be extended to your staff, Madam Speaker, as manifest through the secretary of the Administration and Procedures Committee who prepared this report. I would not say that that was done under trying circumstances, but I suggest that the debate was free and frank in the Administration and Procedures Committee when this matter was discussed. I think this report is testament to their skill and commitment.

Question resolved in the affirmative.

#### **ADMINISTRATION AND PROCEDURES - STANDING COMMITTEE Report on Assembly Business**

Debate resumed from 13 May 1992, on motion by **Mr Lamont**:

That the report be adopted.

**MR CORNWELL** (10.51): Madam Speaker, this report which was brought forward by the Administration and Procedures Committee recommends that certain categories of what is termed Assembly business should be moved to a special time on Thursdays following consideration of any government notices to introduce Bills and that the time limit for this Assembly business should be 45 minutes.

The committee has examined a number of the items that constitute what we call Assembly business and I have to say that it has decided that it would exclude certain of those items from such consideration on Thursdays under the 45-minute limit. Those exclusions, to which I might add I have no objections, are the

presentation of committee reports with a fixed reporting date, a motion to give a member leave of absence, and a motion of referral for a privilege matter that has been granted precedence. I repeat that I have no objections to those exclusions.

I further agree with the recommendation by the Administration and Procedures Committee that that committee should order Assembly business, in the interests of the Assembly, and not, as was previously the case, the Executive determining the order of the Assembly business. I say this because it is clear that Assembly business is a matter for the Assembly, for individual members and certainly not the Executive. So, I support that.

However, I am not at all convinced, Madam Speaker, that we should set aside a special time slot for this Assembly business. I am quite concerned that it is a restrictive proposal, both in terms of the time scale and in terms of the subjects proposed. I believe that 45 minutes, as proposed to be set aside on Thursdays, coming after the presentation of new government legislation, is far too short.

As members are aware, standing orders allow the Government to present new legislation each Thursday morning, and I have no argument with that; but they provide that the Minister introducing such legislation can speak for a maximum of 20 minutes. I know that, at the moment, to suggest that the Government has so much new business that it would take up a significant amount of time on a Thursday morning would be laughable, because we are once again down to a rather flimsy notice paper for the second or third day running.

**Mr Lamont:** Where is your MPI for today?

**MR CORNWELL:** It is your business. It is the Government's responsibility to bring legislation to this house and to run this chamber, Mr Lamont, not ours. We are the Opposition. It would be laughable, I say, to imagine that for the moment. But that may not always be the case, Madam Speaker. We can indeed live in hope.

Therefore, it concerns me that if we have a situation of, say, four government Bills coming in and they are of sufficient moment that they require the Minister concerned to speak in each case for 20 minutes - Mr Connolly is quite capable of that; he is very eloquent - we would find that the 45-minute requirement may be restricted; only by five minutes, but it is possible. In any event, the 45 minutes, as I read this report, is in fact the maximum. Again, I believe, it could be far too short when we consider, and this is the important thing, the type of matter of Assembly business which would be discussed. I remind members that this is set out at paragraph 15 of this report. The topics to be included in this limited three-quarters of an hour of Assembly business time include:

any notice of motion or order of the day relating to the establishment or membership of an Assembly committee ...

Members may say that that is not of any great importance; we can deal with that in that 45 minutes. It goes on, however, to say:

or the referral of a matter to an Assembly committee.

This seems to me, members and Madam Speaker, to impinge upon private members' business on a Wednesday morning. If a member wishes to put forward a motion referring a matter to an Assembly committee, perhaps the Social Policy Committee or even the Administration and Procedures Committee, then it cannot

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be discussed under private members' business on Wednesday morning. It has to be slotted into this 45 minutes that this committee proposes on Thursday mornings, following government business. I believe that that is far too restrictive for so important an issue as the referral of a matter by any member of this Assembly to an Assembly committee.

Another of the three items mentioned at paragraph 15 which would come under this restrictive 45 minutes on Thursdays is this:

any order of the day for consideration of a motion moved upon the presentation of a committee report or the Government response to a committee report;

Again, I presume that a government response to a committee report is not the Government actually responding to it, but perhaps other members wishing to comment on the government response to that report. It is not clear, but that is my reading and I could stand corrected. Again I believe that it is far too restrictive, Madam Speaker, to slot that into this 45 minutes proposed for Thursdays.

The final category that would be slotted in is this:

any notice of motion to disallow, disapprove or declare void and of no effect any instrument made under any Act of the Assembly which provides for the instrument to be subject to disallowance or disapproval of the Assembly or subject to resolution of the Assembly declaring the instrument to be void and of no effect.

That gobbledegook seems to me to suggest that, if we wish to move disallowance on any matter, again we are restricted to 45 minutes on a Thursday morning. We will have a considerable traffic jam of legislation within this 45 minutes.

The committee goes on, almost as an excuse, I suppose, to say that if there is too much in the way of business on a Thursday morning - perhaps the Government is introducing more Bills and the Ministers are all talking for 20 minutes - the Assembly could continue to sit beyond the 12.30 suspension for lunch to deal with the Assembly business.

To my knowledge, this has happened very rarely in the past and I am not so sure that it would be very convenient. Members do have appointments; they do have other constituency matters that they have to consider. It is possible - I grant you that it could be argued - that no member should make such arrangements when the Assembly is sitting; but sometimes, for the convenience of constituents and convenience of appointments, these things happen. Mr Connolly is nodding because the other night he had a 5 o'clock appointment upstairs in his office and, strictly speaking, the Assembly normally adjourns at 5.30.

**Mr De Domenico:** And for hunger pangs too, sometimes.

**MR CORNWELL:** Mr De Domenico talks about the need to refuel ourselves with food and drink, and I would have to agree. So, I am not sure that an extension over the lunch hour is all that convenient or satisfactory. The alternative is to postpone the matter until the following Thursday. This does not seem to me to solve anything. The following Thursday we could have another mass of government business coming down which would presumably require us either to go into the lunch hour or perhaps to postpone it to the next Thursday. I find this a very unsatisfactory alternative, particularly bearing in mind the items that

I have already outlined which would have to come under consideration, such as the referral of a matter to an Assembly committee. We do not really want to be waiting for weeks to get that sort of thing up.

I would therefore suggest that this matter needs to be reconsidered. I would hope that it was not the intention of the committee to limit or to stifle debate of Assembly business, but the impression is there if it is going to be locked into a limited 45 minutes tacked onto the end of the Government's introduction of new legislation on a Thursday morning. As I say, I do not believe that it would be the intention of the committee to do this, but I believe that that is the unintentional result. I therefore believe that the matter should be re-examined at least by the committee, unless of course the Assembly members wish to take action on it themselves.

There is obviously some merit in aspects of the committee's report. I have already referred to a number of points, particularly the arrangement whereby the Administration and Procedures Committee should be responsible for determining the order of Assembly business and not the Executive; but, as for the rest of the report, I have grave reservations. I repeat that I believe that the matter should be re-examined.

**MR LAMONT** (11.03), in reply: I find it somewhat incredible that I need to rise to prevent, hopefully, the adjournment of this matter. I believe that that is what Mr Cornwell is seeking. I speak against it on the basis that - - -

**Mr Cornwell:** The Liberal Party is seeking that.

**MR LAMONT:** I thought it was Mr Cornwell. Certainly, the Liberal Party representative on the Administration and Procedures Committee was part of the decision making process which led to the unanimous decision of the committee to make this recommendation to the Assembly.

There are a number of inaccuracies in what Mr Cornwell has said. Those inaccuracies are quite clear. Quite simply, Mr Cornwell has suggested that we are attempting to provide for 45 minutes of Assembly business. All we heard for nine minutes was that we are going to provide 45 minutes. Albeit that he sought the adjournment two weeks ago, Madam Speaker, on no occasion in the last two weeks has Mr Cornwell, through his own representative on the Administration and Procedures Committee, through me, through Mr Moore or, I understand, through you, Madam Speaker, raised the issues that he has raised this morning.

**Mr Cornwell:** Why should I do that?

**MR LAMONT:** One would have thought it was just good practice to do so. If that is the way the Liberals wish to do their business - badly - that is their problem and their prerogative. Madam Speaker, I draw his attention to proposed new standing order 77(e) and I quote it for the record:

at the time precedence to Assembly business expires any Member may move that the time allotted to Assembly business be extended by 30 minutes and such motion shall be put forthwith without amendment or debate;

Firstly, Madam Speaker, that provides for an hour-and-a-quarter, not 45 minutes. The precedents of this Assembly generally when such an extension is

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sought on other matters, on other occasions, are that it is given. I would see that there would be no difference on this occasion when this standing order comes in.

**Mr Humphries:** Not by your lot.

**Mr Kaine:** Your lot never give leave for anything.

**Mr Humphries:** What about Dennis Stevenson the other day?

**Mr Kaine:** Don't you like interjections?

**MR LAMONT:** If they were intelligent it would be different.

**MADAM SPEAKER:** Order! Members, I draw your attention to standing order 39. Mr Lamont will proceed.

**MR LAMONT:** Madam Speaker, not only does the proposed new standing order allow for an extension by 30 minutes over the 45 minutes that Mr Cornwell harped upon, the standing orders also provide for a plethora of Bills. I might add, Madam Speaker, that in these last two weeks there have been 12 Bills introduced by this Government.

**Mr Moore:** Hardly a plethora.

**MR LAMONT:** More, at times, than were implemented by these people over here in the Alliance Government. Sometimes it took them up to three months to do that, but they did have some difficulties in their own ranks.

Members interjected.

Motion (by **Mr Humphries**) put:

That the debate be now adjourned.

*A vote having been called for and the bells being rung -*

**MADAM SPEAKER:** Mr Stevenson has let it be known that he will not be in the Assembly this morning; so we can lock the doors and proceed with the vote.

The Assembly voted -

*AYES, 6*

Mrs Carnell  
Mr Cornwell  
Mr De Domenico  
Mr Humphries  
Mr Kaine  
Mr Westende

*NOES, 10*

Mr Berry  
Mr Connolly  
Ms Ellis  
Ms Follett  
Mrs Grassby  
Mr Lamont  
Ms McRae  
Mr Moore  
Ms Szuty  
Mr Wood

Question so resolved in the negative.

**MR LAMONT:** The proposition that government business - - -

**Mr Humphries:** You have already spoken.

**MR LAMONT:** I am sorry; I still have a considerable amount of time before I conclude. If you wish to exercise the gag we cannot prevent you, Mr Humphries; but I am - - -

**Mr Humphries:** I am sorry; I thought you had finished.

**MR LAMONT:** You are trying to get out from under. You use the gag and now you try to get out from under. My goodness!

**Mr Humphries:** You sat down.

**MR LAMONT:** Because there were interjections. It is an appropriate response. We have threatened at some stage to educate the Opposition. I see that it is going to be a harder task than we first thought.

Madam Speaker, there is the ability to extend the sittings in the mornings beyond 12.30. It has been usual for the Assembly to rise at that time; but, if there is any concern about particular Bills which may require determination on a particular day, on a particular Thursday, then that provision is there and it should be used. There is nothing sacrosanct about the Assembly rising at 12.30.

The efficient conduct of the business of this Assembly and this Government is the reason why this proposition is coming before the Assembly. It is good business practice. I would have presumed that at least the Opposition would give credence to that. Most certainly, their representative on the Administration and Procedures Committee gave due recognition to that fact when he supported this proposition.

**Mr Kaine:** He has been known on very rare occasions to be wrong.

**MR LAMONT:** If you wish to call into question the perspicacity of your honourable colleague, then that is up to you.

**Mr Kaine:** No, I am just saying that he has been known on very rare occasions to be wrong, and this might be one of those occasions.

**MR LAMONT:** You obviously deal with him in your party room better than we do. What else can we say?

I also wish to refer briefly to the issues that it is proposed be discussed and debated in this period to become known as Assembly business. Mr Cornwell has gone through those, drawing his own conclusions, and I think that it is only appropriate that in conclusion I do similarly.

I refer first to a notice of motion or order of the day relating to the establishment or the membership of an Assembly committee, or the referral of a matter to an Assembly committee. I believe that it is appropriate that the Assembly know that there is a time when such matters will be debated. Not all of us are able to be in the chamber for every single minute of every single day, although I know

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that both sides of the house attempt to do so. I believe that a referral to a committee is one of the most significant issues that this Assembly deals with, and referrals to those committees are matters which should be shown due regard.

The next matter is an order of the day for consideration of a motion moved upon the presentation of a committee report or the government response to a committee report. I believe that it is appropriate that we highlight a period of time when we can expect the Government to respond to committee reports, where such a response is called for. To me, that is part of the due process of this Assembly, and identifying a time for that to occur is an appropriate management of that business.

Next is any notice of motion to disallow, disapprove or declare void and of no effect any instrument made under any Act of the Assembly which provides for the instrument to be the subject of disallowance or disapproval et cetera, et cetera. This quite clearly says not only to the members of the Assembly but also to members of the public who take an interest in the affairs of the Assembly and the business of the Assembly that this will be the time when these matters will be considered. As you would know, Madam Speaker, we are not always able to identify a particular time in the day when a particular matter will be discussed and deliberated on, so it is appropriate that we have now identified such a time for the purposes outlined in this report.

In conclusion, I again wish to extend my appreciation to the Clerk of the Assembly and his staff, the deputy clerks, who have provided once again, from a very free and frank exchange of views in the Administration and Procedures Committee, such an accurate and well presented reflection of the deliberations of that committee. I would propose that this Assembly defeat the proposition that the matter be adjourned and in fact adopt it today.

**MR HUMPHRIES**, by leave: Madam Speaker, I do not wish to traverse the substantive issues within this matter. As Mr Cornwell has indicated, there are still issues that concern the Liberal Party and to which we would rather have more time given before it is rushed into enactment today. However, that is the view of the Assembly, quite clearly, and that is a matter of great regret to me.

There is ample evidence, it would seem to me, that this Assembly, on occasions not so distantly in the past, has made the mistake of considering matters with too little time to properly do the job. In fact, when this matter is completed, we will go on to consider a Bill which I will be arguing contains much evidence of haste. Now we are going to do the same thing again, apparently, with respect to this matter, and I think it is a matter of great regret.

Let me make it quite clear that Mr Lamont and Mr Connolly, who interjected during that debate, misconceived the role of representatives of particular parties on various committees of the Assembly. Mr De Domenico, for example, sits on the Administration and Procedures Committee on behalf of the Liberal Party. It is not his job on that committee, any more than it ought to be Mr Lamont's job on that committee with respect to the Labor Party, to determine issues coming before that committee, finally and once and for all, on behalf of the whole Assembly. If that were the case, why is this paper coming to the Assembly at all? It might as well just be passed by the Administration and Procedures Committee.



No, Madam Speaker, the role of the committee is to propose issues, suggest solutions to problems and then put them before the Assembly as a whole. At that point other members of those parties have a chance to examine the issues that have been proposed by the committee and accept or reject them. It is not unknown for a committee to have support unanimously for a particular proposition which is subsequently rejected by the Assembly as a whole; for example, yesterday's debate on fluoride. A committee chaired by Mr Wood recommended unanimously that we support fluoride at 0.5 parts per million and the Assembly, including all the parties represented on that committee, rejected - - -

**Mr Moore:** That Assembly first of all adopted it, then this Assembly rejected it.

**MR HUMPHRIES:** No, it did not. I will correct what Mr Moore has said. In the last Assembly both the Liberal and Labor Party members of that committee recommended that the amount of fluoride go to 0.5 parts per million, and the Liberal and Labor - - -

**Mr Berry:** Yes, but that Assembly adopted it.

**MR HUMPHRIES:** Hang on. The Liberal and Labor members of the old Assembly, with one exception - one person crossed the floor - rejected that recommendation, and accepted that it should be one part per million.

**Mr Moore:** The Assembly adopted it.

**MR HUMPHRIES:** Yes, but the majority of members came from outside those two parties.

**Mr Moore:** But do not misrepresent it; that is all I am saying. The Assembly still did adopt it.

**MR HUMPHRIES:** What I am saying is that membership of a committee does not bind that party to the proposition that the member might put in that committee, and that is why we should all have the chance to examine these matters in sufficient time. I do not think a paper which came down seven days ago, which makes important changes to the way in which the Assembly does its business, ought to be considered so quickly today. If we want to rush this through, that is fine. Obviously, you have the numbers and that is unfortunate. We are adopting recommendations today; we are accepting that this should be happening, Mr Moore.

**Mr Moore:** It is not exclusive; it does not preclude longer debate.

**MR HUMPHRIES:** I am sorry; I think you are splitting hairs. Madam Speaker, I think we are rushing into things here. I think the Assembly would do well to take its time and make sure that it does things properly and does not rush them.

**MR MOORE:** Madam Speaker, I seek leave to make a couple of comments on this debate that I had not intended to make earlier. It seems to me that Mr Humphries misunderstands what it does.

Leave granted.

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**Mr De Domenico:** As long as he does not sing, Madam Speaker.

**MR MOORE:** No singing this time. The provisions here provide time but do not preclude extra time. We are no worse off; all we are doing is setting aside a time. I think that that should allay the fears. That is what it says. It allows it. Proposed new standing order 77(e) provides that:

at the time precedence to Assembly business expires any Member may move that the time allotted to Assembly business be extended by 30 minutes and each motion shall be put forthwith without amendment or debate;

So, there is your extra 30 minutes, to start off with. But there is still nothing in the standing orders that prevents us from raising some of these issues at other times. Even if there were, there is nothing to prevent us from moving for a suspension of standing orders to allow that, if we have a particular issue. So, it is still under the control of the Assembly. I cannot understand why you are having any difficulty with it at all.

**MR KAINE (Leader of the Opposition):** Madam Speaker, I seek leave to make a statement on this truncated debate as well.

Leave granted.

**MR KAINE:** Madam Speaker, I think the very fact that members of the Assembly have to seek leave to speak on a debate that was cut off too early is indicative of the whole problem.

**Mr Berry:** You were too slow to get to your feet. You were asleep.

**MR KAINE:** I was not asleep. Mr Lamont jumped the gun and closed the debate. I think that is unacceptable. He closed debate on a matter that clearly has not been debated through.

**Mr Moore:** That is why we are giving you leave.

**MR KAINE:** Mr Moore obviously does not understand what is going on. He made the point that, from here on, to do any of the things mentioned in this report other than on Thursday mornings is going to require a suspension of standing orders.

**Mr Moore:** That is not what I said at all.

**MR KAINE:** You just said it. The fact is, Madam Speaker, that we seem to be modelling ourselves without any justification having been put forward. Nobody has said that what we have done for the past three years is unsatisfactory or unacceptable, or that it makes the place difficult to work. Did I hear anybody say that? Of course nobody said that. The Americans have a good statement: "If it ain't broke, don't fix it". Why are we doing this? Mr Lamont did not explain why. Mr Lamont simply said, "It would be a good thing to do this on Thursday mornings". Well, I am not convinced that trying to compress all this business into Thursday mornings is a good thing.

Madam Speaker, I know, because I have spoken to you about it, that you agree with me that in this chamber we should be seeking to take a different course from what applies across the lake. Everything that happens over there is not

good. Because this is a small Assembly of only 17 members we should be doing things in a different way, in a less formal way; we should be getting our business done by some sort of consensus. What we have here is an adversarial thing.

Some members of the Assembly have made up their minds, without attempting even to justify it, that we are going to do business in a different way, and to hell with the rest. They have not justified it; they have not made it appealing in any way. To suggest that we do all of this on a Thursday morning, and if there is not enough time we can work through lunchtime - this at a time when the Government has virtually no business whatsoever on the agenda, but they are going to suggest that we work through lunchtime on Thursdays to meet their objective of dealing with all of this business on a Thursday - is absolutely ridiculous.

Quite frankly, I cannot understand why Mr Lamont and the members of the Government do not want the subject debated. Why do they move to push it through so quickly, and why did Mr Lamont move so quickly to conclude the debate so that none of us could have anything to say on the matter? It is typical of the Government. If the thing had been adjourned this morning, what would have happened today is that they would have run out of business before the day is over, and it is going to happen inevitably. So, they say, "Let us not adjourn this; let us kick the Opposition in the head; let us do it, no matter what they think about it, no matter whether they have an argument against it. We do not want to hear that. Let us push it through, and the Opposition can like it or lump it".

**Mr Moore:** It would be easier if you just read it.

**MR Kaine:** When I want to do a private debate with you I will take you out of here and do it; otherwise stay quiet. He was attempting to take over the debate, Madam Speaker, while Mr Humphries was on his feet, and now he is doing it to me. He had his say. He did not convince me and I do not think he convinced you either, quite frankly, if you would only admit it; but you give him credibility.

