



DEBATES

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

HANSARD

16 June 1992

Tuesday, 16 June 1992

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MADAM SPEAKER (Ms McRae) took the chair at 2.30 pm and read the prayer.

UNPARLIAMENTARY LANGUAGE

Statement by Speaker

MADAM SPEAKER: Members, before we begin I will make a statement. In the course of the last Assembly sitting period I was required, on several occasions, to rule on the appropriateness or otherwise of certain expressions used in this chamber. In the course of these several rulings a measure of confusion has emerged concerning the distinction between the veracity or truthfulness of statements and their acceptability as unparliamentary language.

It is the Speaker's prerogative, in the Westminster system, to determine what is acceptable language and what is unparliamentary. In order that there be no confusion in the future, I advise the Assembly that henceforth I intend to rule as unparliamentary any statement which I deem to be so, regardless of its veracity. I draw members' attention to this so that they will understand the basis for my rulings as they apply to the use of language.

With respect to the exchange on 19 May, I accept Mrs Carnell's private advice to me that no racism was intended in her question concerning the employment of nurses at Woden Valley Hospital. I also table, for the information of members, the legal opinion I have received on the issue. I trust that this incident highlights the need for all members to be temperate in their use of language with respect to other members and the community.

PETITION

The Clerk: The following petition has been lodged for presentation:

By **Mr Wood** from 5,554 residents, requesting that the Assembly ban all circuses which include animal acts or animal side shows from performing in the ACT.

The terms of this petition will be recorded in *Hansard* and a copy referred to the appropriate Minister.

Circus Animals

The petition read as follows:

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

The petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly that animals in circuses are:

- 1) Confined in small living areas for long periods of their lives.
- 2) Transported in cages and trailers over considerable distances.
- 3) Required to perform unnatural and often frightening behaviour for human entertainment.

Your petitioners regard the subjection of animals to these conditions as cruel and unnecessary, and request the Assembly to ban from performance in the ACT all circuses which include animal acts or animal side shows.

Petition received.

QUESTIONS WITHOUT NOTICE

Premiers Conference

MR KAINE: I would like to address a question to the Chief Minister and Treasurer. It is in connection with the Premiers Conference that was held last Friday. I ask the Chief Minister whether she would clarify what the outcome of that Premiers Conference was for the ACT. In amplification of the question, Madam Speaker: The only figures that I have seen of the amount of money that the Territory obtained in the Premiers Conference have been quoted in the media, and three figures were quoted - \$375m plus \$15m plus about \$4m - which add up to \$394m. The Chief Minister has said that this represents something in the order of 6.5 per cent less than what she expected. I would like to know whether the Chief Minister would tell us precisely what the Commonwealth offer was, and precisely how much we in fact have received as a result of the Premiers Conference. I would like that related to the \$600.8m projected in the forward estimates as the amount of money which presumably the Government expected to get from the Commonwealth this year.

MS FOLLETT: Madam Speaker, I thank Mr Kaine for the question and I am only too pleased to clarify the matter for members. By way of background I say to Mr Kaine that in going to the Premiers Conference, the financial Premiers Conference, my position was that of the Grants Commission's 1992 update, which quite clearly contained further transitional funding for the ACT. In the negotiation and debate on the ACT's revenue grant prior to the Premiers Conference, the figure for transitional funding that was put forward by the ACT was some \$20m.

The Commonwealth, in making its initial offer of grant to the ACT, in fact dropped that transitional amount back to \$10m. In the negotiations in the course of the Premiers Conference I indicated that I thought that was a harsh outcome for the ACT. It seemed to me that the Commonwealth was asking the ACT to accept a reduction of 8 per cent over our revenue grant from the previous year and I thought that that was an outcome which would be extremely difficult for the ACT to live with, so I argued strongly that we should obtain some further recognition of our transitional status. The outcome from the Premiers Conference was that the Prime Minister agreed to pay a further \$5m in transitional allowance, so the ACT's total special funding was in fact \$15m.

Our general revenue assistance, therefore, is reduced by \$16m over that which we got in 1991-92; that is, from \$410m in 1991-92 to \$394m in 1992-93. That represents a 6.5 per cent reduction in our general assistance. It is in stark contrast, I believe, to the increased assistance offered to all of the other States and the Northern Territory. I think that it does place the ACT's budget in a difficult position. We have \$16m less this year than we obtained last year. Madam Speaker, I might add that our general purpose capital assistance is at the same money level as in 1991-92 - that is \$33.4m for the ACT - and the Territory's global borrowing limit will be \$71m.

Mr Kaine has asked further, Madam Speaker, what the impact on our capital works program will be. I am sure members are aware that that capital works program has been referred to the Assembly's committee for review. I certainly look forward to their assessment of it. I believe that the capital works program that the Government has put forward firstly provides for the necessary facilities for the community that we have an obligation to provide. Secondly, it is aimed at ensuring some sort of continuity of employment in the construction industry and attempts to avoid the peaks and troughs that we have experienced in previous years. It is the maximum program that I believe we can afford, and, Madam Speaker, as I have said before, I will contemplate some modest borrowings for capital works. The exact amount of those borrowings - - -

Mr Kaine: "Prudent" is the right word - prudent borrowings.

MS FOLLETT: Prudent borrowings; thank you, Mr Kaine. I appreciate your guidance on these matters and I support the term "prudent". The exact amount of those borrowings is a matter that is still being worked upon and is obviously subject to the Assembly committee's view on that capital works program. If they want it drastically expanded or drastically reduced, that obviously will have a bearing on that final figure.

MR Kaine: Madam Speaker, I ask a supplementary question. That answer was useful and informative as far as it goes; but, looking at the forward estimates that were published in December, the expectation for general purpose grants from the Commonwealth was for a total of \$389.2m. So, in fact you ended up with more than you expected when you wrote your forward estimates. But beyond those general purpose grants, both revenue and capital, we also expected, according to the forward estimates, to receive \$211.6m in special purpose grants. That is \$186.6m for special purpose revenue and \$25m for special purpose capital. Can we assume that that money will be forthcoming, or has that been varied also?

MS FOLLETT: Madam Speaker, I will first clarify the forward estimates figure for the Commonwealth's revenue grant. That figure published last December has been adjusted since for issues like the Grants Commission update.

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Mr Kaine: Blown out hospital budgets and things like that.

MS FOLLETT: No, no, no; for matters such as the Grants Commission update. The forward estimates, of course, are published at the time, in view of the conditions at the time, but they are subject to review. So the forward estimates position at December is not the position now and there has been a quite significant amount of adjustment placed there. In regard to the other figures that Mr Kaine has mentioned, I do not have the document that he has in front of him; but the figures that I have just given to the Assembly are what we have got from the Commonwealth, and I can only assume that the sums that Mr Kaine has mentioned are subsumed in that grant that I discussed previously.

ACTION Subsidy

MR LAMONT: My question is to the Minister for Urban Services. Today the Federal Leader of the National Party, Mr Tim Fischer, attacked Canberra and Canberrans, stating that they were cocooned and removed from the effects of the recession. In particular Mr Fischer has used ACTION buses as a vehicle for his condemnation of Canberra. What can the Minister tell the Assembly about Mr Fischer's comments and the real cost of ACTION's subsidy to the ACT community?

MR CONNOLLY: I am sure that all members of this Assembly, regardless of their political affiliation, would join in condemning Mr Fischer's irresponsible and petty attacks on Canberra. Although he masquerades as the Deputy Leader of the Opposition and therefore is a person who, one would think, is owed some loyalty by the local branch of the Liberal Party, I would hope that they would have the forthrightness to come out and attack Mr Fischer's foolish remarks.

It was interesting that he particularly seized upon the ACTION bus issue, seemingly believing that this is the only place in Australia where public transport is subsidised. Of course, Madam Speaker, in order to deliver social justice, every government in Australia, Labor or Liberal, or indeed National Party in Queensland, subsidises public transport. If you do not subsidise public transport, disadvantaged persons have no access to transport and are housebound. Elderly people are becoming more that way because of some of the other irresponsible and stupid publications put out by the current Federal Liberal Party, such as their crime pamphlet - but that is another issue.

Mr Fischer and local critics of ACTION should do a bit of research, go to this rather thick blue document - the May 1992 Grants Commission update - and work through it until they get to page 395. They would see documented by the Grants Commission the extent to which the ACTION subsidy is above what it should be. The Grants Commission says that it is about \$7.5m on 1990-91 figures; that is that the subsidy is overgenerous. We have put too much subsidy into ACTION buses by, says the Grants Commission, about \$7.5m. That, interestingly, roughly translates to the extent to which the ACTION subsidy blew out in the last year in which the Liberal Party was in power here, when Mr Kaine was Treasurer and when nothing was done to deliver micro-economic reform. The sort of usual - - -

Mr Kaine: Have you never heard of the hospital reconstruction program?

MR CONNOLLY: Yes, and Mr \$17m sitting next to you. Nothing was done to achieve reform in this area. In 12 short months, Madam Speaker, in the 12 short months that this Government has been in office, we have reduced the ACTION subsidy by \$2m. We have achieved \$2m savings. They will be delivered on 30 June. So that is \$2m out of \$7.5m. Our new network, which starts on 6 July, is worth another million dollars. So that is \$3m in savings already achieved. Mr Fischer should not be looking at the global figure. If he wants to criticise ACTION and criticise this community for its level of subsidy, he should look at the level of what the Grants Commission says is oversubsidy and he should be congratulating this administration as the first administration to get stuck into it - compared to you lot - and actually turn the subsidy around, which is what we are doing. We are delivering a benefit to the people of Canberra.

Guardianship Legislation

MR MOORE: My question is directed to Mr Connolly as Attorney-General. In fact, I gave Mr Connolly forewarning of this question. I believe that you received a letter from the organisation Focus, expressing concerns regarding implementation of guardianship legislation. In asking this question I wish to make clear my own confidence in the members of the tribunal who donate their own time for the benefit of the community. I have been informed that current implementation practice is being conducted contrary to your stated intentions, in particular when the Bill was debated. Has your office replied to the letter from Focus? How many full guardianships have been ordered over the past six months and on what basis?

MR CONNOLLY: When that comment from Focus was received there was a response immediately from the head of my department, saying that we noted their comments and we would refer them to the chair of the Guardianship Tribunal, which is, of course, the Chief Magistrate, Ron Cahill. I have responded to Focus since then. It is my intention that we have a process of review of how the Guardianship Tribunal is operating. We are now at about six months of operation and that is an appropriate time to start talking to community groups. We will be announcing this week the permanent appointment of the Community Advocate, which is a key position in making this regime work, and I think the substantive appointee to that position should play a key role in going around talking to community groups.

I noted with concern some of Focus's disappointments with the way that they saw things operating. I think it is fair to say that it has been in place for only six months; everyone is feeling their way into it. It is our intention that there be a full process of review after 12 months. But I would expect the Community Advocate, when that position is filled, to take up a process of consultation.

I cannot give Mr Moore now the statistical breakdown - I was not aware that he sought that, although I knew that he was interested in the general area - but I can undertake to provide that statistical breakdown. He can also note that we have appointed some other persons who are not magistrates to act as chair. It is not intended that the Chief Magistrate will always be the chair. As the body was being set up it was thought that in some of those test cases Mr Cahill's expertise

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and judicial experience would be useful. It will, as it moves on, often be chaired by persons who are not of a judicial office and, of course, in all cases we have non-legal persons on the panel. So we are hoping to get the informal cooperative approach that I know the community expects and which the Government does want to deliver.

MR MOORE: I have a supplementary question, Madam Speaker. Is it still your approach that full guardianships should be the last resort of the tribunal?

MR CONNOLLY: Madam Speaker, I think that is a fair comment that Mr Moore makes. I think we have to bear in mind, though, that there has been an unmet demand for this for a long time. When the body was set up it was natural that there would be a number of cases where that last resort was probably needed. Some of the first matters that have come before them have been fairly difficult cases where full guardianship would be appropriate. We do see that, as the tribunal beds itself down and as the community becomes more aware of it, the range of remedies that can be offered by the tribunal will be more commonly used.

Although I do not have the figures, I suspect that Mr Moore is concerned that there have been too many full guardianships in relation to other orders. He is probably right in that, but again that is probably a function of a new remedy being available and a lot of difficult cases that have been waiting. A number of members of the community have been waiting for years for this reform and we are coming into it. I think that over time that pattern will change.

Housing Trust - Purchase of Fraser Property

MR CORNWELL: Madam Speaker, my question is for the Minister for Housing and Community Services. I was interested to hear his earlier comments about social justice and talking to the community. Can the Minister advise why the ACT Housing Trust, in late 1991, paid \$190,000 for a five-bedroom, large corner property at 129 Shakespeare Crescent, Fraser, which, whilst it remained vacant for some months, nevertheless included a 10-metre swimming pool, reverse cycle air-conditioning, separate air-conditioning in the master bedroom, an in-ground sprinkler system, along with a two-car garage? Is this house to be used for the supported accommodation service? If so, why has so much been paid, and why has the service - and I remind you about talking to the community - not been identified to immediate neighbours who, I believe, have every right to know who might be living in their midst?

MR CONNOLLY: Madam Speaker, during the last sittings we had a burst of NIMBYism which was unfortunately attributable to a real estate agent who I understand is no longer with the company that he then represented. He said that it was a terrible thing that the Housing Trust was buying properties in which they would put - shock, horror - deserted wives. Who, said this real estate agent, would want that sort of person living next to them? I was very pleased, during that debate, at the very responsible approach that was shared by Government and Opposition and Independent members when we were at one in condemning that sort of approach. I hope that Mr Cornwell is not slipping down that slope.

The house in Fraser is, indeed, for supported accommodation. I think it is now being used by a women's group as a form of emergency accommodation. It is a Housing Trust policy, as it always has been, to purchase houses in the community that are of a standard comparable with the community. We do not have welfarism; we do not have poor quality houses for welfare cases that are identifiable as such by people in the street. This is a house that will be used by women in crisis with children in crisis. The house was on the market at what we thought was a fair price. Yes, it does have some of those facilities and, indeed, they will be used by these women and children most appropriately.

In relation to consultation with the neighbours, it has been a longstanding policy, endorsed by this Government and by your party when in government, that we do not, as a rule, identify supported accommodation premises and, particularly, we do not identify women's shelters. There is an obvious reason for that. Women are often fleeing domestic violence, are in crisis, and it would be very poor public policy for us to identify the location of those houses. I hope that any of the media who care to report this will not report the particular address. I think Mr Cornwell did mention the address, but I am sure he was not intending to identify any shelter. I would hope that any reporting of this simply refers to premises in Fraser.

That policy on a number of occasions has been challenged by what I could only describe as NIMBY attitudes. People say, "Well, we know that there is a need for women's shelters. We know that there is a need for houses for people with substance abuse problems. We endorse all of that. But it should be somewhere else, not in my suburb". It is popularly suggested that Tuggeranong might be a good place for such premises. I had a number of those sorts of comments to my office. I say to those people that we will put those premises throughout Canberra, in ordinary suburbs and in ordinary streets.

In relation to not this house but another house at Melba where there were very similar circumstances, there was a complaint to the Ombudsman in relation to our failure to consult and divulge, and the Ombudsman said that we were following appropriate practice. He endorsed the longstanding practice of both Labor and Liberal governments not to go out and say, "We are putting a women's shelter next to you". It has always been the case and I think there are appropriate social justice reasons to continue that.

MR CORNWELL: I ask a supplementary question, Madam Speaker. Mr Connolly, is it government policy, therefore, to purchase for supported accommodation services properties which include 10-metre swimming pools, reverse cycle air-conditioning, separate air-conditioning in the master bedroom - or perhaps that is a bit of a misnomer in this particular case - and an in-ground sprinkler system? Please, what is the policy in relation to these matters as far as your Government is concerned?

MR CONNOLLY: Our policy, Madam Speaker, is to get value for the dollar, to look at a house that is good value for the area and to continue to scatter houses throughout the suburbs. If the Liberal Party is taking the view that supported accommodation or welfare housing should be substandard, rough, hairshirt-type accommodation, we have come to a sad state of affairs in the ACT.

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We will continue to spot purchase houses which are good value for the area. We will continue to scatter those houses throughout the suburbs. We will continue to expand the public housing list, which we have done dramatically. We have doubled the new starts compared to not what you say but what your two colleagues Bib and Bub on the back bench suggest. Mr De Domenico and Mr Westende suggest that we should be on a process of flogging off public housing to pay out the ACT public debt. You say one thing on public housing; these two say the other. The Liberal Party not only is in total confusion but it also is now slipping into this nasty approach that public housing should be cheap and substandard, and we reject that.

Housing - Energy Efficiency

MS ELLIS: My question is to the Minister for the Environment, Land and Planning. Minister, you have announced new energy efficiency requirements for both home construction and subdivision development. Is it feasible to impose an energy rating on houses, and what will you do to make subdivision energy efficient?

MR WOOD: Madam Speaker, it is feasible to seek five-star energy ratings on houses and to make subdivisions energy efficient. I am very keen that these matters should be attended to. This was a matter that I pursued as soon as I became Minister for the Environment and Planning, not least because I came to Canberra many years ago now from a warm climate, a hot climate, to a cold climate. I had great difficulty. In fact, I was unable to locate a house that had energy efficiency; that let a bit of sun into it, among other things. So I am very keen and I was proud on World Environment Day to announce this five-star energy rating for homes. It can be done. There is a set of criteria that is laid out in a paper. I have no doubt, because of the good comment we are getting now, a very strong flow of comment, that we will refine those and improve them further.

Mr De Domenico: Was your picture on the publication?

MR WOOD: There is no publication. A few sheets have gone out, a quite thick volume of sheets. I would predict that, while this is to be voluntary in the first year and is then to be assessed, after that in fact you will not be able to buy a home in Canberra in the near future unless it has three, four or five stars indicating its energy efficiency.

Secondly, as for subdivision development, we are now requiring the Planning Authority, when giving approval to subdivisions, to include that they be energy conscious, among other important aspects; that is, as far as possible, bearing in mind the importance that people place on views and, I suppose, topography. The suburbs will be designed to give maximum benefit to the houses to receive sunlight, and to receive sunlight on a long northern wall.

I believe that home buyers in future will move into some very strangely shaped allotments. There is no guarantee that in the future you are going to get your nice rectangular allotment, because we will design the flow of the streets and the shape of the allotments to maximise that northern aspect. The Planning Authority is going to impose that regime. It will be introduced steadily as developers acquire that technique. I think these are very important measures for the comfort of those people who will live in these homes and for the saving of energy.

Trading Hours and the Labour Market

MR DE DOMENICO: My question without notice is to the Chief Minister. I refer the Chief Minister to a report in the *Canberra Times* this morning headed "Extend trading hours: report", together with an interview done by the ABC's Mr Errol Silver with a Dr Colin Adrian from the Chief Minister's Economic Development Division on youth unemployment. In light of the recommendations included in the report of her own EPACT, will the Chief Minister and her Government now move to deregulate trading hours and at the same time deregulate the labour market?

MS FOLLETT: I thank Mr De Domenico for the question. I am very pleased to know that he is taking notice of such an important report as the one produced by my Economic Priorities Advisory Committee. I might just mention, Madam Speaker, that I will be seeking leave to make a statement about the work of that committee later in the week, so we will be able to go into it in a bit more detail. One of the matters traversed in EPACT's report on the youth labour market does concern retail trading hours. It also concerns the position of many of our young people seeking employment in that sector and in other sectors. What I have done with the report, Madam Speaker, is refer it to my Ministers, and, indeed, to the Assembly's Social Policy Committee, for their views.

On the direct question that Mr De Domenico has asked about the extended trading hours, that is a matter to which the Government will be giving close consideration. In fact, I have asked each Minister to look at all the recommendations from that report, particularly with a view to those that can be implemented quickly. The trading hours recommendation is one that EPACT considered would have a beneficial impact on the position of youth unemployment; but there are many others as well, and I do not want them overshadowed because of one or two that might be headline grabbers.

There is also a matter of youth employment in the public sector, in the public service, both ACT and Federal, and I think that needs to be taken up as well. They have also made recommendations about traineeships and apprenticeships - another matter which must be taken up swiftly and addressed swiftly. To conclude, Madam Speaker, the question of extended trading hours is one which the Government is giving consideration to, and we will certainly be looking closely at the recommendations of EPACT and, of course, of other inquiries.

MR DE DOMENICO: Madam Speaker, I have a supplementary question. I thank the Chief Minister for her answer. I did also mention, as well as trading hours, the deregulation of the labour market because, as the Chief Minister knows, one goes with the other.

MS FOLLETT: Madam Speaker, the answer is similar. I have referred that matter to the appropriate Minister and he will advise me on the course of action that he will be taking.

Prisoners in Interstate Institutions

MR STEVENSON: My question is to Mr Connolly and concerns prisoners in gaols outside the ACT who were ACT residents prior to being gaoled. What is the total number of prisoners in gaols or remand centres outside the ACT? What gaols are they in and how many are in each gaol? For those prisoners who have relatives or friends who would like to visit them, is there any reason why most, if not all, could not be placed in Goulburn Gaol?

MR CONNOLLY: When ACT prisoners go into the New South Wales system they are received into either Long Bay or Goulburn. They then get distributed within the New South Wales prison system, depending essentially on security classification rather than proximity to Canberra. Many are in Goulburn or Cooma or low security facilities to the west of this region; but it is possible for ACT prisoners to end up in other areas of the system, just as it is possible for a Sydney prisoner to end up at Grafton or Cooma or points west. Mr Stevenson did give me the courtesy of indicating during the last sittings that he was interested in the specific statistics, but the efficiency of my office in cleaning out the last sittings questions brief in preparation for these sittings has meant that I do not have with me now the detailed list of prisoners by facility which I had in preparation for the last sittings. I undertake to get that to Mr Stevenson very swiftly.

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

Premiers Conference

MS FOLLETT: Madam Speaker, I would like to add to an answer that I gave to Mr Kaine's question early on in this question time. Mr Kaine asked me about a figure in the forward estimates of, I think, \$211.6m. Madam Speaker, I believe that the figure that Mr Kaine has referred to is actually the specific purpose payment from the Commonwealth.

Mr Kaine: That is right.

MS FOLLETT: Indeed. Mr Kaine has clarified that. I would like to say, Madam Speaker, that this year's version of that sum will not be known until the Commonwealth has brought down its own budget. It is in fact separate from the figures that we were discussing in relation to the Premiers Conference. The specific purpose payments are determined by the Commonwealth and, as I say, we will not know the amount until after the Commonwealth has brought down its budget.

Chief Minister's Staff

MS FOLLETT: Madam Speaker, I would like also to answer a question that was asked of me in the last sittings of the Assembly. I took on notice part of a question from Mr Kaine relating to the increased cost to the Executive budget as a result of the altered staffing arrangements in my office. I would like to advise that the total additional recurrent cost to the Executive budget arising from

implementation of the findings of the review is \$50,306. That comprises \$18,702 salary costs, \$16,700 vehicle running and replacement costs, and \$14,904 non-salary costs reflecting the benefits which comprise the SES remuneration package. In addition, there is a one-off capital expenditure of \$55,000 for the purchase of three vehicles.

I also took on notice, Madam Speaker, a question from Mr Kaine in which he inquired in relation to the three members of my staff employed at the SES level as to their status under the LA(MS) Act. He sought details of their remuneration packages. Madam Speaker, these three members of my staff were employed under Part II of the LA(MS) Act - one at the level of senior executive specialist band one upper, and two at the level of senior executive specialist band one lower. Details of their remuneration packages, which are the same as those provided to the majority of those employed at the same classification in the Australian Public Service, are provided in a document which I now table.

Guardianship Legislation

MR CONNOLLY: Madam Speaker, during question time I took on notice a question from Mr Moore about the statistical details in relation to guardianship orders. I am now in a position to give him that data. From the date of inception the tribunal has received 41 originating applications, and has made 28 orders. Of those, 26 have been plenary orders; and, of those 26 final orders, 24 were indeed guardianship orders. They break down into 11 in relation to senility, dementia or Alzheimer's disease; eight in respect of intellectual impairment; six in respect of brain damage; and one in respect of mental illness.

PAPERS

MADAM SPEAKER: I present for the information of members a letter that I have received from Senator Kerry Sibraa, President of the Senate, transmitting the text of a resolution agreed to by the Senate on 27 May 1992 and relating to the eightieth anniversary of the announcement of the winner of the design competition for the federal capital of Australia.

I also present for the information of members the report of the Australian Capital Territory delegation to the Commonwealth Parliamentary Association Conference held in Wellington, New Zealand, from 8 to 14 September 1991. I present the report as president of the ACT branch of the CPA because the delegate who attended the conference is no longer a member of the Assembly.

SUBORDINATE LEGISLATION AND COMMENCEMENT PROVISIONS

Papers

MR BERRY (Deputy Chief Minister): Pursuant to section 6 of the Subordinate Laws Act 1989, I present subordinate legislation in accordance with the schedule of gazettal notices for regulations and determinations and notices of commencement.

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The schedule read as follows:

Administrative Appeals Tribunal Act - Administrative Appeals Tribunal Regulations (Amendment) - No. 6 of 1992 (S66, dated 29 May 1992).

Casino Control Act - Notice of determination of casino licence fee - Determination No. 58 of 1992 (S72, dated 29 May 1992).

Electricity and Water Act - Determination of fees - No. 53 of 1992 (G21, dated 27 May 1992).

Public Health Act - Public Health (Infectious and Notifiable Diseases) Regulations (Amendment) - No. 8 of 1992 (S79, dated 9 June 1992).

Public Place Names Act - Determinations -
No. 55 of 1992 (S65, dated 29 May 1992).
No. 56 of 1992 (S68, dated 1 June 1992).
No. 57 of 1992 (S69, dated 1 June 1992).

Rates and Land Tax Act - Rates and Land Tax Regulations - No. 7 of 1992 (S75, dated 2 June 1992).

Surveyors Act - Notice of commencement (S74, dated 1 June 1992).

Surveyors (Amendment) Act - Notice of commencement (S80, dated 5 June 1992).

Water Rates Act - Determination of fees - No. 54 of 1992 (G21, dated 27 May 1992).

Weapons Act - Determination (G23, dated 10 June 1992).

May I just point out to members, Madam Speaker, that this is probably the last time they will see this tattered blue folder. It has done good service for the Assembly and it is about time we replaced it.

BUDGET STRATEGY 1992-93 Ministerial Statement

MS FOLLETT (Chief Minister and Treasurer), by leave: Madam Speaker, I thank members. I am pleased to present Labor's budget strategy to the Assembly and to the community. This strategy provides a sound financial framework for the Labor Government's policy agenda over the next three years. The budget strategy is designed to enable the Government to implement its agenda. That agenda is clear. It was spelt out during the election campaign and in my speech to the Assembly on 7 April. It allows business, unions, families and individuals to be confident about the future of our community.

We are a Labor Government. Our agenda is a commitment to social justice principles, a commitment to implementing the election undertakings we have given to the people of Canberra, and a commitment to the objectives and traditions of the Labor Party. We will protect the standard of services the

Government provides to the community. We will implement our election commitments to new programs and services. We will provide the stability needed for the long-term creation of employment in the private sector, and we will provide government support for employment and training. The budget strategy is designed to allow us to concentrate on those in our community who are most in need.

Madam Speaker, the Government does not see the annual Territory budget as an end in itself. The budget is a tool for the implementation of the Government's policies and programs. Our budgets will serve the interests of the community, not the reverse. In seeking to implement our agenda, we have no choice but to live within the very firm constraints imposed on the ACT by the continuing cutbacks in Commonwealth funding - cutbacks which have been far more severe than those faced by any State. Moreover, the increased demand for services resulting from the effects of the national recession and national issues such as health funding policies add significantly to the challenge we face to create a fairer society.

We must reduce the cost of delivering government services in order to sustain the services themselves. No area of expenditure can be quarantined in the search for increased efficiency. The Government will not compromise on the quality of services to the community. We will not impose an unreasonable tax burden and we will not resort to passing on unwarranted debt to future generations. This presents an enormous challenge over the next three years. We have no option but to continue the program of restructuring, such as is already occurring in health and in ACTION. This must be extended to other areas of the Government. We must be able to provide services more efficiently and at lower cost than they have been provided by the Commonwealth in the past. We must also be conscious of the increasing social, budgetary and environmental costs of our ever-expanding suburbs. Opportunities for more people to benefit from our existing infrastructure must be found.

