



DEBATES

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

HANSARD

17 September 1992

Thursday, 17 September 1992

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

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

Debate resumed from 11 August 1992, on motion by **Mr Lamont**:

That the report be noted.

MR BERRY (Deputy Chief Minister) (10.31): Pursuant to standing order 77(d), I move:

That executive business be called on forthwith.

Question resolved in the affirmative.

Mr Kaine: If he had explained this to us, we might not disagree. This is the first I have heard of it.

MADAM SPEAKER: The ayes have it. Can we continue, please?

Mr Kaine: I withdraw my objection, Madam Speaker.

MADAM SPEAKER: Thank you, Mr Kaine.

LISTENING DEVICES BILL 1992

Debate resumed from 20 August 1992, on motion by **Mr Connolly**:

That this Bill be agreed to in principle.

MR HUMPHRIES (10.32): The Listening Devices Bill is a valuable Bill and will be an important piece of legislation in the armoury of legislation to protect the rights of citizens of the ACT. The Opposition gives its broad support to this Bill and welcomes action by the ACT Government on this question. The ACT follows, I understand, a number of jurisdictions in enacting similar legislation. It is appropriate that we are putting in place provisions to protect our citizens which other citizens have enjoyed for some time. Indeed, the New South Wales Government passed a Listening Devices Bill as far back as 1984, and other legislation might even precede that.

There is no doubt that listening devices constitute one of the gravest threats to the privacy of citizens in this country that one could imagine. This Bill establishes safeguards against the unjustified invasion of privacy which listening devices, particularly electronic listening devices, can occasion. Mr Justice Douglas of the Supreme Court of the United States of America said at one time:

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What the ancients knew as "eavesdropping" we now call "electronic surveillance"; but to equate the two is to treat man's first gunpowder on the same level as the nuclear bomb. Electronic surveillance is the greatest leveller of human privacy ever known.

In the light of that observation, it is important and appropriate that this Assembly take steps to protect the unwarranted use of listening devices by people in the ACT, whoever they may be.

The Attorney said in his presentation speech:

The clandestine use of listening devices should not be tolerated in any society, as it represents an interference with the ordinary citizen's right to privacy.

That statement is generally laudable, although it goes, I think, slightly too far. This Bill will not prevent the use of listening devices in toto. It will still be possible for the clandestine use of listening devices to go on in this community; but the circumstances in which that might occur are strictly limited, and the limitations are, in my opinion, quite appropriate.

The Bill contains, in clause 4, a very extensive ban on either the use of listening devices to listen to and record a private conversation to which the person is not a party, or the recording of a private conversation to which a person is a party. That is a very broad arrangement and I think, Madam Speaker, that the exceptions that are created to those broad provisions are in themselves appropriate. I looked, for example, for the appropriate protection of police in their presumably appropriate use of listening devices. It is not easy to discern, but I think that it is contained there.

Certainly, the use of a device in accordance with the law of the Commonwealth is protected. In those circumstances, we may assume that, for example, activities by certain organisations - the Australian Security Intelligence Organisation, to name one - will still go on, providing that it is appropriately covered by law of the Commonwealth. In this respect we look to our Commonwealth colleagues to ensure that the arrangements there for such listening devices are appropriate and that they protect the citizens of the community to the extent that that is possible, given the use of these devices and the fact that they are used clandestinely.

There are penalties contained in the Bill. In a sense, these penalties and these provisions are in many ways more important than clause 4, which contains the central prohibition in the Bill. They are, particularly, clause 5, which makes it illegal to communicate and publish records of private conversations by parties, and clause 7, which makes it illegal to possess records of privately recorded conversations. The point of that is quite obvious. If someone records a private conversation, the mere fact of that recording almost certainly is not going to come to the attention of the authorities. If someone plants a listening device, the intention is that it will be a secret. It is fairly likely that that device will not be detected, at least not until after it has been used, and as a result that person's privacy will have been breached. Even the origin of that listening device might not become known to the person who discovers it.

What is damaging in those circumstances is not the fact that the conversation has been recorded or overheard, but the fact that the contents of the conversation are then transmitted to somebody else. My thinking particularly here, of course, is of it being transmitted to the media, where it might be used to titillate the public and provide interest in what ought to be a fully private matter. A number of examples of this have come to our attention over the last few years, and I do not think I need to mention many of them. I will mention only two. One was the conversation by car telephone between a then Federal Opposition Leader and a Premier-elect of Victoria. This conversation was intercepted and it was extensively related in the media, both the electronic media and the print media. Under this legislation that kind of intrusion into privacy, as I understand it, would not occur. That, I think, is appropriate.