Madam Speaker, I believe that what is proposed here is wrong. It formalises something that does not need to be formalised. It is turning this place into a machine where hours of the day are divided up for specific purposes. Contrary to what Mr Lamont said, it will require people to be here even more than otherwise. Members have to be here on this side of the house during private members' business already. They have to be here during question time, if they are smart. They now have to be here on Thursday mornings.

**Mr Berry:** That will not hurt them, will it, surely?

**MR Kaine:** Well, we are here. I am just saying that Mr Lamont was making the point that this will allow people, if necessary, not to be here all of the time. It was his point, not mine. What I am saying is that he is dead wrong. What it is doing is placing an obligation on members that did not previously exist - to be here on Thursday mornings irrespective, because if they are not they are going to miss out on very important business.

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I think it is wrong in principle. I think it is working in the very opposite direction to that in which this organisation ought to be working, and that is to free things up a little, become less formal rather than more formal, to move away from the adversarial situation that we constantly seem to be creating and move more towards a consensus type of operation.

**Mr Berry:** You do most of it.

**MR KAINE:** Mr Berry, who is interjecting now, knows full well that my view always has been that this should be more of a collegiate system. I advocated it during the first election in 1989 and I have not changed my view. The Labor Party is the party that will not have a bar of it. When we took the government in December 1989, Madam Speaker, as a matter of interest, I offered Rosemary Follett a position in my Cabinet because I thought it would lead to collegiate government. Of course, she could not accept it. You lot would not have allowed her to do so, even if her natural inclination had been to accept it.

We are in a situation of adversarial politics because some people in this place see that as a good thing. I do not. I think that the use of 17 brains collectively focused on a problem would give us a much better result than only a limited number. I think this is going the wrong way. I am fascinated that the Labor Party wants to ram this thing through without debate, without justification, without demonstrating that it is necessary, without demonstrating that it has any advantages whatsoever. They are going to do it right now, irrespective of all of that. It is totally irrelevant to them.

**MR LAMONT:** I seek leave, Madam Speaker, to make a very short statement.

Leave granted.

**MR LAMONT:** Madam Speaker, I too concur with the view - - -

Members interjected.

**MADAM SPEAKER:** Mr Lamont, I will just call these members to order. Members, I remind you of standing order 39. Mr Lamont has the floor.

**MR LAMONT:** Thank you, Madam Speaker. I accept the proposition put forward by the Leader of the Opposition that we should become less adversarial in the way in which we conduct business within the Assembly. That is the view of the Labor Party which, in my opinion, has been shown by way of the sharing of information with members of the Opposition and with the Independents since we reassumed government.

**Mr Connolly:** Our arms are always open over here.

**MR LAMONT:** Nobody could be more open-armed in his approach than the Attorney-General, as he has just indicated. Madam Speaker, that in fact is what we are proposing in the amendments to the standing orders recommended by the Assembly's Standing Committee on Administration and Procedures - that we be more open, that we tell everybody that this is the day, this is the hour, this is the time when these matters of business will be discussed. It will not be left to chance. Everybody will know what is coming up.

Madam Speaker, the real problem with today's discussion and debate is that it is obvious that some members of the Opposition simply have not read the paper tabled in this Assembly which details this matter. It is obvious from the comments that they have passed that they have not read the paper. It has been available for them to do so for a considerable period. When you consider that it is a four-page document - a five-page document - - -

**Mr Cornwell:** Five-and-a-half, actually.

**MR LAMONT:** That would probably be seven days for you to read it. I understand that.

**Mr Cornwell:** You cannot even get the numbers right.

**MR LAMONT:** It is seven days since it was introduced. One would have assumed that they could have given it at least a cursory glance. It is apparent that they have not done so.

We believe that it is good business for the Assembly to order its business in this way and the Administration and Procedures Committee believes that it is good business for the Assembly to order its business in this way. I certainly support that proposition. I believe that it would be unfortunate in the extreme if we ran this Assembly on the basis that if somebody has not read a paper we will just defer it. There is an obligation on members, all members, to read and understand the papers tabled in this house. If they have chosen not to do so, then I do not believe that the business of the Assembly should be penalised because of it. I therefore seek support from everybody, including a free-range vote in the Opposition, to endorse this proposal.

Question put:

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

*A vote having been called for and the bells being rung -*

**MADAM SPEAKER:** Since Mr Stevenson has indicated that he will not be here this morning, I believe that all members who are to vote are present.

The Assembly voted -

*AYES, 10*

Mr Berry  
Mr Connolly  
Ms Ellis  
Ms Follett  
Mrs Grassby  
Mr Lamont  
Ms McRae  
Mr Moore  
Ms Szuty  
Mr Wood

*NOES, 6*

Mrs Carnell  
Mr Cornwell  
Mr De Domenico  
Mr Humphries  
Mr Kaine  
Mr Westende

Question so resolved in the affirmative.

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**MS FOLLETT** (Chief Minister and Treasurer): Madam Speaker, I seek leave to make a statement under standing order 46.

Leave granted.

**MS FOLLETT**: Madam Speaker, in the course of the last debate the statement was made that I had been offered a position in the Alliance's collegiate government. I want to correct that impression. I was aware, of course, of Mr Kaine's intention of forming a collegiate government. I am aware, of course, of his alliance with certain other parties in this Assembly. But I was not offered a position in that government.

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

**MRS GRASSBY**: I present Report No. 4 of 1992 of the Standing Committee on Scrutiny of Bills and Subordinate Legislation and I seek leave to make a brief statement on the report.

Leave granted.

**MRS GRASSBY**: The report that I have just presented contains the committee's comments on the Statute Law Revision (Miscellaneous Provisions) Bill 1992, and I commend the report to the Assembly.

**STATUTE LAW REVISION (MISCELLANEOUS PROVISIONS) BILL 1992**

Debate resumed from 19 May 1992 on motion by **Mr Connolly**:

That this Bill be agreed to in principle.

**MR HUMPHRIES** (11.32): Madam Speaker, earlier today we referred to rushing things, and I think that in many respects this Statute Law Revision (Miscellaneous Provisions) Bill is a good example of what we were talking about. It is a piece of legislation which, admittedly, is designed to respond to a problem which was created last year when legislation was again arguably rushed through this house. The legislation, I think, was sponsored by the Residents Rally at the time, which might explain partly why that happened. Nonetheless, at the time it was rushed and given inadequate consideration by this Assembly. That is a matter of great regret. We are now, in a sense, doing the same thing again. We are considering, with perhaps a little too much haste, the sort of legislation that ought to be more carefully examined. There are many provisions in this legislation - I think, in the vicinity of, effectively, 300-odd separate amendments to ACT legislation - and a great range of legislation as well.

This Bill was introduced into the Assembly on Tuesday this week, and it is before us now for passage into law. I admit that the Attorney-General was kind enough to supply me with a copy of the Bill a few days before Tuesday. I am grateful for that; it enabled me to go through the provisions of this Bill. Even so, the Bill is being passed into law only six days after it was first seen by me. I must say,

Madam Speaker, that I am most unhappy about that state of affairs and would like to see these kinds of examples eradicated from the history of this Assembly, if that is at all possible.

The arguments that there is some evidence of rushing on the face of this legislation are numerous, and I will give some examples of what I am talking about. The first example is that references in this Bill are made to the Crimes Act. There were multiple amendments to the Crimes Act in late 1990 and 1991. The staggered coming into effect of those amendments has led to the situation where, as of 11 June this year, there will be two sets of sections 152 to 155 in the Crimes Act. Clearly, we would not want the situation to occur where two sets of provisions have the same numbers and therefore generate all sorts of bizarre possibilities which I have not even dared think about.

The main reason for the passage of this Bill today rather than in the June sittings is that we will not be sitting again until after 11 June and therefore, unless the Bill is passed into law today, it will not be possible to rectify that problem with the Crimes Act. That is a reasonable argument. But in the explanatory memorandum to this Bill, which usually takes the crux of legislation and explains it to people, there is no reference to the Crimes Act problem, which makes me believe that this particular provision was added more or less at the last minute to what would otherwise have been an ordinary Statute Law Revision (Miscellaneous Provisions) Bill. That is not a glaring problem, but it does make the effect of an explanatory memorandum rather nugatory when the principal objective of the Bill is not actually mentioned in the explanatory memorandum.

**Mr Kaine:** It is evidence of shooting from the hip.

**MR HUMPHRIES:** I have to say, as the Opposition Leader has pointed out, that it is evidence of shooting from the hip. Maybe there are not any problems in doing so; maybe we will get by on this occasion. But the point is that maybe we will not; and I do not know.

There is another problem, Madam Speaker, which has been raised in the report that Mrs Grassby just tabled, which was originally identified by the Scrutiny of Bills Committee and which I assume the Attorney will be picking up in some way. Last week we passed the Crimes Legislation (Status and Citation) Bill which had the effect of changing references to the Crimes Act 1900 of New South Wales in its application to the Territory to the Crimes Act 1900 of the ACT. This Bill, which comes after the other Bill, refers to the Crimes Act 1900 of the State of New South Wales in its application to the Territory. The old provision appears here.

In the normal course of affairs you would expect that the Chief Minister would sign into law the citation Bill before she signs into law this Bill which we are passing this week. She having had it brought to her attention, by me or the Scrutiny of Bills Committee, I have no doubt that this will be fixed up in some way; but the problem is not exactly easy to solve. Perhaps the Attorney-General can advise us how he is going to solve it. Two solutions presented themselves to our committee. One was that this Bill might be signed into law before the citation Bill. The other possibility was that if the Chief Minister was ambidextrous she could take a pen in her right hand and a pen in her left hand and sign both Bills simultaneously, which might solve the problem. However, we do not wish to put the Chief Minister to any more exertion and intellectual strain than we have heard that her office upstairs is now experiencing, so we will not necessarily force that solution onto her.

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Another example of this Bill being rushed through, Madam Speaker, is that the explanatory memorandum states that it is designed to: Remove sexist language; simplify expression; remove redundant Acts; correct grammatical or printing errors; and correct errors arising out of the process of self-government. But many of the Acts which are being amended here have examples of those sorts of problems which have not been touched. Again, the Scrutiny of Bills Committee report refers to that. For example, the Canberra Theatre Trust Act is being amended for the second time this week, yet it is the second time in the week that we have let sexist language go through to the keeper. We are amending, in three parts, section 9 of the Canberra Theatre Trust Act where there are sexist references, and that is fine; but there are also sexist references, at least according to Professor Whalan, in sections 7, 10, 11, 12, 15 and 19 of the same Act. You say, "Okay, so we have picked up a few of those references, and we have left a few in the Act".

**Mr Kaine:** They have to have something to do next week.

**MR HUMPHRIES:** "They have to have something to do next week", says Mr Kaine, and that undoubtedly will be the case. Sooner or later we will be coming back to look at other amendments to the same Act - a third amendment, presumably, in the space of a few months - to do basically the same job. But the question has to be asked: What is the point of such an amendment to the Act? Yes, I have a lot of time, do I not, Chief Minister?

**Ms Follett:** Yes, you have. I just noticed.

**MR HUMPHRIES:** How time flies when you are having fun!

**Ms Follett:** I am just wishing you luck with it.

**MR HUMPHRIES:** I have so much to say that I need so much time to do it.

We have here on the statute book in the form of the Canberra Theatre Trust Act an Act which is quite capable of causing offence to women because it contains sexist language. That has not been changed, or it has been changed only very slightly, by the Bill that we are going to pass into law today. By passing these piecemeal amendments, we have made it more difficult for a person wanting to read and understand the Canberra Theatre Trust Act to know - - -

**Mr Kaine:** This is the Chief Minister's nip and tuck approach.

**MR HUMPHRIES:** It sounds like it, yes. We have made it more difficult for a person in those circumstances to understand what the law says, because, as well as picking up the Canberra Theatre Trust Act, arising out of what we have done this week, the person also has to pick up the amendment Act that we passed earlier dealing with EEO legislation, the Statute Law Revision (Miscellaneous Provisions) Act and any other amendments which might have been made since the last reprint of the Canberra Theatre Trust Act. That makes the law, with respect to this particular ACT authority, much more difficult to understand. Is it not our job as legislators to make sure that we make the law accessible to, and easy to understand for, our constituents? Is that not the basic idea of tidying up law like this? But we are not doing that by multiplying endlessly the number of amendments - minor amendments, duplicated and repeated amendments - that we make to particular pieces of legislation.



My party, I might indicate, opposes the concept of omnibus legislation such as this. Our party policy - ours is the only party with a clear legislative affairs policy, I might point out - clearly states that we believe that legislation to amend an Act of parliament should be contained in a single Act. So, you have a Bill to amend an Act, and only one Act, rather than having some 40 or 50 pieces of legislation amended by the one Act. Because we are passing this Bill today, we are going to make the Statute Law Revision (Miscellaneous Provisions) Act a best-seller in the ACT. Every time you walk into the Government Bookshop and want to buy a copy of the Children's Services Act, the Consumer Affairs Act, the Credit Act, the Disability Services Act, the Limitation Act, the Magistrates Court Act or whatever other Act is mentioned here, you also have to buy a copy of this Act, because this also amends the Act that you are buying. At \$1.50 or whatever it might cost to buy in the bookshop, you are going to be making a lot from sales of this Act.

**Mr Kaine:** It is a revenue measure; now we know.

**MR HUMPHRIES:** It is a revenue measure, I suppose you could say. I think that is unfortunate. Despite the comments that I have made, I acknowledge that we have a problem with the Crimes Act, and I acknowledge that it would be undesirable to let those who offend against provisions dealing with computer crime escape from that because the clause that they have seen in the Bill is different from the one under which they have been charged. I therefore accept that we should pass this Bill into law today. I have not been able to find any serious flaws in the Bill which would make it inoperative, and therefore I am recommending to the Assembly that it pass this law today.

But I must say that it is an unfortunate state of affairs when this happens. I sincerely hope that this is the last time we have to consider rushed legislation which needs to amend a whole series of Bills in this fashion. I hope that the Attorney considers that perhaps on this occasion the policy of my party might be a good one to adopt for the making of good law in the Territory in the future.

**MR CONNOLLY** (Attorney-General, Minister for Housing and Community Services and Minister for Urban Services) (11.44), in reply: I will be closing the debate. I should ask whether anyone else wishes to speak, to avoid the situation that we had earlier. I take it that nobody does. The first point that I should take up from Mr Humphries's remarks is his criticism of rushing through this type of Bill. I take that on board. I would say to the Assembly that I really addressed that criticism in introducing this Bill by saying that the Government intends to introduce this type of Bill in future in the ordinary way, by letting it sit on the table. Normally, there would be no urgency because this type of omnibus Bill is very much an exercise of tidying up the law.

Unfortunately, because of the situation that the Assembly was in late last year, when we had a flurry of private members' amendments to the Crimes Act, a matter slipped through all the advisers then, which, as of next week when the Act comes into force as a result of the automatic introduction into law provision, the six-month commencement provision, would result in sections of the Crimes Act having the same number but dealing with vastly different matters; and that would be very undesirable. So, we seek to pass this today. Although, as Mr Humphries said, that urgency was not referred to in the explanatory

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memorandum, it was clearly pointed out in the introductory speech. Anyone looking at this legislation in the future would be in no doubt as to why it was put through as an urgent measure; but in general we would not be doing this in a hasty process.

Mr Humphries said that his is the only party that has a policy on legislative matters or law reform. I would refute that. In a statement to this house last year the Government indicated its program of law reform, which falls essentially into two categories. There is a law reform process whereby we are looking at new laws and at change to the law. That process has been in place for some time and was in place under the former administration. The Community Law Reform Committee is the prime arm that generates activity through that.

We also said that, running parallel with that, there is a process of legislative review or revision whereby we have officers of the Attorney-General's Department who are looking at the body of ACT laws - those 12 or 13 volumes that are sitting on the table - that go back to that strange mishmash of laws with which Mr Humphries would be familiar. We have some old imperial laws that are dear to Mr Humphries's heart. I think we have identified one going back to 1256, which makes any true conservative delighted that something that "ain't broke" has not been fixed for 700 or 800 years. We have a vast body of later imperial law.

We have a fairly substantial body of New South Wales law, or law which was originally New South Wales law, that is still in force in the ACT. We have Commonwealth ordinances, now Acts, and we have self-government Acts. A century of different forms of legislative drafting is represented in those books on the table in the middle of the house; there are different legislative styles, and there is sexist language which was commonplace in the law until only recently. So, there is a lot of tidying up to be done. It is a process that really cannot be done in one hit; it will take some years.

Mr Humphries was critical of us for bringing forward an omnibus Bill. In general, I think omnibus Bills that are making substantial change are undesirable; on the other hand, we should be looking for efficiency. The Opposition is critical of the Government for not bringing forward a lot of business. Had we wanted to do a stunt and bring forward a lot of business, I could have introduced something like 30 Bills here and said, "Whacko, aren't I a clever law reformer? I have put through 30 Bills". Instead, we have dealt with a large number of minor matters in one Bill.

As I said earlier this week in the debate on the road traffic matter, rather than getting to a situation that was familiar in this Assembly during the last period of government - I admit that it is familiar in other States as well - of having six or eight Acts amending the Road Traffic Act in any sitting year, I hope to limit it to a couple, perhaps one in the autumn sittings and one in the budget sittings, which will be somewhat of an omnibus, amending the one Act but in a range of different policy areas, again, to be more efficient in the way we produce legislation.

One criticism of that process could be, as Mr Humphries indicated, that it would force a person who wants to look at the latest print of an Act - he mentioned the Children's Services Act, but you could pick any Act from here - to buy that Act and all its amendments and this reprint. So, this could be a best-seller that would knock Harold Robbins off the best-seller list in the ACT.

The Attorney-General's Department has, for some time now, through the legislative drafting area, been working up its capacity to improve the speed with which reprints are published. Mr Humphries, having been an officer in the Territory's legal section before self-government, would know that the reprint of Territory ordinances was seen as the poor relation in the Commonwealth drafting office. Through the 1980s reprints of ACT Acts were really out of date, and it took forever, it seemed, to get a reprint. It was a major problem for anybody who wanted to see what the law was in this Territory, because, apart from the financial cost of having to buy half-a-dozen or a dozen reprints, it is very difficult for a lawyer, let alone a person who is not legally trained, to take a dozen amending Acts and try to make sense of a substantive Act and answer the simple question: What does the law say about a certain subject?

One of the areas to which we have been devoting resources and effort - although not a vast amount of resources in dollar terms - has been to speed up the way in which we can get reprints out. The eventual goal is that we will have all the ACT Acts on an electronic database which will give members of this chamber, the profession and anyone who is interested, for a fee to the profession but not to members of this chamber, access to the law as it presently stands. At the moment, there is only, in effect, one copy of the law as it stands in the ACT - unless the Supreme Court library keeps a paste-up - and that is the paste-up that is kept by Parliamentary Counsel.

That is not a satisfactory state of affairs. If we get to the position - we are heading fairly quickly towards it - that we have this full electronic database, we will be leading the States and the Commonwealth. The Commonwealth has an instantly retrievable electronic database of all its laws, but it has not done it by way of a paste-up - which I always thought was a rather foolish process because it means that you can get off an electronic database a Commonwealth Act and 12 amending Acts, but you cannot get the Act in its present form. We are working very closely towards that; we are now able to reproduce reprints very, very quickly. Members who have a set of Acts in their offices may be noticing that they are getting reprints much more regularly. So, that, I do not think, is a valid criticism of omnibus legislation; on the contrary, it is a process of efficiency.

The problem with the Crimes Act, which Mr Humphries mentioned, can be solved, as the committee indicated, by a process of juggling the commencement to make it neat, or by the Chief Minister signing both things simultaneously. At least in the Labor Party the right hand always knows what the left hand is doing, as opposed to this lot opposite from whom we seem to get conflicting views on things. So, that can be resolved. But, in any event, even if we have the older form here when the new Act commences, subsection 5(1) of that simplification Act contains a provision which says that any old form references are to be taken to be new form references; so it would be picked up. But we can do it fairly neatly.

It would have been a dangerous course for the Government, given the urgency of getting this through to correct that duplication of section 152, to have assumed that this Act would have been passed and into law when this Bill was being prepared. So, the prudent course has been taken by using the current language of the Crimes Act rather than the language that will come into force when the earlier amending Bill that was passed this week comes into law.

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There are a couple of matters that I should take up from the Scrutiny of Bills Committee report. One grammatical error which has been picked up by Professor Whalan, whose eagle eye for detail is well known to any members who have served on that committee, is that at page 9 of the amending Bill we say, "Insert 'her' after 'him'" rather than "Insert 'or her' after 'him'", so if it were let go it would read "him her" rather than "him or her". But I am advised by officers of the chamber that standing order 191, which covers grammatical or typographical errors, can be called into aid there and, the error having been pointed out, it can and will be remedied.