Madam Speaker, there is a clear distinction between the approach of Labor and that of our opponents. The Liberals do not believe that we need an economy with both a public sector and a private sector. They are simply prejudiced. As a Labor Government we recognise that the two sectors are interdependent. The community needs and demands the services provided by both sectors. Their viability and capacity to provide jobs for our community depends on the continued health of both. That is why Labor stands for a strong public sector and a thriving private sector. We are conscious of our responsibility to the community and to our employees to provide stable government employment, particularly in a recession. Our efforts to make the public sector more efficient will be designed to provide a sustainable public employment base into the future.

In framing the budget strategy we have taken into account the ACT's financial performance so far this year. Our budget has experienced a higher than expected call for resources from several areas. As was recognised at last Friday's Premiers Conference, these are largely the result of national rather than local pressures. They will continue to flow on into 1992-93 and beyond.

I have taken the opportunity to consult with peak groups, including the Business Council, the ACT Council of Social Service, the Trades and Labour Council and the Economic Priorities Advisory Committee of the ACT. They have given me valuable feedback both on the Government's policy platform and on their visions

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for our Territory's future. From these many elements we have drawn together a strategy which implements our agenda, which will tackle the community's social justice needs and which progresses our program of structural reform.

Madam Speaker, I would like to report first on the Premiers Conference. As I told the community before the conference began, the Commonwealth's offer to the ACT was harsher than anticipated and did not adequately recognise our transitional status. I made these points strongly to the Prime Minister and I welcome the increase of \$5m on the Commonwealth's initial offer. It nevertheless leaves us with an extremely difficult financial adjustment to make in the coming budget. We have to cope with a 6.5 per cent real decrease in general revenue funding from the Commonwealth. The other States and the Northern Territory have been given a real increase in funding, yet the ACT is expected to live with \$16m less than last year.

We must also bear in mind that the Commonwealth's treatment of us for 1992-93 is probably no worse than we will face in the next few years. Successive reviews by the Commonwealth Grants Commission have indicated that we have a substantial adjustment to make. As each year passes, the ACT Government must continue to adjust the pre-self-government policies and programs of the Commonwealth and their legacy of unsustainably high costs. The Commonwealth will continue to reduce its payment to the ACT to levels more in line with the States and the Northern Territory. The transitional allowances, whilst still underpinning our funding by nearly \$80m, will be phased out over future years.

Our task has not been made easier by the Commonwealth imposing additional costs on the States and Territories without any additional funding capacity. While this Government supports the principle of universal superannuation, the Commonwealth's proposal for the superannuation guarantee levy would require the ACT to find an additional \$2m in 1992-93, growing to \$10m over the next decade. Madam Speaker, it was agreed by Premiers and Chief Ministers around the conference table last Friday that the national health funding arrangements were placing enormous strains on our budgets. The Commonwealth has yet to propose any real solution to help us cope with this increasing burden. Before I leave the subject of the Premiers Conference, Madam Speaker, I would like to report that at the associated Loan Council meeting it was agreed that the ACT, together with the Northern Territory, should become full members of that council. This is a further recognition of our self-governing status.

In developing our budget strategy we have assessed national and local economic conditions and the outlook over the next few years. Throughout the national recession the ACT economy has performed better than the States and the Northern Territory. In recent months, however, it has become increasingly evident that the ACT is experiencing some delayed effects of that recession. Nevertheless, many sectors continue to perform well, supported by a high underlying rate of population growth.

The fastest growing area of the ACT economy has been the housing sector, followed by the retail trades sector. Activity in the tourism and related industries has also recorded improvements, with occupancy rates increasing over this period. Non-residential building activity, while improving in recent months, remains below the high levels recorded in previous years. There has been a slowdown in the private sector which has stopped any overall growth in ACT

employment, despite the fact that the labour market has been assisted to a large extent by the presence of a stable public sector. In recent months there has been a fall in unemployment, but we need to see this trend reinforced for a few months yet before we can feel greater confidence. Although the unemployment rate for teenagers looking for full-time jobs fell to a relatively low 11.7 per cent in May, it had been much higher in the previous months. At this stage I am not convinced that there has been a permanent improvement, as the statistical sample is too small to be completely reliable. The Government will continue to give priority to youth training and employment.

The outlook for the ACT economy in 1992-93 is largely governed by national economic trends. The measures announced in the Prime Minister's One Nation statement aim to provide a short-term stimulus to the economy by boosting business and consumer confidence, reducing structural impediments to growth and improving the prospects for low inflation. This has been reinforced by the additional funding provided to the States at the Premiers Conference. Accordingly, it is expected that the national economy will experience growth in 1992-93, with a flow-on effect to the ACT. There is little likelihood of growth in Commonwealth public sector employment in the ACT. Demographic forecasts project a continued high 2.3 per cent rate of population growth in the ACT in 1992-93. This should continue to support an increase in economic activity. Recently released labour force and employment projections suggest a growth of 1.5 per cent or 2,200 jobs during 1992-93.

The relationship between the economic conditions and our financial constraints needs to be taken into account. We are committed to the creation of new jobs and improved training; yet there are only limited opportunities for creating jobs from our diminishing resources. We will therefore pursue selective opportunities for increasing the skill base of our labour force. We will ensure that our taxing effort does not place onerous demands on business. There is also no getting away from the inevitability that we must continue to make the public sector more efficient.

Madam Speaker, last December, when we published the forward estimates for the next three years, the figures indicated a gap between expected revenue and expenditure, recurrent and capital combined, of approximately \$40m next year. Since then there have been a number of developments, many of them national rather than local, which have resulted in a combined recurrent and capital budget gap currently estimated at over \$70m. The major factors contributing to this change in our budget outlook have been an increased demand for welfare concessions and benefits, an increased demand for TAFE places and other training, an increase in school enrolments and a movement from private to public schools, a continued shift from private insurance to public patient status in hospitals, and a reduction in the Australian Bureau of Statistics estimate of the ACT's proportion of the national population. This alone reduced our funding in 1991-92 by \$5m and will have a flow-on effect into 1992-93. There has also been an increased demand for public housing, which is met from within the resources of the Housing Trust.

The Government's announcement earlier this year that the planned capital works program would be accelerated will generate employment for about 330 people in the ACT, but it will also have an impact on future budgets by bringing forward into 1992-93 an additional \$22m for capital works, with the associated borrowings and debt servicing payments. Last week the Government referred its proposed

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new capital works program for 1992-93 to the Planning, Development and Infrastructure Committee for report to this Assembly. This program is a careful balance between the provision of necessary facilities and a stream of work for the construction sector while ensuring that our capital spending in future years is contained within reasonable limits. I believe that the proposed program is the maximum affordable. Other pressures which have added to future spending requirements since the publication of the forward estimates include the Commonwealth's superannuation guarantee levy to which I referred earlier.

There have been some changes of a positive nature since the publication of the forward estimates. The Government's approval of a casino licence will have a threefold benefit to the ACT. First, the successful tenderer will pay a \$19m premium to the Government which will be dedicated to cultural and heritage facilities. Secondly, there will be the ongoing benefit of a tax levied on the operations of the casino. Finally, there will be a significant boost to employment, both during the construction phase and when the casino is operating.

Madam Speaker, I turn now to the elements of the strategy. Despite the cutback in Commonwealth funding, the Government remains committed to balanced recurrent budgets over the next three years. The Territory must live within its means. It would not be sustainable to resort to borrowing to fund the everyday activities of government. We will not create an irresponsible burden for future generations. It is also imperative that we minimise our use of borrowings to finance the capital budget. The ACT's strong AA+ credit rating will enable the Government to undertake the necessary borrowings at very competitive rates. Every \$10m we borrow now means that we must find from our recurrent budget \$1.6m a year for 15 years to service the interest payments and principal repayment of that debt. This is particularly difficult given the continuing reduction in Commonwealth funding which we face.

In the current financial circumstances facing the ACT we can achieve our goals over the next three years only if we continue to pursue structural reform. We need to ensure that the Government and the community get value for money from government services. This does not mean that we must compromise quality. High quality does not necessarily mean high cost, and we are no doubt all aware of cases where high cost is certainly not an indication of quality. By increasing the efficiency of all aspects of government we should be able to maintain existing standards. The resulting savings will be needed to offset the Commonwealth's declining funding and to implement our social justice objectives.

Let me refer to the ACT Tourism Commission as a case in point. Last year the Government set the Tourism Commission a considerable management and restructuring task. I am pleased to report that the commission has responded magnificently. Faced with a reduced expenditure base, it has restructured its operations while maintaining its marketing expenditure at the same level as in the previous year. The commission is now poised to expand its marketing activities further.

As part of the push for efficiency, we will continue to aim for better management in the ACT Government Service through a range of initiatives covering efficiency, responsiveness to the public, accountability and good employer practices. It is a fact of life that managers everywhere are being asked to produce better services

with fewer resources. To assist in this better management agenda, the Government is committed to a significant increase in training for staff at all levels. We want to make the training more relevant, of a much higher standard and more widespread across the service.

The Government will continue the approach adopted in previous years of investing additional funds in restructuring projects to achieve long-term savings. Before agreeing to invest funds in projects of this nature, however, we will closely scrutinise the expected outcomes to ensure that the investment is soundly based and the required savings are achievable. To ensure that we are getting value for money, every government program has been asked to review its current resource levels and develop a planned, strategically-based approach to efficiency gains over the next three years.

The Government acknowledges that this is a massive task, but we must cut costs to live within reducing revenues. Reliance on incremental reductions is unlikely to be sufficient on its own. We also need to concentrate on areas where there is clearly considerable scope for efficiency gains. Madam Speaker, we could, in theory at least, choose to spend as much or as little as we like on any particular area of government, irrespective of how much any other State spends; but we must always be conscious that the total bucket is not bottomless, and that more in one area means less in another. I cannot stress too greatly that the ACT community must adjust to the realities of living within our diminishing means.

In the health area, gains are already being made. Our major priority will be to continue to pursue the achievement of significant returns from the very considerable investment of public money in hospital restructuring. Given the modernisation of the hospital structure, we must aim for increased cost-effectiveness and better work practices.

In the light of the Government's commitment to a high-quality education system and the non-closure of schools in this term of government, we must focus on improving educational outcomes. We must also look at the costs of education services, and look to efficiencies in the delivery of those services. There is also an urgent need to greatly improve the consistency of post-compulsory education programs in secondary colleges and TAFE.

The cost of our public transport system is another area receiving close scrutiny. We have already delivered substantial savings and will continue to ensure that this important public service provides an efficient and affordable alternative to private transport.

There is also scope to further cut costs in government accommodation by continuing to reduce our reliance on rented and high cost accommodation. We need to pursue the selective sale and redevelopment of land and buildings that are not benefiting the community or the Government. In particular, Ministers will look at the usefulness of various depots located throughout the city. Unions will be involved in a consultative process as part of this review.

Madam Speaker, in any forward-thinking approach we must be conscious of the fact that Canberra's remaining land is limited and that our ever-expanding suburbs have an increasing social, budget and environmental cost. The pattern of growth in greenfields areas is adding significantly to demands for new capital works and to the day-to-day costs of providing services. Moreover, the population in established areas has been declining for many years.

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I believe that we must aim to provide as high a proportion as possible of our future housing needs through a program of urban renewal. This is a major plank in our platform of structural change and it has received strong support in our consultation leading up to this budget strategy statement. It will restrain the demands on our budgets in future years, reduce environmental damage and provide beneficial social effects, particularly by increasing the viability of existing community services such as schools and local shopping centres.

While the Commonwealth funding currently provides some allowance for Canberra's dispersed structure, this does not apply to those areas where policy decisions are now a matter for us rather than the Commonwealth Government. In the past, the ACT community has formed its preferences on urban densities without regard to costs, as these did not impact directly on the community. Those days have gone. The debate on planning and development in the ACT can no longer be carried on in a financial vacuum.

Madam Speaker, part of our budget strategy must, of course, involve a consideration of the revenue side of the budget. The Government wishes to avoid imposing an unfair burden on any section of the community. Past revenue decisions brought our tax base largely into line with the States. The potential for significant increases is also constrained by possible impacts on employment and investment.

Given that the benefits of our strong push for efficiency will take time to fully accrue, we must consider selective increases in revenue over the next three years. In particular, we will be reviewing the scope for charging on a full cost recovery basis for certain services, including those of a municipal nature and those where there are environmental costs. While the Government will keep issues of affordability, access and equity in the forefront, an increased emphasis on cost recovery is an important factor in ensuring that services are used effectively. The Government will also be reviewing tax legislation to ensure that we minimise the impact of tax avoidance on our revenue collections. Over the course of the next two weeks Ministers will also be announcing the outcome of the Government's annual review of fees and charges.

Madam Speaker, community consultation has become the hallmark of ACT Labor budgets. As I noted earlier, the Government has sought the views of a number of peak non-government bodies before putting together this three-year strategy. It is now time to start a wider consultative process, reaching out to the whole community. The community must have a say in our planning for the future. Indeed, the plan cannot succeed unless it has the confidence and support of the community. I am extending an invitation to everyone in our community, as individuals or groups, to write to me or to the responsible Minister before mid-July to present their views on this strategy and next year's budget. I have also asked each Minister to consult specifically with umbrella groups within their portfolios as an additional input to the 1992-93 budget deliberations. All these inputs will be considered carefully by the Government in the lead-up to the 1992-93 budget.

In conclusion, let me again state that Labor is committed to a secure financial future for the Territory. If we take tough decisions in some areas, we will do so with the aim of ensuring that quality services are delivered to the people of the ACT and that social justice becomes more and more a reality. The Government

acknowledges that the way ahead is difficult. There are no easy solutions to the problems that we face - Commonwealth cutbacks, national recession and a legacy of unsustainably high costs. If I may reiterate our strategy to meet this challenge, Madam Speaker, we will be maintaining services to the community, and especially to alleviate the lot of people most in need. We will do this by balancing our recurrent budgets, reviewing our revenue sources, constraining borrowings and seeking greater efficiency in all areas of government activity, including the utilisation of land. Madam Speaker, we are equal to the challenge, and we are confident that the people of the ACT support us in our task. I present the following paper:

Budget Strategy Statement - Ministerial statement, 19 May 1992.

I move:

That the Assembly takes note of the paper.

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

PUBLIC UTILITIES - MICRO-ECONOMIC REFORM **Discussion of Matter of Public Importance**

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

Failure of the Government to implement micro-economic reform measures in connection with public utilities that would have minimised taxation and charges.

MR WESTENDE (3.33): Madam Speaker, it absolutely amazes me that this Government can continue to ignore plain commonsense. While it continues to do so, it either stumbles from one blunder to the next or pays a kind of lip-service to reform. It is time the Government caught up with the times and started to turn its attention to much needed micro-reforms by corporatising or privatising its public utilities. Clearly, it has been the experience right around the world that government simply cannot run business enterprises as efficiently and competitively as private enterprise can.

It staggers me that, when something is so glaringly obvious, this Government chooses the path of obstinacy or pig-headedness. When it comes to contemplating anything that smacks of privatisation or corporatisation, it goes on the defensive. What a change it would be if the Government would acknowledge that there just may be something in what we are advocating. Whichever way you look at it, and I have said it many times before, this Government is totally bereft of imagination and commitment. It obviously and sadly lacks commonsense and just plain business acumen in the running of its own businesses. This does not surprise me any more.

I must say that when I became a member of this Assembly I had some hope that, on at least some of the more important issues before us, the Assembly, the Government and the Opposition could act in a bipartisan manner and achieve major progress. However, sadly and regrettably, it seems that this Government

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wants to go its own merry way, at great cost to the community - a community that has entrusted it with the responsibility to serve. This is a government that is not the slightest bit interested in hearing the views of anyone who does not agree with it.

On every sitting day of the Assembly so far this year I have heard examples of this Government's abominable and purposeful lack of consultation. On every aspect on which I have addressed this Assembly to date, I can recount instances of blatant lack of consultation or, indeed, of any sign of interest by this Government in what the community is trying to say to it. This goes for industry, it goes for academics, it goes for the Opposition, and it goes for the community at large.

These are not hollow criticisms. I did not enter this Assembly to sit here and make cheap shots. I am here because I have some significant experience in the business world that can be of considerable use in the achievement of real micro-reforms in the administration of government services in the ACT. It amazes me that, following requests I have made to the Government to be included in some consultation processes, I have not received a response.

This is a government that is constantly on the defensive. It is certainly not one that demonstrates confidence. It finds the concept of bipartisanship abhorrent. It places its dogma and ideology above the needs of the people it serves. While I realise that, once again, the Government may not wish to listen to what we on this side of the Assembly have to say, perhaps it could take some time to read it in *Hansard* and reflect on the distinct possibility that we may have something important and significant to offer.

Madam Speaker, the ACT must go down the path of corporatisation or, indeed, privatisation with its major public utilities or inflict on this community some very real financial and service delivery problems in the not too distant future. Corporatisation will tighten up the running of these organisations and put them on an autonomous and commercially viable basis. Let us be clear about what I mean by corporatisation. Corporatisation is the creation of a normal limited liability company incorporated under the Companies Code and the transfer to that company of business conducted by government. Ownership and control remains with the government. The assets and liabilities are owned by the company and the company makes profits or incurs losses, but the government indirectly controls the company by virtue of its share ownership. Accordingly, it is entitled to the dividends; but, conversely, it is the only entity that a company can call on for contribution of capital or shareholders' loans when required.

The company is directed by an independent board of directors, in the same way as any other company. Examples of corporatisation in Australia are AeroSpace Technologies of Australia, Australian Defence Industries Ltd, AOTC Ltd, Australian Airlines, and the Hunter Water Board of New South Wales. The Hunter Water Board has been corporatised for only five months and it is therefore not possible to analyse to the full extent the benefits to date, but we are informed that it is achieving micro-reforms. It recently released new tariff schedules which reflected reduced charges to small business and to the general community. This is within five months of corporatisation. The decision was a commercial one, not a political one. Pensioner rebates are explicitly reimbursed by the State Government to the Water Board. It now also provides a chemical collection service in the community, which not only preserves the quality of the

waterways but also provides a useful community service for which the local government pays a fee. It currently has before it consideration of a possible service to assist the Fire Brigade in servicing fire hydrants. These services and the pensioner rebates recompense the reduction in tariffs.

This corporatisation is part of the New South Wales Government's strategy for micro-reform. It has shown that it encourages efficiency by exposing the board to competition. It is also more accountable and has a more market focused atmosphere. It operates under licence, which determines how the service is to be delivered, and it means that customers always have a clear knowledge of the pricing policy. It is certainly not possible for the board to suddenly drop increased charges on their customers without long-term notice. They operate on a long-term business plan.

The Western Australian Electricity Authority is currently undergoing corporatisation. A steering committee was formed to investigate how it should be corporatised and a paper recommending that corporatisation proceed was finally put before the Cabinet of the Western Australian Government and approved. It is expected that legislation bringing this into effect will be introduced in the new year. In this case, the Western Australian Government will not bring the organisation under the corporations law because it feels that the responsibilities of the directors would be too onerous. The Minister will have the overall responsibility, but the board of the corporation will have responsibility to the Minister and it will be run in the best commercial interests.

One of the main reasons for the Western Australian Government taking this course of action was the changing environment for greater competitiveness in the delivery of gas and electricity services. Corporatisation provided the right structure and was clearly the right way to go. In the words of a spokesman from this organisation, it would be an increasing struggle for the Electricity Authority to remain as a government utility.

Corporatisation is not a new concept by any means. In fact, Australia is lagging behind the rest of the world in this regard. The United Kingdom has been progressively moving this way since as far back as 1979. Other countries that have corporatised public utilities are Malaysia, Japan, Singapore, the Philippines, Canada, Denmark, Czechoslovakia, Hungary, Africa, the countries of Central and South America, and New Zealand. They have all turned to corporatisation to achieve greater efficiencies and economies.

Dr Roderick Deane, chief executive of the Electricity Corporation of New Zealand Ltd, in his publication *Reflections on Privatisation* pointed out that, despite reforms taking place against the background of an economy undergoing a substantial adjustment process and thus suffering from relatively slow economic growth, most of the new state-owned enterprises are doing extremely well. For example, the Electricity Corporation has increased its volume of sales despite the economic recession, producing an increase in electricity's share of the total energy market for the first time in eight years. It is important to note that Dr Deane acknowledges that many of the efficiency gains achieved to date can be attributed to the Government's determination to push ahead with reforms, despite reservations in some quarters and the political cost involved.

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I have provided only a brief expose of the developments occurring both in Australia and overseas, to indicate that corporatisation is clearly not something new and that there would be some real value in this Government focusing more attention on ironing out the inherent problems of inefficiencies in a number of our government-run bodies in the ACT. Quite clearly, it would be an entirely good move to corporatise ACTEW, as was intended. Approximately \$0.5m was spent by ACTEW in preparing for corporatisation, in the form of legal advice and documentation, consultants' advice and the like. This was yet another waste of money and resources.

We could have seen many benefits accrue from a move to corporatise ACTEW, including a reduction in the number of unions; improvement in productivity through decreases in its work force by voluntary redundancy packages and natural attrition; savings from superannuation, which would not have exceeded 15.4 per cent whereas the CGS scheme is 20.5 per cent; and changing from Comcare to a commercial workers compensation scheme, which could save between \$1m and \$1.5m. Under corporatisation many of the body's assets, such as dams, could be depreciated. These funds could be parked in a reserve and utilised to build up funds for future construction of new dams. At present, this would have to come from capital works.

Furthermore, as in the case of the Hunter Water Board, the new corporatised body could look ahead with more certainty in relation to future water and electricity demands and it could strike a much more successful communication link with its customers by maintaining reliable tariff rates and conservation strategies. Its clients would certainly not be confronted with sudden price rises. Any price rise would be linked with developmental programs further upstream.

Instead of this rational approach, however, this Government seems to have no compunction about increasing prices by stealth. This is an insidious approach. It is an abhorrent way to treat the community, and it is bad management. While the inflation rate has been dramatically reduced through the recession we had to have, this Government, instead of allowing that benefit to flow back to the community or to improve the efficiency of its enterprises, sees this as an opportunity to rectify its budgetary shortfalls in other areas. This year's projected increases are well above the annual inflation rate. In fact, ACTEW, after incorporation, expected price increases to be 2 per cent less than the consumer price index.

I refer also to another government-run enterprise - ACTION buses. The Government, in their usual dismissive way, would not see ACTION as presenting any real problem. The Minister responsible for transport, Mr Connolly, will simply say, "All public transport costs governments heavily in subsidies. We are doing our best. We might even save \$2m this year". Well, \$2m is just not good enough. As my time is running out, I foreshadow that at the end of this debate I shall seek leave to move a motion that I will circulate.

MR CONNOLLY (Attorney-General, Minister for Housing and Community Services and Minister for Urban Services) (3.48): The Liberal Party has a touching faith in corporatisation and privatisation as some sort of panacea for the world's ills. It is a naivety in approach to public policy

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Mr De Domenico: Even Mother Russia in Victoria agrees.

MR CONNOLLY: Mr De Domenico interjects about Mother Russia. It almost brings you back to the schoolyard Marxists of 20 or 30 years ago, who had a similar touching faith that public enterprise was the answer, the panacea for all problems. This lot have simply reversed it 180 degrees: Corporatisation, privatisation, solves all your problems; micro-economic reform simply means corporatisation; you wave the wand, you change the name and change the structure, and everything magically sorts itself out. Of course, it does not work like that. You achieve benefits, you achieve efficiencies in micro-economic reform, by sheer hard graft. It is hard work. It is the daily grind of getting in there and achieving efficiencies, changing things, managing better, turning inefficient systems around to deliver efficiencies. This Government has been hard at work for 12 months doing that, and the runs are on the board.

Towards the end of Mr Westende's remarks he brought us back to the ACTION bus system. I would have thought that, after the first MPI the Liberals raised on ACTION buses, they would have been well advised to keep away from that, because they got done over comprehensively. Mr De Domenico looked at the 1990-91 annual report and said, "What a shocking indictment of ACTION! The subsidies are going up, the number of employees is going up, the number of buses is going down". He was very surprised when we said, "Yes, that is a shocking indictment. It is a shocking indictment of the failure to manage when you lot were in power, the failure to manage when Mr Kaine was the Chief Minister and said, 'Just leave it alone; do not interfere with it. Do not get in and achieve these hard reforms. Let the subsidy blow out by \$7m', which it did in your period of administration".

We got into power, and we have turned that around. We have delivered \$2m already this year, and there is another \$1m to come. We will get ACTION down to a position where the operating subsidy is on a par with the operating subsidy of public transport elsewhere, and we will do that through reform, through consultation with the union movement and management to deliver better workplace practices. We are well on the way. That \$3m will be in the bag by 6 July. We are achieving results, but not through rhetoric.

Corporatisation: What's in a name, Madam Speaker, because to some extent that is the issue here? ACTEW, the authority that bore the brunt of most of Mr Westende's savaging, as it were, operates on very businesslike lines. It operates under a board. In effect, the only difference, if it were to be corporatised, would be that we would set up a legal structure of a couple of shares. It is a purely symbolic change. It does not deliver any benefit to the public policy. Whether they are under the structure of a statutory authority, as they currently are, or under the structure of a company, which Mr Westende would have us believe would magically solve all the problems, does not matter a damn. What matters is whether management is doing its job and the board is doing its job to control costs and deliver efficiencies.

Let us look at the performance of the ACT Electricity and Water Authority, an authority which has been in existence for only some four years. It was brought about as an amalgamation of the old Electricity Authority and the old water and sewerage functions and set up under the statutory authority model, with a board and a chief executive reporting back, under self-government, to a Minister.

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Let us see whether there is any substance to this fine piece of rhetoric which says that the Government has failed to implement micro-economic reform measures. I commend to members who take an interest in ACTEW, an authority that for the first time under the reform agenda of this Labor Government will be coming before the Assembly's Estimates Committee to allow members to question the chief executive - - -

Mr De Domenico: Kicking and screaming.

MR CONNOLLY: Kicking and screaming? I announced this of my own volition. You lot did not even have the gumption to think of it. Mr Moore at least thought of this issue and made some public statements. The local Liberal Party, as usual, was slumbering away, snoozing in the land of nod. That is your approach to management. That is what happened in the 18 months you were in government. It was a lazy period of government. It did not achieve reforms on this issue. It was Mr Moore who came up with the suggestion that ACTEW come before the Estimates Committee - a suggestion that found some favour with us - and we have introduced it.

If members want to get into the facts of the matter rather than this fine rhetoric about corporatisation, I commend to them a visit to the library and a study of a document published by the Electricity Supply Association of Australia, "Performance Indicators 1987-88 to 1990-91". It is a survey of the comparative efficiencies of every State and Territory in Australia in relation to the performance of their electricity authorities. We should bear in mind, of course, that the ACT is a small jurisdiction and in these types of surveys we usually come out pretty poorly. You would expect the ACT to fit between the Northern Territory and Tasmania, because that is our population figure, in terms of the number of customers per employee. We often hear that the problem with ACTEW is that it has too many workers - presumably we should sack a few.

Mr Westende let the cat out of that bag by saying that one of the benefits of corporatisation would be a reduction in the number of unions. We are moving in that direction. We are getting talks going between all the unions in ACTEW and ACTEW management about single bargaining arrangements, reducing the number of unions within the authority and having an enterprise bargaining-type structure. Those talks are progressing with the TLC, with all the unions. We are making progress on that.

His other suggestion was to reduce the work force. That would suggest that there are too many workers in ACTEW and that we should be sacking some people. In terms of customers per employee, the figures are: New South Wales 114, the Northern Territory 67, Queensland 141, South Australia 146, Tasmania 61, Victoria 123, Western Australia 132, and the ACT 140. So we are up with the best of them in terms of the number of customers per employee - an efficient organisation. Turning to the productivity of ACTEW, the figures for the number of gigawatts distributed per employee are: New South Wales 2.2, the Northern Territory 1.4, Queensland doing very well at 2.6, South Australia 1.8, Tasmania 2.3, Victoria 2, Western Australia 1.9, and the ACT 2.7 - the most efficient again.

Let us look at outage time, because that is a very relevant factor. It shows how well a service is being delivered to the customer. We all take it for granted in this Territory that if the power goes out in a storm there will be some ACTEW blokes

out in a truck, no matter what the weather conditions, putting the power back on again. In New South Wales the average time a consumer is without power in a year is 186 minutes, Queensland 99 minutes, South Australia 84 minutes, Tasmania 91 minutes, Victoria 123 minutes, Western Australia 72 minutes, and the ACT 55 minutes - the best delivery of service in the country.

Mr Cornwell: But what about the size of the Territory?