The other example, which is much more recent, is the so-called interception of a conversation between a person supposed to be the Princess of Wales and another person. That has caused enormous embarrassment and has caused great media attention in the United Kingdom and elsewhere. Again, this legislation would make those sorts of conversations impossible to play back or to relate on television or in the print media. Madam Speaker, I think that those sorts of provisions are appropriate, providing that they do recognise that there are some very limited uses for listening devices which this community must ensure proceed.

There are some concerns that the Opposition has with this Bill which I hope that the Attorney might address in the course of his remarks. I was puzzled by my reading of paragraph 4(2)(b) of the Bill, which makes an exemption from the provisions of subclause 4(1). Paragraph 4(2)(b) refers to the unintentional hearing of a private conversation by means of a listening device. It occurred to me that "unintentional hearing of a private conversation" could have several meanings. Consider, for example, a person who, with a wireless or a CB radio, intercepts a conversation. Is the initial interception an unintentional hearing of a private conversation? Almost certainly, it is. You do not intend to hear that conversation; you just happen to reach it.

But is a person who sits and listens to the whole of a conversation, which might last for 10 or 15 or 20 minutes, unintentionally listening to a private conversation? Are they unintentionally hearing a private conversation? I think we could argue that the initial interception, the first encounter with the conversation, is certainly unintentional; but listening to the whole of the conversation, the hearing of the whole conversation, it would seem to me, would not be unintentional.

I am not inclined to amend that provision, because I tend to think that the provisions in this Bill which deal with the hearing of a conversation are not, in a sense, so important as the provisions that deal with the transmission of the content of the conversation. That is the more important provision here. In a sense, I am not so concerned about somebody who sits in one room listening over an intercom, for example, to a conversation in another room. That is concerning, but not worthy of enormous legislative action. What is more concerning is the person who then goes away and tells somebody else about what they have heard, or, even more damaging still, tells the media about some aspect of the conversation. That certainly is a matter of concern.

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The other matter, Madam Speaker, which has come to the Opposition's attention and which it intends to amend - I think I have already circulated the amendment to that effect - is subclause 7(1), which deals with the possession of records of unlawfully recorded private conversations. That provision reads:

A person shall not possess a record of a private conversation knowing that it has been obtained, directly or indirectly, by the use of a listening device in contravention of section 4.

As I said, that is an important back-up provision to clause 4. It needs to be in the Bill. What concerns the Opposition is that the penalty provided for a breach of that clause is the same as that for the original offence, that is, \$20,000 or imprisonment for two years.

Consider the circumstances in which one would see that kind of offence invoked. Obviously, we are talking about situations, most often, where somebody like the person who intercepted the conversation in Victoria or the person who intercepted the so-called royal conversation in Britain obtained a copy of the conversation, took it to the media, gave it to a journalist and said, "How is this for a good scoop? You can get a lot of money by putting this in your paper or broadcasting this over your television network". Obviously, under this Bill, that journalist would have to say to that person, "Look, it is a great story; it is very interesting. But, unfortunately, under our new Listening Devices Act, I cannot use it. Thank you very much. I will put this away in my drawer. It was nice of you to send it to me, but I cannot do much with it".

It seems strange that we should be making the possession of that conversation, in a form which cannot be used under the Bill, as offensive to the law as the actual overhearing and recording of the conversation in the first place. That seems incongruous. I do not think that those offences are on a par, although the same penalty has been provided. I suspect that this is a lazy device to allow a person who gets caught with a recorded conversation to be treated as though they had recorded the conversation in the first place. That, I think, goes a little too far.

I concede that we should provide a penalty there, but I think that the chief offence is intercepting and recording the conversation. That is the thing that the Bill is designed to get at. Merely possessing a copy of a conversation, particularly in a format where it cannot be used - I am thinking particularly of something which is stuck in a journalist's drawer and which might come to light, for example, because of a police raid on that journalist's drawer - really is not in the same league and it should not have attached to it the same level of offence. The Opposition, accordingly, will be moving that the penalty in subclause 7(1) be reduced to \$10,000 and imprisonment for one year, as an indication that we do not see those two offences as being of the same level of magnitude.