In relation to the Canberra Theatre Trust Act, I have asked the draftspersons about that. They are not sure that the suggested criticism is the case because, as the committee says, they have not been able to discover whether other sexist language has been removed; the problem is that they are working from a last reprint rather than necessarily the current form of the Act. If there are still items of sexist language lurking in Acts, further measures will be taken to remove them. We probably cannot be confident that we have removed sexist language totally until we complete the process of getting all the laws of the ACT on the electronic database, which will allow us to do an electronic check through every word; otherwise the process would be to send an unfortunate legal officer to sit in a corner and commence at volume 1 and work through to volume 13 looking for "he" without the equivalent "or she", or perhaps better still "the person", to use appropriately gender neutral language.

While we are picking it up where we are aware of it - that is one of the prime objects of this Bill - there may well be areas of ACT law which still use inappropriate non-gender-neutral language. Rather than having a massive, laborious task of manually checking every law, it may be more prudent for us to complete that task when we have all the laws on the database. That is a very important goal of this Government, as we said in our legislative review statement to the Assembly last year, which represents a very clear policy statement of achieving simpler laws which are easier to read and which use language that is appropriate for the last decade of the twentieth century; rather than some interesting, antiquated language. But I can reassure Mr Humphries that we still have no designs on the 1256 statute about which he was so enthusiastic some time ago.

So, I commend the Bill to the house. The criticism that Mr Humphries makes about the undesirability of moving rapidly on this type of Bill is a fair one which the Government takes and acknowledges; but it justifies action on this Bill because of the potential confusion in the criminal law which would occur if we did not correct the misnumbering of sections of the Crimes Act which occurred in the somewhat confusing last days of the last Assembly when a party who is no longer present was furiously moving private members' Bills and often amending those Bills several times during their process of passage. We hope that we do not get to that position again.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

**Sitting suspended from 11.58 am to 2.30 pm**

## QUESTIONS WITHOUT NOTICE

### Chief Minister's Staff

**MR KAINE:** I would like to direct a question to the Chief Minister. We now know, since yesterday, that the Chief Minister has three SES status officers on her staff as compared to the one which both she and I agreed for three years was acceptable. In connection with those officers, would the Chief Minister tell us whether they are employed under the LA(MS) Act, whether they are contract employees or whether they are seconded public servants? In each case, would she give us the detail of their remuneration packages? If they are seconded public servants, would she tell us what process was used for their selection and appointment to the positions and, in each case, given that the specifications for the job are apparently quite recent after an OPSM inquiry, could she tell us the selection process and how they demonstrated that they possess the qualities, in the Chief Minister's words, necessary in the exercise of superior levels of judgment and a high degree of accountability and responsibility?

**MS FOLLETT:** I thank Mr Kaine for the question. It is in several parts. On the question of remuneration, I would have to take that on notice. I do not have that detail with me. In regard to their method of appointment, they are all appointments under the LA(MS) Act. In regard to their selection, Madam Speaker, it has been my practice to advertise for staff and to conduct interviews and, indeed, I did so not so very long ago. So, it has been an open process.

I would like to say, through you, Madam Speaker, to Mr Kaine that I think he has had a pretty good run on the matter of staffing. The fact is that we have budgets for these matters. We have budgets for staffing. Mr Kaine has a budget for his staffing and the Executive have a budget for their staffing. It is my expectation that Mr Kaine live within his budget, just as I will live within mine.

### Armed Robberies

**MR LAMONT:** My question without notice is to the Attorney-General in his capacity as Minister responsible for police. Media outlets have reported an armed robbery yesterday at the Australian Defence Force Academy. How successful have the Australian Federal Police been in clearing up the incidence of armed robberies in the ACT?

**Mr Humphries:** Ha! Your occasional successes.

**Mr Kaine:** Since they have increased so rapidly under this Minister's jurisdiction.

**MR CONNOLLY:** The Opposition seems to think that this is amusing and I leave those present to judge that. To date, including yesterday, there have been in this financial year, which does in fact correspond with the period of my ministry, 30 armed robberies in the ACT. In the corresponding period last year, that is the 1990-91 financial year, there were 39.

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**Mr Kaine:** The financial year is not over yet.

**MR CONNOLLY:** So, you are enthusing for more, are you, Mr Kaine? We are in fact now running below last year's rate. In no case can you say that the armed robbery rate is satisfactory. One is one too many. But it is incorrect for people to assume that there is currently a higher rate of armed robberies than historically has been the case in Canberra. In fact, this year is running lower than last year. The year before that there were only eight, for whatever reason. That was the period in which Ms Follett was responsible for police; so perhaps that says something there. The previous year there were 35. So, it does go up and down; but there has been no dramatic increase and, indeed, the current rate is running below the previous year's.

The really good news, Madam Speaker, is that the Australian Federal Police has an outstanding record in clearing up these matters. The current year clear-up rate for offences up to 15 May 1992 is 41 per cent, and that is a remarkably high rate for this type of offence.

**Mr Humphries:** I am glad you think so.

**MR CONNOLLY:** The previous full year clear-up rate was running at 28 per cent, which again is above the national average. Mr Humphries says, "I am glad you think so". The fact is that the AFP do better in clearing up this type of offence than any other State police force, and I would have thought that that was something that we could be proud of - that our police force is doing better than any other police force. Mr Humphries seems to want to bag the AFP, the same as he wants to bag the Government.

The fact remains that the clear-up rate is better here than in Sydney or Melbourne and that fact should be known to the community because there is a perception put about that Canberra is in some way a soft target. It is not. You stand a much better chance of being caught in this town for armed robbery offences than you do in other - - -

**Mr Humphries:** It is perception that matters.

**MR CONNOLLY:** It is indeed the perception that matters, and that is why I am making it clear to this Assembly, and through this Assembly to the Canberra community, that the AFP has such a high success rate in clearing up these matters. You have about an even chance of being caught in the ACT, which is far, far higher odds than in any other part of Australia. As I say, the 41 per cent clear-up rate in the current financial year is remarkably good.

So, Madam Speaker, the Canberra community can be assured that not only is there no dramatic increase in the rate of this type of offence - it is running below last year's - but there is a dramatic improvement in the clear-up rate for this type of offence. I would point out that that 41 per cent clear-up rate to 15 May, I hope, will get better because senior police are confident that for some of the more recent matters that they are diligently pursuing we can expect further arrests.

### **Chief Minister's Staff**

**MR DE DOMENICO:** Madam Speaker, my question without notice is to the Chief Minister. Since SES equivalent staffers, whether in the Chief Minister's office or elsewhere, were not entitled to the use of publicly owned vehicles during the three years of the life of the First Assembly, when and how was this condition of service introduced? What was the process by which these conditions were agreed when your staffers were engaged? Do these changes apply to all LA(MS) Act employees, and how and when will the changes be promulgated?

**MS FOLLETT:** Madam Speaker, I thank Mr De Domenico for the question. I should say at the outset that under the terms of the LA(MS) Act, in fact, subsection 6(1), it is provided that, unless otherwise specified, the terms and conditions of employment of staff engaged under the Act are "the same as the terms and conditions applicable in relation to an officer performing the duties of an office in the Australian Public Service having a classification specified in the agreement for the employment of the person". So, the terms and conditions of people employed under the LA(MS) Act are the same as for those employed under the Public Service Act.

Accordingly, Madam Speaker, where there is an SES classification specified in the relevant contract of employment, the usual conditions of employment for an SES officer would apply unless they were to be varied, and it is up to the Chief Minister to vary them. I have not, and, to my knowledge, neither did Mr Kaine while he was Chief Minister.

I would like to say, Madam Speaker, that provision of a vehicle is not a condition of service of an SES officer but it is certainly the usual administrative provision. It is a provision that is made as part of the SES package, in fact. On this basis I do have the discretion to allow the provision of a privately plated vehicle and I have made use of that provision. I would also like to say that it is entirely consistent with the guidelines that the ACT fleet administration adhere to where a vehicle is made available or may be made available to an officer at the SES or equivalent classification, if they are actually appointed to that position or, in fact, if they are acting at that level for a certain period.

**MR DE DOMENICO:** I have a supplementary question, Madam Speaker. Why, therefore, have these staff members not had vehicles before, Ms Follett?

**MS FOLLETT:** Madam Speaker, my guess is that nobody asked for one.

### **Canberra Airport - International Freight Centre**

**MR MOORE:** My question is addressed to the Chief Minister and refers to the viability of a 24-hour freight airport and the feasibility study that, according to media reports, you have assigned \$250,000 to. Have you set terms of reference that would take into account the social impact of a freight airport as well as the environmental aspects, particularly in relation to rail and road transport out of the ACT? What is planned in terms of community consultation on this feasibility study?

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**MS FOLLETT:** Madam Speaker, I thank Mr Moore for the question; it is a very good question. I think at this stage it is fair to say that we are not quite at the point of having the feasibility study actually conducted for that freight centre at our airport. The exact position at the moment, as I understand it, Mr Moore, is that the NCPA has decided that the establishment of a freight centre at the airport would not be inconsistent with the National Capital Plan.

Members should be aware that this is a proposal which I favour and which I will pursue actively. I think it provides a very good opportunity for a new industry in the ACT and for a lot of spin-off industries to be created as well. Nevertheless, I take Mr Moore's point that that sort of a proposal could go ahead only after there had been the most stringent of inquiries as to its environmental impact, in particular, and, of course, the social impact as well. I can certainly say to Mr Moore that that would be the only condition on which such a proposal would go ahead.

### **Members' Staff**

**MR HUMPHRIES:** My question is to the Chief Minister. The Chief Minister says that changed staffing conditions have resulted from a review of staffing conditions by the Office of Public Sector Management. She said that yesterday, I believe. Will the Chief Minister now table the OPSM report on which the staff changes are based, and will she task the OPSM to conduct a similar inquiry into the needs of other Legislative Assembly members rather than reviewing them by herself?

**MS FOLLETT:** Yes, indeed, there was a review conducted by the Office of Public Sector Management. It is a review that is fairly technical in nature. It is the old-style classification review that some people who may have been in the public service will be familiar with. It is a very thorough review and I think it is a creditable piece of work. I have no hesitation in making it available to members. I do not have it with me, so I cannot table it; but I am certainly happy to make it available, Madam Speaker.

If it is the wish of members to have a similar review conducted into their own staffing, then I would suggest, Madam Speaker, that they take that up in the first instance with you. I am happy to consider such a request if you see fit to convey it to me.

### **Development Projects - Task Force on Coordination**

**MS ELLIS:** My question without notice is to the Chief Minister. I ask the Chief Minister whether the joint task force on coordination of Commonwealth and ACT projects, set up by her in February, has met. If so, what progress has it made on coordinating major Territory and Commonwealth development projects in the ACT?

**MS FOLLETT:** I thank Ms Ellis for the question. The joint task force on Commonwealth and ACT projects was a joint initiative announced by me and Mrs Kelly from the Federal side immediately following the One Nation statement. We made that decision in order to progress projects within the ACT, projects



which had application or had some reference to both the Federal Government and the ACT Government, and planning and so on. The task force has met three times and it has made a great deal of progress, in my view; progress that I believe is significant in projects and in achieving, perhaps most importantly at this time, employment in construction and related industries.

Madam Speaker, one of the most recent achievements of that task force has been to find a suitable location for the new Bureau of Mineral Resources building. They have identified a site in Narrabundah for the relocation of BMR. I hope that that will lead to the Federal Government deciding to proceed with that building, because it is a significant project and one which would be of a great deal of benefit to our construction industry.

The task force also, as I mentioned in answer to Mr Moore's question, has done some work on the establishment of an international air freight centre in the ACT. It has also approved in principle the creation of a business park at Canberra Airport. That will be the first stage of such a development at the Canberra Airport. The task force has cleared the way for some significant building projects at Barton, to the tune of some \$36m. It has also worked out a plan of action to assist with the development of the Chinatown proposal at Dickson, as well as the development on the old Easts rugby site at Griffith.

I believe, Madam Speaker, that the task force has been a very constructive way of progressing projects. As members know, we have two planning authorities that come into play very frequently on ACT projects, and this has been a way of coordinating the work of those two authorities and ensuring that there are not undue delays in projects which are to the benefit of the ACT economy.

### **Kangaroo Bars**

**MR STEVENSON:** My question is to the Minister for Urban Services, Mr Connolly, and I ask it on behalf of a constituent who informed me that his car was hit by another vehicle which had kangaroo bars attached. Apparently, the kangaroo bars caused far more damage than would probably have been caused otherwise. I am reminded of concerns, particularly during the 1950s, about possible injury to a person if hit by a car fitted with an emblem projecting from its bonnet. I ask the Minister to indicate what regulations there are which govern the attachment of kangaroo bars or other objects which may project from the vehicle, either permanently or temporarily.

**MR CONNOLLY:** I will just look under K for kangaroo and, sure enough, there is an answer. I thank Mr Stevenson for the courtesy, again, of letting me know that he was interested in kangaroo bars, because I must confess that, off the top of my head, I would not have been able to give a discourse on kangaroo bars.

**Mr De Domenico:** You would have caught him on the hop, Dennis.

**MR CONNOLLY:** I would indeed have been caught on the hop, Mr De Domenico. Kangaroo bars can be legally fitted in every State and Territory, although Australian design rules do specify design standards for motor vehicle safety, including guidelines for external fittings which include such matters. The technical operations section at the Motor Vehicle Registry have produced an automotive information kit which provides guidelines for fitting

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kangaroo bars which must be adhered to before being considered acceptable for registration. That is something that would be picked up as vehicles go over the pits - until such time as Mr De Domenico ever gets there, because he would abolish the pits. But while Labor is in government there will be an annual check to ensure that these things are safe.

The guidelines cover items such as security, the design, sharpness of protruding edges, and so forth. The Federal Office of Road Safety and State and Territory registering authorities on occasion have looked at the question of banning this type of product; but, given their enormous benefits in the rural community, there has been no decision taken to ban them, nor is it likely that they will be banned. Rather, we will continue to monitor designs and check for safety. So, each bull bar or kangaroo bar would be checked as the vehicles go over the pits.

### **Members' Staff**

**MR CORNWELL:** My question is to the Chief Minister. The Chief Minister yesterday stated that the Legislative Assembly members have been invited to make inputs for a review of staffing entitlements which she claims to be conducting. In her comments in this house yesterday she said:

So far, I must say, from private members, from Ministers, from backbenchers, I have not had a bid.

When were we invited to make inputs? By what means was the invitation extended? By what date were inputs to be made?

**MS FOLLETT:** I thank Mr Cornwell for the question, Madam Speaker. I think that members ought to understand, first of all, that their staffing allocations are made through the Speaker. That is the normal way of doing things. Members should be aware that I provided advice to the former Speaker on 24 March 1992 concerning interim staff budget allocations. I had to vary that slightly, as Ms Szuty and Mr Moore went their separate ways, and make a further interim allocation on Ms Szuty's behalf.

Madam Speaker, these allocations are calculated on the same formulae as have been used previously, except that there were some salary increases allowed for at the various levels at which I understand members employ their staff. I did indicate in that letter to the previous Speaker that I intended to review the matter. That letter of 24 March was to a Liberal Speaker, I should say. I would have expected that that information would have been conveyed to members. I had every reason to expect that that would be the case. I would have expected also that, if members were experiencing any particular difficulties with their staff, or their budgets or the level of allocation, they would have raised the matter; and they have not. As I said in answer to, I think, the previous question, Madam Speaker, I would expect members to raise any such matters in the first instance through you, through your office, and, as I have said on a number of occasions, I am happy to consider any such proposal.

### Chief Minister's Staff

**MRS CARNELL:** My question is also to the Chief Minister. In what parliaments in Australia other than the ACT Legislative Assembly do staffers have an entitlement to publicly owned vehicles? If there are any such entitlements, under what conditions are the recipients of vehicles employed? Are they seconded public servants, contract employees, or what?

**MS FOLLETT:** I thank Mrs Carnell for the question. I am not able to respond in the case of every parliament in Australia, but I can certainly advise that in the Commonwealth all staff employed under the Members of Parliament (Staff) Act, which is the MOP(S) Act, the equivalent of our LA(MS) Act, at an SES level or equivalent are provided with a privately plated vehicle under exactly the same conditions as the APS staff at that same level. So, it is clearly hardly an exceptional position that I have taken. I believe that the only exception that is made in the Federal Parliament is for media advisers, who have some separate arrangement.

I should also say that, unlike our own staff here, staff in the Federal Parliament also receive a fairly substantial allowance in lieu of overtime. None of our staff get that. Some of our more junior staff are entitled to overtime in the normal manner up to a particular level; but the majority of our staff, or my staff anyway, are not entitled to overtime. Nor does any such allowance exist. If members are trying to make out here a massive case of overpayment or some sort of extravagance, I think they are barking up the wrong tree. It is a fairly normal procedure that I have taken, and one which, as I say, is mirrored in the parliament over the lake.

### Crane Drivers Dispute

**MRS GRASSBY:** My question is to the Deputy Chief Minister, and it concerns industrial relations. Has the FEDFA dispute been resolved as yet?

**MR BERRY:** I thank Mrs Grassby for the question. As I said to this Assembly the other day when members of the Liberal Opposition rose to attempt to politicise the dispute, it would be better if members kept their counsel in the course of this industrial dispute and let the parties get on with settling the matter. That approach that I suggested to the Liberals is now starting to show some signs of fruitfulness, because we have a situation where at least the parties have something to look at. The members of the union ultimately will have the opportunity to sort out their differences with the employer. They will consider a proposal which was thrashed out between the union and the employer.

**Mr De Domenico:** It took three weeks, though.

**MR BERRY:** Under what the Liberals are proposing it could take years.

**Mr De Domenico:** No, it would not. You do not know what we are proposing. It took three weeks.

**MR BERRY:** I know what you are proposing. I know what the Liberals are proposing. If you want to interject, you have to cop some of the flak.

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**Mr De Domenico:** You said that you knew about it in advance, anyway; but you did nothing about it.

**MADAM SPEAKER:** Order, please, Mr De Domenico.

**MR BERRY:** I know what you are proposing. What you are attempting to do, of course, is to force unions into the legal system where the ordinary working person will not get a fair go and will not be able to afford representation. That is what the Liberals are trying to do. They are trying to break down the Industrial Relations Commission, which has as its aim the settlement of industrial disputation. What the Liberals are on about is trying to weaken the bargaining power of working people.

**Mr De Domenico:** Utter nonsense!

**Mr Kaine:** We want a level playing field; that is what we want.

**Mr De Domenico:** Socialist mumbo jumbo, mate.

**MR BERRY:** Do not deny it. That is what you are on about. You should have been listening to Johnny Howard on the radio this morning.

**Mr De Domenico:** I was, and he had a lot of good things to say, mate.

**MR BERRY:** Flexibility and freedom. The rhetoric comes out all the time. Flexibility and freedom. Freedom for the employers to exploit ordinary working people by weakening the trade union structure; that is what you are on about. When it comes to the - - -

**Mr De Domenico:** Dear me! Heavens above! You just do what you are told by the trade unions.

**MADAM SPEAKER:** Mr De Domenico, I have reminded members repeatedly today to heed standing order 39. I would like you to heed it, please.

**MR BERRY:** It says, "Shut up while other people are speaking". I am happy to say that the parties have at least sorted out some of their problems and ultimately the matter will be decided by the members. I think again that when industrial disputes reach fever pitch it does no good for people in this place, particularly the Liberals, to try to beat the matter up into something which is of political interest to their constituency.

**Mr Kaine:** I take a point of order, Madam Speaker. You reminded Mr De Domenico of standing order 39. You might remind the Minister of standing order 55.

**MADAM SPEAKER:** Thank you, Mr Kaine.

**MR BERRY:** I am fairly close to concluding; but just one last barb, Madam Speaker. In future, if you have a difficulty with an industrial dispute and you want somebody to help you out with it, please come up and see me. My office door is open and I will try to help you out and explain to you how the industrial relations system works. You do not seem to know. If you did know, you would not be trying to interfere in the way that you have been doing in the last week or so.

### **Electoral System**

**MS SZUTY:** Madam Speaker, my question is to the Chief Minister. On Tuesday of this week the Chief Minister gave this Assembly a commitment to expedite legislation to implement the Hare-Clark electoral system for future elections in the ACT. During the debate the Chief Minister responded that the notice of motion proposed by Mr Moore went beyond the terms of the referendum that was passed. Can the Chief Minister inform the Assembly as to when legislation is likely to be ready for consideration, and whether the proposed legislation will include provision for Robson rotation and countback?