MR CONNOLLY: This lot chuckle away. They do not get into the hard data; they do not get into the research. They jump up here with an MPI, trying to suggest that ACTEW is not an efficient organisation and that it needs micro-economic reform. They are not even aware of research data that shows that this organisation is delivering a service to its customers better and more efficiently than other areas. That does not mean that ACTEW can rest on its laurels.

Mr Kaine: They can do it even better.

MR CONNOLLY: They can do even better, says Mr Kaine, and I expect them to do so. I expect that we will show that that is occurring. Let us look at the ACTEW annual report. ACTEW is in a somewhat unusual position. If you look at page 52 of the annual report, many of their costs are fixed. We purchase electricity in from New South Wales, so that is a fixed cost; we have a depreciation cost, which is essentially a fixed cost; and we have an interest cost. Our controllable expenses are operations of external services and administration and general - our costing, in effect, of our internal work force.

If we look at the controllable costs over the last couple of years we see that they went from \$87.6m in 1990-91 to \$89.745m for the current financial year, and next financial year we will be limiting it to \$87.56m. So we are bringing our controllable costs down by 2 per cent in real dollars, in a period when ACTEW is increasing the number of consumers it services every year by about 3 per cent and with an inflation rate of about 3 per cent. In dollar terms, not real terms - - -

Mr De Domenico: What is the inflation rate?

MR CONNOLLY: The New South Wales Government is operating on 4 per cent for its increased charges, so we will say 3 per cent for the ACT. We will be generous; we will take it one per cent under. That is showing an efficiency dividend of about 6 per cent, which is pretty damned good for an organisation, and I would expect that sort of efficiency dividend to continue over the years.

Mr Moore: What about the dividend?

MR CONNOLLY: If we look at the staff of ACTEW, I showed you the productivity per worker in ACTEW, which is very high - the highest in the country. People do not seem to think that is an achievement; but I am pretty damned proud of it, and I would expect that ACTEW should be too. Over the last three years the ACTEW employment base has not increased by a single worker; it has remained the same. In each of those three years we have had a roughly 3 per cent growth in the number of customers we serve. As we all know, and we are all proud of this in Canberra, this is the fastest growing region in the country. ACTEW has delivered those increased services - the 3 per cent a year growth in the number of consumers - while maintaining its labour force.

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Mr Moore interjected, "What about the dividend? That is controllable". Yes, it is. Nineteen million dollars is paid by ACTEW by way of dividend. ACTEW has an asset base of \$1.2 billion. The \$19m dividend, paid this year and last year, represents a 1.6 per cent return on that asset base. We could have had a lower dividend. Every one of those nineteen million dollars, Mr Moore, goes to pay nurses and teachers and policemen and the general community services.

We would love to live in Mooreland, because in Mooreland you can provide infinite government services, you can provide endless resources to the community, and you can never increase taxes; you can reduce taxes and charges. Everyone lives happily ever after in Mooreland. But we do not, unfortunately, live in Mooreland. If Mr Moore wants us to reduce the ACTEW dividend, he has to show us, for every million dollars he cuts off that dividend, where he cuts a million dollars off government expenditure or where he produces another million dollars in revenue. We believe that that 1.6 per cent dividend is reasonable.

Mr Westende was prattling on about corporatisation or privatisation. The word "privatisation" tends to keep slipping in here, and I keep hearing glowing references to New Zealand, where they have privatised, of course. Madam Speaker, is there any private sector organisation in the country that would invest money on a 1.6 per cent return or dividend? If we were to privatise this organisation, which is the farthest extent of your rhetoric, who would invest at a 1.6 per cent return or dividend?

A notional return that most accountants or economists would see as acceptable would be about 5 per cent. A 5 per cent return on the ACTEW asset base would mean that we would need about a \$65m dividend. We would need to get \$46m additional. That would translate to about a 20 per cent increase in prices. That is what you would get if you ran this on what Mr Westende calls business lines. If you wanted to get ACTEW returning a realistic dividend, a dividend a private investor would expect, as you say the New Zealanders have done so cleverly, that is what you would be talking about.

I will not introduce the subject of the goods and services tax because that would only confuse matters. But your rhetoric about price increases ignores the fact that your leader up there on the hill wants to introduce a massive tax on all of this, at 15 per cent. I presume from that that what they are focusing their little anger on here is the environmental increase. The increases were very moderate. I have a chart - this is in colour and very simple so that even Liberals can understand it - and I table a photocopy of the relevant figures. What this shows is that our increased prices that you lot are prattling on about remain lower than capital city prices elsewhere.

The biggest increase - the area where you rant and rave about a 16 per cent increase - is in sewerage. What this Government did was to impose a \$25 environment levy in relation to sewerage. That means that this document that you all have - the environmental audit of our sewage treatment plant and our 20-year plan for improving the quality of the environmental output - can be funded. What we are doing - we know that it is not popular; we do not expect people to be cheering at paying that \$25 levy - is setting us up for the next 20 years, doing what New South Wales should have done 20 years ago and what every other State should have done.

With that \$25 levy, we now have a sustainable basis to pay for the improvements needed in order to ensure that the quality of the output of water from this Territory remains the best in the country. This is a responsible attitude for government to take. If you people say that we should not have that charge, what you are saying is that we should not be worrying about the quality of the environment, we should be doing what the New South Wales Government have done: Forget about it, and just pour the effluent into the sea or into the river. If you say that we should not have that \$25 charge, how are you going to pay for this report? How are you going to ensure that the quality of output remains appropriate?

MR MOORE (4.03): It gives me great pleasure to rise in this debate. I had prepared a notice of motion for tomorrow with very similar wording to what has been foreshadowed by Mr Westende. Should it be necessary to use a little more time, I look forward to participating in that debate as well, although I believe that we may be able to manage to have just a single say.

My commitment on financial support for a minority government was simply that I would support their budget specifically in the Supply and Appropriation Bills, and I made that specific guarantee time and time again. Therefore, I guess it came as some surprise when, on 28 May, I read in the paper that sewerage, water and power costs had gone up.

Mr Kaine: That was community consultation, Michael: Read about it in the paper.

MR MOORE: I will let that interjection stand. It seems to me that the logical thing would have been to say to me, "Hey, Michael, we are interested in using a backdoor method".

Mr Connolly: You were under a palm tree in Brisbane. We could not get you.

MR MOORE: That is quite right. The logical thing would have been to say to me, "Hey, Michael, we have this backdoor method of taxation. We want to introduce a flat rate tax, the same as the GST, and we are hoping that you will support it. What we are going to do, basically, is lift electricity and water costs, along with sewerage costs. How do you feel about that?". I would have said, "You understand, of course, that I have not given support in this area, because I have not guaranteed support for anything other than the Supply and Appropriation Bills".

However, having read it, I was absolutely surprised, and I was even more surprised when I heard Mr Connolly's speech, given with such enthusiasm - a speech that would do justice to the GST. I really believed that what I was hearing was Mr Connolly going full on on Fightback. Every single argument Mr Connolly used supported Fightback, and that makes me a little concerned about the right wing of the Labor Party. I remember that it was Mr Keating, when he was Treasurer, who suggested the idea initially for a flat rate tax. When you use a backdoor method of taxation in the way that is being proposed here you have two major disadvantages. Firstly, you have a flat rate tax. That is something I perceive as a disadvantage, and I will explain why in a minute. It is something the Liberals would perceive, I believe, as an advantage, as far as that goes. The second disadvantage of going through the back door is just that: People feel that there is something wily going on to elicit money from them that is not upfront - and it is not upfront.

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Mr Connolly talked about a 1.6 per cent return on a \$1.2 billion investment. This notion of a \$1.2 billion investment is great in accounting terms and has its place in accounting terms, but in terms of the amount of money that people are actually going to pay out of their pockets in taxation it has no relevance whatsoever. What we have is a \$19m injection into the budget, and if we did not have that \$19m injection people would be able to pay less for their electricity and water. Business would be able to pay less for electricity, and that would be a great advantage to business. Perhaps it would give Territorians an advantage as far as business possibilities go.

Mr Connolly: Our prices are still cheaper. We still have a comparative advantage.

MR MOORE: Mr Connolly, they could be cheaper still. So what does that mean about the budget? What it means is that you are going to have to find some other way to raise the money - a way to do it up front. I have already guaranteed, and I intend to continue to guarantee, your Supply and Appropriation Bills.

You said, "It is all right for Mr Moore in Mooreland". Mooreland is a wonderful place; you are invited to come along any time and I will be quite happy to discuss it. Your consultations could go even further, and you might learn something. What happens in Mooreland? We do have a realistic view, which is why we are prepared to support your Appropriation Bills. What would happen there is that we would increase taxation, and we would do it on land tax. Those of us who were here in the last Assembly have had innumerable letters from Mr Bill Mason, who writes from the theories of Henry George. Of course, the Henry George theories are largely untested in Australia, although we use them to a certain extent.

I advocate, without any shame at all, that we should move in that direction; we should favour an increase in land tax. That is why last year, when Labor in its budget introduced a land tax, I supported it right from the word go. It was an unpopular move just prior to an election, but I happened to believe that it was right. It is right because it is an equitable way to tax. A flat rate tax has a major disadvantage to the poor. It has a major advantage to those who are well off. A land tax operates the other way round. If you are really interested in social equity, you do not go for a flat rate tax. That has been Labor's argument against the GST and that should be their argument now against this form of flat rate tax. The problem is that it is socially inequitable. Instead of using this flat rate, GST-style tax, we should be looking at other forms of taxation.

Those people who say, "The Henry George ideas on land tax are up the pole; we should be doing all these other sorts of things" should look at every government in Australia. They should look at unemployment around Australia. What people have been doing up to now has not been working. If we continue doing a bit more of the same, it still will not work. It is time to start looking at a transition to some alternatives, and that transition, I believe, began last year with the Labor budget and the introduction of their first portion of land tax.

Mooreland, using Mr Connolly's term, is suggesting that there is a way of more equitably taxing, and it is not to be convinced by your public servants that you have to put sewerage, water and power costs up and extract more from ACTEW. What is it going to be this time? It was \$8m a few years ago; then an extra \$5m, making \$13m; it was \$19m last year.

Mr Kaine: \$25m?

MR MOORE: \$25m from the Leader of the Opposition. Do I have any advance on \$25m?

Mr Humphries: \$30m.

MR MOORE: \$30m. It is going your way. Who knows what it is going to be? We even heard Mr Connolly today give a little indication: 1.6 per cent on an investment of \$1.2 billion is nothing; it is a minimal amount. Five per cent would be more appropriate. We had \$30m over here. Five per cent is going a bit higher.

We have an opportunity to say no. We do not want a flat rate tax. It is an inequitable tax. It is a backdoor tax. What we want is a much more equitable way of dealing with taxation, of raising money for the people of Canberra, so that we can face our responsibility for police, health, education, community services, roads, schools - the lot.

That responsibility is about social justice. Our services are not about good business. One of the problems with the way the Liberals present things is that they think everything must be done as good business. It is appropriate that departments run as efficiently as possible; but they ought not to run as businesses, because they are not designed as businesses. What we are running are services. The provision of electricity and water is a service. ACTEW is not in competition with anybody else. It is a monopoly. It provides a service. When its fees go up, nobody can do anything about it. Those households with large families or with a larger group living there are severely disadvantaged, particularly in terms of water and electricity.

The impoverished are also disadvantaged. What will happen to them? Later on, I understand, we are going to be looking at some legislation on guaranteed essential services, and that is important. The last thing we need in Canberra is to have members of our society - this is especially relevant in view of the past few days - not wanting to turn on the electricity to get warm, feeling that it is better to be cold, because they cannot afford to be warm. That is what we are talking about when we are talking about a flat rate tax. Leave it alone.

MR DE DOMENICO (4.13): Madam Speaker, I too rise with pleasure to speak on this MPI. One of those statements that I think ought to be in our minds as members of this Assembly is that Canberra ratepayers and taxpayers deserve, and should demand, value for every dollar they are asked to pay. Mr Connolly stood up here and said, "Everything is hunky-dory at ACTEW. We are fantastic; we are fabulous". As Mr Moore suggested, he used figures all over the place. He does not realise that ACTEW does not generate its own electricity, as other utilities of this nature do.

He has not told us that every other State government, of every political persuasion, has gone down the corporatisation and even privatisation track. In fact, as Mr Connolly is aware, in Victoria Mrs Kirner, who is not from the same faction as Mr Connolly but is from the same political party, has gone down the track of selling the State Bank of Victoria - a well-known institution to people who come from Victoria and others. So Mr Connolly would not be reinventing the wheel if he took ACTEW down the corporatisation track.

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Mr Kaine: He would be stepping into the nineteenth century.

MR DE DOMENICO: That is right. It is ironic that this MPI has come up today, because I think it was at about this time last year - and I am sure Mr Kaine will correct me if I am wrong - that the Labor Government took office. It is about a year that this Government has been in power. One of the first things the Labor Party did when it came into power was to say quite categorically that there would be no more corporatisation, no more privatisation. I genuinely think Mr Connolly does not believe that, but he had no choice in the matter. It was not Mr Connolly who made that decision. There was a special committee - Connolly's faceless men, let us call them. The committee said, "Mr Minister, no way, Jose, will we want privatisation or corporatisation". Not people elected by the people of the ACT but some Labor Party apparatchiks from who knows where said to Mr Connolly, "No more corporatisation".

Mr Connolly is well aware that many members of the ACTEW board are very much in favour of corporatisation. I will not name names because it might affect their position on the board next time around, but the majority of the ACTEW board - - -

Mr Kaine: They are all gone now.

MR DE DOMENICO: They are all gone, are they? They are all in favour of corporatisation, but not Mr Connolly. He said, "We are so efficient". He showed us colour slides, colour photography - all sorts of things. The bottom line, though, is this: If you are so efficient, why are you increasing prices so much?

Mr Moore was quite right when he suggested that it is taxing by stealth. If we have a good look at the ACTEW annual reports, the figure was \$4m two or three years ago, there was a once-off \$8m extra on that, taking it to \$12m, and then, suddenly, last year it was \$19m. Heaven knows how much is going to come out of it.

Mr Kaine: \$25m.

MR DE DOMENICO: Mr Kaine says \$25m. Mr Connolly is saying to the people of the ACT, "We have not been able to manage our budget as well as we would like to have, so the best way out of this is to make you all pay extra electricity and water charges. Let us hide it. Although we have the cleanest water supply in the country, let us rip off another \$25 per household to make it even cleaner still". Next year perhaps the river will flow upstream, like Mr Fraser wanted it to do many years ago.

Mr Connolly said to the people of the ACT, "We cannot manage the budget here - or we do not know whether we can or not because we still have to go out and ask the community whether we are going to manage it right or manage it wrong. So we will rip it off you, but we will not call it taxation by stealth. We have been lambasting people like Dr Hewson and all those Liberal rednecks up on the hill and on the other side of the house, but let us do exactly the same thing they were going to do. It may make eminent sense because we cannot corporatise". They cannot privatise because Horrie Hoyle and Bib and Bub behind him, whom he mentioned before, said, "You cannot do it, mate. You might be right and it might be what needs to be done in the ACT, but we are the manifesto-ites of the Labor Party and we tell you that you cannot do it". Mr Connolly, being in a minority

faction - as I said before, the right wing meet in the phone box on a Thursday night - said, "Listen, I just do what I am told". He relies on the numbers on the other side to stay where he is. He knows that - he is smiling over there - but he is not going to admit it.

A lot was said about New Zealand in the course of the debate. Mr Connolly should have watched the *Lateline* program on the ABC last night. *Lateline* featured the story of a south New Zealand electricity and energy firm which was privatised by the Government selling it to its employees - who were glad to buy the shares, by the way - and implementing micro-economic reforms to productivity under the Employment Contracts Act. What happened? It returned a massive profit, providing enhanced customer services and dividend returns to the shareholders at the same time. That was done not in Western Australia but in much maligned New Zealand. Everyone has a crack at New Zealand. They achieved increased returns, but they did not increase their electricity charges.

I dare say that, under corporatisation or privatisation, if a company had to increase its charges it would come up front and say, "We are increasing charges because we cannot manage the economy", as Mr Moore suggested. It is not going to hurt the people who can afford to pay; it is going to hurt the poor, those same people about whom Mr Connolly craves indulgence to say that the Government has a monopoly on caring about social justice. Where is the social justice in the poor being asked to pay increased electricity and water rates by stealth? Where is the social justice in single mothers being asked to pay increased electricity and water rates on 1 July, in the middle of the Canberra winter?

Shame on you, Mr Connolly. Shame on your Government. No wonder this MPI has come up today. You do not have a monopoly on social justice. But I will bet I can tell you what you have a monopoly on. You have a monopoly on doing nothing. You pride yourself on the fact that you know what micro-economic reform means. You do not know what it means, mate. You would not know what it means. Even if you did know what it meant, your left wing would not allow you to do it anyway, which is something you have to realise. So, Mr Connolly, do not stand up here and talk to us about the benefits of corporatisation and privatisation.

You also mentioned ACTION. Let us have a look at ACTION. In their usual dismissive way, they do not see ACTION as presenting any real problem. Let me tell you that any utility which the Government or the taxpayer is subsidising to the tune of \$70m has to be a problem. How many buses do we see driving the length and breadth of the ACT with a driver on board but no-one else?

Mr Connolly: Bill Stefaniak used to go out and chase them at night.

MR DE DOMENICO: No, Bill is in a big rubbish bin. Why do we not talk about rubbish bins? Talking about micro-economic reforms, when the Liberal Party suggested that we should introduce big bins, what did Mr Connolly say? He said, "These redneck Liberals, they are all ratbags". What is he going to do? He is going to introduce mini-big bins. It is different. Big bins will save the ratepayers money - the same people that have been asked to pay these higher slugs for electricity and water - but Mr Connolly would not admit that.

Mr Moore: Nonsense; no way.

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MR DE DOMENICO: Mr Moore is saying, "Nonsense". A lot of what Mr Moore says is nonsense too, Madam Speaker. Finally, let me say this: Mr Connolly in this house this afternoon said, "I do not know why this MPI has come up, because it was my idea to bring ACTEW to the Estimates Committee". Then he said, "No, it was not my idea; it was Mr Moore's idea".

What Mr Connolly does not realise is that the recently announced increases in electricity and water charges are taxation by stealth. He has gone to the very people the Labor Party purports to represent and said, "We are incompetent. We cannot manage our budget and therefore we are going to allow you to pay for our incompetence". That is all it is. It is taxation by stealth. Mr Connolly knows that it is taxation by stealth, and I think everybody else in this house knows that it is taxation by stealth.

I have one minute to go, Madam Speaker. I note that my colleague Mr Lamont is anxiously waiting to go for the jugular. I invite him to do so; but he must still go out and tell the people of the ACT why, if ACTEW is so massively competent, if we do not need corporatisation, the Government is asking every single person in the ACT to pay excessive water and electricity rates. It is taxation by stealth. Shame on you - shame, shame, shame!

MR LAMONT (4.23): It is good to see that my friend Mr De Domenico has to refer to that refrain that was taken up by hundreds of thousands of Australians when his ideological mate got kicked out of office by the Labor Party in 1983: Shame, shame, shame! And shame it is, Mr De Domenico, when all we get from the Opposition after a three-week adjournment is page 2 of the Bill Stefaniak bottom drawer MPIs. That is all they can come up with.

They trot out this ideologically pure right-wing claptrap, which has seen the New Zealand Government and the New Zealand people put under increasing pressure as their economy collapses. It is collapsing because of the types of policies these people sitting over here would like to visit on the people of Canberra. They are exactly the same policies. If Mr De Domenico thinks New Zealand is such a great edifice for demonstrating what is the proper economic base to follow, he should be over there enjoying the cold showers with 90 per cent of the population this week. That is what his style of micro-economic reform will deliver to this country as it has been delivered in that country.

It is predicated on confrontation, not cooperation. As far as they are concerned, all you have to do is let the mates come in. If they have a ship or a boat or a yacht and they can sail around the south seas, lend them a few extra quid out of their other mate's bank, let them buy into the utilities. What Mr De Domenico should have watched was not *Lateline* last night, because it is obvious that he missed the point; he should have watched the *Four Corners* program last Monday night to see what has happened in New Zealand under his brand of Liberal economic reform - exactly the same rubbish that he and his Lamborghini mates on the hill want to bring in here.

I am almost embarrassed to be a member of the Assembly today, when an MPI such as this is put on. They have had three weeks to come up with something that is scintillating, something that is relevant, something that is not just rhetoric. What have they had to do? Mr De Domenico has brought back the garbage bin, minus his mate Mr Stefaniak, but obviously with Mr Stefaniak's MPIs still in it.

Let us have a look at what micro-economic reform our colleagues opposite introduced in 18 months of government in the ACT.

Mr Humphries: Hospital redevelopment.

MR LAMONT: Marvellous. I was hoping that they would interject about the hospital redevelopment. There was the hospital redevelopment, yet they stand up here and start lambasting our Minister for Health for introducing the alleged reform process in the health system. They failed. One of the reasons why they got kicked out was simply that they failed. They tried and they failed.

Let us have a look at the other factors. First of all there was a press release, once again put out prior to question time today. I think it went out over Mr De Domenico's letterhead - Tony De Domenico, MLA. I understand that, while the MPI was actually run by Mr Westende, the news release went out from Mr De Domenico.

Mr Humphries: We work together. Teamwork, it is called.

MR LAMONT: If this is all your teamwork can come up with in three weeks you have a real problem. Let us have a look at it. You talk about corporatisation of certain areas of ACTION, which is currently costing ACT taxpayers \$72m in subsidies. You have not been doing your homework, once again. Have a look at the reports provided to you and you will see what it is. Have a look at what the Grants Commission is saying. As the Minister has said, we are \$7m over what is an appropriate \$50m subsidy for this area.

You do not know the figures about which you are lambasting the Government, yet you stand up here trying to put yourselves forward as a credible alternative government. What a lot of hogwash! All we would get from the policies of the Opposition is the slash and burn approach - Dr Hewson's slash and burn approach. And you put yourselves up as a credible alternative!

Madam Speaker, I would dearly love to proceed for the next four minutes 33 seconds, but I have agreed with our colleague Ms Szuty - - -

Mr De Domenico: He has run out of things to say.

MR LAMONT: Not really, Mr De Domenico. I would like to wax lyrical for hours about the shortcomings of the Opposition, but I am sure that your inability to deliver will become apparent to the people of Canberra without me having to draw it to their attention.

Mr De Domenico: When we are in government.

MR LAMONT: That will be a very long time hence.

MS SZUTY (4.28): I will try to keep myself to the four minutes Mr Lamont has left me with. The matter of public importance debate today addresses the subject of micro-economic reform. Micro-economic reform can cover a wide agenda. The Leader of the Opposition, Mr Kaine, has gone on the record in the past 24 hours to say that he feels that more could be cut from the health and education budgets. This ignores the tremendous outrage expressed by the Canberra community when the former Alliance Government tried to close many schools and successfully closed Royal Canberra Hospital.

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Micro-economic reform needs to be openly debated and a model presented of the type of society we want to see in the future, before the Government proceeds with any budget reform agenda. Social justice dictates that those less well off in our society are given consideration in the framing of charges and taxes. I therefore support any move to tax indulgence over necessity. Principles of social justice need to be enshrined in every decision, just as financial implications are addressed in every submission to government.

The Government is facing a difficult budget. Just how difficult this has become is evident now that the ALP has tabled its budget strategy. It is important that in the context of that strategy the Government should explore all avenues of reduction of expenditure available to it. My main concern is that in any reductions it is administration that is targeted and not service providers.

I consider the question of borrowings versus taxes as also being a matter of social justice. It is not enough to say, "Cut this service" or "Make that facility less accessible". We need to ask ourselves what type of society we want. Yes, there is a need for services to be delivered efficiently, but the real question is one of service delivery. What is the desired outcome for the passengers of ACTION buses? Is it that the service run at a zero loss, or is it that it provide adequate, low cost and ecologically sustainable transport for the population of Canberra?

Similarly with ACTEW: The Government has brought in higher charges for ACTEW services. From information to hand, ACTEW's electricity operations have supported the provision of sewerage and water to Canberra households. Moves have been made to make the provision of water and sewerage services more cost-effective. All Canberrans need to use electricity to some degree, and while sewerage and water rates are factored into rents it is a hidden cost for a large proportion of the community.

It seems unreasonable to me that while raising revenue we raise costs to those who need assistance most, that is, those living in rental accommodation with no prospect of converting to alternative forms of heating to avoid the high costs of electric room and water heating; neither are they able to change their environment to make their rental homes more energy efficient with insulation or by other means.

Is the function of ACTEW, therefore, to raise revenue for the Government or to provide services which are mandatory for our urban setting? I realise that the Government cannot be asked now to find yet another \$19m to supplement the budget if electricity rises are forgone. However, to increase electricity charges twice within 12 months by a total of 8.3 per cent, when the inflation rate for the current year is running at less than 2 per cent, ignores the fact that people in Canberra often have no choice but to use large amounts of electricity in winter. This is especially so for people at the lower income levels. A 1985 survey found that those most disadvantaged by income often spend the largest amount on electricity.

I am pleased that on Thursday of this week the Government will be introducing the Essential Services (Continuity of Supply) Bill, which will go some way to redressing the needs of the socially disadvantaged in our community. The Opposition says that the Government has missed the opportunity to implement

micro-economic reform which would have meant more efficiencies in service provision. I have been interested to hear Mr Westende's ideas on the subject, but it appears to me that focusing on the economics of micro-economic reform can get in the way of people considering the social impact of economic reform.

MADAM SPEAKER: The time for the discussion has now expired.

ACTEW PRICE INCREASES
Motion

MADAM SPEAKER: Mr Westende foreshadowed that he was going to seek leave to move a motion.

MR WESTENDE (4.33): Madam Speaker, I seek leave to move the motion circulated in my name.

Leave granted.

MR WESTENDE: I move:

That the Assembly is of the opinion that the Minister should direct ACTEW to adjust recently announced price increases to a level reflecting CPI movements.

Madam Speaker, as I indicated in the previous debate, in which I had to truncate my remarks, I believe that there are savings to be made by corporatisation. For instance, the Minister did not mention that changing from Comcare to a commercially operated workers compensation scheme could save \$1.5m. I believe that in an enterprise that runs its own race very significant savings can be made.

We have spent a fair amount of time on this matter already and I will not repeat what has already been said. However, I have talked to the people of ACTEW, and I am of the opinion that significant savings could be made if they were allowed to proceed on the road to corporatisation.

MR MOORE (4.35): I move as an amendment to the motion:

That all words following "Minister should" be omitted and the words "disallow increases in excess water rates, sewerage and electricity charges and reduction of basic water consumption rate" be substituted.

While the Liberals are prepared to go with the CPI, I think we have an opportunity actually to deliver a benefit to the people of the ACT and to disallow those rises in the electricity and water rates. I have pointed out that I am not averse to taxation, just to this particular method of taxation, and I would like to raise a couple of points.

An article in the *Australian* on 22 April pointed out that the GST will hit council charges. According to a report, the coalition is yet to detail fully which activities, including rates, would be subject to the GST provisions. It points out that councils are largely exempt from wholesale tax, and it refers to a series of other things. I think it is worth reading that report prepared by Coopers and Lybrand,

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which says that it would be politically and socially unjust to impose a GST on domestic rates, as was done in New Zealand. Of course, that is exactly what is happening under the regime of taxation that is being proposed by ACTEW and supported by Mr Connolly and the Labor Party.

I need to indicate some differences with Ms Szuty. In a wonderful little phrase, she said that she favours the taxation of indulgence over necessity. There is a very simple response to that in letters to the editor in the paper today which is well worth reading. Under the heading "Three flushes, then pay extra", a very well thought out letter from Paul Cunneen of Scullin points out that, using ACTEW's figures, you would be allowed three flushes of the toilet per day and that is it, unless you happen to have a big family. If you have a big family that number actually reduces, which may be resolved by bigger families simply not flushing the toilet between uses. That will be one method of getting around it. We will have to have a meeting at my place to decide whether we want to risk our health in that way or not. Those are the sorts of issues that are raised in the letter.

It was interesting that Ms Szuty then went on to say that the most disadvantaged sections of our society are those who spend most on electricity. That was in conflict with what she had originally said in terms of indulgence over necessity. I think that what we have is a socially unjust flat rate tax that should be rejected.

Mr Connolly: We have always had this basis of rating.

MR MOORE: Mr Connolly says that we have always had this normal way of rating. What I am talking about, and this is why I am inclined to reject the tax, is that this taxation method has been used over the past few years to inject money directly into the budget rather than to pay for the services. So that is the first step in ensuring social equity in this area.