Madam Speaker, we believe that evidence obtained by the unlawful use of a listening device ought not generally be used in a court. That is one of the main protections that this Bill provides. Very often the reason that conversations are recorded in the present circumstances is for use in court proceedings, or as a precursor to court proceedings, to discourage a person from proceeding or to otherwise affect that other person's case in court. Often they are civil proceedings; sometimes they are criminal proceedings. For example, the police themselves now record conversations with accused people as a matter of course. That, of course, is permitted under this Bill. It will be allowed to continue, as it should be. That bar on the admissibility of evidence is very important.

I am not convinced that there might not be unintended consequences of those provisions. They seem to me to be fairly broad, but they do reflect what is happening in other jurisdictions. As such, I think that we can assume that some anomalies that have not been corrected in other jurisdictions also have not been picked up in this Bill. If that is the case, then presumably those anomalies will not be occurring with any great regularity and can be overcome with simple amendments in the course of time. Madam Speaker, as I indicated at the outset, this is an important piece of legislation. We support it. We believe that it will provide a significant level of protection to the citizens of the ACT. We commend the Bill to the house.

MS ELLIS (10.47): Madam Speaker, the Bill's underlying philosophy will enhance the privacy rights of all ACT citizens by imposing strict controls on the use of listening devices. Eavesdropping and the covert taping of private conversations should not be tolerated in any society, and this piece of legislation safeguards a citizen's right to freedom of speech and thought without fear of being listened to or recorded. This is achieved in the legislation by prohibiting the use of listening devices by persons, whether or not they are a party to the private conversation, unless, among other things, consent has been given by the persons who are involved in the private conversation.

Some concern has been expressed by the Australian Capital Territory Council of Social Service, ACTCOSS, that this legislation will have the converse effect in terms of restricting the use of listening devices by private citizens who may be threatened by the police and need to obtain evidence of such intimidation or harassment by recording the conversation covertly. This is simply inaccurate and a misrepresentation of the legislation. The intent of the legislation is to deter private citizens from using listening devices on other citizens. It was never the intention to curb ACT citizens' rights to their detriment, and allowances are made in the legislation to record a conversation if, among other things, it is considered by the person to be in his or her lawful interest.

The scenario painted by Dr Tomlinson in his letter would not occur, as a person who was initially charged for breaching the legislation would need to produce the illegal recording as evidence under the legislation. It would be quite clear to the Director of Public Prosecutions that the tape recorder had been used in legitimate circumstances, that is, to protect the person's lawful interests. The matter, therefore, would be unlikely to be pursued any further by the prosecutor.

One of the most significant provisions in the legislation prohibits the communication or publication of a record of a private conversation without consent by the people participating in the private conversation. This provision ensures that a person's privacy is not further intruded upon by the potential damage that can be caused by the further dissemination of the illegally taped conversation by such means as a transcript or via the media. This legislation is primarily modelled on the New South Wales Listening Devices Act 1984 but excludes regulating the police, which, for ACT purposes, is covered under the Australian Federal Police Act 1979 as amended by the Law and Justice Legislation (Amendment) Act 1989. I believe that the Listening Devices Bill 1992 is a progressive piece of legislation which advocates the important principles regarding every citizen's right to privacy to which a free society must adhere.

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MR CONNOLLY (Attorney-General, Minister for Housing and Community Services and Minister for Urban Services) (10.50), in reply: I am pleased that there has been bipartisan support for this legislation, because it does embody a very important social justice principle - the essential, fundamental right to privacy. Mr Humphries, in his remarks, opened by citing some comments of Justice Douglas of the US Supreme Court, who was one of the great liberal, progressive judges of that court and for many years took a strong and robust view of the need to protect the individual's privacy.

It is a theme that Australian political and social leaders have addressed. It is now more than 20 years since Zelman Cowen gave one of the early Boyer lectures entitled "The Private Man", in which he was predicting, back in 1969, the increasing encroachment of technology on the right of individuals to have their fundamental privacy protected. In the time since the making of that speech, which sparked a fair bit of interest and debate in Australian political circles about privacy issues, we have seen technology advance to the point where you can now go down to your friendly, local neighbourhood electronics store and purchase for a very modest sum equipment that allows you to eavesdrop and pick up private conversations in a manner that would have been unimaginable only some 20 years ago.