**MS FOLLETT:** Madam Speaker, I thank Ms Szuty for the question. I did, indeed, undertake to expedite the preparation of this legislation, Madam Speaker; but I should say that at this stage, since Tuesday, the Government has not had an opportunity to consider the matter. I will certainly take it up with all due haste. Ms Szuty also asked about provision for the Robson rotation. Madam Speaker, I consider myself bound by the terms of the referendum, which I do not currently have with me; but I can assure Ms Szuty that the terms that are provided for a system of rotation will certainly be adhered to. Whether that is exactly as applied in the Robson rotation I am unable to say; but it is certainly a matter that the Government will be considering, and considering with all due speed.

### **Borrowings**

**MR KAINE:** I would like to address another question to the Chief Minister. I refer to a statement that she made in the Assembly on 7 April. I am paraphrasing; but, after getting past the bit about social justice and that stuff, she went on to say, "We will produce a budget that does not rely on borrowings". More recently in the Assembly she made a statement in which she said, "I do not believe this Territory should borrow for its day to day expenses". Those two statements, of course, are quite different. I ask the Chief Minister: Can she explain the difference? Is this a reversal or a watering down of her previous attitudes towards borrowing, and is this because her growing budget shortfall has changed completely her attitude towards the virtues of borrowing or not borrowing?

**MS FOLLETT:** I thank Mr Kaine for the question. I do not see a necessary inconsistency between those two statements. It is the fact, Madam Speaker, that this Government will not be borrowing for its day-to-day expenditure, for its recurrent budget. I believe that it would be a foolhardy government indeed that did borrow for those kinds of expenses. So, to that extent, Madam Speaker, our budget does not rely on borrowings. We clearly will not be borrowing in order to ensure the continued operation of services and the continued operation of government functions, and in the recurrent budget that will continue to be the case. We will produce balanced budgets, as we always have done.

Madam Speaker, on the capital side, of course there will be some borrowings. I do not know of any government which would be able to mount any sort of a capital budget without recourse to some borrowings; but I should say, Madam Speaker, that in my last budget we had no new borrowings - a matter of which I am very proud.

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**Mr Kaine:** Exactly. But you are going to go in for some this year because you do not have 53 grand up your sleeve.

**MADAM SPEAKER:** Mr Kaine, would you permit Ms Follett to answer the question, please.

**MS FOLLETT:** At the same time as we had no new borrowings, we also repaid a quite large amount of borrowings. We did that for the very good reason that it avoids the ongoing cost of those borrowings in the recurrent budget, and it made budgetary sense. Mr Kaine really is asking me to pre-empt the budget, yet again. I have declined to do so on many occasions and I decline to do so again.

**MR KAINE:** I have a supplementary question, Madam Speaker. Does that mean then, Chief Minister, that, whereas you said on 7 April that you would produce a budget that does not rely on borrowings, you have now resiled from that?

**MS FOLLETT:** Of course not, Madam Speaker. I will produce a recurrent budget which does not borrow and, Madam Speaker, I believe that Mr Kaine's question has been fully answered.

### **Road Maintenance**

**MR LAMONT:** My question is directed to the Minister for Urban Services. Can the Minister explain the seemingly government vehicles - they are fairly large vehicles with flashing lights - which are being driven fairly slowly around Canberra streets? What have they been doing lately?

**MR CONNOLLY:** I thank Mr Lamont for the question. As part of this Government's process of sound management and micro-economic reform, which we have spoken of on many occasions, we are going through a process of evaluating the condition of Canberra's roads so that we can make sensible investment decisions on road pavement maintenance - something that had never been done before.

**Mr Kaine:** What has that to do with micro-economic reform?

**MR CONNOLLY:** See, there we go. He not only cannot understand budget statements from the Chief Minister and Treasurer; he cannot understand how making decisions on road maintenance impacts upon micro-economic reform. It is a very major area of ACT Government spending. When we do surveys on it, like Wastewatch or the survey that the Government conducted after last year's budget, we get an overwhelming response that Canberra residents are concerned about what they see to be unnecessary spending on minor roadworks. We are going about taking stock of Canberra's roads so that we know how and when we should invest our money to keep that road stock, that infrastructure, in good condition; so that every investment dollar that is made will be spent where it is needed, not wastefully, thus saving significant amounts of money to the Canberra taxpayer and ensuring the long-term viability of our infrastructure. That is micro-economic reform. Look up the definition.

What you will see on Canberra's roads at the moment are vehicles with government plates, often at night with lots of flashing lights and drills, going around the urban road network and getting drill cores so that we can get a picture, for the first time ever, of the real state of repair of Canberra's roads infrastructure. This is doing far more than just patching up potholes; it is a process of seeing what our road network is like so that we can make sensible long-term investment decisions. I saw one the other night when going home from the late sitting of the Assembly. Canberra residents may see these strange vehicles travelling very slowly or stopping on the roads and putting down their corer drill. It is for a very sensible reason - to save long-term government infrastructure dollars.

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

### **SUSPENSION OF STANDING AND TEMPORARY ORDERS**

**MR HUMPHRIES** (3.03): I move:

That so much of the standing and temporary orders be suspended as would prevent Mrs Carnell from making a statement dealing with comments of Mr Berry on Tuesday regarding Vietnamese nurses and with the Speaker's ruling on the same matter.

**Mr Berry:** No way - not until we get some advance notice of what it is about.

**MR HUMPHRIES:** We have given a copy of the motion to a number of members in the chamber, including the Speaker. But I will explain why it is that this suspension is being sought. There was an exchange in this Assembly during question time on Tuesday of this week. Those of us in the Liberal Party in particular feel that that exchange was very unfortunate because of some of the precedents it set for the way in which matters can be handled in this chamber with respect to comments made by members and with respect to the application of the standing orders.

**Mr Berry:** "It smacks of racist overtones"?

**MR HUMPHRIES:** The term is being used again now in the chamber, Madam Speaker, and I feel strongly that the situation ought to be cleared up. I believe, and my party believes, that what happened set dangerous precedents. I also believe that this matter should be set to rest as soon as possible. A statement has been prepared; and I understand, Madam Speaker, that you have seen the statement. I understand also that you feel that it would be potentially in breach of standing orders, and therefore it might be struck down under one of the standing orders dealing with dissent from rulings by the Chair.

I do not believe that we can reasonably be asked to wait, in effect, a month from the date on which this matter was first raised in the Assembly before we can do something about it, as would be the case if it were necessary to give notice before the matter could come before the Assembly in the next sitting fortnight. I think this is an important matter, and I therefore ask the Assembly to support the suspension of standing orders to allow Mrs Carnell to make the statement which I have referred to.

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**MR BERRY** (Deputy Chief Minister) (3.06): This clearly is a shot at the Speaker. The Speaker has already given a ruling in relation to a matter which was before this chamber; and the Liberals, in their usual grubby way, are attempting to have a go at the Speaker instead of coping the Speaker's decision. It is an attack on the Speaker. There is no question about that. The Liberals were unable to sustain their argument when the matter was before the Chair, and it is quite inappropriate for them now to try to challenge the Speaker's authority by way of a suspension of standing orders in this Assembly.

For them to do so merely indicates that if at any time they wish to ignore your rulings, Madam Speaker, they will raise matters by way of a suspension of standing orders. They all shake their heads. I do not believe them. I know when I can smell a rat. Clearly, the Speaker gave a quite fair ruling on allegations in this place in relation to something having racist overtones or smacking of racist overtones. It stung the Liberals - they should have been stung as well, because it was a correct judgment. They led, in their question, with an accusation of Vietnamese nurses being employed instead of graduate nurses. It clearly smacked of racism.

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

That the question be now put.

Original question put:

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

The Assembly voted -

*AYES, 8*

Mrs Carnell  
Mr Cornwell  
Mr De Domenico  
Mr Humphries  
Mr Kaine  
Mr Moore  
Ms Szuty  
Mr Westende

*NOES, 9*

Mr Berry  
Mr Connolly  
Ms Ellis  
Ms Follett  
Mrs Grassby  
Mr Lamont  
Ms McRae  
Mr Stevenson  
Mr Wood

Question so resolved in the negative.

### **PERSONAL EXPLANATION**

**MR KAINE** (Leader of the Opposition): Madam Speaker, I seek leave to make a statement under standing order 46.

**MADAM SPEAKER:** Proceed, Mr Kaine.

**MR KAINE:** I do this because not only I but, I believe, others in this Assembly feel some discontent with the events of the last few days. I refer, Madam Speaker, to a situation which occurred in the last few days in respect of which you later



agreed with me that you had made an error in your judgment. I have not sought to have you reverse your decision, but I think it may come to that in due course. I refer back to the *Hansard* of Tuesday, 19 May - - -

**MADAM SPEAKER:** I am sorry, Mr Kaine; this is not a personal explanation.

**MR Kaine:** Yes, it is. You have not heard me out yet.

**MADAM SPEAKER:** Mr Kaine, personal explanations must refer to matters pertaining to yourself.

**MR Kaine:** I am coming to that, Madam Speaker. I would like to quote from *Hansard*, if you would permit me to. Page 3 of *Hansard* for Tuesday, 19 May, records that Mr Berry stated:

... it relates to a level of disinformation and misinformation which has been created by the Liberals ...

Later on, when I questioned that statement you, Madam Speaker, said:

Mr Berry did not say that the Liberal Party is engaging in a program of misinformation.

In fact, he had said so only a matter of seconds before. I object to the Minister making this kind of assertion, which he does constantly. It reflects on my integrity and it reflects on the integrity of every other member of the Liberal Party. It is unfair; it is unreasonable; and, Madam Speaker, it is not a fact. For that reason I believe that it needs to be put on the record that the Minister is constantly making assertions that reflect on my integrity. That is just one of them.

I believe in this case, Madam Speaker, that you were in error when only a matter of minutes later you denied that what I had said in that connection was correct. In fact, I asked that he withdraw that statement, and you declined to rule and ask him to do so. So, I think that there is a question here. It is a question that is causing some members of this Assembly considerable concern. The fact that the Assembly has just refused Mrs Carnell the right to make a statement on the matter, I believe, is totally wrong. It reflects a certain - - -

**Mr Connolly:** On a point of order: Mr Kaine is reflecting on a vote of the house. The house has just voted not to grant Mrs Carnell the opportunity to make a statement, and he has said that he feels that that vote was completely wrong. That is a reflection on a vote of the house.

**Mr Berry:** A further point of order that you might like to add to your armoury is that he is also reflecting on the Chair.

**MADAM SPEAKER:** Yes, Mr Kaine. I ask you to withdraw the reflection on the vote in the Assembly, because that - - -

**MR Kaine:** Madam Speaker, I am not reflecting on the Chair. If there is any - - -

**MADAM SPEAKER:** Excuse me, Mr Kaine. I did not say - - -

**MR Kaine:** If there is any imputation that reflects on the Chair, I withdraw it.

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**MADAM SPEAKER:** Mr Kaine, I order you to sit down.

**MR KAINE:** Well, thank you, Madam Speaker!

**MADAM SPEAKER:** Mr Kaine, the point of order on which I asked you to withdraw was that you were reflecting on the recent vote in the chamber. I had not moved on to the point about a reflection on the Chair. I asked you to withdraw the reflection on the vote in the chamber because that is out of order.

**MR KAINE:** Madam Speaker, I would do so; but I point out that this would be about the fifth time in the last week that you have asked me to withdraw and you have never once asked the Minister to withdraw anything, although I have asked you repeatedly to do so. I think I have made my point.

### **PAPERS**

**MADAM SPEAKER:** Members, for your information, I table the following paper:

Legislative Assembly - Secretariat - Report for 1991-92.

**MR BERRY** (Deputy Chief Minister): Madam Speaker, for the information of members, pursuant to section 79 of the Audit Act 1989, I present the following paper:

Urban Services - Department - Financial statements 1990-91 and the Auditor-General's report, together with a statement of supplementary financial information and notes to the financial statements.

Pursuant to section 97 of the Audit Act, I present the following paper:

Canberra Theatre Trust - Report for 1990-91, together with financial statements and the Auditor-General's report.

### **RACING MINISTERS CONFERENCE Ministerial Statement**

**MR BERRY** (Minister for Health, Minister for Industrial Relations and Minister for Sport): Madam Speaker, I seek leave to make a ministerial statement on the Racing Ministers Conference held in Alice Springs on 30 April and 1 May 1992.

Leave granted.

**MR BERRY:** On 30 April and 1 May 1992, I represented the Government at the Racing Ministers Conference in Alice Springs. Issues discussed at that meeting had a major bearing on the future of the racing industry in the ACT and potential financial returns to government from that industry. The racing industry employs 2,500 people in Canberra and the immediate area surrounding the ACT, and turnover taxes from the TAB and bookmakers are expected to return the ACT Government about \$6m this year. Nationally, Madam Speaker, the industry makes a significant contribution to the economy, with assets in excess of \$20 billion and an annual betting turnover of \$20 billion.

The racing industry is also an important component of the ACT tourism industry. The three racing codes in the ACT have been given government assistance both to ensure that their facilities are maintained at a high standard and to attract high-quality races to the nation's capital. This high standard has been clearly recognised by the success of Frank Cleary's stables in attracting interstate and, more recently, overseas support to train horses in the ACT. This Government will continue to actively support the enhancement of the racing industry in the ACT. I might mention, Madam Speaker, that I was delighted to be able to personally congratulate Frank Cleary on his success as a trainer, most notably with Clan O'Sullivan, by awarding him the Chief Minister's Sports Achievement Award for 1992.

Madam Speaker, high on the agenda for racing Ministers at our recent meeting was the ongoing question of TAB returns to both government and the punter as the State and Territory TABs all seek to gain a leading niche in the marketplace. The proposal before Ministers to drop the percentage taken by governments as a means of attracting larger TAB takings and pools and hence larger dividends has been seen by commentators as the first step towards one national TAB pool. While such a proposal is seen in some quarters as a natural progression that would allow overseas punters access to one Australian TAB - with a greater return to government - the New South Wales Government seems disinclined to support such action, presumably as it presently has market dominance. This dominance will, I believe, diminish as the emerging block TAB - made up of Victoria, South Australia, Western Australia, Tasmania, the Northern Territory and the ACT - actively seeks to attract punters to use its facilities. The ACT Government supports this development.

I advised the Racing Ministers Conference that the ACT Government would support the Victorian TAB in its quest for larger dividend returns as it acts as host TAB for win-place bets from the ACT. The ministerial meeting also had before it a proposal for an innovative multi-choice betting game currently operating in Western Australia which will be investigated further by my officials.

I must place on record my appreciation of my State ministerial colleagues allowing me to place the question of principal club status for the ACT Racing Club on the agenda for their meeting. The ACT Racing Club has for some time sought principal club status from the Conference of Principal Clubs, the body formed in 1904 to coordinate the registration of racehorses and, importantly, the recognition of local race clubs.

The "country" status afforded to the ACT Racing Club is neither helping with the standard of racing in the ACT nor befitting of the racecourse in the nation's capital. Principal club status would allow access to the Conference of Principal Clubs and, in particular, the setting of particular race dates. The cavalier manner in which the AJC refused the ACT Racing Club race dates, for example, on Canberra Day and the loss of subsequent New South Wales TAB coverage of meetings in the ACT disadvantaged not only owners, trainers and punters in the ACT but also other members of the South-East Racing Association. Racing Ministers, Madam Speaker, agreed to take up the matter with the various conference delegates from their States prior to the National Conference of Principal Clubs in September this year. My officials will also pursue the issue with their State counterparts.

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Madam Speaker, following the Alice Springs meeting, officers of the Office of Sport and Recreation have held preliminary discussions with the ACT Law Office with a view to ensuring that the legislation in the ACT covering the offence of SP bookmaking is effective. Comparisons with laws of other States will be a necessary part of that process as there is an ongoing concern in the racing industry about the lack of complementary legislation covering penalties. The issue of illegal SP bookmaking cannot be glibly dismissed. Figures from the Criminal Justice Commission of Queensland and the Victoria Police gaming squad indicate that the racing industry is losing in excess of \$7 billion a year. However, I was delighted to hear that police from the ACT gaming squad have been active recently in stopping illegal SP operations in an inner city club and at two other Canberra locations.

Finally, Madam Speaker, I would like to mention an issue raised at the racing Ministers meeting which has had members on the other side of the Assembly running for cover. This is the infamous GST and the effect it would have on the racing industry. The Liberals have said - federally, that is - that they would exempt the racing industry from that ill thought through tax. It is ill thought through in many respects, but in the racing industry it is particularly threatening.

However, there are still some hazy areas in the proposed exemption. Will bookmakers' licence fees go up 10, 15 or even 20 per cent? Will patrons of ACT racing clubs have to pay GST to get through the gates? Will TAB punters have to receive a lower dividend as 10 to 15 per cent is siphoned off by the GST? Will trainers' bills go up as food items and veterinary fees will need to be passed on to owners and trainers? As I said, Madam Speaker, the proposed exemption is very hazy indeed, and I urge the Opposition to press their Federal colleagues to dump this socially unsound tax. I present the following paper:

Racing Ministers Conference - Ministerial statement, 21 May 1992.

I move:

That the Assembly takes note of the paper.

Debate (on motion by **Mr De Domenico**) adjourned.

### **CANBERRA ADVANCE BANK LIMITED (MERGER) BILL 1992**

Debate resumed from 14 May 1992, on motion by **Ms Follett**:

That this Bill be agreed to in principle.

**MR KAINE** (Leader of the Opposition) (3.22): The Opposition has no objections to this Bill. It is clearly, in effect, a machinery Bill to allow a change in the management structure of the Canberra Advance Bank. It is a companion to similar legislation to be enacted in New South Wales. It is legislation that is necessary, and it must be in place by 1 June because the Canberra Advance Bank loses its current licence on that date. We find nothing on the face of it that could cause any concern.

I note, Madam Speaker, that it is interesting that urgent legislation of this kind can be brought forward by the Government but other kinds of legislation seem to have disappeared off the map. I make the point that when we adjourn at the end of today's sitting the only matter of government business on the agenda will be the Supply Bill. That is an appalling state of affairs.

**Mr Wood:** No, it is not; there is other stuff. Have a look at it; there is more than a Supply Bill.

**MR KAINE:** I have had a look. The Supply Bill is all there is.

**MS FOLLETT** (Chief Minister and Treasurer) (3.23), in reply: Madam Speaker, I thank the Leader of the Opposition for his indication of support for this Bill. As he says, it is pretty much a housekeeping matter, and it is being done for the convenience of the bank and, of course, also for the convenience of the ACT account holders who are affected by this merger. It is indeed a matter that must be dealt with quickly, and I appreciate Mr Kaine's indication of support.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

### **CONFERENCE OF COMMONWEALTH AND STATE LABOUR MINISTERS Ministerial Statement**

Debate resumed from 19 May 1992, on motion by **Mr Berry**:

That the Assembly takes note of the paper.

**MR DE DOMENICO** (3.24): Madam Speaker, recently the Minister for Industrial Relations, Mr Berry, attended a national conference of Industrial Relations Ministers. We in the Liberal Party agree with the Minister that the ACT had a significant part to play in this conference, especially in areas, as the Minister said, of wages policy, the legislative framework, occupational health and safety, and industry reform. Madam Speaker, we are told that the conference also talked about the fact that wages policy in Australia is tending towards enterprise bargaining. We also support this change and agree with what Mr Howard had to say this morning. We also note, Madam Speaker, that the conference talked about achieving competitiveness at the workplace level, and we once again agree.

But what we would like to know is: What has Mr Berry done, since he has been Minister for Industrial Relations, to add testimony to those things that he talked about in the house the other day? The answer, I suggest respectfully, Madam Speaker, is: Not much, if anything at all. I also note from Mr Berry's statement yesterday that the ACT is awaiting decisions from the Federal Government. One must ask: Do we not have a Government of our own? Of course, we do, Madam Speaker. But, quite obviously, the Government is not prepared to make its own mind up as to where the future of industrial relations lies.

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Interestingly, though, Mr Laurie Carmichael - who in anyone's terms cannot be considered a red-necked, right wing, H.R. Nicholls Society troglodyte - has said some interesting things from time to time. He said that we should be looking at things such as youth wages. He is not alone, obviously, because organisations such as the Open Family Foundation and even the Australian of the Year, Bishop Hollingworth, support concepts such as youth wages and even voluntary national service.

In his ministerial statement, Madam Speaker, Mr Berry said that the Government will be monitoring all sorts of things. Monitoring is good, of course; but when is the ACT Government going to take action? The Government will not take action while the unions are dominating what happens in the industrial relations arena. The time for monitoring, I am suggesting and the Liberal Party is suggesting, is well behind us. We now have to introduce, among other things, appropriate wages regimes. Ironically, Mr Berry mentioned in his statement appropriate wages regimes for workers with disabilities entering the mainstream work force. But what about those unemployed young people who want to enter the work force? What about appropriate wage regimes for them? There was nothing on that.