What we are talking about is removing that \$19m injection from ACTEW into the budget, because that is what you are doing. The Government has talked about environmental charges. It has justified the sewerage rises by saying, "We are going to have some environmental charges". We use the term "environmental charge" in the same way as we used to use the word "safety". If we ever wanted to get things through the board in the schools I used to teach at, or when I was on school boards and wanted to ensure that something would go through, somebody wrote the word "safety" on the document. If the document had the word "safety" somewhere on it, it was sure to go through the board; there was no question about it.

There is the same sort of argument here. Mr Connolly thinks that Canberra people are going to have the wool pulled over their eyes because he is going to call this an environmental levy, not a tax. A new term for a tax is an environmental levy, so everybody will say, "Okay, if it is for the environment we will let it go ahead. There is no problem about it". He is trying to dress up the charges in relation to sewerage because in that way we can improve the Lower Molonglo sewage treatment works. The Lower Molonglo sewage treatment works can be improved in another way. Instead of taking the \$19m or \$25m or \$30m or whatever it is in the budget, allow that to build in ACTEW so that they can make allowance within the charges that have been made to take care of the environmental issues; so that they can make projections over the next few years as to what their needs are.

I am not resiling from the business of raising taxes, and I have made quite clear that I know that you have that responsibility. What I am saying is that doing it through a flat rate tax is doing the very thing your party federally has argued so strongly against in regard to Fightback. So be consistent, accept the amendment I have moved to the motion, back off the notion of flat rate taxation, and allow us to go to the toilet more than three times a day.

MR KAINE (Leader of the Opposition) (4.41): Madam Speaker, in a sense this is a continuation of the debate on the matter of public importance. My comments will be directed both to that matter of public importance in some respects, because it dealt with the problem of micro-economic reform, and to the motion that is now before the Assembly and Mr Moore's amendment to it.

Micro-economic reform is about using fewer resources in what government does and in what the community consumes. It is not only to do with things that government does; it is also to do with things that the private sector does, and the relationship between the public and private sectors. The bottom line is that there is always going to be a consumption of resources. People will use water; they will use sewerage; they will use electricity; and a fair and reasonable charge goes with that. The motion moved by Mr Westende recognises that from year to year the cost of providing those services does increase. You can argue whether the CPI factor is a good measure of the change; but I would argue that anybody who provides a service is entitled to collect the cost of delivering that service, and if the cost increases they should raise their levies accordingly.

I agree very much in principle with the kinds of things Mr Moore is saying. If this community believes that maintenance of the environment is a good thing, let us put a price tag on it and let us collect a specific tax for that purpose. Do not obscure it in the operating costs of a corporate body. That is what this purports to do. These price increases purport to say to the community, "You are not only going to pay for the service we deliver; you are also going to be compulsorily levied a fee to maintain the environment". I do not believe that that is a logical or sensible way to go about it.

If the Government, in all fairness, believes that it has a duty to maintain our environment, let it say to the community, "In order to do so, we have to raise this specific tax; you have to pay for it". There would be no doubt in people's minds what they were paying for. There would be no doubt about the price they were incurring in maintaining the environment; or in keeping a bus service running; or in providing any other sort of service that it is the obligation of government to provide. To that extent I think Mr Moore and I are agreed. The only problem is how one goes about this.

Mr Connolly: That is a worry.

MR KAINE: It is a bit of a worry, Mr Berry.

Mr Berry: I did not say it.

MR KAINE: It was Mr Connolly, was it? My apologies, Mr Berry. I would hate to misrepresent your view. I do wonder sometimes whether Mr Connolly really knows what he is talking about. He was talking earlier about running a business. I doubt that Mr Connolly has even one jot of experience in running a business, so how he can purport to speak here for businessmen and how they run their businesses and how they make their business decisions I cannot imagine.

The basic point is that, if the community wants government to provide a service, let us put a price tag on it. Let us ask the community to pay that price. We will soon find out whether the community has the same values as the Government does. If the Government, instead of trying to use this taxation by stealth method of upping the levy when you pay your electricity or water rates, were to go to the community and say, "Here is a specific tax of \$25 a year that we are going to make you pay to maintain the environment", they might get a very curious response. They might find that a lot of people do not value the environment at the rate of \$25 a year. They may have some other value they are prepared to pay; but is it \$25 a year, or \$50 a year? Who knows? I think that is the test of the community will. If the Government has the courage of its convictions, it will put it to them quite bluntly and ask them to pay the price, and we will see whether they will.

I support the motion put forward by Mr Westende. We have to collect through the public utility the levies that people expect to pay for the electricity, water and sewerage services they consume. ACTEW should be allowed to adjust their rates every year to cover the increases in costs which are beyond their control. I cannot accept Mr Moore's proposition that they should not be permitted to do that. However, I believe that the Government should not be allowed to raise taxes by subterfuge, and that is what is happening here. Let us see just how much courage the Government has and whether it will impose a specific tax, at any rate at all, to provide the services it is now expecting the corporate body of ACTEW to provide.

MR CONNOLLY (Attorney-General, Minister for Housing and Community Services and Minister for Urban Services) (4.46): Madam Speaker, I find it somewhat curious to hear Mr Kaine supporting this motion, which is in effect the Assembly purporting to direct me to reduce the rate of charges. I heard him on the radio only the other morning saying, "While I may disagree with what the Government has done, we will not be moving in the Assembly to do anything about it. We will criticise you, but it is inappropriate to move it in the Assembly". The Opposition Leader says something in the public domain, but a couple of days later one of his members moves a motion that does exactly what he said to the public he would not do. However, that is a matter for his credibility and he has to worry about that rather than I.

At the outset I want to make clear one point where I think we and the Liberal Party are at one and Mr Moore is in a glorious minority of one. That is in his amendment, where he goes beyond criticising these increases and criticises the reduction in the free water allowance to 350 kilolitres. I can recall during the election campaign a debate on ABC radio with Mr De Domenico when we both agreed that that was a sensible proposition. Members will recall that last week a major conference was held at the University of Canberra on water policy for this region and throughout Australia.

Members will be aware that the potential cost of a new dam for the ACT is \$100m plus, which would come from ACTEW. ACTEW would have to raise those dollars. I remind members that there are about 100,000 households in Canberra, so our \$25 levy will raise \$2.5m. If we had to raise \$100m, the rate of increase in water rates or sewerage rates would be astronomical. The only way to avoid that in the long and medium term is through the pricing mechanism and by putting the free allowance down. We have to get away from this concept that there is such a thing as free water. There is no such thing as free water; it is an expensive and scarce commodity. I think there is bipartisan support, apart from Mr Moore,

for dropping the allowance to 350 kilolitres, which is comparable to New South Wales, and indeed comparable to Queanbeyan. I find it curious that Mr Moore, who often stresses his environmental concern and his green aspect, says apparently that we should have unlimited access to free water. That is a very short-sighted and irresponsible proposition.

I noted with interest that Mr Kaine said, and repeated on a number of occasions, that any organisation is entitled to recover its costs, that organisations should be able to recover the cost of providing a service. I take it from that that Mr Kaine is fully supportive of the price increases in relation to water and sewerage. As Ms Szuty mentioned, for years electricity has cross-subsidised water and sewerage. Water has always operated at a subsidy in the ACT. These price increases, as well as sending a strong message to conserve water, in fact bring water to break-even point. So I presume from Mr Kaine's remarks that he would support the water charges.

The sewerage charges have also for years operated at a loss. This environmental audit is really a frontier document. We are getting interest from overseas authorities in the way we have done our audit of the Lower Molonglo. That plant has always been seen as a world leader in terms of environmental quality. We have faced up to our responsibilities over the next 20 years to maintain and improve upon that quality. Nothing is surer than that the public perception of acceptable water quality will increase. We will need to meet stricter and stricter standards. We are facing up to our responsibility to provide that, and the sewerage costs will meet those increased demands and break even. They will not return any form of profit. So I presume that Mr Kaine supports the sewerage increases.

I also note that he says that we should identify it. That is exactly what we have done. We have not said that we are increasing the sewerage rates generally. We are saying that we are imposing a \$25 environmental works levy. So we are identifying that amount. We are saying that that is to go into a process over the next 20 years to upgrade our environmental infrastructure in relation to our responsibilities as Australia's largest inland city, sitting astride the Murray-Darling Basin.

Really what we have done there is meet Mr Kaine's remarks on virtually all points. I presume that the motion Mr Westende has moved, if we read it down to what Mr Kaine is saying, is really only criticising electricity. Mr Westende says that we should have CPI for everything, so he is against the water increases and against the sewerage increases. Mr Kaine says that authorities should recover their costs, so he is in favour of the sewerage increases and in favour of the water increases. This is, again, the ACT Liberal Party as we know and love them: One member saying one thing, one member saying another.

Mr Kaine: Some of us are more generous than others.

MR CONNOLLY: Indeed, Mr Kaine, and some of you have more experience in these matters, and that is probably why your remarks are more apposite. That brings us back to the electricity price increase. Electricity prices have gone up by about 5 per cent; that is above the CPI. There is a factor there of New South Wales oncosts. We have to pass on our oncosts, and we have had an increase beyond the CPI in our oncosts. This is not designed to increase a dividend; it is designed to maintain a dividend. I think it is appropriate that an electricity authority return a dividend to the community.

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I would urge members not to support this motion. If you are supporting an attack on, in effect, a \$19m dividend, unless you live in Mooreland you have to say where we should get that money from. No-one has come up with that, apart from Mr Moore's Henry George fantasy.

MS SZUTY (4.53): Madam Speaker, I acknowledge that this issue does raise difficult questions for both Mr Moore and me. On the one hand, we have agreed to support the Government in its Supply and Appropriation Bills, which includes, I believe, the right of the Government to determine its budget. On the other hand, we have witnessed significant increases in electricity, water and sewerage charges, which no doubt will impact significantly on the most disadvantaged in our society.

I wish to reiterate two points I made in my speech on the matter of public importance. Firstly, I realise that the Government cannot be asked now to find yet another \$19m to supplement the budget. Secondly, I am pleased that on Thursday of this week the Government will be introducing the Essential Services (Continuity of Supply) Bill, which will go some way to redressing the needs of the socially disadvantaged in our community about whom I talked.

I have resolved the issue of the moment in favour of the Government for the above two reasons, and I will not be supporting the motion or the amendment proposed. In conclusion, may I say that I am pleased that ACTEW will participate in the Estimates Committee process this year.

MR HUMPHRIES (4.54): The Minister made a number of comments which I feel need to be rebutted. He said, for example, that Mr Kaine had in some way indicated in the public arena on ABC radio that there would not be any attempt by the ACT Opposition to raise this matter in the course of debate on these questions in the Assembly. It is a typical tactic of Mr Connolly's to take a position set out by, in this case, the Opposition with a number of shades of explanation to it, oversimplify it to the extent that it becomes absurd, and then attack it.

That is not what Mr Kaine said. Mr Kaine said that we would not be moving in this Assembly to disallow the rate increases proposed by ACTEW, nor do we in the motion that is before us today moved by Mr Westende. What we do in this motion is urge the Minister to go back to ACTEW and say, "This is not an appropriate level of increase. Please suggest another one". Of course this Assembly has no power, as the law currently stands, to force the Minister to do anything - at least, not in this area. If the Minister is inclined to ignore a resolution of the Assembly, it would not be the first time this Government has ignored the view of the majority of members, be it in this Assembly or the last Assembly.

Mr Kaine has been perfectly consistent about this. We indicated that we would stand up for what we believe is the right of ACT residents to have essential utility services such as electricity and water provided at reasonable cost. In this case we do not have those services being delivered to the people of the ACT in that fashion. What Mr Connolly said, as I understand the argument, was something like this: There needs to be provision of a \$100m dam in the course of the next few years; ACTEW needs to make provision for that because ACTEW has to provide it; therefore ACTEW needs to put up its rates to cover the cost of providing that dam.

Mr Connolly is shaking his head. Perhaps I am oversimplifying the position, in his fashion; but I will continue. ACTEW needs more money to build a new dam; it is putting lots of money aside to do that; it needs to be able to increase its rates in order to put that money aside; and therefore we should not be stopping ACTEW from putting that money to one side to build the dam in future years, to save the Territory ratepayers from having a huge hike when the cost of the dam actually hits us.

The fact of life is that the money being put aside here is not going into some fund to build a dam; it is going into the Government's Consolidated Revenue Fund. The Government is generating this extra money and then skimming it straight off, putting it into Consolidated Revenue. When it gets to Consolidated Revenue it is not going to be used to pay for a new dam for the Territory; it is going to go into paying for the hospital budget blow-out and whatever other budget blow-outs we do not know about at this stage. It is going to go into paying for the sorts of problems that have been identified by the Chief Minister today in her budget strategy statement. That is what it is going to pay for, not a new dam. If the Minister wants to raise money for a dam, he might be able to do that in another fashion.

Mr Connolly: We do not want a dam. We want to cut down on water use.

MR HUMPHRIES: We do not want a dam either. We would rather provide for the efficient use of water by ACT residents so that we do not need a new dam. We all agree on that. What the Minister is saying is that, sooner or later, if we cannot achieve these sorts of objectives, that might have to be put on the agenda.

Mr Connolly has also raised the question of the Lower Molonglo treatment works. Money is needed for that - and not in the far distant future, but right now. The Minister has for that purpose raised this new concept - or not so new concept - of an environmental works levy. Madam Speaker, you would wonder, looking at this levy, what the purpose of it is. It is dressed up with this nice, warm, comfort-giving epithet "environmental". "Environmental" carries this great sense of doing something good for the environment.

Mr Cornwell: Not in Rio it doesn't.

MR HUMPHRIES: Obviously this is Rio-inspired. Madam Speaker, I am not entirely sure that you could describe those works as necessarily being directly related to the environment. Certainly, what it is all about is upgrading the facilities available to ACTEW, and that is a good thing, of course. But I could in another sense describe everything that ACTEW does as being environmentally related. It delivers environmental services. Electricity and water are both environmental services in a sense. In that sense, everything ACTEW does is environmental, and an environmental works levy could, in theory, be as large as the whole budget of ACTEW. But of course it is not.

In this case, the levy that is being raised does not even cover the cost of the Lower Molonglo treatment works. In fact it covers only half of those costs. What is the point of separately labelling this money in that fashion, except to create the impression amongst people that the increase we are generating here is somehow environmentally acceptable and therefore is a good thing and they should not worry about having to pay extra money in order to get that. But that is not the only increase they are paying, and there is a real problem about nomenclature.

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I think back to the old problem of the Federal Government's Medicare levy, a levy which no longer covers the cost of Medicare but does very much engender the impression among many Australians that by paying their 1 per cent Medicare levy they are actually paying for the cost of delivering Medicare - or, even worse, paying for the cost of delivering health services in this country. Of course that is not true, any more than it is true that by paying an environmental works levy to this Government, through ACTEW, we are somehow covering the cost of providing all the environmental works that need to be done in this Territory, or even the total cost of a specific item of environmental work, namely, the Lower Molonglo treatment works.

Madam Speaker, I am not convinced by that. I think the motion Mr Westende has put forward is an appropriate one. It is time we indicated very clearly that the sort of loose management which has become a hallmark of this Government should not be tolerated by this Assembly. We expect this Government to be addressing real, permanent and effective ways of reducing the cost of delivering services to the people of Canberra. I do not accept that an increase of this size is necessary in the coming financial year. I believe that, at the very least, considerably greater justification must be advanced by ACTEW before this Opposition will accept that such an increase is warranted. Until that justification comes forward, the Government will have to be content with the knowledge that this Opposition is going to argue strenuously against increases of this kind being imposed on the people of the Territory.

MR MOORE (5.01): Madam Speaker, I shall exercise my right of reply in relation to the amendment. During the debate Mr Connolly raised the issue of water supply and the fact that some of us would say that there should be an endless amount of water supplied. I think it is important to provide a background to water conservation environment issues. It is important to try to put our finger on what most environmentalists see as critical.

The most important issue for most is sustainability, and it is appropriate that we look for a moment at that. The most significant thing in terms of sustainability is to ensure that humans have a sustainable population, because the growth of that population is having a significant effect on the world environment. Population is putting things out of balance and bringing so many other things to a point where they are becoming unsustainable. Sustainability of population is a critical factor throughout the world. In Australia, population sustainability is closely linked with the water supply. If we had a sustainable population in the ACT, if we retained the current population, we would probably need to plan no further in terms of water conservation.

It may serve us well in comparative terms to look at environmental sustainability in the area of fossil fuels. It seems to most of us here and to most environmentalists that if we are to keep a sustainable environment we are going to have to move away from fossil fuels. Natural gas has, of course, provided an opportunity for us to be able to continue our current lifestyle while we explore the possibility of other sustainable fuels, and the most important of those in terms of sustainability seems to be getting energy from the sun. That is another issue that we may be able to deal with in our Conservation, Heritage and Environment Committee report.

When we look at water and at sustainability, the most important factor is to recognise that the water we use in the ACT is a renewable resource. As such, it ought not to be too difficult to plan for sustainability. The basic concept of water as a renewable resource should give us hope for use in a balanced and effective way so that we can retain an appropriate urban environment as well as retaining an appropriate rural and bush environment.

There are places where water resources are not sustainable. I lived for three years, for example, on the Eyre Peninsula in South Australia, where the reticulated water supply comes from the Polda Basin. It is a huge artesian water supply that is tapped and pumped all over the Eyre Peninsula and provides what I would describe as second-rate water in quality but water that is effective for gardens, toilets, washing cars and so forth. The vast majority of that population considered that water not to be potable; hence rainwater tanks were invariably universal - the same rainwater tanks that so many water planners find undesirable for some reason. Yet I believe that it is an issue that we need to look at in the ACT.

I remember that in 1982 in Cleve, where we lived, we had one day of rain. It was a quite heavy fall of rain that day and to some extent it replenished our very limited rainwater supplies. On many occasions I read and hear about people and their hedonistic use of water. I certainly know the difference between having a bath with an inch-and-a-half of water and having a bath that is full to the top, having lived on the Eyre Peninsula with one day of rain in that year. I know the difference between standing in a shower under a trickle or a spray compared to lingering under a shower with a fast, hot supply of water. Certainly, I am aware of those differences, and I often wonder who is jumping on the conservation band wagon and what it is really about. Those issues are the ones raised earlier by Mr Connolly. What is conservation really about? It is about sustainability, and sustainability is about keeping things in balance. It is the way we use water that will allow us to continue with the urban environment of the city we know, provided we can ensure that it is sustainable.

There were some suggestions about maybe three flushes, maybe two flushes, maybe if we have half-flush toilets we can get six flushes. The point is that we have to make sure that there is a sustainable water supply and that that sustainable water supply allows people, on occasions, to be hedonistic. There is nothing wrong with hedonism; it is wonderful. Take it from me, it is fantastic. In fact, I have been thinking about starting a hedonists society. We have to be very careful to avoid the situation where conservation seems to become a case of using less and less and living a lifestyle that is more and more spartan. It does not necessarily mean that at all. I thought it was appropriate, in using my right of reply, to raise that small issue with Mr Connolly. I make the final point, Madam Speaker, that we have the opportunity to reject a GST-style tax and, by supporting the amendment I have moved, to ensure that there is no taxation by stealth. It is a great irony, listening to today's debate, that we have heard the Liberals arguing very strongly against what I perceive as a GST-style tax and Labor, on the other hand, arguing very strongly for it. But that is politics.

MADAM SPEAKER: Mr Moore, I indulged your need to give a reply, but I would like to draw members' attention to standing order 48, which says:

A reply shall be allowed to a Member who has moved a substantive motion or that a bill be agreed to in principle, and the reply shall be confined to matters raised during the debate.

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So, with indulgence, we have been well entertained for the last 10 minutes; but that will not occur again. Mr Westende, you have a right of reply because you were the mover of the substantive motion. You may exercise that right if you so choose.

MR WESTENDE (5.08), in reply: Madam Speaker, I shall make my reply very short. While we sympathise with Mr Moore's amendment, we are realistic enough to realise that some increase is necessary; hence the wording of my motion. We give the Government some latitude by using the words "increases to a level reflecting CPI movements". With those few words I rest my case, Madam Speaker.

Amendment negatived.

Question put:

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

The Assembly voted -

AYES, 8

NOES, 9

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

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

Question so resolved in the negative.

Sitting suspended from 5.10 to 8.00 pm

**PLANNING, DEVELOPMENT AND INFRASTRUCTURE -
STANDING COMMITTEE
Report on Draft Variation to the Territory Plan - Griffith**

MR LAMONT (8.00): I present report No. 2 of 1992 - - -

Mr Moore: I raise a point of order, Madam Speaker. I draw your attention to the state of dress of this member of parliament. It seems to me that Speaker Prowse in the previous Assembly certainly would not have tolerated this style of dress. I draw your attention to it in order that you might not miss it.

MR LAMONT: Madam Speaker, it is a cold night in Canberra.

MADAM SPEAKER: Mr Moore, I will take your advice and ponder it slowly.

Mrs Carnell: What does it say? I cannot read it.

Mr Moore: It says "Jack off", Madam Speaker.

Mr Cornwell: It is suitable. It looks like a straitjacket to me, anyway.

MR LAMONT: That is fairly typical of the position that Canberra would be in if the Liberal Party were in government.

Madam Speaker, I present report No. 2 of 1992 of the Standing Committee on Planning, Development and Infrastructure on the draft variation to the Territory Plan, section 78, block 30, Griffith, together with the minutes of proceedings. This report was provided to the Speaker for circulation on Friday, 5 June 1992, pursuant to the resolution of appointment. I move:

That the report be noted.

Madam Speaker, speaking briefly to that motion, this variation seeks to provide to some extent the wisdom of Solomon to a very vexing question about some Crown land or ACT Government land adjacent to an existing range of shops in the Griffith shopping centre. I congratulate the members of the committee on coming up with the resolution that they have, which is basically that this land should be advertised as being a block of land for sale and that those persons who express an interest in purchasing the block then be invited to participate in a limited auction - an auction at which only those people will be able to bid. I believe that that is a way in which we are able to satisfy the competing interests of both the proponent and the protagonist in this matter.

MR KAINE (Leader of the Opposition) (8.03): Madam Speaker, as a member of the committee, there are a few things that I would like to say in connection with this report. I think it says something for the way that this Assembly is working. Members will not be aware, probably, that the question of what to do with this particular piece of land in Griffith has been a matter of some controversy since 1983. The committee of which Mr Lamont is chairman and of which I am the deputy chair dealt with the matter, I think, in about 15 minutes. That shows something about the decision making process of the committees of this Assembly. It does now allow that piece of land, previously sitting idle, to be put to some valuable use. As Mr Lamont suggests, that valuable use will depend upon who in the community sees that piece of land as having some value for them. If they are prepared to pay the price the land is available to them. It was quickly resolved and I cannot imagine why it was a matter of dispute and controversy for so long.

Question resolved in the affirmative.

**PLANNING, DEVELOPMENT AND INFRASTRUCTURE -
STANDING COMMITTEE
Report on Draft Variations to the Territory Plan - Forrest and Bruce**

MR LAMONT (8.04): Madam Speaker, I present report No. 3 of 1992 of the Standing Committee on Planning, Development and Infrastructure on draft variations to the Territory Plan, which includes a dissenting report, together with the minutes of those proceedings. This report considers section 34, blocks 1 to 5 and 7 to 11 in Forrest; section 35, blocks 2 to 10 and 12 in Forrest; section 33, blocks 3 and 4 in Bruce; and amendments to design and siting policies for

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townhouse, cottage and courtyard blocks. It was provided to the Deputy Speaker for circulation on Friday, 12 June 1992, pursuant to the resolution of appointment. Madam Speaker, I move:

That the report be noted.

MADAM SPEAKER: I call Ms Szuty.

Ms Szuty: Thank you, Madam Speaker - - -

MR LAMONT: Madam Speaker, I - - -

MADAM SPEAKER: I am sorry, Ms Szuty; Mr Lamont has not finished.

Mr Kaine: He is a wordy chairman, Ms Szuty.

MR LAMONT: I have needed to be to ensure that we are able to come to speedy resolutions in the committee.

Madam Speaker, this report covers a range of variations. Again, as my colleague Mr Kaine has said, they were matters which had been under consideration for some time. It was through, I believe, the good intent of the participants on the committee that we were able to arrive at a conclusion on two of the three matters that were before us.

Madam Speaker, the one of major significance is the proposal for section 35, which in fact has significant heritage value attached to it. This block in Forrest is generally regarded as the old fire station area. Included on this block also are four houses that were used for accommodation for firefighters in the ACT when Forrest was the only fire station we had. Madam Speaker, as I have said, the fire station and those four buildings have a heritage listing, and the committee was concerned to ensure that any proposed development in this area would be sympathetic with the heritage value of the site. I believe, as does the committee, that the proposal that has been put forward most assuredly takes account of that.

Section 33 is an area adjacent to section 35. At the moment, I think, it contains the Forrest Lodge Motor Inn, the Manuka squash courts, and the now defunct, I think, Eastlake Football Club.

Mr Westende: Manuka Football Club.

Mr De Domenico: That is where the Transport Workers Union booze up during the day, when they are not driving buses, and when they are on strike.

MR LAMONT: I am sorry; the Manuka Football Club. The Eastlake Football Club is still a roaring success in the place where it always has been. I should remember it for that reason, Mr De Domenico, and I am now suitably chastened, you having drawn it to my attention, which is surprising.

Madam Speaker, development of that site allows, on three of the 11 blocks on that site, for three-level commercial development, but only on three of the blocks. The Planning Committee, in considering the draft variation, was mindful that we do not create an area that becomes another major business centre per se, but in fact retains the essential character of this area. I commend the proposal to the Assembly.

MS SZUTY (8.08): Madam Speaker, I hereby register my dissent from the Planning, Development and Infrastructure Committee's decision on the draft variation to the Territory Plan regarding the design and siting policies for townhouse, cottage and courtyard blocks. The reasons for my dissent are as follows. Notwithstanding that the variations sought have been common practice in the ACT for as long as seven years, I believe that the wider community should be given the opportunity to comment on the formal adoption of these changes. While I do not agree that consultation is necessary in the case of each construction, public discussion of the proposed policy change is recommended.

The formalisation of current practice has taken seven years to come to the attention of the Planning, Development and Infrastructure Committee of the ACT Legislative Assembly, and I do not believe that the waiving of a proper public consultation process in the context of this timeframe is warranted. The proposed changes in relation to fence and garage standards, although comparatively minor, are important to bring to the attention of the wider community for comment before final judgment is passed. I foreshadow a notice of motion of disallowance to reject the draft variation to the Territory Plan entitled "Design and Siting Policies for Town House, Cottage and Courtyard Blocks".

MR KAINE (Leader of the Opposition) (8.09): Madam Speaker, I support the recommendations of this committee. I do not agree with Ms Szuty on this point. The report deals with three different variation proposals. As Mr Lamont has said, one of them deals with a heritage area on Canberra Avenue, and the proposal that was considered by the committee, in my view, is a very good treatment of that area. It preserves the heritage aspects of the buildings, yet allows sympathetic buildings to be added to that complex so that the block is well used in the interests of the community.

On the particular question to which Ms Szuty alludes, and in connection with which she has lodged a dissenting report, I would generally agree with her proposition that community consultation is something that the Government should engage in. Indeed, it claims to do that. But, having spoken at some length to the officers of the Planning Authority and the leasing section on these matters, it was pretty clear that what was proposed and what the committee, in general, has accepted has been standard practice for many years. The only problem is that every time somebody wants to put the new standard into practice they have to go through the formality of seeking a waiver from the existing design and siting regulations.

There must be some hundreds of applications being processed every year. This wastefully uses resources that could well be put to other uses, slows down the processes for every applicant, and merely ends up with acceptance of what has been an agreed standard for many years. What the committee has done in this report is to agree that the revised standard, the new standard, is acceptable, and that we should change the design and siting rules so that that wasteful process of every applicant going through the motions of putting in an application for consideration and having it agreed automatically should cease. I think that it is a waste of community resources, Madam Speaker.

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While I sympathise with the general proposition that Ms Szuty is putting forward, that there should be consultation on matters like this, I believe that this is a case where public consultation simply would have endorsed the fact that the community has accepted these standards for some years and it would have been, again, a wasteful exercise, in my view. So, as with Mr Lamont, I endorse the majority finding of the committee.

MR MOORE (8.12): It is interesting to hear the perceptions of community consultation that the Leader of the Opposition puts in agreement with the members of this committee with the exception of Ms Szuty. If the precedent that you are setting here is to say that we do not want any community consultation, that since things are now done this way we will simply adopt that as the practice, then, in fact, you are missing a major step in the whole process. Planning in particular in the ACT has been about and ought to be about an appropriate process; otherwise what we establish is the notion that it becomes a positive thing to keep breaching standards. So we then establish a new standard by that method.