The concern that Mr Humphries referred to about the fact that this does not regulate the police is quite right; but, as he noted, and as Ms Ellis expanded upon, the police use of listening devices is governed by quite specific Commonwealth legislation and it requires the obtaining by police of a warrant. That is as it should be, because the covert use of listening devices by law enforcement authorities can sometimes be important. A number of major narcotics and major money-laundering-type crimes have come to light as a result of such use; but it needs to be tightly controlled, and it is tightly controlled in Australia by way of the requirement that the police go and get a judicial warrant. Should we ever either have to or desire to move to a stand-alone ACT police force, I am sure that, in the legislation that would be necessary to set up such a force, this Assembly, whoever was in government at the time, would insist that similar protections be provided so that any ACT police force would need to go, say, to the Supreme Court to obtain a warrant.

While there is provision in the Bill for the Minister to grant exemptions, it is a requirement that they be done in such a way that they come before this Assembly and be tabled. So any suggestion that an ACT government could be authorising covert use of listening devices for purposes of its own can be refuted by demonstrating that any use of listening devices that is provided for by a Minister will be made public and will be brought before this Assembly. If at any stage I, or a successor, were minded to grant an exemption, I would be answerable to this Assembly for the exemption so granted, and it would be done in such a way that it would be very public.

Madam Speaker, Mr Humphries raised some concerns about penalty levels and, in particular, the clause 7 penalty which is for the mere possession of a conversation. He pointed out correctly that the same penalty provisions apply to that as to other offences. That is precisely the structure that has been used in New South Wales. Under the New South Wales Act of 1984, possession is an offence which is treated the same as other offences. The Government would not be minded to support a provision to change the penalty levels, but Independent members will take their own view of that. It is another one of these questions

where I would have to say that we are not minded to support the Opposition but we cannot say that any terrible consequences would follow from drawing a distinction because they can be seen to be of a different nature; although, again, you always look at the worst case and the most inoffensive case for each matter, and it may well be that a worst case scenario of mere possession could attract a reasonably sizeable penalty. The Bill does, as I say, essentially model the New South Wales provision and picks up those requirements.

The point that Mr Humphries made in relation to the exemption for unintentional listening is, on my understanding, correct. He has correctly pointed out that the Bill is intended to exempt from its operations the mere twiddling of the dial on an FM radio or a scanner and the unintentional picking up of a conversation, but could operate to create an offence if a person, having unintentionally stumbled across a conversation, decided to spend the rest of the evening listening to the private conversation. The fundamental principle that privacy is to be protected is covered by the Bill, but there is an obvious exemption for the unintentional picking up. If a person decided to persist in listening they could fall foul of the Bill. That same exemption and that same phrasing has been used in the New South Wales legislation and our advice is that that has not caused any problems.

Essentially, this Bill will operate to prevent persons who may be involved in the private investigation industry from using taps or bugs. They are a group who probably, at the moment, are engaged in such activities. Recently there was an interesting article in the *Sydney Morning Herald's* Saturday magazine. I tend to read that on a Saturday if I have time. This article was focusing on a documentary made about the private inquiry industry in New South Wales. They were boasting of their use of this type of equipment, even though it is illegal in New South Wales; so one would assume that if they are operating in the ACT they would also use such devices. They will now have to realise that they may be subject to the law.

Mr Humphries also mentioned that a number of media outlets in Britain have made great play of the fact that they are publishing and broadcasting what are claimed to be private telephone conversations, and he correctly pointed out that that would be illegal under this legislation. He noted that he did not see any problem with that, and nor do I. Freedom of the press is a fine thing, but it has to operate within the same freedoms that are available to everybody else. There is no particular licence for the press. If we are saying as a society, as we seem to be saying on a bipartisan basis, that it is not acceptable to clandestinely eavesdrop on private conversations, that provision will apply to the media, the same as it will apply to private individuals. Fortunately, in Australia, the use of listening devices by media outlets, even the more sensational style of media outlet, which we fortunately do not have in this Territory, has not been a major problem.

Madam Speaker, I commend the legislation to the Assembly. It is a significant milestone in protecting a fundamental right of privacy which for too long has been denied the ACT community.

Question resolved in the affirmative.

Bill agreed to in principle.

Detail Stage

Bill, by leave, taken as a whole

MR HUMPHRIES (10.58): Madam Speaker, I move:

Page 5, subclause 7(1), line 19, omit "Penalty: \$20,000 or imprisonment for 2 years, or both", substitute "Penalty: \$10,000 or imprisonment for 1 year, or both".