Mr Berry continued to talk about proposed amendments to the Commonwealth Industrial Relations Act. I note that his colleague Mr Lamont goes one step further, and he assumes that those proposed amendments are in fact already law. We know what the Government knows about industrial relations. We all know that even Senator Cook, for example, is not prepared yet to put those amendments before the Senate, for fear of being done over, so to speak, and for fear of the \$1m campaign ready to fire from all the employer groups. So, on the one hand, the Minister says that they are proposed amendments; but another member of the Labor Party says that they are already through. So, there is a lack of understanding there.

Mr Berry also talked about practices to improve the competitiveness of Australian industry. That is a fine statement expressing fine sentiments, and we agree with Mr Berry when he says that. But, once again, we do not see any evidence of anything being done about that. I think it is about time that Mr Berry and the Government realised that we can set up our own industrial relations system. I know that whenever we stand up and say that we are hounded down and we are accused of not knowing anything about industrial relations; but more about that at a later time. I am not going to waste the time of the Assembly now or get into debate about that issue at the moment.

As I said, we have nothing against what Mr Berry has said in his paper; but we certainly want to point out that Mr Berry usually says a lot of things but, I am suggesting, does nothing.

**MR BERRY** (Minister for Health, Minister for Industrial Relations and Minister for Sport) (3.28), in reply: I am pleased that the Liberals do not have any trouble with the paper, but I have to respond to the accusation that the Labor Party does nothing in industrial relations terms. The Labor Party, of course, has the proudest record of any political party in this country on the issue of industrial relations. It has the proudest record - - -

**Mrs Carnell:** Of strikes.

**MR BERRY:** That record goes back 100 years. I heard Mrs Carnell mention strikes. Lockouts and strikes under what existed before the turn of the century gave rise to the basis of the current industrial relations laws. By working with the trade union movement, the Labor Party has eventually reached a situation where there are fewer strikes and very few lockouts. That is what the legislation was born out of - the struggle between employers and employees, the same sort of struggle that the Liberal Party will try to throw us back into. We do not need that sort of climate to be created by politicians from the extreme right. We can see an example of it occurring now in Tasmania - I have referred to this before.

**Mr De Domenico:** And the crane drivers dispute.

**MR BERRY:** What the New Right are trying to do is to take us back 100 years. Mr De Domenico says, "And the crane drivers dispute". He is suggesting that the New Right were behind the crane drivers dispute as well. What we are facing in this country is an attack on working people by the Liberal Party with their traditional rhetoric. It is the old struggle - weaken the influence of workers to control their futures.

**Mr De Domenico:** Divide and conquer.

**MR BERRY:** Of course, he says it - divide and conquer. That is what they want to do. The Labor Party stands proud on its record of industrial relations. That has been particularly so since 1983. One of the jewels in the crown of the Labor Party is the record on industrial relations since 1983. That is something which the Liberals will always envy, but they will never parallel that sort of performance. Gall them as it may, we will continue to hold our proud record high when it comes to our relationship with working people and our relationship with the trade union movement. The Liberals need not fear that the Labor Party is antagonistic to employers. We believe that a strong employment sector, with sensible management, is the best thing that can occur in this country. Unquestionably, that is the case. But, most importantly - and it is similarly unquestionable - you have to have a good basis for industrial relations. It has to be a basis whereby workers have some control over their futures and have some interest in the enterprise in which they work. You cannot have that sort of a situation under the industrial relations policies which are being proposed by Messrs Howard and Hewson federally. They are proposing what they say is freedom and flexibility, which is merely freedom for powerful people to exploit less powerful people and flexibility for powerful people to exploit less powerful people. That is what it is all about.

These Liberals here, babes in the woods, cannot even read that in their "frightpack" policy. Reading their "frightpack" policy, you can see what they intend to do. They intend to change the industrial relations system so that working people will be forced into the courts to defend their industrial rights. That is what these people intend to do. It is well known that ordinary working people are never going to be able to afford that sort of impost and they are therefore weakened in the protection of their industrial rights. These people - they cannot hide from it - intend to weaken the industrial rights of workers in this country, the same as they have been weakened in New Zealand and the same as they have been weakened in places such as the Philippines, the United States and so on. The strong will survive, but the weaker in our community will fall by the wayside under the Liberals.

Question resolved in the affirmative.

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## PERSONAL EXPLANATION

**MR BERRY** (Minister for Health, Minister for Industrial Relations and Minister for Sport): I seek leave to make a short statement under standing order 46.

Leave granted.

**MR BERRY**: Thank you. There has been a lot of froth and bubble today, particularly from the Liberals, over concerns that they or an individual, Mrs Carnell in particular, may have been accused of being a racist. They have drawn - - -

**Mrs Carnell**: What is this? This is your personal explanation.

**MR BERRY**: Well, you made the accusation.

**Mr Westende**: No, you made the accusation.

**Mr De Domenico**: You made the accusation.

**MADAM SPEAKER**: Order! It is for me to rule, and I rule that he is making a personal statement. Let him proceed.

**MR BERRY**: Madam Speaker, I made no accusation that Mrs Carnell was a racist. If she or any of the Liberals feel that I have imputed so, then I withdraw any imputation - and I think that ought to be the end of the matter.

## ADJOURNMENT

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

That the Assembly do now adjourn.

## Legislative Program

**MR CONNOLLY** (Attorney-General, Minister for Housing and Community Services and Minister for Urban Services) (3.35): To pre-empt some howling from the Liberals which I can hear coming - I can just see the press release being written about the lack of business - I was interested to see in the report of the Assembly, just tabled, that during the period of Mr Kaine's Government the Assembly managed to pass 1.38 Bills per sitting day; yet during the last six-day period this Labor Government, we having just dealt with the Advance Bank Bill, has dealt with some 24 pieces of legislation. In fact, we have been passing four laws per sitting day.

**Mr Humphries**: Some of it half-baked, I might add, on your own admission.



**MR CONNOLLY:** He cannot even tell what is a Bill. He is waving the Canberra Theatre Trust report around. Madam Speaker, while I can see the Liberal press release being written, if it has not already been written, criticising this Government for an alleged lack of business, and, perhaps, in so doing criticising this Assembly, the fact remains that this efficient, hardworking Labor Administration and this Assembly are managing to deal with business with a high level of dispatch, such that we have in the last six sitting days dealt with and passed 24 Bills. Twenty-four Bills have come into law - four per sitting day, more than doubling the work rate - - -

**Mr Cornwell:** How many were EEO?

**MR CONNOLLY:** Even if we take the EEO Bills out, we are still well in front of the work rate of the Alliance Administration, which managed, over the 12-month period covered in this Assembly Secretariat report, to sit for 49 days and pass 68 Bills - a rather pathetic 1.38 Bills per sitting day. This Government, running at four Bills per sitting day, clearly is legislating not only in the interests of the population of the Territory but also with speed and dispatch, providing efficient and lean government.

### **Valley Dragons Supporters Appeal**

**MS ELLIS (3.37):** I addressed the Assembly in the adjournment debate just over a week ago, and brought to the Assembly's attention an issue in the Tuggeranong Valley concerning the Baumgart family and a fundraising function that was being held that very evening. I also undertook to come back to the Assembly and advise members of the outcome.

My advice to date is that, with the wonderful response of the community, particularly the local Tuggeranong community, to whom I offer my heartiest congratulations and, of course, also to the organising committee, somewhere between \$30,000 and \$40,000 is being mooted as the approximate figure that has been raised. It is a bit vague at this stage because there was more than one fundraising effort in place at the time.

I would like to take this opportunity to put on record in *Hansard* my recognition, and I am sure this house's recognition, not only of the efforts put in by the Valley Dragons fundraising committee, made up of friends and sporting associates of the Baumgart family, but also of the members, executive and employees of the Tuggeranong Valley Rugby Union and Amateur Sports Club who also came in very strongly in supporting this event.

The other thing to mention is that the VIP guests of the evening, people such as Jeff Fenech, Peter Fitzsimmons and Doug Walters, who came from interstate, came at their own cost, and I think that we need to recognise the sort of contribution these sportspeople have made. The local sportspeople, the Cannons, the Raiders and a lot of lower sporting clubs also rallied around. The message we need to think about here is that in the day of Canberra bashing, and even within Canberra the odd day of Tuggeranong bashing, we need to pay tribute and to recognise when community actually rallies around community. I would like, through this Assembly, to put on record my recognition of that and, on behalf of the community in Tuggeranong, our sincere thanks to those who put themselves out to such a degree in such tragic circumstances.

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### **National Roads and Motorists Association**

**MR LAMONT** (3.39): I rise following comments made in the adjournment debate earlier this week by Mr De Domenico in relation to that extremely successful insurance company - I think that was the term he used - the NRMA announcing record profits for its reporting year, and also indicating that it was good to see that the NRMA, particularly the insurance sector, was so good at doing its business. He said that it was good to see the private sector good at doing its business.

I am somewhat concerned, in fact, at the reports which have since emerged about why the NRMA is in a position to announce a \$103m return on premiums that have been paid to it. For the purpose of balance we should take into account this afternoon the comments that have been made by Mr Talbot, a member of the NRMA board. He, along with a number of other quite well-known and respected citizens in Australia, has been critical of the NRMA's policy. I think there are seven of them who have been extremely concerned. I would also indicate, Madam Speaker, that their numbers have been growing, which only indicates that there have been concerns also expressed by some NRMA policyholders.

My issue this afternoon is as outlined by Mr Talbot. The question that we should be asking is whether or not this company appropriately sets premium rates in advance. It would seem - I think it is self-evident - that they have not been doing so. I think it is appropriate that the work of Mr Talbot be recognised by Mr De Domenico as the motivation behind the return of these types of premiums to NRMA policyholders. In fact, as Mr Talbot points out, one would suspect that this return of members' funds may have more to do with the impending elections in the NRMA than any other reason.

### **Forty-Hour Famine**

**MR HUMPHRIES** (3.42): Madam Speaker, before the Assembly next meets an event will take place which I would like to commend to members of the Assembly. It is the annual 40-Hour Famine sponsored by World Vision. I am sure members are well aware of the shocking state of the Third World's hungry at this stage. It does not need me to remind everyone of that; but I think it is worth mentioning, Madam Speaker, that the situation, particularly in Africa, at the present time is extremely serious. There are some 30 million people literally starving on that continent at present because of famine and drought which has spread throughout that continent, in particular to southern areas of the continent which it had not previously reached, areas such as Zimbabwe, Mozambique, Botswana and even South Africa. The situation is extremely serious because many of those countries are very poor and simply have no infrastructure to provide for their citizens.

Madam Speaker, the 40-Hour Famine, as members are probably aware, is an important way of generating some ACT and Australian help for those people through the work that World Vision does in those countries. There are a number of organisations working overseas in that fashion. They all deserve our support;

but this particular one has captured the imagination and I think it would do us all good to consider supporting this in some way, whether by taking part in the famine personally - that might depend on one's own predilection for food - or by sponsoring somebody, such as me, who is going in the famine.

The money that is raised goes a very long way. I would like to refer to some of the ways in which it can be spent to great effect. The average Australian family, I understand, spends something like \$38 a year on chewing gum. In the Third World \$38 can provide a survival supply of seeds and tools for two families in Sudan.

**Mr Connolly:** You must have my \$38 worth, Gary.

**MR HUMPHRIES:** You do not use your \$38. Mr Connolly, I expect a \$38 sponsorship from you for me or some other worthy person for the famine. The average Australian family spends \$90 a year on lollies. I do not know whether you do that, Mr Connolly; but that is what other families spend. In Bangladesh that can provide 10 children with clean water from new wells, medicines and deworming. An Australian family spends \$120 a year on ice-cream or chocolate or potato chips; but in the Third World it can immunise 12 children against killer diseases such as measles, diphtheria and whooping cough.

Madam Speaker, this is an important way for us to take part in a program of equalising the imbalance between the First and Third Worlds. The Second World, by the way, has probably disappeared now; so we might upgrade the Third World to the Second World, I am not sure. But this is a way of equalising the inequalities between different parts of the world. Perhaps social change is not occurring in the same way as it used to occur, but that does not relieve us from the burden of taking our role in making sure that poverty and hunger are relieved. I therefore commend the famine and hope that people will take part in some way in that project.

### **Red Shield Appeal : Police Fundraising Activity**

**MR STEVENSON (3.45):** On Sunday, as we would all be well aware, the Red Shield Appeal is to take place. The Salvation Army, with some 1,000 collectors, seek to collect \$590,000 in the ACT alone. I think that all members would support the many activities of the Salvation Army. Most of us in Canberra would agree with the statement, "Thank God for the Salvos". They do valuable work.

The other point that I wanted to raise is some excellent work done by members of the police force, particularly the 10 members of the Police Rescue Squad. They had a 520-kilometre run to collect money for cancer victims. It seems that they have collected \$17,600 so far for the ACT Cancer Society. What a wonderful thing it is to see the police out there in the community once again. We are getting a community police force in the ACT.

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## Thailand

**MRS GRASSBY** (3.46): I rise to speak on behalf of the community in Canberra whose birthplace was Thailand. The majority that I happen to know are now Australian citizens. They have been going through a terrible period, seeing in the media, on television particularly, a most shocking war being carried out in their country, all because people believe in democracy. Democracy is being denied to the people in Thailand. I was glad to hear this morning that the King had stepped in and was able to bring two people to their knees - I am not sure that I agree with that - and to realise that what they were doing was wrong and should cease.

I happen to know a lot of the Thai community in Canberra. They have been very worried and have found it very difficult to get news of their families. Some of them have seen on television their relations running in the streets. They have seen guns firing and have seen people fall to the ground. They do not know whether they have been hit or whether they fell to the ground to protect themselves. We are very lucky to live in a country where democracy does reign and where we have the right to have our say. The Thai community here have said how lucky they are, but they are not able to find out exactly the situation of their families.

Dear friends of mine who are Australian born citizens moved to Thailand to further business between Australia and Thailand and the last word I had from them was that they were locked in their houses without food. They were very fearful for their lives. They had taken three children there to go to school, but they have not been able to attend any schooling. As I say, the last I heard of them they had very little food in the house and were not able to move outside. The damage done to the city, of course, is rather terrible, but people are more important to me than the city. I think it is rather sad.

I am glad to see that at least the Federal Government and the Acting Minister for Foreign Affairs have taken a stand. They have called the ambassador in, and I understand that we are doing something about this. May I say to the citizens of Canberra who were born in Thailand that my sympathy goes out to them. The sympathy of the Labor Party and, I am sure, of other members of the Assembly also goes out to them in their trauma at the moment.

## Red Shield Appeal : Legislative Program

**MR BERRY** (Minister for Health, Minister for Industrial Relations and Minister for Sport) (3.49), in reply: I would like to echo what Mr Stevenson said. Members will be proud, I think, to know that the ACT Government made a small contribution of \$1,000 to the Red Shield Appeal today. I was also happy to see the veteran Salvation Army band from New South Wales playing here today. The youngest member was 61 years of age, and I think the oldest was 80-odd.

**Mrs Carnell:** Lou gave them more than that.

**MR BERRY:** You might have more money than the ACT Government. It was good to see that band out here. There were some octogenarians amongst them and they were still playing sweet music.

On another matter, Madam Speaker, my colleague Mr Connolly rose to point out how well Labor had been doing in producing legislation in this chamber in the last few sitting days. He pointed out that there is a stark contrast between what the Labor Party is doing in terms of business in the Assembly and what the Liberals attempted to do. We have had a number of days when the Liberals have not got out of bed early enough to submit an MPI for consideration in this Assembly. Looking at the stern faces on the other side of the chamber, one would think that they are troubled by something; but it is obvious that they are not being troubled by any matter of any public importance.

**Mr Cornwell:** It is not our job to extend the time of your Government in this chamber, Mr Berry.

**MR BERRY:** Mr Cornwell says that it is not his business to soak up the time in the chamber. It is the responsibility of the Liberal members opposite to raise matters of public importance. They obviously have nothing that troubles them. As my colleague Mr Connolly rightly says, they are not troubled by lack of sleep, nor by matters of public importance.

Question resolved in the affirmative.

**Assembly adjourned at 3.52 pm until Tuesday, 16 June 1992, at 2.30 pm**

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**ANSWERS TO QUESTIONS**

**MINISTER FOR EDUCATION AND TRAINING**

**LEGISLATIVE ASSEMBLY QUESTION  
QUESTION NO 4**

**Cook and Lyons Primary Schools**

MR CORNWELL: - asked the Minister for Education and Training on notice on 7 April 1992

As at 29 February 1992

(1) How many students were at: (a) Cook Primary School (b) Lyons Primary School

(2) What is the breakdown by year of student numbers at each school?

How many siblings are in Year 3 at each school?

How many out-of-suburb students, i.e. other than  
Cook or Lyons residents, are in Year 3 at each school?

What was the per capita funding for students at each of these schools?

Mr Wood - the answer to Mr Cornwells question is:

(1) (a) The student enrolment for Cook Primary is 112.

(b) The student enrolment for Lyons Primary is  
111.

(2) See attached table.

(3) (a) The number of students at Cook Primary with  
siblings in Year 3 at that school is 13.

(b) The number of students at Lyons Primary with  
siblings in Year 3 at that school is 12.

(4) See attached table.

(5) Per capita funding for discretionary non-salary expenditure for these schools is \$74.00 per  
student.

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Breakdown by Year of Student Numbers at Cook & Lyons Primary

SCHOOL K Yr 1 Yr2 Yr3 Yr4 Yr5 Yr 6 Total

Cook 20 10 17 21 14 12 18 112

Lyons 19 26 17 18 12 11 8 ill

Question 4.4

Year 3 Out-of-Suburb students (Home suburb count)

SCHOOL Number Students

of Students Home

Suburb

Cook 1 Evatt

1 Macquarie

1 Melba

1 Spence

2 Page

6 Total

Lyons 1 Pearce

1 Gowrie

2 Total

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**MINISTER FOR EDUCATION AND TRAINING  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION No 15**

**Education and Training Portfolio -  
Statutory Bodies**

MR CORNWELL - asked the Minister for Education and Training on notice on 7 April 1992: -

- (1) How many statutory bodies, by name, exist within your portfolio.
- (2) How many of these bodies or committees within your portfolio, by name, pay sitting fees or an annual remuneration.
- (3) What are the fees or remuneration that each of those bodies, by name, pay members.
- (4) What is the annual cost of payments to members of each of these bodies.

MR WOOD - the answer to Mr Cornwells question is: -

- (1) (a) Australian Capital Territory Schools Authority was created under the Schools Authority Act 1976 and consists of the Chief Education Officer (CEO). The Secretary, Department of Education and Training, exercises the statutory functions of the CEO in accordance with the provisions of the Act.
- (b) ACT Schools Authority Advisory Committee
- (c) Vocational Training Authority (VTA)
- (d) ACT Institute of Technical and Further Education
- (e) ACT Institute of TAPE Advisory Committee
- (2) (a) Nil
- (b) Nil - to be formally dissolved and be replaced by a new body
- (c) Pays sitting fees to non-government members
- (d) Nil
- (e) Nil
- (3) (a) Secretary, Department of Education and Training is sole member
- (b) Nil
- (c) Remuneration is determined by the Remuneration Tribunal. The Chairperson currently receives \$262 per day and members \$189 per day.
- (d) Nil
- (e) Nil
- (4) (a) Nil
- (b) Nil
- (c) The allocation for 1991/92 was \$60000 of which \$55800 has already been expended. The major commitment is to the part-time Chairperson.
- (d) Nil
- (e) Nil

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**MINISTER FOR HOUSING AND COMMUNITY SERVICES**

**LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO. 26**

**Housing Trust - Average Rents**

MR CORNWELL - asked the Minister for Housing and Community Services -

What was the non-subsidised rent charged for tenants of

- (a) two bedroom;
- (b) three bedroom; and
- (c) four bedroom

Housing Trust properties at 1 August 1991 and 1 February 1992.

MR CONNOLLY - The answer to the Members question is as follows:

The level of non-subsidised rent for dwellings varies according to location, type of accommodation and standard of facilities. Average weekly rent charged for tenants of two, three and four bedroom properties at 1 August 1991 and 1 February 1992 was:

August	February
1991	1992

- |                   |          |          |
|-------------------|----------|----------|
| (a) two bedroom   | \$127.50 | \$133.50 |
| (b) three bedroom | \$137.00 | \$143.50 |
| (c) four bedroom  | \$147.50 | \$153.50 |

Note: The figures represent the average rent across all properties on a given day.