The difficulty with the precedent that is being set in this particular instance is that you are then missing the opportunity for all members of the community to say, "Do we want this as our standard?". You are also saying to the Planning Authority, "If you are allowing something to go ahead just simply by not policing it, you can then make that the standard". This is another way of going about changing plans and changing methods by which we do things. It is changing standards. The most appropriate way is to be up-front, instead of using this stealthy method, and to say, "Okay, that has happened in the past; now we want to change the standards; let us make it a public issue; this is the standard we want to change", and then go through the appropriate process.

It seems to me that recommendations of a committee along these lines are entirely inappropriate, more than anything because of the precedent they set in accepting a change of standards rather than recognising a failure to retain and maintain the standards. It really is a method by which we will simply lose the standards of planning that have delivered a city of which all of us are proud.

MR LAMONT (8.14), in reply: I will pick up one point that was raised in relation to the dissenting report and the reasons why the committee, in the majority report, believe that on this occasion the issuing of the certificate about limited consultation was appropriate. Madam Speaker, the proposed variations have been the subject of considerable consultation within the industry. That is where a significant number of the comments in relation to the Act have taken place in the past.

There is a procedure outlined in the new Act in relation to public consultation. What it will mean is that, for every single townhouse, for every single block the subject of this variation, you would have to go out to public consultation. That, indeed, is what will happen if the process is not able to be concluded prior to 1 July. That immediacy was one of the issues that the committee took into account. I am also aware that the reason why this is not in existence at the moment is that the last time that these matters were being addressed this proposition, basically, just fell off the end of the legislative process. That is my understanding in relation to why we are dealing with it now. I commend the report.

Question put:

That the report be noted.

The Assembly voted -

AYES, 15

NOES, 2

Mr Berry
Mrs Carnell
Mr Connolly
Mr Cornwell
Mr De Domenico
Ms Ellis
Ms Follett
Mrs Grassby
Mr Humphries
Mr Kaine
Mr Lamont
Ms McRae
Mr Stevenson
Mr Westende
Mr Wood

Mr Moore
Ms Szuty

Question so resolved in the affirmative.

LAND (PLANNING AND ENVIRONMENT) ACT - VARIATIONS TO THE TERRITORY PLAN

MR WOOD (Minister for Education and Training, Minister for the Arts and Minister for the Environment, Land and Planning) (8.19): Madam Speaker, let me continue the debate. The Planning, Development and Infrastructure Committee has reported to the Assembly on some planning variations, as we have just heard. The committee, as required by the new planning legislation, received and considered those variations which were passed to them by the Executive. They have now been returned to me.

Without going into the detail, I present variations to the Territory Plan for Griffith, section 78, block 30; Forrest, section 34, blocks 1 to 5 and 7 to 11; Forrest, section 35, blocks 2 to 10 and 12; and amendments to the design and siting policies for townhouse, cottage and courtyard blocks, pursuant to section 29 of the Land (Planning and Environment) Act 1991. In accordance with the provisions of the Act, these variations are tabled with the background papers, a copy of the summaries and reports, and a copy of any direction or report required.

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TERMINATION OF PREGNANCY (REPEAL) BILL 1992

MR BERRY (Minister for Health, Minister for Industrial Relations and Minister for Sport) (8.20), by leave: I present the Termination of Pregnancy (Repeal) Bill 1992.

Title read by Clerk.

MR BERRY: I move:

That this Bill be agreed to in principle.

Madam Speaker, the Termination of Pregnancy (Repeal) Bill will repeal the Termination of Pregnancy Act 1978. The current Act provides that where a termination of pregnancy is to be performed legally it can be performed only at a hospital conducted by the Board of Health. The effect of the repeal of the Termination of Pregnancy Act will not therefore, of itself, make termination of pregnancy legal. The repeal Bill will, however, allow for a termination of pregnancy to be carried out at a place other than a hospital conducted by the Board of Health if the termination would otherwise be lawful.

Under sections 42 and 43 of the Crimes Act 1900 it remains illegal for a pregnant woman to unlawfully procure her own miscarriage or for any other person to unlawfully procure a woman's miscarriage. The question of what is unlawful is left to the common law. Australian courts have held that the termination of a pregnancy is lawful if it is done with the honest belief that the termination is necessary to preserve the woman from serious danger to her life, or physical or mental health.

The repeal Bill, which will have the effect of placing the ACT in precisely the same position as New South Wales and other Australian States, has been prepared to redress the indefensible situation which has existed in the ACT since the termination of pregnancy legislation was introduced in 1978. I refer, of course, Madam Speaker, to the fact that over 1,100 ACT women each year have to go interstate to terminate pregnancies. About 150 terminations are performed in the ACT. How can we continue to export our health problems because we are not prepared to face the fact that some women choose to terminate a pregnancy? How can we continue to pretend that the problem of termination of pregnancy does not exist in the Australian Capital Territory?

Because of this situation, we now have to try to address the long-term problems of post-abortion counselling, complicated by the fact that the follow-up services were fragmented by sheer geography. On a cost basis alone, Madam Speaker, this does not make sense. By not dealing effectively with the follow-up after the termination procedure, we create more problems for women. How can this situation be remedied? Not by tinkering with the legislation to further regulate approved places for terminations, but by repealing the legislation altogether so that terminations can be performed in a range of appropriate locations, thereby giving women more choice about the procedure.

One simple fact is forgotten in the emotion of the abortion debate. The procedure to terminate a pregnancy is a safe and relatively simple procedure. The incidence of maternal deaths associated with legal termination of pregnancy has reduced drastically since the days when legal abortions were not available. NHMRC figures show that 45 maternal deaths associated with abortion were reported in the three-year period from 1964 to 1966, compared to one in the 1982 to 1984 period.

Termination of pregnancy is a reflection of our society's failure to provide perfect contraceptive methods, including morning-after contraception and contraception advice. It is important to note the need to assist women in managing their fertility by offering appropriate and accessible information about contraception. In particular, Madam Speaker, we need to develop strategies to get this information to high risk groups - kids in schools, kids on the streets, and disadvantaged women. Material used should be clear and precise, and appropriate for the various target groups. To be effective, Madam Speaker, this information should be prepared by those who best know the needs of those at risk - youth and women's service groups who currently provide counselling and advice, particularly those concerned with women's health services. Madam Speaker, if we can deliver this service effectively, the demand for terminations will decrease - an outcome we would all welcome.

Experience through history has shown that, because of this failure, termination of pregnancy will be carried out regardless of legislative prohibitions. Repeal will mean that some women will continue to choose the option of termination in a hospital setting, but the choice for ACT-based termination of pregnancy services will be wider. Qualified doctors will be able to perform termination of pregnancy in private hospitals, doctors' suites or other locations as they do in New South Wales. Legislation will continue to regulate the way in which medical practitioners perform their professional duties in the ACT. This will act to circumscribe the operations of backyard practitioners, as has been the experience in New South Wales. Madam Speaker, I present the explanatory memorandum for the Bill.

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

DOG CONTROL (AMENDMENT) BILL 1992

MR WOOD (Minister for Education and Training, Minister for the Arts and Minister for the Environment, Land and Planning) (8.27), by leave: Madam Speaker, I present the Dog Control (Amendment) Bill 1992.

Title read by Clerk.

MR WOOD: Madam Speaker, I move:

That this Bill be agreed to in principle.

The Dog Control (Amendment) Bill 1992 has been developed in response to representations from organised dog clubs that have highlighted the need to provide some flexibility under the legislation to meet the reasonable needs of responsible dog keepers and breeders.

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The Dog Control (Amendment) Act 1991, which was passed by the last Assembly in December 1991, sought to control, among other things, the serious problem of nuisance generated by dogs being kept in large numbers on residential premises. It is certainly the intention of the Government in introducing the amendments to ensure responsible keeping of dogs, but it has never been the intention of the Government to penalise keepers who have always demonstrated responsibility.

Under the amendments passed last December and due to commence on 25 June this year, keepers of more than three dogs must obtain a keeper's licence. In deciding whether to approve a licence application, the Registrar of Dogs will be required to have regard to certain matters. In particular, the registrar must be satisfied that the dogs will be confined in a yard, no part of which is less than nine metres from a dwelling house, other than the keeper's, and two metres from a boundary fence. Since the passage of the amendments it has become apparent that many people who currently keep more than three dogs on residential premises have already established facilities for keeping those dogs, in some cases at considerable cost. However, in many cases the existing facilities do not comply with the new requirements.

The Bill amends the Act to enable the registrar, where these facilities are already established, to issue a licence for the keeping of more than three dogs, provided that all requirements other than the nine- and two-metre rule are met. This amendment is intended to avoid requiring people who have already established facilities bearing the cost of relocating those facilities to comply with the rule. Where they have done a good job in the past we are not going to say, "You have to do something new".

The Bill will provide also a period of grace until 30 September 1992 for affected keepers to lodge their licence application with the Registrar of Dogs. Applications received from 1 October 1992 onwards will be required to meet the two- and nine-metre rule. To guard against fraudulent applications, the registrar will be able to cancel a licence if the licence was obtained through fraud or misrepresentation.

Organised dog clubs have also raised concerns about registration requirements under the Act. The Act requires, subject to some exceptions, that once a person has kept a dog for more than 14 days the dog must be registered. This can cause difficulty when dogs are exchanged for short periods for breeding purposes. I have been advised that up to 30 days is required for successful breeding activities. Accordingly, it is proposed to amend the Act to provide an exemption from the registration requirement in the case of a person who keeps a dog for breeding purposes. The Bill enables a breeder of dogs to keep an interstate registered dog for a limited period for the purposes of breeding without requiring that the dog also be registered in the ACT.

Madam Speaker, I believe that this Bill will help ensure that the ACT Government's initiatives in dog control and promotion of community responsibility in the keeping of dogs do not penalise those keepers who have always acted responsibly. I present the explanatory memorandum for the Bill.

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

SUPPLY BILL 1992-93

Debate resumed from 21 May 1992, on motion by **Ms Follett**:

That this Bill be agreed to in principle.

MR KAINE (Leader of the Opposition) (8.32): On the face of it, the processing of an Appropriation Bill is almost a mechanical thing. The Government is entitled to ask the Assembly to authorise sufficient funds to keep the Government running until such time as the annual appropriation is approved by the Assembly. Traditionally the budget is presented around about August-September, and the Assembly gives it its endorsement approximately around November. So, again traditionally, the Supply Bill asks for enough money to last for about five months. So the principle is fairly simple.

But I must admit, Madam Speaker, that when I looked at this particular Supply Bill it took my breath away, because what it asks the Assembly to do is to authorise the expenditure of \$619,682,800 - in round figures, \$620m. When you look at that figure a bit you start thinking about it. This is for five months' worth of government, we are told. Madam Speaker, I looked at that figure and I thought, "Does it really represent five months' worth of government expenditure?". So I set about the exercise of proving to myself that it did. I did a few sums and I got some interesting answers.

If \$620m represents five months' expenditure, then 12 months' worth is \$1.488 billion. What this could be saying to me is that in the next fiscal year the Government intends to spend \$1.488 billion. That is far more than any annual budget that I have been aware of before. It is considerably more than this year's budget, which was only \$1.275 billion. There would be an increase of \$213m from this year to next if that is the calculation that we are expected to make. That is a 16.7 per cent increase over this year's budget.

The Chief Minister has told us that following the Premiers Conference on Friday we have 6 per cent less money than we expected; yet, on the basis of this Supply Bill, one could assume that our expenditure is going to increase by 16.7 per cent. I can only conclude that that represents either a heck of a lot of new taxes or a heck of a lot of new borrowing. I wonder whether that is what the Government means anyway. What are the other options? I looked to see whether it was five-twelfths of the current year's expenditure. I notice that in the explanatory notes the Chief Minister tells us that this is to provide for five months of expenditure in accordance with existing policies, that is - I quote from the explanatory memorandum - "a continuation of the 1991-92 expenditure policies".

On that basis I went back and I looked at this year's budget. This year's budget, as appropriated by this Assembly, was \$1.275 billion, in round figures. In fact it was \$1,275,696,400. If you take five-twelfths of that you come up with a figure that is in fact \$78m less than what we are now asked to appropriate. So it is obviously not five-twelfths of this year's budget. It clearly cannot be five-twelfths of next year's, because that would represent an enormous explosion in public expenditure. So, contrary to what the Treasurer told us when she tabled this document, we are being asked to approve \$78m more than one would expect to be asked to appropriate, which is five-twelfths of this year's expenditure.

At that stage I began to wonder what on earth it was that I was being asked by the Government to approve, and whether I should approve a Supply Bill of \$620m. I then took the \$78m over and above what I would normally have expected to have been asked to authorise. Calculate that out. It could be \$187m if it is based on this year's budget, and if in fact this year's budget has blown out by \$78m. Perhaps that is what the Treasurer was trying to tell us; that we are not taking five-twelfths of what we approved 12 months ago but are being asked to approve five-twelfths of what the Government has actually spent this year. A \$78m budget blow-out? Is that why we are being asked to approve all of this?

So it raises some interesting questions, Madam Speaker, as to just what this \$620m is supposed to represent. It certainly does not represent what it purports to, or what the Chief Minister and Treasurer said that it represented. I think it raises some very interesting questions. Has our budget blown out? Are we merely being asked to approve \$78m more than normal, for some unexplained reason the Government is not prepared to tell us? Or, indeed, is next year's budget going to be nearly 17 per cent greater than this year's? They are interesting questions that I think the Assembly deserves to have explained before we vote this evening to approve the Government's Supply Bill to a value of \$620m. I would be interested to hear what the Chief Minister and Treasurer has to say in answer to those questions, because, quite frankly, I cannot figure out what it is five-twelfths of. It is five-twelfths of some sort of very rubbery figure.

MR HUMPHRIES (8.38): Madam Speaker, the Supply Bill which comes before this Assembly traditionally gives us a chance to comment on the Government's economic program, and in particular its budget program, which it usually is a precursor for. As Mr Kaine has indicated, this Bill appropriates a sum of nearly \$620m; a sum which is extraordinarily large, of course. It is one which is beyond the comprehension of most ordinary citizens of our Territory, and perhaps even beyond the comprehension of some of us in this place. I certainly think, Madam Speaker, that the questions that the Leader of the Opposition has raised about it need to be seriously addressed.

On a more general level, though, Madam Speaker, I would say that people expect that the people responsible for appropriating and spending sums of this size will exercise extraordinary caution and extraordinary diligence in the way in which that money is both appropriated and spent. The larger the appropriation the more difficult it is for any government or any bureaucratic overlay beneath a government to properly administer and monitor the use of those sums of money. It makes it imperative, therefore, that appropriate measures are put in place to make sure that that money, large as it is, is properly accounted for and properly monitored as it is being spent.

Especially, I think, Madam Speaker, those comments apply with a ministry such as ours in the ACT which has only four members. Reliance on public servants beneath those Ministers is extraordinarily great because of that very small ministry. As our budget in this Territory grows, as of course it will, so too must the analysis which the Government and the community put budgets to, and the analysis that must occur of the wisdom of specified expenditure. Those are general comments that apply to all governments; but naturally the ACT has specific pressures on its budget which I think, Madam Speaker, have been well outlined by the budget statement which the Chief Minister brought down earlier today. That statement made very clear that the ACT's position is extraordinarily difficult, even by comparison with other States in this Commonwealth.

Madam Speaker, the comments made in the Chief Minister's statement make it quite clear that, as well as problems such as reducing Commonwealth grants, we have to deal with other problems such as much larger calls on government services, no doubt generated by the recession that we are currently in, lower than expected population growth, which the Territory is experiencing, and a whole host of other factors which make our position extremely difficult. Some of these factors, of course, are beyond the control of the ACT, but others are not. It is my argument, Madam Speaker, that the factors which are not beyond our control, the factors which we can influence, must be the subject of decisive and urgent government action to make sure that this Territory's long-term financial position is firmly secured. Anything less would be a grave dereliction of duty. I believe that if that action is forthcoming it will have the support not only of members of the Opposition but also of the broader community.

Given the magnitude of this task, the response that the Government needs to produce to that problem, which we will, I hope, see in the budget brought down in August or September, will be, and must be, both dynamic and innovative on a scale which perhaps the ACT is unfamiliar with. It may not be what other States are doing, and I am sure Ministers will be quick to point that out; but the fact of life is that other States are not in the position that we are in today and their requirement for urgency is not necessitated by their position. Ours certainly is.

I want to take some examples of that in a moment. I want to say, Madam Speaker, that the one thing that the people of this Territory will not forgive is excessive caution and excessive reliance on old methods of producing these results; old routes of solutions; ways which might have been well tried and true but which might not be appropriate for the ACT's present position. We need innovation, we need something dynamic, and I think, Madam Speaker, that it has to come not in some years' time but in this budget. That is the task before us all. I have to say, Madam Speaker, that this Opposition will not be cautious about that. If the Government has radical solutions to solve the ACT's problems, let them bring them forward; let us look at those things. If they are genuinely aimed at producing some answers to Canberra's problems, I assure you that they will be embraced. But I emphasise again that it is not open to the Government to take a cautious approach to this matter. Our problems are simply too large for that to occur.

I have a few suggestions which I hope will assist the Government in that process. In her statement today the Chief Minister made reference to a number of things which are impacting adversely on our budget situation. In particular, she referred to areas of education and health - areas, I might point out, which are extremely sensitive in any budget and which, of course, are very large sections of any budget and which therefore cannot escape the scrutiny of government.

She mentioned on page 8 of her statement an increase in school enrolments and a movement from private to public schools. We have to ask ourselves: What is the reason for this shift? Naturally the recession is the major factor in that. It causes people to dispense with some of their discretionary expenditure and on some occasions non-government schools are in that category. But I have to say that government policy is also one factor that impacts very heavily on the decision that parents make about their choice of school.

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In the case of the ACT, we have had recent decisions - that is, in the last 12 months - which have very strongly and adversely affected parents in some schools, namely, the two grammar schools and the AME School. Those decisions would have made, I think, a quite significant contribution to the shift out of those non-government schools. I shall be asking the Minister for Education questions about the way in which that shift has occurred from those particular schools and whether any identifiable number of students have gone from those sorts of schools into government schools.

Of course, there is another question altogether, and that is whether or not the Government ought not to be looking not just to stemming the flow of students from the non-government sector to the government sector, where of course they impose a very heavy burden on government. All children in the ACT incur some cost to the Government in terms of education, but government school students incur something like three or four times the cost to the ACT taxpayer directly, through his or her taxes, that non-government school students do.

Mr Moore: Not true.

MR HUMPHRIES: It is in that vicinity, Mr Moore, and I suggest that you look at your figures. The question is not just whether we should be stemming that tide but whether, in fact, the ACT should be taking steps to reverse that tide. The ACT has the highest level of participation in non-government education of any place in the country, and it is reasonable to assume, Madam Speaker, that if parents were better financially placed many of them would also make the election to send their children to non-government schools if they were able to.

Mr Connolly: It is the best government school system in the country.

MR HUMPHRIES: I agree with that. I agree with Mr Connolly's statement that we do have the best government school system in the country; but, patently, we also have a very good non-government system, otherwise people would not be sending them in such large numbers, and we do have the highest level of non-government school participation in the whole of the country. There must be some reason for that.

I would suggest, Madam Speaker, that the excellence of our government system would be enhanced if we had more per capita to spend on that system. We simply will not be able to spend that sort of money on the system while pressure continues to increase on it and we have a flow into the government system at a rate which we cannot cope with. It would seem to me logical to support in every way the duality of our present system, to strengthen that system by giving parents a real choice. People should choose the government sector because they genuinely want what is on offer in that sector, not because they have no financial choice in the matter.

But forget the argument in educational terms, Madam Speaker. That is not important in this debate. What is important is making sure that this Government has the money to pay for essential services, and I am suggesting a way in which it may be possible for the ACT to make the available education dollars go further or perhaps even to create more education dollars because there is more money to go around.

Mr Berry: Close 25 schools?

MR HUMPHRIES: Mr Berry puts his head up. I think it is worth making a reference to the next dot point in the Chief Minister's statement, and that is a continued shift from private insurance to public patient status in hospitals. When the Alliance was in government there were many references by the shadow Health Minister to the fact that the Alliance Government had some devious plan to drive patients out of the public hospital system into private hospitals and private health institutions. Whether those plans were supposed to be based on some desire to destroy the public hospital system was never clearly articulated, but we suspect that that is what was imputed to be our motive. Of course, there was no evidence for that in the course of the Alliance Government's record. The Alliance Government proposed to increase public hospital beds in the ACT. It would be very tempting on the basis of public hospital bed numbers to conclude that in fact it is the present Government which is out to destroy public hospitals and public health.

Putting that to one side, we do have a very serious problem in meeting health budget requirements while there is a continuing shift out of private health insurance into public hospitals and publicly funded beds. I forget the figure, but I think in my time it was at least in the order of \$350 per day per patient who chose to make the shift from a non-public bed in a public hospital to a public bed in a public hospital. That is a lot of money, and again this Government really cannot afford to ignore the implications of that kind of shift. What is the Government doing to make sure that those in this community who have the money to afford private health care, be it private health care in a public hospital or private health care in a private hospital, are taking that step and making that election? Surely that is the only responsible step to take when your available health dollars in your budget are diminishing, and they are diminishing.

At this stage, I will not go into the problem of a blow-out in the health budget. That is already on the record. But the fact of life is, Madam Speaker, that this budget is not going to make it through another year either without some supplementation in the budget base or some very serious rejigging which results inevitably in the loss of quality of services to the people who use our public hospitals, and it is not necessary. There are people in our public hospital system who frankly should not be there. I would submit, Madam Speaker, that there are easy ways for the Government to stimulate the move away from public hospitals for those people - - -

Mr Connolly: Who is going to decide who should not be there? Do you run around saying, "You, out. You, you and you, out"?

MR HUMPHRIES: The market should decide. You are more sophisticated than that, Mr Connolly, I am sure. The market can decide very easily about that. Give people a valid choice. For example, let the private sector at its own expense build another private hospital in Belconnen. What is wrong with that? It does not cost you a penny and you might just get people choosing to go to that hospital rather than ACT public hospitals. If they do not, there is no skin off your nose. You have not put any money into building those private beds. If someone is committed enough to spend several tens of millions of dollars to build a private hospital, do you not think they have made a conscious, carefully researched decision that they might actually get some patients into their private hospital as a result? Of course they will have done that.

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A year ago there were at least four major firms in this country interested in building a private hospital in the ACT, and I have no doubt that that number of firms would still be there today. If Mr Berry and his colleagues wish to harp from the other side of the chamber about the evils of Kentucky Fried medicine, et cetera, et cetera, et cetera, they had better come up with another way of making more dollars in the public hospital system. So far, we have not heard what it is.

Mr Berry: Don't you worry about it.

MR HUMPHRIES: What is it going to be, Mr Berry? Selling limbs or something? What are you going to do? How are you going to create more dollars for the public hospital system, except by taxing the people of the Territory more for a lower quality service, or cutting back in some further way on the essential criteria that deliver service in our hospital system? For example, fewer hospital beds; longer public hospital waiting lists; fewer specialties; fewer services; no cardio-thoracic services; a delayed hospice; sending patients to Sydney, et cetera, et cetera. Where does it stop? We have to make some decision about how we stem this problem, and we do not have any ideas.

I am suggesting to the Government that other governments in this country are anxious to make some steps to reverse this tide. I refer to the comments of Mr Berry's colleague Mr Wilson, the Minister for Health in Western Australia, and his colleague Mr Batt, the former Federal President of the Australian Labor Party who was very quick to pronounce that Medicare was causing extremely serious problems in State health systems. He should talk to them and to others, and even to the Federal Minister for Health, his own left wing colleague Mr Howe, who has accepted a reasonable level of private hospital participation. (*Extension of time granted*) Mr Howe has accepted that there has to be some subvention of that public contribution in order to make our hospital dollars go round. Mr Berry, alone among the whole of Australia's health hierarchy, it seems, has not accepted that, and he really needs to think about it. I am not being dogmatic or ideological about this; I am simply saying that you have a problem you need to face up to and you had better get onto doing just that.

There are many other suggestions which I think this document would give rise to. The Government, as I said, has to be innovative and dynamic. If it is prepared to do that, it will get support if those suggestions really do address the ACT's problems. But sitting on your hands is not one of the solutions.

I make one final comment, Madam Speaker, on the Supply Bill and, in particular, on the Minister's introductory speech. There was a reference in that to the abolition of the Department of Education and the Arts and the renaming of that department as the Department of Education and Training. Of course, the emphasis on training in the present environment of high youth unemployment, in particular, is very welcome. I might say that I noted with great regret the passing of the title "Education and the Arts" because that department's title was the first time in the ACT's history that the arts have had formal acknowledgment in the role of a government department. The Arts Bureau is now to be tucked away, I think, in the Department of the Environment, Land and Planning, which, I would suggest, with the greatest respect, is not the most appropriate location for it. It is unfortunate that the sort of profile which the arts were able to obtain under the Alliance Government through that title, which was very deliberately chosen by the former Government because of the emphasis it gave to the arts in that process, is now to be lost because of reorganisation. That is unfortunate, I have to say, Madam Speaker; but that is only a comment by the by.

I think that this Bill does leave many questions unanswered, as the Opposition Leader has indicated, and I am looking forward as much as he is to hearing what the Chief Minister's answers are to those problems and those questions.

MS SZUTY (8.56): I support the Chief Minister's Supply Bill and am pleased to be fulfilling another of the pledges I made to the Canberra community during the election campaign. To remind members, both my colleague Mr Moore and I made commitments to support Ms Follett as Chief Minister and to pass the Supply and Appropriation Bills once introduced into the ACT Legislative Assembly. However, I wish to comment on one aspect of the Supply Bill referred to by Ms Follett in her presentation speech during the last sitting period. Ms Follett said:

... the hospitals and public and community health programs will merge to form one health program under the Department of Health.

Expenditure on health services is one of the largest items of expenditure in the ACT budget. Total moneys appropriated in 1991-92 came to \$217,314,400. According to the Appropriation Bill 1991-92, the total for hospital services came to \$169,839,100, and the total for public and community health came to \$47,475,300. By amalgamating these figures in future under one allocation for the Department of Health, we become less informed about the moneys spent in each of these areas.

Government commitment to public and community health services is important in addressing the preventative measures that the Canberra community can take to lessen the need for hospital services in the longer term. By not separating hospital and public and community health expenditure we cannot assess the Government's emphasis on public and community health services in relation to hospital services. As the need for more moneys in hospital services grows, the obvious conclusion to be reached is that there will be less funds available for public and community health services. I urge the Government to reconsider the amalgamation of hospital and public and community health services moneys in this context in the interests of the ACT community having meaningful information about the way these moneys are spent in the ACT.

MR DE DOMENICO (8.58): Madam Speaker, I am going to be very brief. When Mr Kaine alerted the Assembly to the fact that supposedly we had been expected to vote on an appropriation of some \$620m, I think that what we did not realise was that perhaps it might be a bit more than \$620m. If we read the Bill closely we will see that paragraph 7(b) says that apparently we also should add on to that \$620m any unexpended money from last year.

Mr Humphries: There will not be any of that.

MR DE DOMENICO: We do not know that, Mr Humphries. We have not been told a lot of things about this whole situation, so perhaps that is something else that Ms Follett should take on board. Perhaps she should let us know whether, in fact, there has been any unexpended money from last year; if so, how much, and all things like that. That is all I need to say, Madam Speaker.

MR MOORE (8.59): I would like to take this opportunity to make some general budgetary comments at this time, while I also happily give my support to the Supply Bill without amendment. It seems to me that we have to look at the issue of taxation as an important part of budgetary measures. There were some issues about taxation raised today in an earlier debate. That dealt with the notion of using a flat rate of taxation. I do not intend to pursue that matter any further because I think we dealt with it rather thoroughly today. At that time I did raise the notion of using land tax in terms of taxation as far as the budget goes. I think it would be important for me to clarify some of the notions I have there about the use of land tax. Increased usage of land tax, I believe, should also be accompanied by a reduction in other taxation. I believe that attempting a transition towards a greater reliance on land tax is a most appropriate way for us to go.

One of the interesting things about Australia as a whole is that we have been singularly unsuccessful in taxing the very wealthy in our society. I recall a television program looking at taxation and Mr Kerry Packer and how inadequately we as a community had dealt with that kind of taxation. I think it is a very sad reflection on us that the wealthiest members of our society wind up paying a very small amount of tax; hence the taxation burden is left either to the middle class or, in many cases, as with a flat rate tax, with the poorer members of the society. That being the case, and recognising how attitudes in Australia at the moment reflect the terrible problems we have with unemployment, it really is time to look beyond what we have been doing in the past and to try to find a better method of providing the services for which government is responsible. That is why I think it is appropriate for us to move in gentle steps towards a land tax and at the same time reduce other taxes. I presume that many will be rapid to say what taxes we should reduce. I can almost hear the Liberals calling out, "Cut payroll tax". It may well be an appropriate move for them to do that, and I am leaving that open. I can make some suggestions as to what we should do about taxation.

I think it is also important for us to move towards looking at some efficiencies in government. The catchcry of the 1980s was for more and more efficient government and leaner and leaner government. I think we are approaching a time when we will be putting far too much stress on the public servants who are required to deliver the services. There has been more efficiency and there is still room for more efficiency, but we must be reaching a point where we are going to look not just at creating efficiencies but at cutting services. You cannot continue to cut public services without creating those problems. We have to be able to ask ourselves, "At what point are we prepared to do that?".

Rather than taking an across-the-board approach in cutting public services, as has been done in some cases, it is far better to target inefficiencies and to look for specific areas that require some modification. It seems to me that a contribution has been made in this area in no small way by the estimates committees over the last three years. I look forward to working on the Estimates Committee this year. I hope that that process of scrutiny not only will add to efficiencies but also will ensure that the work that people do for us, the work that so many public servants do in providing services for the people of the ACT, will be carried out in an appropriate and efficient manner.

I am particularly pleased about the announcement by Mr Connolly that ACTEW also will go through that process. As a member of this parliament I have received more suggestions and more complaints about the operations of ACTEW than about any other single service in the ACT. That would be logical because of the type of services they supply and the fact that they have a much closer interaction with people. I do not make that as a general overall negative comment about ACTEW; I perceive that as being a quite logical thing to happen.

On the other side of the coin, we have to be careful to ensure that our most critical services are not cut to the stage where we are doing long-term damage. I refer, most importantly, to education, and in particular to government education. While talking about education and government education, I think it is important to draw attention to the schools that received cuts last year. I particularly would like to draw attention to the AME School. It is an issue that I have raised before and I would like to raise it again in the context of the budget. The AME School offers a specific style of alternative education. It is a school that is not used in a way that is - - -

Mr De Domenico: So do the Catholic schools. So does the grammar school. It is not just AME.

MR MOORE: The AME School is a school that is used by people who have a particular interest in a particular alternative style of education that is focused on student progress. I believe that it would be a great enhancement to our public education system if the AME School were able to be brought into the public education system so that the benefits of that style of schooling could be part and parcel of the choice that parents can make in the public education system.

This is not asking for something for which we do not already have a precedent. The initial precedent for that style is the School Without Walls, which also offers an alternative program for a different level. I think this is an appropriate time to consider the possibility of inviting the AME School into the government education system and to determine what are the blocks for that. What are the expenses incurred by the education system?

Mr Cornwell: Have you asked them?

MR MOORE: The answer, Mr Cornwell, is yes. The AME School is open to negotiation on this. It is not something they reject outright. I approach this in three ways: First, as a member of this Assembly; secondly, as an educationalist; and, thirdly, as a parent. In all three ways I can see some significant advantages in having such a school incorporated as part of the government education system. I think that that issue should be considered in the budget context, considered with all the questions that go with it and all the questions that need to be resolved.

Madam Speaker, I appreciated the opportunity to comment on some small area of the budget process and will look forward to the opportunity to make more comments during the next few months.

MS FOLLETT (Chief Minister and Treasurer) (9.10), in reply: Madam Speaker, I thank members for their comments and I will do my best to respond to at least the more substantive ones. Mr Kaine raised some interesting issues in his remarks on the Supply Bill. I am delighted to say that he at least has a much better understanding of the quantum of the Supply Bill, and indeed of the whole

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budget, than has the *Canberra Times*, which printed that the Supply Bill was seeking \$600,000. Had that been the case, we would all be in a great deal of difficulty indeed. Mr Kaine has pointed out, Madam Speaker, that the sum sought for supply is not precisely five-twelfths, and there are some issues that I will address in regard to that. In fact, there are some issues where the figure is not five-twelfths and I will tell you what they are.

Firstly, Madam Speaker, in capital works, which is Division 200 in the Supply Bill, members will see that what we are looking for in supply is nearly \$92m. You must remember that this is out of a potential capital works construction program of \$140m to \$150m. It is clearly well over five-twelfths there. In fact, we are looking for about 60 per cent for the capital works in the Supply Bill. A further factor is along similar lines - major plant and equipment. That figure, which amounts to about \$8m, is in fact a full year figure. The reason for that, Madam Speaker, is that for major plant and equipment the Government has yet to make the decision on just which items will be included in that expenditure; so the full amount has been included. It is about \$8m.

There is a further matter concerning the last budget. The Government made a decision to reduce staff, and that involves some redundancy payments. About \$6m of that redundancy money, Madam Speaker, has been carried over into this supply period. That obviously is for the reason that the redundancies in the budget obviously were not all achieved in the time in which they were expected to be achieved. So that has been rolled over into this supply period.

A further factor that I am sure Mr Kaine will be interested in is that the Comcare payments, about \$12m, are in fact 100 per cent. So 100 per cent of Comcare premiums are included in the Supply Bill, presumably because they need to be paid in that period. Also, of course, there is 100 per cent of the Treasurer's Advance, and \$8m is included there. That adds up to about \$125m and just about accounts for the discrepancy to which Mr Kaine drew attention. I hope that clears that up for him.

Madam Speaker, other speakers canvassed issues more broadly, as is their right in a debate of this kind. Mr Humphries chose to concentrate on education and health and I found his remarks interesting in that they were particularly illogical. There is a great discrepancy between Mr Humphries's views on what ought to be done in education and what ought to be done in health. On the education side, Mr Humphries is urging the Government to give parents a real choice of public or private education and, of course, he is urging us, in particular, to expand their choices for private education. I am always intrigued, Madam Speaker, that when people speak of private education they then refer, in the same breath, to the grammar school or the AME School, and the one sector that they omit is, in fact, the biggest part of the private school sector, the Catholic sector. It was the Catholic sector to which the Government gave special attention last year in the budget. We reversed a decision taken by Mr Humphries and restored to the Catholic sector nearly \$2m which Mr Humphries had sought to take away from the neediest part of the private school sector.

Nevertheless, Madam Speaker, there is still this enormous contradiction. Mr Humphries says that in the education system people deserve to have a real choice; but in the hospital system they do not, according to him. Mr Humphries says that there are people in public hospitals who should not be there. Mr Humphries believes that they ought to be in private hospitals. This is a clear

contradiction, Madam Speaker. Mr Humphries puts forward to us the proposition that if you can afford to be in a private hospital that is where you ought to be; but, if you can afford to be in a private school, then you ought to have a choice. Clearly, he has not sorted out his own position now, even after he has had the pressure of portfolio responsibility for that matter lifted from his shoulders. I do not understand the contradiction in his arguments, Madam Speaker.

Mr Humphries: It was the starvation on the weekend that befuddled my mind.

MS FOLLETT: I would like to say - amongst Mr Humphries's twittering on about private hospital systems - that there is a provision in the ACT for additional private hospital beds and that provision has not been taken up. The beds were approved at John James. They have never been taken up. So, Madam Speaker, I find all of those comments by him hollow indeed.

Madam Speaker, I welcome the support of Ms Szuty and Mr Moore for the Supply Bill. I would like to assure Ms Szuty that, in merging the hospitals and public and community health programs to form one health program under the Department of Health, it is certainly not the Government's intention to provide less information. In fact, it was done because those two programs do operate from the same bank account and it is really an administrative matter. In the course of the Estimates Committee examination those separations will be provided and members will be able to see the amounts in both programs. We will certainly not be reducing the information available.

Mr Moore again canvassed broader issues. In particular, Mr Moore seems to be a convert to Mr Bill Mason's school of economic thought, and it is one that I must say has its attractions. It relies heavily on land tax. The difficulty that I have with it, Madam Speaker, is that it has not worked anywhere, and I am unwilling to experiment with it, particularly in our rather delicate situation.

Mr Humphries: Be bold, Rosemary.

MS FOLLETT: Mr Humphries urges me not to be cautious. I am going to ignore his urging on that. I believe, Madam Speaker, that it is a time for great prudence and for caution. We in fact expanded the land tax base in the last budget, and that was, for the ACT, groundbreaking legislation for which Mr Moore gave his support at the time. I believe that Mr Moore, in saying that land tax taxes the very wealthy, does not really reflect fully the ACT situation. We do not have Kerry Packers or Alan Bonds and so on in the ACT, although some of them are not very wealthy these days. Madam Speaker, while I applaud his intentions, all I can say is that it has not worked elsewhere and I really will be taking my usual fairly cautious approach to it.

Mr Moore has urged the Government to target inefficiencies in the public sector and in the delivery of services. I have asked for a review of all areas of government activity and it seems apparent to me that we would not, of course, be making savings where that would be detrimental to the service provided to the community; but that review has yet to be undertaken in any great detail. Finally, as Mr Moore said, it is certainly not this Government's intention to continue cutting programs to the point where it does real damage to the services which are being delivered.

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Mr Moore gave the example of the AME School. I would like, in conclusion, Madam Speaker, to say that, from memory, the reduction in expenditure that the AME School took in the last budget as a result of the Government's decision to remove the cushioning which they had enjoyed previously was around \$18,000 to \$19,000. The Minister for Education affirms that figure. I have to say that, if an undertaking of the size and budget of the AME School goes to the wall over a sum of \$18,000 to \$19,000, then they must have been in grave difficulty well before that point. Whilst I sympathise with them, I really think that it was not the action of this Government that put them into severe difficulty.

As Mr Moore has raised the issue of whether it should perhaps be a government school, all I can say is that no-one has put that proposal to me, and I presume not to the Minister for Education either. If it ever is put to us, we will consider the matter; but clearly, in the context of the Supply Bill, this is not the moment to do that. I thank members for their comments, Madam Speaker.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

PERSONAL EXPLANATION

MR HUMPHRIES: Madam Speaker, could I have leave to make a statement under standing order 46?

Leave granted.

MR HUMPHRIES: Thank you. Madam Speaker, I will be brief. The Chief Minister commented on some comments I had made in my remarks on the Supply Bill and accused me of being illogical, which I felt I should respond to.

Ms Follett: Yes, contradictory.

MR HUMPHRIES: I will concede that perhaps, Madam Speaker, there was terminology in my remarks which might have given rise to some confusion about what I was saying. I certainly acknowledge, Madam Speaker, that I am arguing for more choice in education by more - - -

Mr Berry: This is debating the issue, Madam Speaker. This is not about a misrepresentation. I think Mr Humphries ought to lay off.

MADAM SPEAKER: Mr Humphries, would you continue to make a personal statement, as you sought leave to do?

MR HUMPHRIES: Thank you, Madam Speaker. The Chief Minister accused me of being inconsistent as between the health and education sectors. I want to explain why I was not being inconsistent.

Mr Berry: Again, it goes to the issue.

MR HUMPHRIES: That is what I am explaining. It is under standing order 46.

Mr Berry: It is not a personal explanation.

MR HUMPHRIES: Yes, it is.

Mr Berry: It is not a personal explanation. Madam Speaker, he is debating the issue.

MR HUMPHRIES: I am entitled to do this. I am responding to a point that she raised. May I continue, Madam Speaker?

Mr Berry: Not if you debate the issue.

MADAM SPEAKER: Mr Berry, that is in fact the correct interpretation of standing order 46; but please continue, Mr Humphries, and contain it to a personal explanation.

MR HUMPHRIES: Madam Speaker, under standing order 46 I want to explain a matter which was misunderstood by the Chief Minister in the course of the debate. Am I entitled to do that?

MADAM SPEAKER: So long as it is of a personal nature. For members' benefit, let everybody hear this so that we know exactly what we are talking about. Standing order 46 says:

Having obtained leave from the Chair, a Member may explain matters of a personal nature, although there is no question before the Assembly; but such matters may not be debated.

So, if it is of a personal nature, by all means, Mr Humphries.

MR HUMPHRIES: Madam Speaker, it is not of a personal nature.

MADAM SPEAKER: It is the next standing order, I think, that you really wanted to use.

MR HUMPHRIES: Yes, Madam Speaker; I am sorry. It is standing order 47 under which I should be making my explanation. I am grateful to the Deputy Chief Minister for bringing it to my attention so graciously. I seek leave, Madam Speaker, to make a statement under standing order 47.

MADAM SPEAKER: Yes, I grant leave.

MR HUMPHRIES: Madam Speaker, in the course of the debate just passed the Chief Minister suggested that I was being inconsistent with respect to my treatment of the question of choice in the health and education sectors. The Chief Minister correctly identified my view in respect of education as being that there ought to be more choice by the creation of more opportunities in the non-government sector, thus giving parents a choice between those two sectors. I then said that there were people in the public hospital system who ought not to be there. By saying that, I meant that they ought not to be there if they had a proper choice, if the choice was again generated by the Government by making sure that - - -

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Mr Berry: Madam Speaker, the standing order clearly says that no debatable matter may be brought forward, and again we go to a debate about the issues.

MADAM SPEAKER: Thank you, Mr Berry. Mr Humphries, I draw your attention to standing order 47 and ask you to proceed.

MR HUMPHRIES: Madam Speaker, I hope that I have couched these comments entirely within the ambit of standing order 47.

Mr Berry: No debatable matter may be brought forward.

MR HUMPHRIES: The Chief Minister misunderstood what I was saying and I am clarifying it for her benefit, although she is not here. I was saying, Madam Speaker, that people - - -

Mr Berry: That is debatable.

MR HUMPHRIES: You cannot do this without doing that, Mr Berry. Madam Speaker, the Chief Minister assumed that I was talking about limiting choice when I said that people ought not to be in the public hospital system. What I was saying is that people ought to be given choice by expanding the non-government sector so that they did not have to be in government facilities if they did not want to be. In other words, there ought to be the choice created by a balance of deployment of resources between the two sectors to make sure that people who are in the government sector and who have the capacity to be elsewhere could make the choice to be outside that sector. I would submit, Madam Speaker, that in that respect I was being entirely consistent as between the education and health sectors.

ANIMAL WELFARE BILL 1992

Debate resumed from 21 May 1992, on motion by **Mr Wood:**

That this Bill be agreed to in principle.

MR WESTENDE (9.25): Madam Speaker, it is acknowledged that the Animal Welfare Bill is the culmination of many years of development and the input of many organisations. The Liberal Party in fact welcomes legislation that deals with the protection of animals from actual cruelty. In general, therefore, we support the general thrust of the Bill in this regard. However, Madam Speaker, we do have on the other hand some very real concerns with the Bill as it stands at present, and we have an even more serious concern with the amendment proposed by Mr David Lamont.

Madam Speaker, it is acknowledged that the area of animal welfare is a very complex and all-encompassing subject to deal with, but it is our view that it is also an area that is subject to overreaction and emotiveness and perhaps extremist objectives. We believe that this Bill is tainted with this type of response. Of course, the difficulty with taking a hard line against one form of activity is that it is very easy to be cornered by a double standard. In this regard, it is very difficult to find the rationale behind banning a rodeo but allowing horseracing to proceed. It is very hard to fathom why certain circus animals should be banned; yet the majority of the population would have either a budgie in a cage or a fish in a

small aquarium. It is interesting that the Government has singled out circus animals but has not come clean about its views on battery-fed poultry animals. It is curious that the Bill would allow the release of domestic cats; yet cats are devouring our wildlife in the order of some 78 million items per year.

Madam Speaker, the Bill is loaded with generalities and quite vague terminology. Our concern with this is that the interpretation of these vague terms and the intentions will be left for the Animal Welfare Advisory Committee and the Animal Welfare Unit to determine. Once given the power through what will become the Animal Welfare Act, these bodies will then, and only then, go about defining the very things we and a great many people and organisations and businesses in the ACT are wanting to know now. What is meant by "cruelty", "unnecessary pain", "confined animals"? What is acceptable conveyance of animals? What is humane transport of animals - the back seat of the car or in air-conditioned buses? What is adequate shelter? How can someone always know that an animal is unfit for a particular purpose such as riding or working, et cetera? The Bill outlines the areas that the codes of practice will deal with; but it does not indicate what these will be, and to that extent the Bill is an unknown quantity.

The Minister in introducing the Bill stated that the Bill will detail specific requirements for people to treat animals appropriately. The problem here, Minister, is that the Bill is not detailed and no-one knows what you mean by "treat appropriately". Probably it would be fair to say that once we would have understood what you are meaning, but with the rise of the animal liberation movement one can never be sure what the terminology really means. This movement has a very extreme agenda to ultimately eliminate all use of animals for work, for pleasure and for food and clothing. They would have animals as humans and as equals. That is a rather bizarre and off-the-planet perspective of life. In fact, from a Christian perspective it is in defiance of creation.

Debate interrupted.

ADJOURNMENT

MADAM SPEAKER: Order! It being 9.30 pm, I propose the question:

That the Assembly do now adjourn.

Mr Berry: I require the question to be put forthwith without debate.

Question resolved in the negative.

ANIMAL WELFARE BILL 1992

Debate resumed.

MR WESTENDE: We do not know whether the lunatic fringe will gain more control and will have more say in the determination of the regulations. A further major concern we have in this area of uncertainty is the question of inspectors. The Bill gives incredible powers to inspectors; in fact, in some aspects more than the police have. I speak here of the right to enter premises without a warrant.

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This raises two main concerns. First, who will be the inspectors? The RSPCA thought that they would be, but the Bill does not say so. We do know, however, that the police can be inspectors, and this will therefore give them powers they do not have at present. It is therefore quite conceivable for the police to use this power to enter a premise under false pretences in order to seek a conviction on another matter. This is not at all desirable and, furthermore, the police would have no experience at all to deal with an animal welfare problem anyway.

The second concern with inspectors is their right to enter a premise without a warrant. No circumstance can warrant this type of practice, whether or not the inspector thinks a particular case is serious, urgent or whatever. This is a massive invasion of privacy and it must not be permitted. There are also potential dangers for inspectors in adopting such a practice. There would be no way of knowing what response this type of behaviour might engage; but one could not rule out a violent response, particularly if the person had treated his animals in a violent manner. If a case were considered to be one requiring urgent attention, then the inspector would have to organise a warrant. In fact, it would be better practice in these extreme cases if the police were to accompany an inspector on a mission of this nature, but we cannot have inspectors with powers that enable them to enter premises without a warrant. We are not a police state yet.

The Liberal Party believes that the penalties for offences are far too high - an absolute overkill. Actions of people against people do not attract such a vehement penalty. Animal cruelty against people and other animals does not attract anywhere near the same kind of penalty. If a dog, for instance, attacks a flock of sheep and mauls them, the owner would only be charged a maximum fine of \$1,000, according to the Dog Act of 1975. This penalty would also apply to a dog attacking a human. It would probably be fair to say that the Dog Act is too lenient and the Animal Welfare Bill too extreme the other way. We do not have a figure in mind, but somewhere around half that suggested would seem more appropriate.

The Animal Welfare Advisory Committee is also a concern. Even if the recommended composition of the committee were as suggested in the October 1990 policy statement, and I have it here, there would be some concerns that this group actually represented all concerned groups and people involved with animals. Once again, the concern would be to ensure that such a committee remained level-headed and did not permit extremist views to gain control. We would like the Government to reveal the composition of the Animal Welfare Advisory Committee before this Bill is debated in detail.

The Minister indicated in his introductory speech on this Bill that the policy statement was developed with help from a diverse group; but it is not clear who represented the interests of, say, Parkwood Eggs, the Mugga Lane Zoo and circuses. It is to the interests of the various activities that involve animals that I now wish to turn my attention. It is an outrageous act by Mr David Lamont to attempt to amend the Bill in order to ban certain exotic animals from circuses. It is outrageous for the following reasons. Firstly, it was not the action recommended in the October 1990 policy statement. The circus operators were quite happy with the provisions of the Bill as they stand. They are quite used to being regulated, as each State and local council has inspectorial regulations relating to circus operations. We are talking here of some 900 government authorities watching their every move, apart from organisations such as the RSPCA.

With all this, members of the national circus association have only ever been charged for two offences of cruelty. We are talking about circuses that go back for generations. The Circus Federation of Australia has engaged the services of veterinarian Dr Karl H.C. Texler of the Bright Veterinary Clinic to prepare their own code of ethics for management of animals in circuses. I have here a copy of the draft proposal. It is a very comprehensive code of ethics and demonstrates the very high level of responsibility of circuses to be, in fact, self-regulating, let alone all the other obligations that they must conform to.

There have been exhaustive studies carried out on circus animals and there has been no condemnation of using them arising out of this. Circus animals, like budgies in cages and battery-fed laying hens, are bred over many generations for the life they have. They have not been captured from the wild and brought immediately into circuses. Ashton's Circus has its felines going back seven generations. Dr Marthe Kiley-Worthington is one of the first ethnologists to go and study wild African animals and to recognise behavioural problems of captive and domestic animals. Her work includes studies of many large mammals, animal welfare and training. Since 1971 she has been an animal behaviour consultant. After 3,000 hours of scientific observation of animals and many visits to circuses and zoos, including training, travel and performance, Dr Kiley-Worthington concluded that, while there are improvements that must be made, circuses do not by their nature cause suffering and distress in animals. Dr Kiley-Worthington states in her book *Animals in Circuses and Zoos*:

On balance, I do not think that the animals' best interests are necessarily served by money and activities diverted to try and ban circuses and zoos either locally or nationally. What is much more important is to continue to encourage the zoos and circuses to improve their animal welfare.

Madam Speaker, banning animals from circuses is an overreaction and is based on misinformation. It may also be useful for Mr Lamont to acquaint himself with the correct sizes of cages before he spouts off.

A survey conducted in Canberra shopping centres last Saturday shows that almost one Canberra person in two has seen a traditional circus in the past five years. A total of 260 people were asked, "Have you been to see a traditional circus in the past five years?". Forty-four per cent of respondents had been to a circus in the past five years. The survey was conducted by the Circus Fans of Australasia, Canberra Branch, with the assistance of the Circus Federation of Australia. A survey conducted by the North Sydney Council on 14 September asked the question, "Should circuses with performing animals be banned from operating on public land in the municipality?". Fifty-seven per cent of respondents said no, they should not be banned. Madam Speaker, what is needed is controls, not bans, and that goes for rodeos.

Mr Wood has stated that this matter is not negotiable. That is a pretty democratic path to go down, I must say! The truth is that this is an overreactionary approach. What it demonstrates is an aspect of the life of country people. Breaking in horses and roping cattle is a part of our country heritage. It is skilful and rough, with the cowboys invariably the ones coming off second best. It is an irrational argument that a rider could harm a steer or bull that weighs something close to a tonne. One need only witness how long the riders last to see which one of the two is the superior in the contest.

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We have spoken to the Australian Professional Rodeo Association and they are naturally very concerned about a proposal to ban rodeos. Mr Ray Blanchard of the association, who incidentally is also a member of the Animal Welfare Advisory Committee of New South Wales, indicated that some time back the association realised that in some aspects of the rodeo they had to lift their game and had since done so. Mr Blanchard, who is also involved in horseracing, verified that the horseracing industry had far more to answer than the Professional Rodeo Association.

The Australian Bushmen's Campdraft and Rodeo Association Ltd has indicated that over the past 12 months the following estimated number of stock were used without an injury to stock reported to their office. This is out of 208 committees conducting rodeos and/or campdrafts. Rodeos - 116 days of rodeo events, 13,200 head of cattle; campdrafts - 218 days, 109,000 head of cattle. The association supervises its events very strictly and heavy fines are imposed for any breaches. If this farming practice is to be banned, what would the Minister be saying about mulesing lambs or, indeed, shearing sheep in the colder months? It all comes down to applying commonsense and not being caught up in emotiveness and getting things out of perspective. Once again, controls and regulation, not hypocrisy.

Probably one of the most important businesses that could be severely affected by this Bill is Parkwood Eggs. The extremists would have the current form of farming move to free-range. This would result in Parkwood requiring 2,000 acres and it would need to employ approximately 500 people instead of those currently employed. The cost of eggs to the consumer could rise to something around \$10 a dozen. As for the birds, they are healthier in their current cages. All the birds are checked twice a day by trained chicken handlers. Any sick bird is removed and given a cage on its own and treated or is humanely destroyed. Feed and watering equipment is checked twice daily. The company also employs a veterinarian to establish disease control. Houses are air-conditioned and the temperature ranges from 20 to 26 degrees. The operation at Parkwood is very impressive and is a most important industry to Canberra. It should be permitted to continue its operation; but the vague terms of the Bill provide no comfort to the management, nor does the lack of consultation by the Government, and it is on this point that I would like to conclude.

Madam Speaker, I have come to realise that this Government really does not know how to consult or that it chooses not to. The latter is more likely to be the case. In our process of assessing the Animal Welfare Bill we undertook a fairly exhaustive consultation process with all those organisations that we considered had some involvement in the area. This included active proponents and others. To our amazement, many of them had not seen the Bill, and those who had seen the Bill were concerned that the consultation process that existed with the preparation of the policy statement was now virtually non-existent.

We have discussed this Bill with, and provided copies of it to, Parkwood Eggs, the Royal Agricultural Society, the RSPCA, the Mugga Lane Zoo and the Circus Federation. In addition to this, we have had discussions with the animal welfare section of the John Curtin School of Medical Research, the Australian Veterinary Association and the Australian Wildlife Association. All of these organisations expressed various concerns with the Bill as it stands. I must conclude that, with all my foregoing comments, this is not a document that is thorough enough in its

drafting. It is extremely vague and, in some aspects, both dangerous and intrusive. Most of the organisations that I have referred to have indicated their disappointment in the consultation relating to the Bill. For the Government to have assumed that consultation ceased when the policy statement was released in October 1990 was sadly wrong.

The Minister, Bill Wood, has refused to talk to representatives of the Australian Circus Federation, as has Mr Lamont. May I remind those gentlemen that they have an obligation to allow people to voice their concerns. This is not a closed shop; the Assembly is here to serve the people. For that process to occur effectively and honestly, members must make themselves available to hear the concerns of people when they so request, irrespective of their viewpoint. This is a Bill that needs much more consultation and refining. As for Mr Lamont's attempt to amend the Bill by banning exotic animals from circuses, we would rule that totally out of hand.

Madam Speaker, once again I am advocating a commonsense approach. The former long-serving executive director of the RSPCA, Mr Colin McCaskill, was reported in the *Land* of 21 November 1991 as claiming that new personalities were stamping their own ideals on the organisation but were also throwing commonsense out the window. Let us not make the same mistake in dealing with animal welfare in the ACT. Madam Speaker, I wish to give notice that at the conclusion of this debate I shall move that the debate be adjourned before commencement of the detail stage.

MR LAMONT (9.46): First of all I want to say that I have circulated an amendment in my name. I do not intend to address that until such time as we deal with it in the detail stage. I do wish to address a range of matters which have been raised by Mr Westende. Basically what has happened in relation to this matter, Madam Speaker, is that the Liberals have gone around in an attempt, I would suggest, to raise, again for political point-scoring objectives, a number of red herrings, and I intend to address those as they were outlined in Mr Westende's comments.

Let me first of all address the question of how the policy statement which Mr Westende has referred to, the animal welfare in the ACT policy statement, was arrived at. If Mr Westende and his colleagues care actually to read what is in there, rather than attempt to make political points out of this process, this will answer most of the concerns that Mr Westende raised in his address. The Bill was based on a policy statement which was developed in consultation with many community groups and individuals with an interest in animal welfare in the ACT. The policy statement received endorsement from the Alliance Government in 1990 and was subsequently endorsed by the Labor Government in October 1991. This policy statement, Madam Speaker, which talks about the banning of circus exotic animals and which talks about the other issues associated with this Bill, is the policy statement that these people across the room endorsed over two years ago. They want to talk about the length of consultation.

Mr Kaine: Not so. You are getting confused with your own caucus.

MR LAMONT: I hear the Leader of the Opposition. If this is indicative of the level of interest that the Leader of the Opposition takes in matters that his Government endorsed, then heaven help us. It does not say much for their consideration of the rest of these matters.

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Mr Moore: Would you have signed the cover?

MR LAMONT: Mr Moore raises an interesting point; maybe he only looked at the cover. Let us have a look at the substantive issues raised in Mr Westende's comments. It is not exactly as lengthy as Mr Westende's speech, but I happen to have a precis of the issues that Mr Westende raised.