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**MINISTER FOR THE ENVIRONMENT, LAND AND PLANNING**

**LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NUMBER 34**

**Eddison Park, Woden**

Mr Cornwell asked the Minister for the Environment, Land and Planning:

1. When was Eddison Park, Woden, planned?
2. Why was it decided to establish the park?
3. What is the capital cost of this development?
4. What will be the annual on-going cost for maintaining the park? \_-.
5. What would have been the annual on-going cost of maintaining the area if the park had -not been established?

Mr Wood - the answer to the Members questions are as follows:

1. Eddison Park was planned in the early 1970s. The National Capital Development Commissions 15th Annual Report 1971-72 published a photograph which illustrated two park areas that it anticipated to build. The smaller area (1.4 hectares) as the Woden Town Centre Park to be developed mainly for the benefit of the Town Centre employees and shoppers. The larger area of about 14.1 hectares to be developed over a number of years for the benefit of residents of Woden/Weston Creek. Construction commenced in 1973 and involved earth formation, irrigation, drainage, grassing and basic tree planting.. The area was subsequently known as Woden Town Park.

In 1975 the then Minister for the Capital Territory agreed to the larger part of the park being named Eddison Park, and the park was gazetted at the same time as Arabanoo Park.

2. An integral element of Canberras planning philosophy involves the provision of major town and district park facilities for the community of each new town area. Eddison Park, in conjunction with Arabanoo Park, is classified as the townpark for Woden/Weston Creek. As such the park is designed to cater for the recreational needs of the residents and workers as well as tourists to the area. A central town park provides for

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the area. A central town park provides for a variety of activities and may include paths, small lakes, play areas, horticultural displays, sitting areas, picnic and barbecue facilities and exhibition areas for community art and other displays. Town parks provide a gathering space for large community groups and activities. Facilities of this type have been developed at Glebe Park in Canberra central, at John Knight Memorial Park in Belconnen and are currently being developed in Tuggeranong Town Park.

3. The most recent capital works in Eddison Park included the construction of an entry arbour proclaiming the parks name and the establishment of a major avenue of trees. The work also included development of a pond for which the earthworks and drainage had been constructed in the 1970s. The pond contains islands, boardwalks and a gazebo. A toilet block has also been constructed recently in the park. These works were completed in 1991 at a total cost of \$690,000. The cost of the works carried out previously is not available.
4. The on-going maintenance cost of the park is approximately \$12,600 per hectare per year-ie: \$175,000.
5. As Eddison Park was irrigated prior to the recent capital works, maintenance costs following the recent work, are not significantly different.

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**MINISTER FOR SPORT**

**LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO 44**

**Suburban Ovals - Telephones**

Mr Cornwell - asked the Minister for Sport -

(1) How many suburban ovals, by name, do not have telephones. either directly linked to the ambulance service or for general use

(2) What is the cost of installing either .

(a) a direct link with the ambulance service;

or

(b) a general telephone at each of these ovals

Mr Berry - the answer to the Members question is as . follows:

(1) The following suburban ovals do not have telephones,

.either directly linked to the ambulance service, or

for general use:

DISTRICT PLAYING FIENDS (DPF)

ENCLOSED OVAL (EO)

NEIGHBOURHOOD OVAL (NHO) .

Majura DPF

Majura EO

Aranda DPF

Banks NHO

Eastern Valley Way Oval

Bonython NHO Calwell DPF Calwell West NHO

Campbell NHO Chapman NHO Charnwood DPF

Charnwood NHO Chifley NHO Chisholm DPF

Chisholm NHO Cook NHO Curtin North DPF

Curtin South NHO Deakin West DPF Deakin Mint Oval

Dickson DPF Dickson NHO

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Florey NHO  
Flynn NHO Fraser NHO  
Garren NHO Gilmore NHO.  
Giralang DPF Gowrie DPF  
Griffith DPF Griffith NHO  
Griffith/Flinders DPF  
Griffith/Kingston Oval  
Hackett NHO Hawker DPF  
Higgins NHO Holder NHO  
Holt DPF Holt NHO  
Hughes NHO Isaacs NHO  
Isabella Plains NHO  
Kaleen DPF Kaleen North NHO  
Kaleen South NHO  
Kambah No 1 DPF  
Kambah No 2 DPF  
Kambah No 3 DPF  
Kingston/Causeway NHO  
Latham NHO  
Lyneham NHO  
Southwell Park DPF  
Lyons NHO  
Macgreggor NHO  
Macquarie NHO  
Mawson DPF  
Mawson NHO  
McKellar NHO  
Melba DPF  
Melba NHO  
Monash NHO  
Narrabundah DPF  
Narrabundah/Jerrabomberra Oval  
Narrabundah/Mill Creek Oval  
Narrabundah NHO  
OConnor DPF  
Page NHO  
Pearce NHO  
Phillip DPF  
Red Hill NHO  
Reid DPF  
Richardson NHO  
Rivett NHO  
Scullin NHO  
Spence NHO  
Stirling DPF  
Theodore NHO  
Torrens NHO  
Wanniassa DPF  
Waramanga DPF

Spence NHO.  
Stirling DPF  
Theodore NHO  
Torrens NHO  
Wanniassa DPF  
Waramanga DPF  
Watson NHO  
Weetangera NHO  
Weston NHO  
Yarralumla NHO  
Yarralumla Forestry oval

(2) The cost of installing a direct link ambulance telephone would be \$1,150.00 per telephone. The cost of installing a general telephone would be \$1,186.00.. The total cost of ambulance telephones at all the above grounds, would be \$104,650.00. The total cost of general telephones would be \$107,926.00.

Recurrent costs for direct-link telephones are borne by the Australian Federal Police.  
For general telephones, handset and line rentals would total \$93,084 per year.

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

**Question Number 50**

**Education and Training Portfolio - Consultants**

MR KAINE - asked the Minister for Education and Training upon notice on 8 April 1992

- (1) In the period from 31 October 1991 to 31 March 1992, what consultants were employed other than for public relations, media, advertising, promotional and related tasks 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 the members question is as follows:

- (1 a) Over the period 31 October 1991 to 31 March 1992 no consultants were engaged by the Minister.
- (1 b & 2) Details of the consultants, the purpose, duration and cost of each consultancy service engaged by each agency within the Ministers portfolio over the period 31 October 1991 to 31 March 1992 are provided in the table below.

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CONSULTANTS PURPOSE DURATION TOTAL COST

EDUCATION AND TRAINING

TAFE

GRS Australia OLSAS Programming Sept 91 - 31 March 92 \$38950

Ernst & Young Internal audit Sept 91 - 31 Jan 92 \$31074

AI Bloom & Assoc. Review of Community Education Nov 91- March 92 \$19025  
& Wooley

EDUCATION

Non Government Schooling Program

Mr G Berkeley Inquiry Into Funding of Non Government Feb 92 - June 92 \$51309  
Schools

VTA

Keith Bartlett Development of Skill Recognition  
documentation in Baking & Pastry  
Cooking, Horticulture, Greenkeeping  
and Butchering June 91 - Nov 92 \$15500

Keith Cartlett Extension of Skills Recognition contract Nov 91 - Feb 92 \$4000

Claudia Moris Facilitate establishment of Industry  
advisory bodies March 91 - June 92

\$28000

21 May 1992

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

**Question Number 51**

**Environment, Land and Planning Portfolio -  
Consultants**

MR KAINE - asked the Minister for the Environment, Land and Planning upon notice on 8 April 1992:

- (1) In the period from 31 October 1991 to 31 March 1992, what consultants were employed other than for public relations, media, advertising, promotional and related tasks 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 the members question is as follows:

- (1a) Over the period 31 October 1991 to 31 March 1992 no consultants were engaged by the Minister.
- (2) Details of the consultants, the purpose; duration and cost of each consultancy service engaged by each agency within the Ministers portfolio over the period 31 October 1991 to 31 March 1992 is attached.

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RESPONSE TO QUESTION ON NOTICE 51 - ENVIRONMENT AND CONSERVATION  
DIVISION

CONSULTANT PURPOSE DURATION COST (Total) (Oct-Mar)

Dorrrough Britz Floriade design 1 Nov 1991 - \$ 12,000 \$ 5,455  
30 Sep 1992

John Gray Glebe Park Oct 1991 - \$ 20,000 \$ 8,900  
Management Plan July 1992

Ms .Vicki Nicholson Staff selection 2 Dec 1991 - \$. 5,500. \$ 2,860 .  
for. Ranger 2 Jan 1992 ,  
interviews

Anne Walls and ASSOC. Staff selection 28 Nov 1991 - \$1,192.50 \$1,192.50  
consultancy 23 Dec 1991

Employee Assistance Annual staff 27 Nov 1991 - \$ 24,000 \$ 10,000

Service A.C.T. (EASACT) counselling services 26 Nov 1992

Employee Assistance Comprehensive staff Dec 199 1 - \$ 7,390 \$ 7,390

Service A.C.T. (EASACT) briefings for Jan 1992  
implementation of above.

Ian Drummond & Assoc. River bank erosion , 13. Mar 1992 - \$ 16,300 \$. 5,300  
Strategy plan for the 3.0 Apr 1992  
Murrumbidgee River .  
(Stage 1 & 2) .

Catherine Hird & Natural resource July 1991 - \$ 50,000 \$ 20,800

Associates Survey & rural land June 1992, \_ (Fully funded by  
capability assesment Commonwealth Govt)

Joan Meecham Landcare co-ordinator 9 Mar 1992 - \$ 29,400 \$ 7,000

30 Jun 1992 (2/3 Cwealth funded)

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Keryn Kefous . Environmental . ., 1 Mar 1991 - \$ 36,000 (pa) \$ 12,000  
Education officer 28 Feb 1993 (2/3 Cwealth funded)

Integrated Software "& Develop Vimplement April 1991 - . \$ 7,-000 \$ 2,500

Training new dog registration June 1992.  
system

The Change Agency managing meetings 2 Dec 1991 -.\$ 1,086 \$ 1,086  
with Environment, 5 Dec 1991 .  
Culture & Heritage

Anne Walls & Assoc. Staff selection for January 199 2 . \$ 1,080. , \$ 1,080 .  
SOGB-Heritage & .  
Museums

Harris Van Meegen Staff selection for September 1991 \$ 1,175 \$ 1,175

ASO5-Environment Policy

## ACT PLANNING AUHTORITY

QUESTION ON NOTICE NO.51

BRIEFS ISSUED FROM 31 OCTOBER 1991 TO 31 MARCH 1992

CONSULTANTS	PURPOSE	DURATION OF BRIEF	COSTS
Graham Moseley Planning	Preparation of Release Conditions for 22 Sites throughout the Canberra Central Area for Commercial, Residential and Community Purposes.	Dec - June '92	10000.00
Kinhill Engineers Pty Ltd	Preparation of Outline Plans & Environmental Impact Statement for proposed West Belconnen Land Development	Nov - March '92	38209.83
Elizabeth C Fox	Drafting and Technical Assistance within District Planning Branch.	Dec - Feb '92	9655.04
Mr Paul Lees	Lower Molonglo River Corridor Landscape Assessment	Nov - Feb '92	4000.00
Turnbull Fox Phillips	Undertake Seminars & Workshops on the Draft Territory Plan Consultation	Nov - March '92	20750.00
Dwyer Leslie Pty Ltd	Analysis of ACT Planning Authority Work Programs & Resources to Prepare ACT Planning Authority Guideline Document	Dec - June '92	4820.00
Scott & Furphy Engineers Pty Ltd	Assistance with the Preparation of Draft Variations to the Territory Plan (South Tuggeranong, Wanniasa and Curtin)	Dec - June '92	15000.00
Dwyer Leslie Pty Ltd	Assistance with the preparation of Development Constraints Information and Development Potential Analysis	Dec - June '92	10000.00
Scott & Furphy Pty Ltd	Assistance with Preparation of Lease and Development Conditions for 10 Sites in Tuggeranong	Dec - June '92	15000.00
Mr Paul Lees	Undertake Landscape Assessment along Mugga Lane Corridors from Hindmarsh Drive to Monaro Highway	Jan - May '92	7000.00
Applied Ecology Group University of Canberra	Assistance with Development of Conservation Strategy for the Conservation of ACT Woodlands	Jan - May'92	3000.00
Applied Ecology Group University of Canberra	Technical Assistance with Preparation of Ecological Assessment Guidelines	Jan - May'92	5000.00
Scott & Furphy Pty Ltd	Futher Detailed Planning and Assessment of Areas P,T & U Gungahlin Approximately 8,000 to 10,000 Blocks	Feb - June'92	31679.00
B.Davis Consultants	Research, prepare & enter updating information of Community Facilities Information System (COMFIS)	Feb - April'92	990.00

## BRIEFS ISSUED FROM 31 OCTOBER 1991 TO 31 MARCH 1992

CONSULTANTS	PURPOSE	DURATION OF BRIEF	COSTS
ACT Electricity & Water	ACT Water Quality Monitoring: Baseline Monitoring Program	Feb - June'92	20000.00
ACT Electricity & Water	ACT water Quality Monitoring Performance Monitoring Program.	Feb - June'92	20000.00
Mitchell Giugola Thorp Architects	City Hill Planning and Development Study	Feb - June'92	20000.00
Gutteridge Haskins & Davey Pty Ltd	Site Investigations for the Kingston Foreshore Area to provide updated information on Servicing, Access, Flooding, Land Use and Geotechnical Contrsaints.	Feb - June'92	10000.00
Dames & Moore	Preparation of Final Environmental Impact Statement for proposed West Belconnen Land Development.	March - June'92	39700.00

LAND DIVISION RESPONSE TO QUESTION ON NOTICE NO. 51 (1) AND (2)

CONSULTANT	PURPOSE	DURATION	COST \$
Brown, Clarke, & Di Pauli	Provision of surveying services in computerized form	29 Oct to 4 Nov 91	600
Mr F Brennan	Preparation and presentation of Leashold System seminar	30 Nov 91	800
Mr P W Burns	Survey services - detail for Kingston	12-15 Nov 91	2000
Colin Nicholas Consultants	Residential field survey work	6 Nov 91 to 30 Jun 92	6500
Mr J Csaki	Provision of general engineering advice	9 Mar 92 to 15 May 92	1570
Cyberdyne Open Systems	DARTS - review of procedures	28 Jan 91 to 17 Feb 92	7800
Deloitte Ross Tohmatsu	Total Quality Management seminar Paid during specified period	23-27 Sept 91	2000
Deloitte Ross Tohmatsu	Training in Total Quality management and supervision of teams	2-16 Dec 91	8400
Fearon Brennan	Professional review of submissions	Mar to Apr 92	2777
Fearon Brennan	Professional review of financial models	Mar to Apr 92	1522
Harlocks P/L	Monitoring of developers to ensure contractual compliance	30 Jan 92 to 30 Jun 92	1500
Mr S Harris	Provision of financial services to Commercial section	3 Feb 92 to 4 Mar 92	1583
Mr M Hickey	Surveying Services - easement checks Barton	Feb - Mar 92	2000
Mr M Hickey	Surveying Services - Block 20 Hume	April 92	6500
R J Kell & Associates	Surveying services - Child Care Centre, Canberra Hospital	7-15 Nov 91	2200
Mr J Kurlan	Provision of general engineering assistance	29 Nov 91 to 28 Feb 92	5554
W Lightfoot & Associates Consultants	Survey services - Barton section 16	11-29 Nov 91	4950
Mr D Majchrzak	Provision of computer support services	2 Jan 91 to 30 Jun 92	1350
R J McCauley & Associates	Survey services - Belconnen Town Centre cycleways	Jan 92	5950
McKimmie Jamieson & Partners P/L	Survey services - Kambah playgrounds	16-19 Dec 91	2200

CONSULTANT	PURPOSE	DURATION	COST \$
G Moseley Planning	Assessment of Banks 3 estate land development potential	12 Nov 91 to May 92	2350
Price Waterhouse Urwick	Research development of Digital cadastral data base	20-28 Jan 92	7900
Parity People	Professional fees for ACTILIS project manager - Mr P Brown	1 Oct 91 to 29 Feb 92	50373
Parity People	PC Support Services - Ms Schmeirer	30 Nov 91 to 29 Feb 92	15000
P H Reed & Associates	Survey services - section 30 City	13-20 Nov 91	3700
Ms L Roberts	Testing and modification of PALM system	15 Mar 92 to 30 April 92	1500
Mr C Robinson	Sexual Harrassment/ EEO Awareness Training	10-12 Dec 91	3250
Scott & Furphy	Gungahlin suburb U engineering services	Feb to May 92	15000
Scott & Furphy	Gungahlin District playing fields	Feb to May 92	7500
P J Shaw & Associates	Surveying services - Yarralumla nursery cottage site	Nov 91	1690
Sowden, Lilley & Associates	Surveying services - Block 1179 Tuggeranong	Dec 91	2500
J R Vaughan, Burton & Assoc.	Survey services - Drakeford Dr duplication	10-27 Mar 92	15700
D W Williams & McDonald	Surveying Services - Gordon & Banks	11-19 Dec 91	2500
Willing & Partners	Floodplain mapping report	6 Mar 92 to 16 Apr 92	7000
Willing & Partners	Litter control surcharge structure study	Mar to Apr 92	8000

In compiling the preceding list, only consultants engaged over the qualifying period are included. We have other consultants currently in our employment, however, their engagement was effected outside the 31 October - 31 March 92 period. Details for these consultants were provided as the Division's reply to Question on Notice No. 600, issued the 20 November 1991.



With the exception of Graham Moseley Planners, the following consultants provide in-house' assistance to the Land Division.

All were initially employed outside of the period quoted in Mr Kaine's question, however, extensions to their contracts were made, for the amounts stipulated in the 'COST' column, during the period 31 October 1991 to 31 March 1992.

CONSULTANT	PURPOSE	DURATION	COST \$
Mr D Hare	Engineering services - estate development	6 Jan 92 to 30 Jun 92	23500
Mr N Forostenko	Engineering services - estate development	6 Jan 92 to 8 Apr 92	2688
Mr M Bowland	Engineering services - estate development	6 Jan 92 to 30 Jun 92	14400
Mr G Walker	Engineering services - estate development	25 Mar 92 to 30 Jun 92	17000
Mr R Brooker	Engineering services - estate development	9 Dec 91 to 30 Jun 92	30000
Ms S Gale	Provision of statistical and administrative assistance	12 Dec 91 to 30 Jun 92	6000
Graham Moseley Planning	Assessment of Banks 3 estate land development potential	12 Feb 92 to 30 Jun 92	2950
Mr J Colas	Provision of financial/accounting services	10 Dec 91 to 30 Jun 92	20800
Mr M Jacobs	Provision of financial/accounting services	11 Mar 92 to 30 Jun 92	7600
Fearon Brennan	Systems advice and financial services	20 Mar 92 to 30 June 92	50000
LAND DIVISION COMMITMENTS FOR PERIOD 31 OCTOBER 1991 TO 31 MARCH 1992			\$211,721.00
LAND DIVISION EXTENSIONS FOR PERIOD 31 OCTOBER 1991 TO 31 MARCH 1992			\$174,938.00
TOTAL LAND DIVISION COMMITMENT FOR PERIOD 31 OCTOBER 1991 TO 31 MARCH 1992			\$386,659.00

21 May 1992

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

**Question Number 53**

**Housing and Community Services Portfolio -  
Consultants**

MR KAINÉ - asked the Minister for Housing and Community Services upon notice on 8 April 1992:

- (1) In the period from 31 October 1991 to 31 March 1992, what consultants were employed other than for public relations, media, advertising, promotional and related tasks 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 CONNOLLY - the answer to the members question is as follows:

- (1 a) Over the period 31 October 1991 to 31 March 1992 no consultants were engaged by the Minister.
- (2) Details of the consultants, the purpose, duration and cost of each consultancy service engaged by each agency within the Ministers portfolio over the period 31 October 1991 to 31 March 1992 is attached.