There is an interesting point that I will start off with in relation to some advice which, I understand, did not come with the ACIL "With compliments" slip on it. This relates to the tactics which these people have been advised to use in detailing any response to this Bill. It states:

The Government is perhaps pushing the controversy on circuses to focus attention away from the more powerful consequences of this Bill ...

If David Lamont wants to get controversial over circuses, a minority group that only affects visiting groups, perhaps we should indicate to the public that people like David Lamont, the new-found animal Liberationist, would have people give up Budgies in cages and so on.

This was in an attempt to ridicule the arguments that we are putting forward. That is all we have heard in the last 20 minutes - an attempt to ridicule the quite proper provisions of this Bill, as reflected in this document.

Let me go on to address some of the substantive issues that Mr Westende raised. He talked about penalties. Mr Westende talked about - - -

Mr De Domenico: Madam Speaker, I take a point of order. Mr Lamont was reading at length from a document that he had there. Could he please table that document, or can I seek leave to have him table that document that he was reading from?

MR LAMONT: Madam Speaker, I have absolutely no difficulty in tabling this document.

Mr Kaine: They are just some scrubby old notes.

MR LAMONT: Not at all. Do you want this document tabled?

Mr De Domenico: The one that you were reading from.

MR LAMONT: You want this one?

Mr De Domenico: I do not know. Which one were you reading?

MR LAMONT: I am pleased to do so. May I have it back?

Mr De Domenico: No. That is why I want you to table it.

MR LAMONT: It will take only a short moment. Madam Speaker, I am able to - - -

MADAM SPEAKER: Order! We have a minor point of confusion here. To follow the standing order appropriately, Mr De Domenico, we should have done that at the end of the speech, exactly so that this process does not happen.

Mr Kaine: We do not mind if he finishes reading from it, although it is contrary to standing orders to do so.

MADAM SPEAKER: It is contrary to standing orders. If you are willing to table it - - -

MR LAMONT: I have watched you people do it so often I thought it was the rule of law.

Mr Kaine: No, we just have comprehensive notes.

MR LAMONT: So, the comprehensive notes which I am now going to quote from, Madam Speaker - - -

Ms Follett: Our standing orders do not rule that out. Other parliaments' do; ours do not.

Mr Kaine: We follow their rules when our standing orders are silent.

MADAM SPEAKER: Could we proceed with the speech, please?

MR LAMONT: I address the question of penalties - the one which was raised by Mr Westende. For his information - this obviously is enlightening to him and his colleagues - offences committed under the Animal Welfare Bill are essentially by a person who mistreats defenceless animals, often calculatedly and premeditatedly. Offences under the Dog Control Act, which he tried to draw some corollary with, are typically unpremeditated and instinctive. The level of penalty has been determined by the Law Office, and is consistent with other relevant ACT legislation. Any anomalies will be addressed by the parity of penalties initiative being adopted by the ACT Government. He should have been aware of that.

He then went on about the appointment of inspectors, once again trying to raise hysteria about what powers inspectors would have. The Government is aware of potential problems associated with overzealous inspectors, and not just in this area. Each inspector appointed by the authority will be required to undergo formal training in both the interpretation of the legislation and the appropriate conduct of their duties. That is a reasonable proposition. The authority is responsible for the appointment and regulation of inspectors. I understand that it is anticipated that the inspectors will initially be the government vets and the RSPCA inspector, who have proven capabilities in the field of animal welfare inspections. If the powers of an inspector are misused, the appointment of an inspector may be revoked. Authorisation as an inspector is unlikely to be conferred upon anyone holding extremist views.

I turn now to powers of entry without a warrant. Whether or not the police, because they are included in this legislation, should be appropriately authorised as inspectors was questioned. Madam Speaker, what is being proposed as a power of entry is a standard power of entry embodied in several other pieces of regulating legislation in the Territory. It is impossible to predict the circumstances in which it may be needed, but its use will be limited to the most

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urgent and serious matters. The use of this power will be strictly regulated by the authority. Any entry without a warrant may be subject to an examination in court. It must be strictly based on a reasonable cause. Any entry that cannot be justified may be subject, and properly so, to civil action. The use of police as inspectors was a question that Mr Westende also raised. This was proposed in the policy statement that his colleagues in the Alliance Government endorsed. It received bipartisan support in that policy statement. The Bill does not confer on the police a power that they do not already have. They can, under the Crimes Act 1900, enter premises where they believe that a crime is being committed.

Mr Westende in his comments then went on to talk about the composition of the Animal Welfare Advisory Committee. This Bill is not prescriptive in the composition of the committee, which allows for a change of circumstances. The proposed composition, as detailed in the policy statement, is likely to be followed initially to ensure that the committee is representative of major interests in animals and animal welfare in the ACT. The AWAC will be the mechanism for community consultation in the development of codes of practice. It is an advisory committee with no intrinsic powers. Any code of practice - this is something that my colleagues opposite would do well to bear in mind - or regulation formulated with the advice of the AWAC is subject to disallowance by this Assembly.

Interpretation of terminology in the Bill was another issue that Mr Westende raised. The expert knowledge of the government vets, the RSPCA and trained inspectors will be used to determine what constitutes cruelty to animals in particular circumstances. Codes of practice will also deal with issues such as transporting animals and proper shelter. The meaning of terms such as "cruelty" is ultimately determined in a court of law, based on prevailing community standards and accepted codes of practice.

Mention was made of the use of animals in research. The John Curtin School of Medical Research was mentioned. That organisation currently operates in line with the National Health and Medical Research Council code of practice for the use of animals in research and teaching. They have an already established Animal Experimentation Ethics Committee for approval of all scientific projects. The Bill will therefore have little practical effect on that institution. The ACT Government, despite what has been said here this evening, has been dealing direct with the John Curtin School during the development of this Bill. They have not expressed any continuing concerns about the matters addressed by the Bill.

Mr Westende also went on to talk about Canberra's heritage and Canberra's culture being personified by the rodeos - the rodeos that we have not had in this Territory for 10 years. We have not had a rodeo in Canberra for 10 years.

Mr Moore: And there will not be any for the next 10 years either.

MR LAMONT: That is dead right, Mr Moore. There is a potential for cruelty in some events traditionally included in a rodeo, such as devices to induce bucking by rodeo animals. The potential for cruelty was recognised in the Senate Select Committee on Animal Welfare report on equine welfare and competitive events other than racing. A ban on rodeos is seen to be appropriate in the ACT due to the potential for cruelty and the fact that there has not been a rodeo in the Territory, as I have said, over the last 10 years. As I say, this would indicate that rodeos cannot and should not be regarded as part of the ACT's heritage and culture. That is nonsense and piffle.

Mr Westende also addressed the question of Parkwood Eggs. Despite the rhetoric of the Liberal Party in the last 48 hours, this Bill does not outlaw the battery hen system, nor does it prescribe that hens for egg production be free-ranging. The Bill will require battery hens to be kept in a way that protects their welfare. The battery farm system - - -

Mr De Domenico: Ha, ha, ha!

MR LAMONT: If you wish to listen, Mr De Domenico, for once, this evening you might learn something.

Mr De Domenico: I will listen. Are you going to set up a group of counsellors? He is going to train them to go and have a look and see whether the hens are all right.

MR LAMONT: One would certainly hope that you would learn something. The battery farm system of egg production will be dealt with by a code of practice. In developing codes, consultation with relevant interested parties will be undertaken. Codes that are already developed at a national level will be reviewed by the ACT and may well be adopted without modification. A national code of practice for the keeping of battery hens is being developed by an Animal Health Sub-Committee on Animal Welfare which reports to the Council of Agriculture Ministers. So it is not just here in the ACT that this matter is being actively considered.

There has been a question raised in a document about the Mugga Lane Zoo and the keeping of koalas. Neither Mugga Lane Zoo nor the National Aquarium has a permit to keep koalas. The keeping of koalas or any other native animal is regulated by the Nature Conservation Act of 1980. The issue of permits under the Act is governed by concerns for the health of the animals and the ability of individual operators to care for them.

A question about pet shops and other issues - the red herrings, as I call them, or the budgies in the cage - was raised. In the development of the policy statement on which this Bill is based, pet shop owners representing commercial interest in the trade and the transport of companion animals were involved in this working group that produced this policy statement. The confinement provisions simply state that an animal is not to be confined in a way that causes injury or pain, and that confined animals are to be adequately exercised. This is consistent with the policy statement. It is anticipated that a code of practice will be developed relating to pet shops and that extensive consultation will be undertaken with relevant organisations and individuals.

The question of consultation is one that was repeated throughout all of Mr Westende's address. This Bill is based, as I have said, on the animal welfare policy statement. If you had read this policy statement, Mr Westende and Mr De Domenico, you would have understood exactly who was consulted, and that the consultation period, in total, has now exceeded five years. No other piece of legislation that I am aware of, that has come before this Assembly in the time that I have been an MLA, has had such an extensive consultation period associated with it - and, I might add, the endorsement of both the Alliance Government and the previous Labor Government as a policy statement. These organisations included the Australian Veterinary Association, the RSPCA, the

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Rural Lessees Association, Animal Liberation, pet shop owners and the government veterinarians. These well respected local and nationally recognised groups were involved in the formulation of this policy. (*Extension of time granted*)

A draft policy statement prepared by the working group was released for public comment in 1989. I will repeat that, Madam Speaker, because I do not believe that all of the members of the Opposition were listening. A draft policy statement prepared by the working group was released for public comment in 1989. The working group reviewed public comment and the Alliance Government released the policy statement in October 1991. Subsequently, in October 1990, the Follett Government agreed to a policy statement which, in respect of all the major issues, was identical to the 1990 statement. On any test, Madam Speaker, one could not say that there has been inadequate public consultation. Not only were all the relevant interest groups involved in the process; the general public also has had ample opportunity to comment.

Copies of the Bill were sent to the parties represented on the working party which developed the policy statement, including the RSPCA. I have in my office, although not here with me at the moment, a copy of a letter of appreciation from the RSPCA in relation to the good work associated with the preparation and presentation of this Bill, including, I might add, the preparation of the amendment that I shall move later on this evening. Many copies of the Bill were forwarded, free of charge, in response to phone calls to the animal welfare officer, and further copies were available from the Government Bookshop. In conclusion, Madam Speaker, anybody in the Opposition who suggests that this Bill has failed in relation to the requirement to go to exhaustive public consultation is indeed showing himself or herself up as being the real clown of this Assembly.

MS SZUTY (10.03): Madam Speaker, I welcome the opportunity to give my support in principle to the Bill introduced by the Minister for the Environment, Land and Planning to provide for the welfare of animals in the ACT. It has been a long time in coming; but it is a credit to the agencies and staff who brought the varying interest groups together and arrived at an outcome which has, by and large, received praise from a wide range of animal welfare lobby groups.

The substance of the Bill, in comparison to the existing Prevention of Cruelty to Animals Act 1959, as amended, is demonstrated by the greater range of defined offences and the fact that it addresses many issues left untouched by the earlier law. Of particular concern in the community has been the care of animals used in research and teaching institutions. There has been increasing awareness of the conditions suffered by these animals in the past. It is part of the building of a humane society - which is one of the tasks of the Legislative Assembly, in my view - which gives assurances to animal welfare groups by introducing guidelines which bring people in charge of these animals under the umbrella of legislation, making them answerable to the wider community.

Another welcome initiative is the section outlining the ban on the use of animals in blood sports. It is an anathema in a civilised society that such activities as dogfights, cockfights, and the confining of animals for shooting and sport are carried on. With the assistance of this legislation, authorities now have guidelines, and the community has a direct message that such practices are not acceptable.

The Bill also addresses the plight of the domestic pets we all enjoy. It is pleasing to have a legal framework that prevents people from neglecting their responsibilities as the custodians of domesticated animals. The Government has, in this legislation, stated clearly the minimum requirements for the care of such animals, and this reinforces the attitude that having a pet is a responsibility and a privilege, not a right. So, too, the owners of properties and those who trap animals for the purposes of feral animal control or food are also given guidelines as to acceptable practices. It is pleasing to see a ban on the use of steel-jawed traps, recognising the unnecessary agony caused by such devices.

The Government has also made quite good provision for inspectors under the Act. It seems to me only sensible to have inspectors operating at several levels, and to give these inspectors, and veterinary officers, the right to alleviate the suffering of an animal they find in distress. This, of course, was provided for in the old Prevention of Cruelty to Animals Act, but is enhanced within this new Bill. It is pleasing that the court's discretion to remove animals in the charge of a person convicted of an offence under the Act has been retained and widened in scope.

With my commitment to consultation well known, I also welcome the formation of the Animal Welfare Advisory Committee. I feel that, as the codes of practice which will operate under the Bill are developed, it is important that the highest level of input is received from the people affected. I assume that the committee will make the most of the expertise of the animal welfare groups in Canberra to ensure that the codes adequately reflect the intention of the Bill - to ensure the well-being of the animals, domestic, agricultural and native, in the ACT. As an animal lover, I am delighted that the ACT is moving to ensure that the creatures most dependent on the goodwill of our population will now also have the protection of law.

MR MOORE (10.07): Madam Speaker, I also rise with pleasure to support this comprehensive Bill. Rather than reiterating what has been said, I will just draw attention to a couple of clauses of the Bill that cause me some concern. The first of those is clause 11, which deals with the release of an animal. It states at subclause (2):

A person shall not, without reasonable excuse, fail to take adequate precautions to prevent the release of an animal from custody or control.

Subclause (3) says:

Subsections (1) and (2) do not apply in relation to -

(a) the release of domestic cats;

...

I notice that Mr Wood has circulated an amendment that will change that and insert after "cats" the words "in the course of reasonable management and control". I must say that I am very pleased about that.

It seems to me that when we look at animal welfare - I have just had a chance to scan the Bill that Mr Wood tabled tonight on dog control - we should be looking at companion animal control. There are certainly a number of issues, in particular environmental issues, associated with cats and with their appropriate handling

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and care. Many people I know who have cats have very responsible attitudes and look after their cats very well. I also know that many people have just the opposite attitude. The cats that go through my own backyard and use our sandpit as their toilet are a nuisance in a health sense and in many other senses, in particular the environmental sense in terms of the wildlife in our area - using "wildlife" in terms of the definition in the animal welfare legislation.

I turn now, Madam Speaker, to the notion of circuses. I will take, first of all, the point made by Mr Lamont when he finished his speech. He said something along the lines that anybody who says that there has been no consultation on this matter is simply a clown, and that is an appropriate concept, in fact, since we are talking about circuses. I have been in this Assembly when it was described on many occasions as a circus, particularly with reference to the debate on fluoride. Perhaps part of the reason for that was to do with not the issues themselves but rather how they were handled. Many would argue that there had been quite a bit of consultation and information provided on the fluoride issue.

The point to be made really is that the report on animal welfare in the ACT that Mr Lamont referred to - he was kind enough to provide me with a copy some time ago - has been out as a policy. I do note that Mr Wood, in tabling the Animal Welfare Bill 1992, was prepared to allow it to sit on the table from one sitting to another so that people knew exactly what the Government's intention was. That is a policy that sets out general government guidelines; but when you prepare a Bill which establishes exactly what the Government is intending to do it is appropriate that there be a period of consultation on that Bill. This is an issue that Mr Stevenson, I know, has raised in the Assembly again and again over the last two or three years. Only a matter of a couple of days ago Mr Lamont announced publicly that there would be an amendment to this Bill.

Mr Lamont: Eight days ago.

MR MOORE: Mr Lamont interjects that it was eight days ago, and that may be correct. He announced publicly that there was going to be an amendment to the Bill that would ban circus animals from the ACT. It seems to me that the amendment to the legislation that Mr Lamont is talking about has now been tabled in the Assembly and is now available for public comment as of today. Therefore, it is appropriate that a similar period to the period that Mr Wood provided for the Animal Welfare Bill be provided. Because we are not sitting in three weeks' time, it is appropriate that the time for that amendment - - -

Mr Wood: Every time amendments are moved?

MR MOORE: Not every time there is an amendment; when there is a significant amendment. I think this is a significant amendment.

Mr Lamont: It is consistent with the policy document.

MR MOORE: It is consistent with the policy document and it is a significant amendment. The people of Canberra are now aware that there is an intention to change something that many people in Canberra are quite interested in. It seems to me, therefore, that we can do ourselves no harm by adjourning this debate and bringing it on in six weeks' time. We can learn from the experience of the fluoride debate that we can do ourselves a great deal of harm by rushing it through; therefore, it seems to me that it ought to be adjourned.

I should say at this stage that it is my intention to support the amendment that Mr Lamont has foreshadowed. It seems to me to be a sensible amendment. I have looked at evidence from both sides at this stage and I am inclined to support the amendments drawn up by Mr Lamont. However, it is possible that there may be such a weight of opinion that I will be convinced otherwise. It may be that a weight of argument put to me that I have not yet been exposed to convinces me that that is not the appropriate way to go. I have no difficulty with waiting six weeks. I cannot see why there will be a great problem with waiting six weeks. I doubt whether there is a circus coming to town in the next six weeks, and therefore - - -

Mr Lamont: There will be now.

MR MOORE: Mr Lamont interjects that there will be now. That may well be the case. With the publicity that circuses have got, people will flock to them in order to get their last chance to show their children these exotic animals. I have a recommendation for people who want to see these exotic animals. We are fortunate enough to be within a half-day's drive of Dubbo, where probably one of the finest zoos in the world is located. I have been to quite a few zoos around the world, Mr Cornwell - I say that because of the look on your face - and I think that that is a very fine zoo indeed because you can see animals where they have plenty of room and where they are in their natural habitat. Since we are on the topic, consider the elephants, for example, in that zoo. It is the one place where you can see elephants where they do not stand and rock and sway from side to side, as one sees in an autistic child, for example.

It seems to me that we have an opportunity here to provide a circumstance where our children can see animals in a natural environment. Interestingly enough, I raised the issue of circuses with my eight-year-old son and asked what he thought of going and seeing circuses. He was pretty enthusiastic about seeing circuses. I said, "What do you think about banning these animals from them?". I had not personally canvassed the issues at all. His reaction was that he does not like the idea of these animals - in particular the tigers and lions we are talking about specifically - being kept in small cages. I guess that is really the reaction of many people. If you are transporting animals in circuses, it is pretty difficult to keep them in any other condition. Madam Speaker, on that issue, I shall be moving for an adjournment during the detail stage of this Bill when we get to the circuses. I want to make it quite clear that it is my intention to ensure that the Bill does not come on for debate for another six or so weeks.

The animal welfare legislation goes on to deal with animal trapping. I think that it is important for us to support the measures taken in this Bill as far as these issues go. I guess it is self-evident, is it not? The Bill is, of course, about cruelty, and cruel methods of trapping have been used for many years. That issue needs to be rectified. I read somewhere about a gin trap, and I would be very interested to know whether the Minister can explain exactly what that style of trap is. I am not familiar with the term at all. My imagination wanders rather broadly. Perhaps when we get to the detail stage, if not earlier, the Minister might explain exactly what that style of trap is. I have seen steel-jawed traps and so forth, as I have lived in rural areas and have seen how people attempted to control rabbits, I think through very cruel methods.

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Madam Speaker, it seems to me that we have in front of us a very important piece of legislation and an important amendment circulated by Mr Lamont; but we must not lose sight of the principle of consultation, and it is appropriate at this stage that there be enough time for consultation about the specific amendments that are to be put by Mr Lamont.

MR WOOD (Minister for Education and Training, Minister for the Arts and Minister for the Environment, Land and Planning) (10.18), in reply: I thank speakers for their comments. I would like to draw together the positive views that were expressed. All speakers indicated their general support for the legislation and indicated that it would be supported. Mr Westende had some reservations that he detailed, but he did not indicate that the Liberal Party is opposed to the Bill. No doubt he will raise his issues of concern further in the detail stage. I particularly thank Mr Moore and Ms Szuty for their comments, which were universally supportive, save for the matter of circus animals.

Mr Westende had some concerns, and I think the operative word is "some". He suggested that maybe there was some overreaction by Animal Liberation people and others to styles of control of animals these days. I suggest that perhaps what happens universally in the community is that we become inured; we accept old patterns of behaviour because that is what we have grown up with. Very often those patterns of behaviour are quite unsatisfactory; but we do not understand that, because we are so familiar with them.

It may be - in fact, I am sure it is the case - that people such as animal liberationists are opening our eyes by presenting to us a different view and, I expect, a valid view in respect of animals. It is frequently cited that slavery was accepted for centuries and it required some inspired people to turn the community's view around. I suggest that our treatment of animals has been based purely on what we have observed, what we have grown up with, and is not always with the best for those animals in mind. I think it is totally unsatisfactory that tigers should be encompassed in a cage the length of about two of these desks for almost their entire life and released into a larger cage, that I can only imagine the style of, for training and for performance.

I agree with the Chief Minister, if she does not mind my repeating something that she said when we were discussing this. She said, "While I had not been to a circus in 25 years and had no intention ever of going, it was not until the 1989 or 1990 rugby league grand final, when I saw that disgraceful incident of a tiger being pulled around the Sydney Football Stadium in a cage, that I was convinced that I had moved too slowly in this area and it was time for something to happen". That tiger's head and tail were, I suppose, a foot from the ends of the cage. That was the standard cage in which it lived. That was a disgraceful incident, and it was the one thing that marred what was a very good day.

Mr Connolly: It did not help Balmain, anyway.

MR WOOD: It certainly did not help Balmain. I think we take that sort of thing for granted. On the television tonight, as one of the stations previewed Mr Lamont's amendment, I saw circus animals, wild animals, performing. I think it is demeaning of the animal and of the human population. I do not think we should accept that any more.

Mr De Domenico: Why not?

MR WOOD: Perhaps I cannot convince you.

Mr De Domenico: No. From what you have said so far, you cannot.

MR WOOD: You should go to a circus, maybe - something I have not done - - -

Mr De Domenico: I have been to a circus. Have you been to a circus?

MR WOOD: Not for 25 years. I refuse to go.

Mr De Domenico: Why?

MR WOOD: You should go, perhaps, and see - I have only read about it; I have not observed it - the way they train those bears that roll around on the ball.

Mr De Domenico: There are no bears, for a start.

MR WOOD: I am sorry. You and I have been seeing something different.

Mr De Domenico: There are no bears in the Australian circuses.

MR WOOD: There are far-sighted people in this community who are challenging us to put away our established ideas, ideas that we have accepted without thinking.

Mr Westende's concerns - I repeat that they were in only some areas - were about definitions. We have answered that matter on this side of the house, with some prior notice from some documents that fell from the back of a truck. It is true that "cruelty" is not an easy word to define. But it will be defined through the codes of practice, through the way that inspectors conduct their work and ultimately through courts. Courts will decide what is cruelty, should the matter go to court - and I have no doubt that it will. These definitions, because of the difficulty of that word, that concept, will be developed.

In this debate, as in other debates recently, the Liberals - and I respect their point of view, though I do not agree with it - have made some comment about powers of inspection. I know that they did this in the debates on the planning legislation and some other recent legislation. Yes, there are very strong powers of entry. That element is contained in many Bills. It is a power that is there to be used in the most special circumstances. I have no doubt that if we went through all the Acts in which that power exists we would find that it is very seldom used. It is, nevertheless, an important power and a traditional one in the exercise of duties. So I would ask the Liberals to rethink their position on the power of inspection. Any officer proposing to move under that power would be well aware of the consequences if he were wrong in his actions.

There has been some comment about the Animal Welfare Advisory Committee. Mr Westende thought I should tell him and the Assembly the composition of that committee now. Let us get the legislation up first. That is what we normally do with advisory committees, or any other sorts of committee. I am rather optimistic that this legislation will get through, but I think it is sensible to wait until it is

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through before announcing the composition of the committee. Certainly, we are gathering names at the moment and working on the membership, but I think it is only proper and prudent to wait until the legislation is up and running before making an announcement. I can assure Ms Szuty, who made some comment about that, that we will be seeking the expertise of those groups who have been so helpful so far, and we will be using that expertise. Mr Westende was a little concerned that maybe the committee will be dominated by animal liberationists. To my memory, there was one person from that community on the panel that produced the policy document, and I should think there will be one on the advisory committee. That may be an underrepresentation. But it is not going to be a committee dominated by any one group. It will be a group that is broadly very representative.

The other matter that Mr Westende complained about - although I suspect that the Liberal Party supports the proposal - is continuing the ban on rodeos in the ACT. As we all acknowledge, a National Party senator, Senator Brownhill, criticised the Government for this ban on rodeos. He said that he had something to do with a Senate committee; but he did not read the Senate committee report very carefully, because that committee document expressed a lot of reservations about rodeos. Rodeos are cruel. Maybe the time will come when rodeos will not use the flank strap, the purpose of which I would not detail in this house with a sensitive Assembly and gallery. Maybe they will not use spurs. Maybe they will not throw ropes around the necks of the calves and violently jerk them to the ground. But people such as the honourable senator suggest that there is no cruelty in rodeos. That is just a nonsense. Someone made a comment about horseracing. I think the time will come - and I do not think it is far away - when whips will be banned in horseracing, and I would have no objection to that.

A major part of this debate tonight has been about the supposed lack of consultation - and it is only a supposed lack of consultation, because other speakers have mentioned how long back consultation goes. Perhaps the problem that Mr Westende and Mr Moore perceived is not a lack of consultation but - let me be frank about this - the fact that progress on the Bill towards its finalisation was slow. There was a change of government - - -

Mr Moore: The Bill has gone. The amendments are the only things we are talking about.

MR WOOD: That is not Mr Westende's view entirely. I take it that it is yours. There was a change of government shortly after the paper was prepared. The Bill was just about ready at the end of last year, but we held it over. So the Bill in its final form did take some time to emerge. It was also a difficult Bill to frame. I do not want to suggest that the people in the department were by any means responsible for what happened. They worked very hard to complete the Bill, but political processes slowed it down. So it is not lack of consultation that is the problem.

Ms Szuty made a key point when she said that owners of pets - and I think she would extend her comments to owners of animals in circuses, who must soon have to get rid of their animals, I would hope, as these measures may become universal around Australia - have to accept responsibility for their pets. Putting circuses aside, in all the other measures that this legislation covers responsibility

is the key issue. Obviously, when you prepare legislation you make certain claims, you have to do certain things, and then inevitably there are penalties imposed if there are breaches. We want to proceed by education. It is the same with our dog control legislation. We want to proceed to educate the people who have anything to do with animals. We want - as I said when I began this speech - to change perceptions, mine included, about the way people deal with their animals. It is that responsibility, Ms Szuty, that you mentioned. It is the education that is so important.

Madam Speaker, I think that in general the Assembly welcomes this Bill and will accept it. I thank members for their comments. I also thank the committee that produced the policy document and the people in the departments who produced the legislation. It was no easy drafting exercise, but they worked hard and long to produce this legislation. I think they have done a fine job, and it is up to the Assembly now to enact the legislation.

Mr Moore: You did not mention gin traps.

MR WOOD: Madam Speaker, I can tell Mr Moore that, on the advice of the Conservator of Wildlife, another name for a gin trap is a steel-jawed trap.

Question resolved in the affirmative.

Bill agreed to in principle.

Detail Stage

Clauses 1 to 3, by leave, taken together

Mr De Domenico: Madam Speaker, I rise on a point of order. I recall that before, when Mr Lamont was speaking, I incorrectly at that time asked him to table the documents he was reading from. After Mr Lamont finished his speech, I failed to stand up and ask under standing order 213 that he table those documents.

MADAM SPEAKER: You now have to move a motion that those papers be tabled.

Motion (by **Mr De Domenico**) proposed:

That the documents quoted from by Mr Lamont be tabled.

MR LAMONT (10.35): Madam Speaker, I am not quite sure what Mr De Domenico is trying to do. The documents I currently have before me are - - -

Mr Kaine: No, the ones that you had before.

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Mr De Domenico: The ones that you were prepared to table before. I incorrectly asked you to table them at the time you were speaking. I should have asked you after you had finished speaking. When I asked you to table them whilst you were speaking, I was incorrect.

MADAM SPEAKER: Mr De Domenico, would you address your comments to the Chair, please.

Mr De Domenico: I am sorry, Madam Speaker.

MR LAMONT: I do not have those documents with me at the moment, Madam Speaker.

Mr Humphries: You have already tabled them, have you not?

MR LAMONT: I am sorry; I have not tabled them. They have not been tabled.

Mr De Domenico: Where are they?

MR LAMONT: They are certainly not here.

Question resolved in the affirmative.