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1(b)CONSULTANT (2)(a) PURPOSE (2)(b) DURATION (2)(C) COST

Sopherim Enterprise Assist with staff selection 19/2/1992 - \$805

Scribing Services 31/3/1992

Ms Jenny Voelker Corrective Services: 2 days \$400

Stress management

Ms Janice Mundy Preparation of outstanding February - March 1992 \$700

court reports, and assessments

during Corrective

Services restructure

Mr Jack Powell Employment of specialist 31/10/91 - \$2,400

CSHA supervisor ongoing

Mr Paul Blinksell Employment of casual CSHA February - March 1992 \$868

supervisor

Ms Andree Maddox Corrective Services: 7 days \$8,300 .

corporate development

Ms Anne Stumpf Legal consultant for 31/10/91 - \$3780

Family Services 13/12/91

Ms Toni Single Staff training 2 days \$770

Mr Ian Manton Staff training 4 hours \$360

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1(b)CONSULTANT (2)(a) PURPOSE (2)(b) DURATION (2)(c) COST  
31 October 1991

31 March 1992

Purdon & Associates Study of needs of December 1991 - \$21,000  
elderly Housing Trust June 1992  
tenants

Harris van Meegan Evaluation of Housing December 1991 - \$4,900  
Trust client services June 1992

Harris van Meegan Assistance with staff selection October 1991 \$1,825

R Sommerville Assistance with staff selection December 1991 \$1,560

Horticultural Landscape Assessment of Aged Persons February - March 1992 \$250  
Units ground maintenance

Computer Sciences Establish baseline for Bureaus 17 October 1991 - \$20,900

Australia information technology 17 February 1992  
strategic plan

Ernst and Young Integrated Systems for July 1991 - June 1992 \$21,673  
(reported previously) Information Processing (ISIP)

Audit

Ernst and Young Audit Off Budget Loans December 1991 - \$2,530  
(reported previously) Module June 1992

Compiled by Executive Support Unit, Housing and Community Services Bureau last amended: 18

May 1992

**MINISTER FOR THE ENVIRONMENT, LAND AND PLANNING**

**LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO 71**

**Sport Portfolio - Consultants**

Mr Kaine asked the Minister for Sport:

- (1) In the period from 31 October 1991 to 31 March 1992 what consultants were employed other than for public relations, media, advertising, promotional and related tasks 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 Berry - the answer to the Members question is as follows:

(1) (a) NIL

(1) (b) & (2) Attached

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OFFICE OF SPORT AND RECREATION

Question on Notice No. 71

CONSULTANT PURPOSE DURATION COST

Ernst and Young Assess the viability of the 10 Days 6,000  
redevelopment proposal for the  
Bradman Pavilion, Manuka  
Oval

Deloitte Ross Tohmatsu, Develop organisational October 1991 to 27,100  
philosophy and structure for the May 1992  
Office of Sport and Recreation

University of Canberra Research participation by 5-18 November 1991 to 18,000  
year olds in ACT School & August 1992  
Community Sport  
NZ - \$14,000 provided by  
Australian Sports Commission  
to run this Consultancy.

**MINISTER FOR URBAN SERVICES**

**LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO. 81**

**Bicycle Helmets**

Mr Moore - asked the Minister for Urban Services:

- (1) Bearing in mind your statement to the Legislative Assembly on 18 September 1991 that Labor Party policy is essentially the view of John Stuart Mill, namely that an individual has the maximum freedom until the point at which that freedom hurts another; what hurt to another do you rely upon to justify a law to take away a cyclists freedom to choose whether or not to wear a helmet for self-protection.
- (2) If the hurt to another is merely the cost to the public health-care system, is it a fact that the cost of caring for cyclists with head injuries is minuscule compared to occupants of motor vehicles and pedestrians with head injuries, and persons with diseases caused by smoking; how then does the Minister justify the discrimination against cyclists.
- (3) Did your Department advise upon the Commonwealth Governments inclusion of compulsory helmets in its offer of additional funds for roads, namely that problems could be created for the ACT, and helmets should be compulsory on main roads only; and that it would be both impossible and inappropriate to police the wearing of helmets on cycle paths in Canberra, leading to the creation of an unenforceable law and the adverse social consequences associated with encouraging law breaking.
- (4) Have the Minister or the Department requested from the Commonwealth its reasons for including compulsory bicycle helmets in its offer; if so, with what result.
- (5) Are you aware of findings by the Australian Institute of Criminology that punitive laws are relatively ineffectual as a means of inducing young people to adopt desired behaviour, and has your Department investigated positive inducement for the wearing of helmets; if so, with what result.
- (6) Consistent with the principles of participatory democracy espoused by the Chief Minister on 25 September 1991 and at other times, what steps have you taken to consult with cyclists on the question of compulsory helmets.

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21 May 1992

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

- (1) It is often the role of Government to legislate to reduce the trauma for the families of seriously-injured accident victims if possible. Precedents, such as the wearing of seat belts, the imposition of speed limits, the introduction of drink-driving legislation, the testing of motor vehicles, have all been imposed to reduce the risk of injury and death to members of the community. Occasionally these measures may reduce an individuals freedom, but I believe that when sufficient evidence is available to suggest that lives could be saved or serious injury prevented if these freedoms were reduced, it is a responsibility of Government to adopt these measures.
- (2) The wearing of helmets is an effective measure to reduce pain and suffering from injuries as well as costs incurred by the health system. The compulsory wearing of helmets is considered to be a practical and effective road safety measure which already has widespread acceptance amongst the community.

The Ten Point Road Safety Package (of which cycle helmet legislation is a part) does not discriminate against-cyclists. It includes the reduction of the blood alcohol limit for all drivers, the imposition of maximum speed limits for heavy vehicles and speed limiters for heavy vehicles.

- (3) & (4) It is not appropriate for me to divulge the nature of Departmental advice to a minister, discussions between officers of my Department and other Departments, or of discussions between Ministers.
- (5) I am aware that reports exist that suggest that punitive laws can be ineffectual in inducing young people to adopt desired behaviour. However, I believe that this legislation should not be categorised in this way. I believe that the \$35 fine is set at a reasonable level considering that it is a penalty designed to enforce the publics safety.

In regard to the inducements offered by my Department for the wearing of helmets, the Road Safety Unit of my Department has, for a number of years, promoted cycle safety, including the wearing of helmets, in all ACT schools. There has been an average increase of around 30% in helmet-wearing rates over the past six years, from under 20% in 1986. The overall wearing rate within the community is far from satisfactory, especially as the increased wearing rates are not reflected to the same degree amongst teenage riders. I feel that there is a need for further incentives to wear helmets which is why I introduced this legislation into the Assembly.

- (6) I met with Mr Curfew, President of the Cyclists Rights Action Group, an organisation established primarily to fight the introduction of compulsory helmet wearing, before this Bill was introduced and discussed the proposal with him. Given the nationally uniform approach to this matter, and its inclusion in a package which was accepted by the Alliance Government, I feel that sufficient consultation took place.

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**MINISTER FOR THE ENVIRONMENT, LAND AND PLANNING**

**LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO 83**

**Land Surveys**

Mr Moore - asked the minister for the Environment, Land and Planning

(1) Is the Minister able to provide a breakdown of what is involved in "Survey Requirements" which is featured in Gazette No. 13, 1 April 1992.

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

(1) The survey requirements referred to in Gazette No. 13 dated 1 April 1992 are surveys carried out by the Australian Surveying and Land Information Group (ASLIB). AM is a part of the Commonwealth Department of Administrative Services.

The work was done under a memorandum of Understanding (MOU) between the Commonwealth and ACT Governments.

Now that the ACT Government has established a survey services section within the Land Information Office the MOU has been cancelled.

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21 May 1992

**MINISTER FOR URBAN SERVICES**  
**LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO. 84**

**ACTION Buses - Advertising**

Mr Humphries - asked the Minister for Urban Services:

- (1) Who made the original decision to accept the Right to Life advertisements that were recently removed from ACTION buses.
- (2) On what basis was this decision made.
- (3) Who decided that this decision needed to be reviewed and why. .
- (4) What advice was sought on the review of the decision and from whom.
- (5) What was the nature of this advice.
- (6) Will the Government and/or ACTION review the policy on advertising in light of the problems experienced with the Right to Life advertisements:
- (7) How much money has ACTION lost as a result of its decision to remove the posters from ACTION buses.
- (8) What other advertisements have been ruled out by ACTION because they are political.
- (9) What other advertisements have been pulled off buses because a decision was made that they were political and after they were initially accepted.

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

- (1) & (2) Australian Posters 3M which hold the contract for advertising in and on ACTION buses and the company decided to accept the Right to Life Association A.C.T. "Precious Feet" advertising campaign without reference to ACTION as required by the contract.
- (3) ACTION reviewed the decision following complaints from the public concerning the advertisements.
- (4) Advice was sought from the Chief Solicitor at the A.C.T. Government Solicitors Office concerning the appropriateness of the Right to Life advertisements under the advertising contract between ACTION and Australian Posters 3M.

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- (5) The advice received was that the placing of the advertisements was in breach of the contract.
- (6) The advertising contract specifies that political advertisements are not acceptable as do all relevant A.C.T. Government contracts.. This is not likely to change. The A.C.T. Government Chief Solicitor advises that the advertisements in question are of a political nature.
- (7) \$600
- (8) On other occasions ACTION has refused material that was seen to be of a political lobby nature. The most recent example was a community radio station wishing to lobby the A.C.T. Government for a licence. Similarly Australian Posters 3M and ACTION agreed not to allow an anti-pornography lobby group to advertise.
- (9) Nil.

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**MINISTER FOR URBAN SERVICES**  
**LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO. 85**

**Building Control - Gordon**

Mr Moore - asked the Minister for Urban Services - In relation to inspections done and certificates issued for Block 4, Section 458, Gordon.

- (1) Was an inspection carried out prior to the slab preparation on 2 July 1991, by the Building Controller; if so, was the inspected work declared satisfactory.
- (2) How was the builder informed of the results of the inspection.
- (3) Was any problem identified by the Building Controller at this time rectified.
- (4) Was a Certificate of Occupancy issued at the final inspection indicating that the building was satisfactory.
- (5) Does the Building Controller consider that the house is consistent with the building permit conditions and the Building Code of Australia.

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

- (1) No.

Where ACT Building Control does not carry out an inspection for structural works, a Certificate is required from a practising certified structural engineer stating that the works comply with the approved plan and conditions set down in the Building Code of Australia.

In accordance with this practice, an Engineering Certificate dated 24 July 1991 was lodged with ACT Building Control and was acceptable.

- (2, 3) Not applicable.

- (4) Yes.

- (5) Yes.

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**MINISTER FOR THE ENVIRONMENT, LAND AND PLANNING  
LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO. 87**

**Kerrison Nursery, Pialligo - Land Rent**

Mr. Moore - asked the Minister for the Environment, Land and Planning - in relation to land rent at Kerrison Nursery, Pialligo

- (1) Is it a requirement of the Leases Act 1918 that land rents must be fair in relation to land rents of, similar properties (in contrast to the situation with rates valuations).
- (2) Was the nursery, in 1985, twice made formal written offers of a backdated reduction in land rent if a reduction (of over 9096) in the part of the farm that could be used to sell nursery plants was accepted.
- (3) When the nursery finally accepted this offer by signing the form provided, did the delegate refuse to reduce the land rent.
- (4) Did the Department of the Environment, Land and Planning, in the 1991 Land Rent Review, accept that the usage clause change required a land rent differential compared with otherwise similar properties.
- (5) How does the rent, from 1985 until the recent rent review, compare with similar properties in terms of the Leases Act 1918 criteria.
- (6) Will the Minister instruct his officers to backdate the land rent differential and so stand by the original offer and conform with the requirements of the Leases Act 1918.

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

- (1) The Leases Act 1918 required fair rent should be assessed having regard to -

.. the physical characteristics of the property

. the location of the property

. the purposes for which the property may be used under the proposed lease the period for which the proposed lease would be granted

. the rent reserved by leases of similar properties in similar locations

. any other factors pertaining to the property or the proposed lease to which it would be reasonable to have regard.

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(2) Mr Kerrigans original lease did not impose a limit on the size of the nursery and the land rent for the block was assessed accordingly.

In 1985 the Department agreed with Mr Kerrigan that a limit on the nursery area would reduce the land rent payable. An offer was made to reduce land rent if Mr Kerrigan proceeded with his request to vary the lease purpose clause to allow 1200 sq.. of nursery.

At the time these negotiations were underway, Mr Kern lodged an appeal with the Administrative Appeals Tribunal (AAA) against the rental assessed in 1983 for his property. That rental was based on the unrestricted nursery area.

The AAA decided the appeal in Mr Persons favour and assessed a lower rent figure. In its judgement, the Tribunal indicated that it assessed rent on "an assumed 2,000 sq.. nursery site under the existing lease terms".

Because the AAA reduced the rent on the nursery area then permitted by the lease, the underlying valuations for the rent on 1200 sq.. were affected. Revised (lower) rental. figures were obtained and offered to Mr Robertson. \_ .

The AAA expressed a view that 2,000 sq.. was the optimum area for nurseries. As a result, for the 1987 rent assessment in Pialligo, the Departments valuer adopted 2,000 sq.. as the area m be assessed for nursery rentals.

(3) Some thirty months after receiving the Departments 1985 offer, Mr Kerrigan returned a Certificate of Variation and he amended it to provide for 2,000 sq.. of nursery.

The offers made to Mr Kerrigan in 1985 related to 1200 sq.. of nursery. No offers were made for the area of 2,000 sq.. Mr Kerrigan included in the Certificate of Variation he returned in 1988. It is therefore not correct to say that Mr Kerrigan accepted the Departments offer.

Mr Kerosene sought backdating of land rent to 1984, but it was pointed out to him that the date of effect of the Certificate was the date it was executed, ie. March 1988.

The Delegate was therefore unable to agree to Mr Kerrigans request.

(4) In its 1990 Decision on a rental appeal by Mr Kerrigan, the Administrative Appeals Tribunal suggested that future rent assessments should take account of the actual areas set aside for nursery activities in Pialligo, rather than setting a maximum area of 2,000 sq.. This approach was adopted by the Australian Valuation Office for the 1991 rent review and explains why the valuation on similar properties rose in relation to Mr Kerosenes property.

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- (5) As a result of the AAA decision in 1985, rentals for nurseries in Pillage were assessed in 1987 on the basis of having an area of 2,000 sq.. For the 1991 review the Australian Valuation Office assessed valuations on the actual areas used for nursery activities.
- (6) As noted in my response to parts (2) and (3), an offer was made to reduce land rent if Mr Kerrigan's lease was varied to allow 1,200 sqm. of nursery. A Certificate of Variation was forwarded for Mr Kerrigan's signature; such a Certificate takes effect (ie. is executed) when it has been signed by the lessee and, on its return, by the Minister or his delegate.

Mr Kerrigan did not return the Certificate for execution until 30 months after the offer was made. In addition to the delay in returning the Certificate, Mr Kerrigan had unilaterally amended the nursery area to 2,000 sq..

As mentioned also in part (2), the Administrative Appeals Tribunal reduced Mr Kerrigan's land rent as a result of his appeal against the 1983 rental assessment. The amount determined by the Tribunal was based on a nursery area of 2,000 sq.. Mr Kerrigan, by his own actions in varying and signing the Certificate, required a nursery area of 2,000 sq.m. That is what he paid rent for from 1983 as a result of the AZT Decision.

There is no question of backdating adjustments now because the appropriate adjustments occurred when the rental, as determined by the AAA, was implemented. The reduced rental offered for a nursery area of 1,200 sq.. never came into effect because no lease variations were ever effected to restrict the nursery to 1,200 sq..

21 May 1992

**MINISTER FOR THE ARTS**

**LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO 97**

**Cultural Facilities Tuggeranong**

Mr Cornwell - asked the Minister for the Arts -Concerning the need for- decentralised arts activities.and facilities

(1) What facilities, if any, are proposed to be established in Tuggers encourage regional cultural development.

(2) Apart from public libraries; what cultural facilities-, byname, currently exist in the Tuggeranong Valley

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

(1) As the list below attests, there are already considerable facilities in Tuggeranong that are used for .. cultural activities. At this time,-the only additional cultural facility wader consideration is a proposal for a dedicated Community-Arts Centre in Tuggeranong. I :understand that the ACT Cultural Council-is also considering regional cultural issues as part of: the broad strategies for cultural.development. \_..

(2) .I have here a list of cultural facilities, or facilities regularly used for cultural.activity,, other than public libraries, which currently exist at.v Tuggeranong. It includes the the recently opened Tuggeranong Community Centre, which-has:a range of spaces including a Theatre Workshop,. and houses the offices and workshop-of the Tuggeranong Community Arts .Association.

. . the Tuggeranong Churches Centre, .Youth Centre,

.Police and Citizens Youth Club;. ,

the South Tuggeranong Family Centre; .

. at Reindeer there is the Eriadale Centre Theatre and the Erindale Neighbourhood Centre;

. at Richardson there is a Community House and a Family Centre;,. . .

Gilmore has a Community House; and

Usable Isabella Plains has -Nei House. .

Lanyon Historic-.Homestead and.the Troll Gallery are nearby, and a little further afield, at Tharwa, there is, Cuppacumbalong which houses a gallery and crafts place

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**MINISTER FOR THE ARTS**

**LEGISLATIVE ASSEMBLY QUESTION  
QUESTION NO 98**

**Cultural Council**

Mr Cornwell asked the Minister for the Arts - Why was a representative with some expertise in festivals, such as the Canberra Festival or Floriade, not appointed to the ACT Cultural Council.

Mr Wood - the answer to the Membered question is as follows:

The ACT Cultural Council has a broad brief to advise me on cultural matters generally in the ACT. The Council has drawn together people with a vast breadth of experience and knowledge in arts matters.

This committee where the range and quality of skills is also very comprehensive.

As well as this broad range of experience, membership of the Council does in fact include direct relevant experience of major events and festival organisation. Prior to his appointment to the Cultural Council, Gills Pickford was a Board member of Canberra Festival. His extensive experience includes membership of Boards and Committees for the Illawarra Performing Arts Centre, Wollongong City Gallery, Conservatories of Music and Wollongong Festival.

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21 May 1992

**MINISTER FOR THE ARTS**

**LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO.**

**Cultural Council Committees**

Mr Cornwell asked the Minister for the Arts - Concerning the ACT Cultural Council and its call for nominations for sub-committees to assist in awarding grants aid setting policy (Canberra Times, 29 February 1992)

- (1) Will members of the sub-committees examining grant applications be required to declare an interest in any organisation applying.
- (2) Who approves membership of these sub-committees the Cultural Council or the ACT Government.
- (3) To whom will these sub-committees be responsible, the Cultural Council or the ACT Government.
- (4) Will the names of members of the sub-committees be made public and if not, why not.
- (5) If the names of the members of the sub-committees are to be made public, who are they and what expertise or interest do they bring to the subcommittee.

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

- (1) All members of the ACT Cultural Council and their committees must comply with established practice which comprises a declaration of possible conflicts of interest prior to appointment, and a responsibility as matters arise in the course of Council discussions to declare any possible conflict of interest and to leave the room during discussion of that item: Compliance with these provisions is monitored by Departmental staff.
- (2) As these are committees of the ACT Cultural Council, the Council approves membership, although I am advised of appointments. - Here also, Departmental staff monitor requirements
- (3) The committees will be responsible to the ACT Cultural Council, which advises me directly.

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(4) The names of the members of the committees were made public through the new ACT Cultural Council

- bulletin, the first issue of which was distributed with the May issue of the Arts and Special Events.  
. . mahout.

(5) The establishment of the committees was publicly . . advertised with a request for expressions of - interest from people who considered they had a contributing to make. . The Council was pleasantly . surprised at the number and quality of applications, allowing, selection of members with a vast-range of skills and knowledge appropriate to the needs of - each committee. The committee membership is as follows:

#### ADVOCACY/SERVICE PROVIDERS

Lynne Blatch

COMMITTEE Ian Templeman

Paul Donohoe

Peter Harness

Libby Smith .

#### COMMUNITY ARTS. COMMITTEE

Lynne Blatch

Iris Clayton

Stephanie Miller -.

Merely Apse

Roland Manderson

#### CULTURAL HERITAGE COMMITTEE

Amar delta

Lynne Blatch

Brian- Elgin

Barbara Brinton

Peter Freeman

Carolyn Forster

Jill Waterhouse

Donald McMichael.

#### DANCE COMMITTEE

Table incomplete.

21 May 1992

LITERATURE COMMITTEE Jan Brown

Ian Templeman  
Nancy Clarke  
Satendra Mandan  
Geoff Page

MUSIC COMMITTEE . Ross Gengos

Judith Creagan .  
Jill Downer  
Jeff Evans  
Stephanos Malikides  
Richard McIntyre

SPECIAL EVENTS & FESTIVALS Giles Pickford

COMMITTEE Jan Brown

Peter Bycroft .  
Alan Barr -  
Mark Ferguson  
Karen OClery  
Fulton. Muir  
David Lawrence,

VISUAL ARTS COMMITTEE . Jan Brown

Wendy Saclier  
Donald Fortescue  
Helen Maxwell  
Neil Roberts  
Denis Trew

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**MINISTER FOR THE ENVIRONMENT, LAND AND PLANNING**

**LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO 103.**

**Glebe Park Rotunda**

Mr Cornwell - asked the Minister for the Environment, Land and Planning

- (1) How much does it cost to hire the Rotunda in Glebe Park?
- (2) How often has it been hired in the 1991-92 year to 30 April 1992?.

Mr Wood - the answer to the members questions are as follows:

- (1) No charge is applied to the use of the Rotunda in Glebe Park. The structure is one of a number of features located in the park, which together, combine to give the park its much appreciated character and charm. The Rotunda is generally available for use by any community group and bookings are received for a variety of purposes.
- (2) During the nominated period formal bookings for use of the Rotunda were received for:
  - (a) Nine wedding ceremonies;
  - (b) Seven community group meetings/recitals; and
  - (c) Two ACT Government Departmental program launches.

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21 May 1992

**MINISTER FOR URBAN SERVICES**  
**LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO. 104**

**Housing Trust - Carpet Purchases**

Mr Cornwell - asked the Minister for Urban Services;

1) For what purpose did ACT Public Works purchase \$89,079 of broadloom carpet and \$77,980.56 of domestic carpet as announced at page 572 in Gazette No. 16 of 22 April 1992.

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

1) The carpet was purchased for the laying.in ACT Housing Trust Houses as part of.their maintenance and upgrading program.

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**MINISTER FOR HOUSING AND COMMUNITY SERVICES  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION NO. 107**

**Supported Accommodation Assistance Program  
Ministerial Advisory Committee**

MR CORNWELL - asked the Minister for Housing and Community Services

In relation to the Supported Accommodation Assistance Program (SAAP) is there an ACT Ministerial Advisory Committee; if so, what is its membership by name and organisation.

MR CONNOLLY - The answer to the Members question is as follows:

Yes, there is an ACT SAAP Ministerial Advisory Committee. It also series as the advisory committee for the Crisis Accommodation Program (CAP).

The membership of the Committee is as follows:

Chair

Ms Rae Porter

Youth Issues

Mr Malcolm Barlow

Ms Rhonda Fuzzard

Womens Issues

Ms Annie Quadroon

Ms Jo Healy-North

Single Men/Families Issues

Ms Pat Sorry

Broad Housing Issues

Ms Minors Mowbray-dArbela

Non-English Speaking Background Issues

Ms Chums Athanasos

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Aboriginal Issues  
Ms Delilah MacGillivray

ACT Government SAAP Representative  
Ms Gillian Malcolm

ACT Government CAP Representative  
Ms Janine ODwyer

Commonwealth Government Representative  
Ms Evelyn Mann

The community representatives were appointed to the committee on the basis of their individual expertise, not as representatives of a particular organisation. The government representatives are exofficio.

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**MINISTER FOR HOUSING AND COMMUNITY SERVICES  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION NO. 110**

**Housing Trust. - Tenants in  
Commonwealth-owned Properties**

MR CORNWELL - asked the Minister for Housing and Community Services -

How many Commonwealth-owned residential properties in the ACT are currently temporarily occupied by ACT Housing Trust tenants.

MR CONNOLLY - The answer to the Members question is as follows:

None.

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21 May 1992

**MINISTER FOR HOUSING AND COMMUNITY SERVICES  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION N0.112**

**Housing Trust - Solar Hot Water Systems**

MR CORNWELL- asked the Minister for Housing and Community Services -

- (1) When did the ACT Housing Trust begin installing solar hot water systems in the new Trust properties.
- (2) How many systems have now been installed.

MR CONNOLLY- The answer to the members question is as follows:

- (1) The ACT Housing Trust does not currently install solar hot water systems in new properties.
- (2) A total of nine solar hot water systems were installed in Housing Trust properties in 1982 as part of an evaluation of solar hot water systems by the then Department of Transport and Construction. Eight of these systems remain in service.

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**MINISTER FOR HOUSING AND COMMUNITY SERVICES  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION NO 114**

**Housing Trust - Dual Flush Toilet Cisterns**

MR CORNWELL - asked the Minister for Housing and Community Services -

Do all new ACT Housing Trust properties have dual flush toilets; if not, why not.

MR CONNOLLY - The answer to the Members question is as follows:

The Building Standards for new ACT Housing Trust properties include provision for the installation of dual flush toilet cisterns. These standards have applied since September 1990.

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21 May 1992

**MINISTER FOR URBAN SERVICES**  
**LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION No. 128**

**Road Intersection Treatments**

Mr Westende - asked the minister for Urban Services:

- (1) What is the Governments general view of the use of the Clover Leafy method of traffic management at the intersection of a main road with a freeway.
- (2) What is the average cost of traffic lights.
- (3) What is the average cost of roundabouts.
- (4) Will the Government be considering the use of the Clover Leaf for the overpass at Weston Parkway and Dairy Flat Road intersection.
- (5) Will the Government consider the use of the Clover Leaf, at the existing intersection of the Eastern Parkway and Hindmarsh Drive where considerable delays occur with the double traffic lights.
- (6) Did the Government consider the use of roundabouts in Limestone Avenue bearing in mind the minor significance of most of the intersecting streets and the necessity to improve the flow of traffic on Limestone Avenue.

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

- (1) Clover Leaf, intersections are very large, requiring a

considerable amount of land to construct, and consequently they have a high capital cost. The Governments policy is to provide intersection treatments that provide an adequate level of service and good safety at affordable costs.

- (2) The capital costs involved in signalling an average intersection would amount to around \$150,000 to \$200,000, not including land costs.

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- (3) The capital costs involved in providing a roundabout at an average intersection would be similar to that for traffic signals, that is around \$150,000 to \$200,000. This does not include land costs.
- (4) The question refers to the intersection of Weston Parkway and Dairy Flat Road. There is no such intersection. If, however, the question was directed at the intersection of the Eastern Parkway and Dairy Flat Road, I am able to provide the following advice.

A Clover Leaf intersection is not being considered for use at the intersection of the Eastern Parkway and Dairy Flat Road because of the high capital costs involved and limited space.

- (5) No. After this intersection was opened the traffic signal controls were left unlinked to allow traffic patterns to settle down and be assessed. This necessarily resulted in some inefficiency until linking was provided on 27 April 1992. This intersection is now considered to be operating efficiently.
- (6) No. The use of roundabouts at the intersection of an arterial road such as Limestone Avenue and local residential roads is not an appropriate treatment and is not recommended in the Austrian guidelines on the design of roundabouts. The work at Limestone Avenue was undertaken for the purposes of pavement reconstruction. It was not intended to undertake a major redesign of all intersections along Limestone Avenue.

21 May 1992

**MINISTER FOR URBAN SERVICES**  
**LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO. 129**

**Future Public Transport Options Study**

Mr Westende - asked the Minister for Urban Services - In relation to the Governments Study on Future Public Transport Options for Canberra.

- (1) When do you expect it to be completed and tabled in the Assembly
- (2) What are the Terms of Reference of the study
- (3) Will the study investigate the option of corporatisation
- (4) Will it investigate the option of privatisation of certain sections of ACTION, eg mechanical, school-buses
- (5) Will the study canvass the possibility of part-time drivers.

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

- (1) The first stage should be completed in July 1992, and these results tabled shortly thereafter. The full study is expected to be finalised by the end of this year, and the complete results tabled as soon as practicable.
- (2) The Terms of Reference are attached.
- (3) and (5) These issues have not been addressed specifically but could conceivably arise under section 8(c) of the Terms of Reference, depending on the findings of the previous stages of the study.
- (4) No.

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## STUDY OF FUTURE PUBLIC TRANSPORT OPTIONS FOR CANBERRA

### TERMS OF REFERENCE

Stage One - to be completed by July 1992

What public transport options are suitable for Canberra?

1. Undertake a short review of existing ACT and Federal Government policies and previous studies which could impact on this study.

2. Identify all alternative and realistic existing tried and tested public transport technologies.

(a) Define their strengths and weaknesses in the Canberra context.

(b) Relate the technologies to Canberra, taking account of the existing urban form, National Capital and

Territory Plans, existing transport strategies,.

funding resources and levels of economic development, environmental considerations, Federal Government Greenhouse gas targets and the ability to divert commuters from private cars to public transport.

3. (a) Identify those technologies which show the most promise for Canberra and which could be the subject of further study.

(b) Identify indicative costs to put in place the technologies identified in 3(a).

4. Identify financing options that might be adopted to maximise private sector involvement in direct funding of the system.

(a) Discuss successful measures used elsewhere in Australia and overseas

(b) Relate these options to the specific ACT situation, such as leasehold land administration.

Stage Two - to be completed r this 4 months after aWroval to proceed

What is needed to make the alternative public transport technologies viable?

5. Provide the following detailed information for each suggested technology:

(a) Capital and recurrent costings, including implications for existing public transport services, capital works and recurrent road funding.

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- (b) Estimates of patronage, revenue and market share.
  - (c) Discussion of operational issues.
6. Identify the thresholds of demand (in terms of transport needs, urban densities and population size) and the likely timetable for the viable introduction of each acceptable public transport technology alternative.
7. Based on the above analysis, recommend the most suitable technology for implementation.

Stage Three - to be completed within 3 months of approval to proceed

How could a new public transport system be implemented?

8. Address the issues of implementation of a new public transport system, recognising the constraints imposed by funding and existing infrastructure.
- (a) Identify measures to integrate the new system with existing bus based feeder services, car park and ride facilities, taxi facilities, walk and cycle access, cycle parking and cycle carry on facilities.
  - (b) Identify possible staging options, for example dedicated bus ways prior to a light rail system.
  - (c) Address corporate structure, staffing and industrial issues with respect to the efficient and smooth operation of the proposed system and its relationship with existing public and private transport systems.
9. Identify the land use and development implications of each stage of the introduction of the preferred technology, including the potential for value capture and private sector involvement in direct funding of the system or in developments in association with station facilities, eg utilisation of air rights above stations and interchanges.

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**ATTORNEY-GENERAL FOR THE AUSTRALIAN CAPITAL TERRITORY  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION No 1371**

**Attorney-General Portfolio - Officer Travel Costs**

MR HUMPHRIES - Asked the Attorney-General upon notice;

- (1) What interstate travel costs have been incurred by officers in areas administered by the Attorney-General during the current financial year.
- (2) How much of this amount was spent on
  - (a) first class air travel; (b) business class air travel; and
  - (c) economy class air travel..
- (3) How do travel costs during the current financial year compare with previous years.
- (4) What international travel costs have been incurred by officers in areas administered by the Attorney-General during the current financial year.
- (5) For what purpose was this international travel undertaken.
- (6) How much has been spent on travel allowance for officers in areas administered by the Attorney-General during the current financial year.

How does this compare with travel allowance costs in previous years.

MR CONNOLLY - The answer to the members question is as follows:

- (1) \$56,724.20
- (2) (a) \$13,236.00
- (b) \$12,564.00
- (c) \$30,924.20

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(3) The 1991/92 travel costs have been reduced by 17.5% on the 1990/91 travel costs.

(4) No international travel costs were incurred by officers in areas administered by the Attorney-General during the current financial year.

(5) N/A - please see (4).

(6) \$35,049.50

(7) The 1991/92 travel allowance has been reduced by 7% on the 1990/91 travel allowance expenditure.

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**MINISTER FOR URBAN SERVICES**

**LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO 136**

**Graffiti - Sydney Building**

Mr Humphries - asked the Minister for Urban Services:

1 When will the Minister have the following area cleared of offensive graffiti and unsightly posters and bills: The northern entrance to the alleyway of the Sydney Building running between the bus interchange in Aligns Street and London Circuit.

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

The building .to which the Member refers is privately owned. The removal of graffiti, posters and bills from privately owned buildings is the responsibility of the owner and-it would be inappropriate for the Government to direct the building owner as to the standard of building maintenance which is applied. However the matter is being discussed with the Building-owner.

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**MINISTER FOR URBAN SERVICES**  
**LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO 137**

**Graffiti - Russell Hill Roundabout**

Mr Humphries - asked the Minister for Urban Services:

- (1) When will the Minister have the following area cleared of offensive graffiti: Road signs near the Russell Hill roundabout where Kings Avenue meets Marched Drive.

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

- (1) Previous attempts to remove graffiti from two signs at the intersection of Kings Avenue and Marched Drive have been unsuccessful.

Efforts to mask graffiti without affecting the genuine lettering of the sign will be attempted. This work will be undertaken by the end of May 1992.

As the signs remain legible, their replacement is not being considered.

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**MINISTER FOR THE ENVIRONMENT, LAND AND PLANNING  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION NUMBER 138**

**Graffiti - Petrie Plaza**

Mr Humphries- asked the Minister for the Environment, Land and Planning:

1. .When will the Minister have the following area

cleared of offensive graffiti: The walls  
surrounding the seating area near Petrie Plaza  
opposite the ANZ Bank.

Mr Wood - the answer to the Members question is.as follows:

1. The.graffiti on the retaining walls surrounding  
the planter boxes-in Petrie Plaza is proving  
difficult to remove by conventional methods.  
Alternative methods are currently being examined .  
and if these are successful the graffiti should  
be removed by 5 June 1992.

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**MINISTER FOR SPORT**

**LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO 139**

**Graffiti - Aranda Oval**

Mr Humphries - asked the Minister for Sport -

When will the Minister have the following area cleared of offensive graffiti; the amenities and changing room. facility on Aranda.Oval, in Belconnen.,

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

ACT Public Works and Services have been asked to rearrange priorities for repairs and maintenance to enable this work to be carried out. Work is expected to begin before the end of May and will take up to two weeks to complete.

792..

**MINISTER FOR URBAN SERVICES**  
**LEGISLATIVE ASSEMBLY QUESTION**

**Question. No. 140**

**Graffiti - Kuringa Drive**

Mr Humphries -asked the Minister for Urban Services:

When will the Ministerhavethe following area cleared of offensive graffiti: The large "BELCONNEN" road sign on Kuringa Drive near the Barton Highway.

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

The work is.scheduled for completion this month.

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21 May 1992

**MINISTER FOR THE ENVIRONMENT, LAND AND PLANNING**

**LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO 141**

**Graffiti - Mount Rogers**

Mr Humphries - asked the Minister for the Environment, -Land and Planning

When will the Minister have the following area cleared of offensive graffiti: Rocks near the summit of Mount.Rogers adjacent to: public walking- trails.

Mr Wood - the answer to the member's question is as follows:

City Parks will attempt to remove the graffiti on-.the rocks near the summit of Mount Rogers within.thi next two weeks. As the rocks are covered.in moss and lichens and in a low maintenance area, a low impact treatment will be used to attempt the removal of the paint. However, it may not be. possible to completely remove the paint without damaging the rock surface.

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**MINISTER FOR THE ENVIRONMENT, LAND AND PLANNING**

**LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO 158**

**Minister for the Environment, Land and Planning -  
Interstate Visits**

Mr Kaine - asked the Minister for the Environment, Land and Planning -

In relation to your response to question on notice No 60 that you made one interstate trip in the period 7 August 1991 to 31 March 1992:

- (1) How many public servants accompanied you on this trip, by name, position and function.
- (2) What was the cost of each accompanying officer.

Mr Wood - the answer to the members question is as follows:

- (1) One public servant, Mr G Wells, Manager of the Agriculture and Landcare Section in the ACT Parks and Conservation Service, responsible for managing animal welfare matters in the ACT.
- (2) \$585

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21 May 1992

**ATTORNEY-GENERAL FOR THE AUSTRALIAN CAPITAL TERRITORY**

**LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO. 15**

**Attorney-General - Interstate Visits**

MR KAINE - Asked the Attorney-General upon notice;

In relation to your response to question on notice no. 61 that you made two interstate trips in the period 7 August 1991 to 31 March 1992 -

(1) How many public servants accompanied you on each of these trips, by -

- (a) name
- (b) position and
- (c) function.

(2) What was the cost of each accompanying officer.

MR CONNOLLY - The answer to the members question is as follows:

(1) (a) NAME (b) POSPITON (c) FUNCTION

(i) Len Sorbello DLO MINCO

C&LR 24-25 Oct 1991

Melbourne

(ii) - Chris Hunt Secretary SCAG

12-13 Mar 1992

Launceston

(iii) Len Sorbello DLO SCAG/MINCO

C&LR 12-13 Mar 1992

Launceston

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- (2) Airfare: \$464.00  
T/A : \$250.00
- (ii) Airfare: \$558.00  
T/A : \$329.00
- (iii) Airfare: \$558.00  
T/A : \$34200

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21 May 1992

**MINISTER FOR URBAN SERVICES.**

**LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO 161**

**Minister for Urban Services - Interstate Visits**

Mr Kaine - asked the Minister for Urban Services:

In relation to your response to question on notice No 63 that you made one interstate trip in the period 7-August 1991 to 31 March 1992

- (1) How many public servants accompanied you on this trip, by name, position and function.
- (2) What August's cost of each accompanying officer.

Mr Connolly - the answer to Member's question is as follows:

- (1) Nil - apart from, my Senior Private Secretary as previously advised.

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**MINISTER FOR URBAN SERVICES  
LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO. 168**

**Water Allowances and Charges**

Mr Moore - asked the Minister for Urban Services -

Is the Minister able to provide the water prices and water allowances in Yams and Queanbeyan as compared to water allowances and water prices in the ACT.

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

In Yaw the availability charge for water is \$400 per annum, which entitles the landholder to an allowance of 420 kilolitres (kl). Usage above this amount is charged at 58 cents per kilolitre (c/l).

In Queanbeyan the water rate is calculated by a charge of 0.729 cents in the dollar on the Unimproved Capital Value (UCV) of each property. The minimum charge is \$222.60. Each property paying the minimum charge is entitled to use 350kl water. Usage above this amount is charged at 53c/kl.

Where the charge calculated on the UCH excess \$222.60, the landholder is entitled to use an additional amount of water without further charge. For example, a property with a UCH of \$45,000 would be charged a rate of \$328. The householder would be entitled to use 549kl of water without further charge (the first \$222.60 entitles the landholder to use 350kl, the next \$105 entitles the landholder to use a further 199kl-199kl at 53c/kl equals about \$105). Any usage above 549kl attracts a further charge of 53c/kl.

In the ACT the annual allowance is 350kl at a charge of \$200 per annum. Usage above this allowance is charged at a rate of 53c/kl.

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21 May 1992

**MINISTER FOR URBAN SERVICES**  
**LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO. 171**

**Parking Tickets System**

Mr Westende - asked the Minister for Urban Services:

- (1) When does the Government propose to commence the trial of a new system of issuing parking tickets.
- (2) Is the Minister seeking savings through this new method.
- (3) Would the Minister have in mind reducing the number of parking attendants if the system proves successful.

Mr Connolly - the answer to Mr Westendes questions is as follows:

- (1) On-street trials of four hand-held automated ticketing units were held from 28 April 1992 until 29 May 1992. The results are currently being evaluated and appear to be encouraging at this time.
- (2) Potential savings have already been identified with a reduction in the number of data entry staff. There would be further savings from a decrease in instances of parking infringements being lodged against the wrong people due to double handling of information. This will result in administrative savings.
- (3) The aim of the new system is to increase operational efficiency and defer the necessity to increase staffing numbers as the motoring population of Canberra grows. As the major savings will be in administrative support to the enforcement function, there is no plan to reduce the number of inspectors as a result of automated ticketing.

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APPENDIX 1:

(Incorporated in Hansard on 19 May 1992 at page 581)

Death rates as a result of cycle accidents in NSW and Victoria per year (Compulsory cycle helmet legislation introduced in 1991)

Year NSW Victoria

1988 34 17

1989 19 34

1990 20 24

1991 10 12 (After the intro. of helmet legislation)

So far this year, NSW have recorded 4 cycle deaths which, projected yearly, indicates 10 deaths per year.

Head InLun Statistics For, Victoria

Three separate studies have been undertaken in Victoria to ascertain the impact of compulsory helmet wearing on head injuries in that state. They showed a reduction of 46%, 40% and 47% respectively in head injuries as a result of cycle accidents after the introduction of the legislation.

Statistics

Over the last two years in the ACT, a total of four people have died as a result of cycle accidents, two of whom suffered head injuries.

Of the 18 cyclists who were admitted to hospital with injuries in 1991, seven suffered head injuries (none of whom were wearing helmets), and 11 were admitted with other injuries. Of these 11, five were wearing helmets. In other words, none of the five helmet wearers who were hospitalised sustained head injuries whereas seven of the 13 hospitalised non helmet wearers did sustain head injuries.

In 1990, of the 17 cyclists admitted to hospital, 5 wore helmets, none of whom suffered head injuries. 4 of the 12 cyclists who were not wearing helmets, suffered head injuries.

So, on the basis of these two years, if a cyclist who is wearing a helmet is hospitalised, he/she is unlikely to have a head injury. But if a cyclist who is not wearing a helmet is hospitalised, he/she has a 30 - 50% chance of having a head injury.

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