MADAM SPEAKER: At the appropriate point those papers will be tabled. Can you produce the papers, Mr Lamont? The Assembly has just ordered you to table them.

Mr Lamont: Madam Speaker, when I retrieve them I will certainly table them. I had not realised that I was required to do so now.

MADAM SPEAKER: Thank you, Mr Lamont.

Clauses agreed to.

Clause 4

Amendment (by **Mr Lamont**) proposed:

Page 4, line 23, after the definition of "private trapping permit", insert the following definition:

"prohibited circus animal" means -

- (a) a primate;
- (b) a bear, cheetah, elephant, giraffe, leopard, lion, puma or tiger; or
- (c) an animal prescribed under section 51A;".

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

RACING MINISTERS CONFERENCE
Ministerial Statement

Debate resumed from 21 May 1992, on motion by **Mr Berry**:

That the Assembly takes note of the paper.

MR DE DOMENICO (10.37): Madam Speaker, I take note of the time of the evening and also take note of what the Minister had to say in his statement. There is very little I need to say, except that, yes, the Minister made some quite interesting and motherhood statements about the importance of the ACT racing industry. I agree with those statements - although, after what Mr Wood said earlier on this evening, jockeys in the ACT might find themselves not being able to use whips in the very near future.

Mr Humphries: Or horses.

MR DE DOMENICO: Or horses, as Mr Humphries interjects quite funnily. In that case it would be very interesting to see where we would get the \$6m that Mr Berry has already suggested comes from the racing industry from time to time into this Territory. I endorse Mr Berry's anxiousness about getting principal club status for the ACT Racing Club. What worries me, though, is why the AJC in New South Wales has so far not voted for the ACT having principal club status. I will be asking some questions about that in the future.

I believe that the racing industry here ought to be fantastic for the owners, the trainers and, most importantly, the punters. Perhaps the administrators should be the last on my list of people we ought to be satisfying. One hopes that we do satisfy the owners, the trainers and, more importantly, the punters. Madam Speaker, the former Chief Minister, the Leader of the Opposition, has asked certain questions in relation to the racing industry and officers of the Office of Sport and Recreation, so I think it is perhaps prudent of me to now close my comments by suggesting that we will be making further comments once those questions have been answered.

Question resolved in the affirmative.

ADJOURNMENT

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

That the Assembly do now adjourn.

JobMatch

MS ELLIS (10.40): I would like to bring to the attention of this Assembly the work of JobMatch, which is the supported employment division of the Koomarri Association and City Parks, in the training and employment of people with intellectual disabilities. JobMatch's mandate is to place people with intellectual disabilities from within Koomarri's existing sheltered workshops into integrated employment options. JobMatch has been working with City Parks since

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August 1990, when two enclaves were trialled, one in Kambah and the second in Belconnen. I am pleased to say that another enclave will be operating in Belconnen from July of this year. The Kambah enclave has become a model for the whole of the ACT. Being the first of its kind set up by JobMatch, it has been scrutinised and, as a result, has been replicated throughout Canberra.

City Parks have proven a valuable leader in the community in this area. If they had not been prepared to take this initiative two years ago, it would have been very difficult for people from Koomarri to join the wider community through their employment in such a way. At Kambah there is a crew of four from Koomarri who are directed by an overseer from City Parks. Their duties include horticultural tasks, under direction, and maintenance of Tuggeranong common areas. They have also been involved with the Royal Canberra Show, where City Parks won the best display award, and of course with the ACT's annual floral festival, Floriade.

Members should be aware that it was the workers from the Koomarri enclave at the Kambah City Parks depot who constructed the beautiful Floriade display bed on Drakeford Drive in Kambah recently. The Kambah display forms the word "Floriade" with the letters spelt out in blue on a white background - or at least when the flowers bloom it will be blue on a white background. In all, over 7,000 pansies were used in the construction of the bed.

JobMatch is a beneficial work program not only for people with disabilities but also for the employer and the community in general. First of all, the people with disabilities gain meaningful work experience and perform duties and have responsibilities equal to the rest of the community. As a result of this, it is usual for employees to earn considerably more than they would have earned in a sheltered workshop environment.

People with disabilities, through such work as that with City Parks, can develop lasting and valued relationships with work colleagues that may not otherwise be possible. Their experience in life is increased and developed. As well as this, their self-esteem and confidence increase, and they are assisted greatly with developing their independence. I am sure that there are many advantages to people with disabilities that they themselves could tell us. Needless to say, however, this program has been extremely successful and a vital program for those in our community who have until recent years been considered unable to succeed in the mainstream work force.

The people at JobMatch have informed me that they have nominated City Parks for the Prime Minister's employer of the year awards. This is a testament to the value of the work of City Parks and of the people of the Koomarri enclaves at Kambah and Belconnen, and I take this opportunity to offer my congratulations and ongoing support of the program.

Death of Mr Brett Whiteley

MRS GRASSBY (10.44): Madam Speaker, I rise this evening to speak on a tragic death reported in today's news. I am referring to the death of a great Australian artist, Brett Whiteley, whom I knew personally. I am sure that everyone here joins with me in expressing sympathy to his friends and family. However, we know that nothing we can say or do will truly stop them feeling this loss. Their loss is shared by all Australians.

Brett joins a growing list of Australians whose lives have been tragically affected by the taking of drugs. Much of Brett's work may be seen in some of our largest galleries, and he has left a legacy for future Australians in the way that he saw Australia and portrayed our country. Brett saw the land in a manner different to the way in which the early Australian painters or our Aboriginal brothers and sisters saw it.

Brett's talent was so great that he can only be thought of as a true artist. He could work as a painter, sculptor or photographer with equal brilliance. His genius was recognised by the art world with the award of the Archibald, Wynne and Sulman prizes, and he was recognised on behalf of the Australian people with the award of the Order of Australia only last year.

Madam Speaker, although Brett has been taken away from us, his art will remain a part of our history forever. He will be sadly missed by the art lovers of the world. It is a pity that someone with so much talent and fame needed to use drugs to portray his understanding of our world. Madam Speaker, Brett Whiteley is gone. However, his art and his memory live on in the minds of his friends and family and the Australian art lovers.

Death of Mr Brett Whiteley : Purchase of Housing Trust Home

MR CORNWELL (10.45): As the Liberal Party's arts spokesman, I would like to join, on behalf of the Liberal Party, with Mrs Grassby in her comments about Brett Whiteley. I think it is quite an achievement, as she pointed out, for a person to win what I can best describe as Australia's art trifecta - the Archibald, the Wynne and the Sulman. I am sure that his art will live long in Australia. It is strange that some artists seem to benefit most, or their art is best displayed, as a result of a different lifestyle. But it has been certainly the case through the centuries, and I am sure, much as we may not approve of it, that it will not change in the future. If, as a result of some of that behaviour, we see some of this magnificent work coming forth, then I believe that all is not entirely lost.

Madam Speaker, I rise more in sorrow than in anger, I suppose, although I am becoming a little irritated at the Government - and I use the term loosely - never being wrong, to raise a matter that I previously raised with Mr Connolly, the Minister for Housing, concerning a Ms O'Brien of Watson who wanted to buy her government house, and indeed was one of the few people who apparently could do so. Madam Speaker, it is a rather sad saga. She originally wrote on 18 December 1991 to purchase this house. That was the day upon which she became entitled, after a 10-year wait, to purchase the property. The application was lodged on 2 January, though the Housing Trust claims that it was the 7th; but we will not argue over five days. She was then advised that the house was available under the sales program and was asked to pay a \$150 fee on 21 January. The fee was received on 4 February.

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The property inspection to check boundary encroachments, et cetera, was conducted on 20 February and finally, on 3 March, a valuation was made, putting it at \$126,000. Ms O'Brien maintains that the valuation should have been based on 2 January, not 3 March. Why did it take two months from the date that she lodged the application before a valuation came forward? Indeed, if we like to put it another way, as the fee that the Housing Trust sought was received on 4 February, why did it take a month before the valuation was carried out? The Real Estate Institute and valuers tell me that the minimum time in which they can generally do a valuation is two days, and the maximum is a week. How come it took at least a month - or perhaps two months, as Ms O'Brien would argue - for this valuation to take place, and why was it not backdated at least to 2 January? In the interim - - -

Mr Berry: She would be really happy about you talking about all her problems!

MR CORNWELL: No. In the interim, Mr Berry, the price of houses rose by an average of 1.5 per cent per month. As a result of this two-month delay, Ms O'Brien has been forced to find an additional \$3,780. She had an independent valuation done, and there was a difference of \$1,500. I must say that on 25 March that valuation was brought in, and the Housing Trust agreed to split the difference, and so gave her a \$750 rebate. The house is still costing \$125,250. I maintain that this is an unfair impost, and I would ask Mr Connolly whether he would again examine this matter following these verbal representations.

Question resolved in the affirmative.

Assembly adjourned at 10.49 pm

ANSWERS TO QUESTIONS

MINISTER FOR THE ENVIRONMENT, LAND AND PLANNING LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO 82

Lease Variations - Betterment Charges

Mr Moore - asked the Minister for the Environment, Land and Planning - with reference to -

- (1) Gazette No. 9 of 4 March 1992, why was no Betterment Charge made for Block 21 Section 60 Yarralumla ?
- (2) Special Gazette of 4 March 1992, why was no Betterment Charge payable in respect of the variation on the Crown Lease of Block 2 Section 12 Belconnen ?

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

The Australian Valuation Office advised that the variation did not affect the value of the blocks. In other words, the "before" value was the same as the "after" value in each case. There being no added value, it followed that there was no betterment charge.

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MINISTER FOR EDUCATION AND TRAINING

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO 91

Theatre Equipment Purchases

MR CORNWELL - asked the Minister for Education and Training on notice on 12 May 1992:

For what purpose did the Department of Education purchase -\$7,501 of music stands, stage lights and storage trolley from The Theatre Equipment of Botany, NSW, as announced at page 522, of the Gazette No. 14 of 8 April 1992.

MR WOOD - the answer to Mr Cornwells questioners:

The then Department of Education and the Arts purchased these items on behalf of the Canberra Theatre Trust for use in the Canberra Theatre Centre.

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MINISTER FOR EDUCATION AND TRAINING

LEGISLATIVE ASSEMBLY QUESTION

QUESTION 92

Theatre Equipment Purchases

MR CORNWELL - asked the Minister for Education and Training on notice on 12 May 1992:

- (1) For what purpose did the Department of Education purchase \$59,968.04 of stage lighting equipment from PRELATE Manufacturing of Toowoomba, Queensland, as announced at page 522 in the Gazette No. 14 of 8 April 1992.
- (2) What was so special about this stage lighting equipment that it could not have been provided by an ACT or Canberra region company.

MR WOOD - the answer to Mr Cornwell's question is:

- (1) The then Department of Education and the Arts purchased this stage lighting equipment on behalf of the Canberra Theatre Trust for use in the Canberra Theatre Centre.
- (2) PREVITE is the manufacturer of the lighting equipment which was purchased. The Canberra Theatre Trust recommended purchase of the PROMOTE product to standardise with other PROMOTE items in use at the Canberra Theatre Centre.

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MINISTER FOR EDUCATION AND TRAINING

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO 93

**Government Primary Schools - Enrolment and
Surplus Capacity Statistics**

MR CORNWELL - asked the Minister for Education and Training on notice on 12 May 1992:

At May 4 1992, what was the enrolment and surplus student capacity in each of the following primary schools: Holt, Higgins, MacGregor, Charnwood and Fraser.

MR WOOD - the answer to Mr Cornwells question is:

As at 10 February 1992, Census Day enrolments were.

Holt Primary 370
Higgins Primary 221
MacGregor Primary 366
Charnwood Primary 334
Fraser Primary 368

The surplus student capacity was:

Holt Primary 155
Higgins Primary 219
MacGregor 159
Charnwood Primary 191
Fraser Primary 0

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MINISTER FOR EDUCATION AND TRAINING

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO 94

Government. Primary Schools - Male Teachers

MR CORNWELL - asked the Minister for Education and Training on notice on 12 May 1992: -

- (1) How many Government primary schools, by name, do not have a male teacher staff
- (2) What steps are being taken to rectify this situation.

MR WOOD - the answer to Mr Cornwells question is:

- (1) Higgins Primary School
Acquire Primary School .) Have no male
..Cook Primary School) teachers on staff
Co-operative Early Childhood School)

A male teacher owns a position at Weetangera Primary School but is acting in-another position. for 1992.

- (2) During-the placement/transfer round the%gender balance of a school is taken into account when making placements. However new applicants are selected on merit.

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MINISTER FOR EDUCATION AND TRAINING

LEGISLATIVE ASSEMBLY QUESTION.

QUESTION 96

**Griffith/Narrabundah Primary School -
Enrolment Statistics**

MR CORNWELL - asked the Minister for Education and Training on notice on 12 May 1992:

How many pupils by year were at (a) Griffith and (b)
Narrabundah primary schools at 31 March 1991 and 31 March
1992. . .

MR WOOD - the answer to Mr Cornwells question is:

Griffith/Narrabundah is a dual campus school.

(a) and (b)

Griffith Narrabundah
Enrolments Enrolments

March 1991 1992 March 1991 1992

Year R 23. 22 23 19
Year 1 41 21 21 23
Year 2 37 26 30 22
Year 3 . 34 . 31 25 21
Year 4 21 29 23 21
Year 5 34 17 26 16
Year 6 29 32 23 19 .
Special. 20 23
Total, 219 178 19.1 164

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**ATTORNEY GENERAL FOR THE AUSTRALIAN
CAPITAL TERRITORY**

LEGISLATIVE ASSEMBLY QUESTION

Question No. 101

Bail Breaches

MR CORNWELL - Asked the Attorney General upon notice on 12 May 1992

- (1) How many people broke bail in the ACT in
 - (a) 1990 and (b) 1991.
- (2) What was the total amount of bail money involved
- (3) Was all bail money at (2) forfeited and if not, why not.

MR CONNOLLY - The answer-to the members questions are as follows:

The following information refers only to the ACT Magistrates Court as the Supreme Court is a Commonwealth responsibility until 1 July 1992.

(1)(a) and (b)

Prior to the Courts records being computerised statistics were kept on the basis of the number of matters started and number of matters finalised. No separate figures were kept in relation to such matters as breach of bail in 1990 and for part of 1991.

As from 1 September 1991.until 4 June 1992 388 defendants did not appear in the Magistrates Court in relation to bail.

First Instance warrants were issued in 198 cases so therefore in 190 cases the defendant either subsequently attended Court before a warrant was issued or his/her excuse for nonattendance was acceptable to the Court.

- (2) Figure not available although average bail is \$1,000.
- (3) Bail was initially forfeited in all cases but in some of those cases namely those where a warrant was not issued it was further ordered by the Court that no action be taken until the matter was finally determined. To date the Court has confirmed forfeiture and ordered recovery in 43 of those cases. Magistrates have a discretion in the area of forfeiture of bail.

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

Question No. 118

**Social Policy Committee - Report on
Behaviourally Disturbed Young People**

MR CORNWELL - Asked the Chief Minister upon notice on 12 May 1992:

In relation to the Inquiry into Behavioural Disturbance Among Young People Report of December 1991 by the Standing Committee on Social Policy

- (1) Have the Committees 38 ACT-related recommendations been coated and; if so, what would be the total cost of implementation .
- (2) Will the Government- be making a response to the Assembly in respect to action or inaction upon each of the above 38 recommendations and; if so, approximately when.
- (3) If the response to (1) and (2) are in the negative, then why have no costings,been done and why is no response to the -...Assembly to be made in respect of the 39 recommendations.

MS FOLLETT - The answer to the members question is as follows:

- (1) Not at this stage. My Department has convened an interdepartmental committee comprising Education and Training, the Housing and. Community Services Bureau, Health, TAFE, the Police and the Community Advocate to prepare advice to the Government on each of the recommendations of the Report. The IDS will examine the feasibility of each of the recommendations and in the light of inclusions will undertake the coatings, where appropriate.

It should be noted that much has already happened that addresses this report. An initiative in last years Budget, the Structured Day Program, directly addresses issues raised. Other initiatives by the Departments of Health and Education and Training focussing, for example, on early intervention and parent support programs are also relevant.

- (2) Yes. The Government will be tabling a response to each of the recommendations in the Report during 1992.

N/A

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

Question No. 120

Women Act Newsletter

MR CORNWELL - Asked the Chief Minister upon notice on 12 May 1992:

In relation to the publication "Women ACT" published by the Public Affairs Branch for the ACT Womens Unit -

- (1) What consultation occurred between officers of your Department and the Attorney-Generals Department concerning the application of the Discrimination Act 1997 to this publication.
- (2) Will the Government publish a corresponding publication "Men Act" in the interests of equity and fairness.

MS FOLLETT - the answer to parts I and 2 of the Members question is as follows:

"Women Act" was first published in August 1990, 17 months prior to the commencement of the ACT Discrimination Act.

The Attorney Generals Department advises that the publication is covered under Section 27 of the Act which states that:

"Nothing in Part III renders it unlawful to do an act a purpose which is-

- (a) to ensure that members of a relevant class of persons have equal opportunities with other persons; or
- (b) to afford members of a relevant class of persons access to facilities, services or opportunities to meet their special needs.

The Newsletter is circulated to all women and men registered on the Womens Unit mailing list as well as through the ACT Government Shopfronts.

The Government intends to continue the pattern set by the Alliance Government by not publishing a corresponding mens newsletter on the basis that this is a group that does not face substantial discrimination in our society.

ATTORNEY GENERAL
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO. 133

Prisoners in Interstate Institutions

Mr Humphries - asked the Attorney General

- (1) How many ACT citizens are currently in detention in either the ACT or interstate.
- (2) In what prisons, remand centres or other institutions are these citizens held.
- (3) What measures are taken by the Territory Government to ensure that ACT prisoners held interstate are receiving appropriate rehabilitative educational and training programs.
- (4) What constraints are placed on the Territory Governments ability to stipulate the conditions in which ACT prisoners in interstate institutions are detained.
- (5) What priority is given by the Attorney General to the establishment of prison facilities in the Territory.

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

- (1) As at 5 May 1992 there were 88 prisoners convicted of offences against ACT Laws in NSW gaols. There are a further 21 persons held on remand in the ACT. We have no information on those serving prison sentences for offences committed in other jurisdictions who were residents of the ACT when convicted.
- (2) The 21 persons on remand in the ACT are held in the Belconnen Remand Centre. The location of the 88 prisoners in NSW is shown in the attached list.
- (3) ACT Corrective Services officers maintain liaison with NSW prison authorities to ensure that ACT prisoners have access to available rehabilitative, educational and training programs. A new agreement is being negotiated which will include clauses to ensure that ACT prisoners have access to the programs available to NSW prisoners.

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(4) The ACT Government has no legal authority to stipulate conditions for ACT prisoners in interstate institutions. The new agreement with NSW will specify that conditions and standards of treatment afforded to ACT prisoners will be consistent with those laid down in "Standard Guidelines for Corrections in Australia" and the draft NSW Standards for Management of Correctional Centres.

(5) The priority to be given to the establishment of a prison in the Territory will be decided in the context of the Governments response to "Paying the Price" - the report of the Corrections Review Committee. Comments from the ACT community have been sought through submissions and a series of public seminars. A report is now being compiled to put the recommendations and community views forward for Government consideration.

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NSW PRISON NUMBER OF ACT PRISONERS AS AT 5 MAY 1992

Goulburn 28

Mannus 8

Lithgow 8

Cooma 6

Bathurst 5

Cessnock 4

Mulawa 4 (female)

Reception, Long Bay 3 (awaiting classification)

Berrima 3

Parklea 3

Hospital, Long Bay 2

Training Centre, Goulburn 2

Newnes 2 (Young Offender Program)

Maitland 2

Special Purpose Prison 2

Silverwater 2 (Work Release Program)

Oberon 1

Special Care Unit, Long Bay 1

Remand 1

Norma Parker 1 (female)

TOTAL 88

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**ATTORNEY GENERAL FOR THE AUSTRALIAN CAPITAL
TERRITORY**

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO 135

**Attorney-General - Visits to
Penal Institutions**

MR HUMPHRIES - Asked the Attorney General upon notice on 14 May 1992:

- (1) What prisons, remand centres and similar institutions has the- Attorney General visited since he became Attorney General in June last year.
- (2) Has the Attorney General visited the Borallon Correctional Centre in Queensland or the Wacol Remand and Reception Centre in Brisbane; if not, will the Attorney General consider visiting these institutions.

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

- (1) Since becoming Attorney General I have inspected Belconnen Remand Centre, the Quamby Centre and Long Bay Jail in New South Wales. My inspection of Long Bay Jail occurred at the time when I was in Sydney for a Ministerial Council Meeting, and in fact took place in my own time on a Saturday.
- (2) I have not visited either Borallon Correctional Centre in Queensland or the Wacol Remand and Reception Centre in Brisbane but would consider doing so if my ministerial duties took me to that area for some other reason. I am not prepared to make a specific trip to Queensland for the express purpose of visiting either of these centres and have no intention of pursuing a soiree in the sun during Canberras winter.

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CHIEF MINISTER FOR THE AUSTRALIAN CAPITAL TERRITORY

ACT LEGISLATIVE ASSEMBLY QUESTION

Question No 147

Government Service - Credit Cards

MR CORNWELL - Asked the Treasurer upon notice on 19 May 1992. Further to the response to Question on Notice No.40 concerning credit cards in use in the ACT Administration:

- (1) What is the breakdown of personnel, ie SES officers etc, using these 390 credit cards.
- (2) What is the breakdown of the type of card ie petrol, general etc, in use in these 390 credit cards.
- (3) what is the cash limit on these 390 credit cards.

MS FOLLETT - The answer to the members question is as follows:

- (1) Of the 390 cards on issue as at March 1992, 5 were held by officers at SES level, 30 at Senior Officer levels and the remainder at other employee designated levels.
- (2) The 390 cards on issue are general purpose Mastercards, and their use is limited by financial delegation conditions related to local functions imposed on individual cardholders, and not necessarily limited by the nature of the goods. These limitations are not able to be readily categorised.

All purchasing is required to accord with legislative requirements and associated guidelines.

- (3) Cardholders are not permitted to draw cash.

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**MINISTER FOR EDUCATION AND TRAINING
LEGISLATIVE ASSEMBLY QUESTION**

**Question No. 149
TAFE Course Guide**

MR CORNWELL. To ask the Minister for Education and Training - Further to your reply to Question on Notice No. 10 concerning publications -

(1) Has consideration been given to sale of the Institute of TAFE Course Guide, currently costing 134,561 to produce?

(2) If consideration has been given, why was the publication not put forward for sale.

(3) If no consideration has been given, why not.

MR WOOD The answer to the members question is as follows:

(1) The ACT Institute of TAFE Course Guide is sold by ACT newsagents to the general public for fifty cents. Retention of this payment by the individual newsagents is an incentive to act as a distribution point in most localities across the ACT. Ten thousand copies are distributed by this method to correspond with the Institutes major enrolment advertisements.

The remainder of the 38,000 copies for 1991 were distributed to:

ACT and Region High Schools and Colleges during visits by ACT TAFEs

Careers Education Staff (13,000 copies) people enquiring at the Institutes Career Education and Course Information Centre (7,000 copies) written enquiries regarding -

- course information,
- a wide network of Careers Advisors
- other staff in ACT and Region schools and
- government departments.

(8,000 copies).

(2) Other than the arrangement with newsagents, the

publication is not for sale because it would:

- create equity and access problems
- involve a considerable administrative burden which would largely outweigh revenue derived
- limit public information which could have a negative impact on enrolments thus reducing revenue from fees and charges.

(3) Not applicable.

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16 June 1992

**MINISTER FOR HOUSING AND COMMUNITY SERVICES
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO 160**

**Minister for Housing and Community Services -
Interstate Visits**

MR KAINÉ - asked the Minister for Housing and Community Services:

In relation to your response to question on notice No 62 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 name, position and function.
- (2) What was the cost of each accompanying officer.

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

(1)(i) Joint Meeting of Health and Social Welfare Ministers in Sydney

on 6 September 1991:

Ms Moiya Haynes, Executive Director, Community Programs Branch, policy and program adviser.

(ii) Housing Ministers Conference in Melbourne on 30 August

1991:

Mr Rod Templar, Commissioner for Housing, ACT Housing Trust, policy and program adviser; and

Ms Jo Schumann, Director, Policy and Executive Services, ACT Housing Trust, policy and program adviser.

\$593.00

Mr Templar: \$1052.00

Ms Schumann: \$662.00

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MINISTER FOR EDUCATION AND TRAINING

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO 162

**Government Primary Schools -
Commercial Tenants**

MR KAINÉ - asked the Minister for Education and Training on notice oil 19 May 19 9 2 :

- (1) How-many commercial tenants occupy space in ACT Government Primary Schools with a school population. less. than 150 students.
- (2) Who are these tenants (list by profession)
- (3) How much space is-leased by these tenants (per square metre).
- (4) What is the rent charged for this leased space .(per square metre).

MR WOOD - the answer to Mr Kaines question is:

- (1) Nil
- (2) N/A
- (3) N/A

In buildings. located on the Lyons and Cook Primary School sites and managed by the Department of Urban Services the. following details apply:

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16 June 1992

LYONS LYONS PRIMARY SCHOOL

TENANT SPACE LEASED RENTAL p.a.

Electoral Education

Centre (part of Aust.

Electoral Commission) 624 sq.m - \$119.53/sq.m

Consumers Health Forum

(Federal Government

funded peak consumer

organisation) 215.sq.m \$119.31/sq.m

Technical Aid for the

Disabled of the ACT

(produce equipment for

disabled people) --a

unity group 23 sq.m \$60/sq.m

COOK PRIMARY SCHOOL.

TENANT SPACE LEASED RENTAL p.a.

Youth Adventure Holidays

(provide an outdoor experience for disadvantaged youth) y 27sq.m \$120/sq.m

Betsy Sower School of Dance (commercial dance school) 200 sq.m \$125/sq.m

Community Aid Abroad/ One World Learning.

(community organisations 91 sq.m \$80.73/sq.m

Work Resource Centre

(short term - one month)

provides. training for

unemployed 75 sq.m \$34.57/.sq.m

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MINISTER FOR EDUCATION AND TRAINING

**LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO 164**

**Government Secondary Schools
Commercial Tenants**

MR KAINÉ - asked. the Minister for Education and. Training on notice on 19 May 1992:

- (1) Do any commercial tenants occupy space in ACT Government Secondary Schools.
- (2) If so, which schools.
- (3) Who are these tenants, in each school.
- (4) What are the trades or professions of these tenants. .
- (5) How much space is. leased at. each school.
- (6) What is the rental charged of this .space. (per square metre).

MR WOOD - the answer to Mr Kainés question is:

- (1) No -
- (2) . N/A
- N/A . y . .
- (4) N/A
- (5) N/A .
- (6) N/A.

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MINISTER FOR URBAN SERVICES
LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO. 170

Shopping Centre Recycling Bins

Mr Westende - asked the minister for Urban Services:

- (1) Has any survey been undertaken by the Government to assess the effectiveness of recycling bins at shopping centres.
- (2) Where is the waste collected from these bins recycled.
- (3) What happens to the recycled material.
- (4) What is the capacity of recycling plants; are they keeping up with the supply of waste.

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

- (1) Statistics are regularly provided by local recycling firms giving details of recyclable materials collected through recycling bins at shopping centres. This procedure gives a good indication of the effectiveness of these services.

For example, the amount of glass collected has steadily increased from 1477 tonnes in 1989 to 3415 tonnes in 1991.

The amount of glass collected through bottlebanks over the past three years is shown in the table below:

Tonnes
Year
Jan/Mar
Apr/Jun
Jul/Sep
Oct/Dec
TOTAL
Table included.

- (2) The destinations for each of the commodities collected from recycling bins at shopping centres are:

Glass - ACI Glass Packaging in Sydney
Aluminium Cans - Comalco in Sydney
PET Plastic Softdrink Bottles - ACI Petalite in Wodonga
Clothing - various charity organisations in Canberra

(3) A variety of products are produced from the materials collected, including:

Glass is re-processed into new glass containers.

Aluminium Cans are used to make a variety of aluminium products.

Some PET is made into containers for non-food applications such as detergent bottles and the rest is exported for use in the manufacture of products such as carpet.

Clothing that is not able to be used locally is sent to Sydney for further sorting and processing.

Some clothing is re-used, a proportion is made into new cloth and the remainder is exported.

(4) All recycling plants are keeping up with the volumes being collected. Most recycling plants have the capacity to accept and use considerably more material than is presently being processed.

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