I have mentioned the arguments in favour of this amendment, but may I clarify one thing. This is a provision which will be used, I suspect, mainly against members of the media. They are the ones most likely to have possession of those sorts of documents. They are the ones most likely to be caught having those sorts of documents more than once, in the sense of being repeat offenders. I am not suggesting that members of the media are going to be breaking the law willy-nilly, but if there are people caught on second or third offences, to which the maximum penalty would then at least be considered for application, those sorts of people will be the ones to be in that category. Bear in mind that the information that those sorts of people have in those circumstances is effectively useless. They cannot communicate it to somebody else. They cannot publish it in their newspaper. They cannot transmit it over their radio station or television station. They cannot use it in any court proceedings. The information is effectively useless.

It will often be the case that a journalist will be given a taped conversation, will have it in his possession, and will say to the person who has given it to him, "Look, thanks for nothing. It is very interesting and this would be titillating to run for my readers' or listeners' interest, but I cannot do it under the new privacy Act. Thanks, but I will just stick it away in this drawer". I think that to provide the same level of penalty for people in that situation as for those who, in effect, commit the real offence - the recording or the interception of that conversation - is to send the wrong signal. I think, Madam Speaker, that it would be appropriate for us to indicate in this Bill that we consider those two things at different levels of seriousness.

I also remind members that this provision, if it stands in the present form, will be used, unfortunately, by prosecutors as a lazy device to get around the fact that they cannot prove that a person has actually recorded a conversation. They will get them, instead, on possessing the conversation and will apply the same level of penalty. It is a bit of lazy law-making which allows the person charged with the offence to be effectively hit with an offence at the same level of seriousness as the offence which they would like to charge him with but cannot prove. That, I think, is an unfortunate tendency, and we should resist it.

MR MOORE (11.00): Madam Speaker, since we are debating the Bill as a whole, I will make some comments on the specific clause that Mr Humphries has mentioned, and then some more general comments about the Bill as a whole.

Mr Connolly: I did not mean to cut you off in the in-principle stage.

MR MOORE: That is okay. Mr Humphries's amendment, I think, is a very sensible one. I listened to Mr Connolly's argument. It is an argument that has been presented time and again in this Assembly - that the magistrate or the judge, as the case may be, has the ability to look at a situation and to provide an appropriate penalty for the particular offence. I agree wholeheartedly that that is an appropriate thing for a magistrate to do. However, if we were to take that argument to its extreme we would simply put one penalty at the end of the Bill and leave it to the magistrate to decide what was to happen.

Mr Humphries, very sensibly, has taken a small part of the Bill and said, "I think that we have to give our judges and magistrates a better indication of how the Assembly, as a whole, is thinking on this particular penalty". This in no way, I think, diminishes the value of the Bill. His amendment still is a significant penalty. We are still talking of \$10,000 or imprisonment for one year. Those of us who have visited prisons in the last little while realise that that is a stiff penalty. I think we have to recognise that it is not a terrible softening of the intention of the Bill. It is a quite sensible point. I would ask the Government to reconsider their position so that we can give a better indication, a more defined indication, to the courts as to our thinking on this particular case. I accept the sense of what both Mr Humphries and Mr Connolly are saying, but I think in this case that we should give a better indication to the courts. That is why Mr Humphries moved the amendment, and it makes good sense.

I cannot let this Bill pass, Madam Speaker, without relating some of my personal experiences in terms of listening devices and my surprise that this Bill was not brought down by the former Attorney-General, Mr Bernard Collaery. He seemed from the time I met him, or not too long after I met him, to be very concerned about listening devices.

Mr Cornwell: I would speak a bit more strongly than that, actually.

MR MOORE: I am being very gentle. We remember the stories about him having the plants in his office changed fairly regularly in case there were listening devices in them. I try to keep the same plants for as long as I can, but they tend to wilt. I do not know whether that is caused by the acid leaking out of listening devices and ruining the roots and so forth.

Mr Connolly: You have to water them, Michael.

MR MOORE: I will try that. I think it is worth relating another little experience. Now that I am far enough removed from it, I can see the humorous side.

Prior to the election in 1989 I remember meeting in Mr Collaery's office in, I think, Austin Street and having Mr Collaery play a record in the middle of this meeting. It was very soft, nice, gentle music. I thought, "Why are we playing this record?". The story was that this was a very special record to deal with anybody with one of those very fancy electronic listening devices which, when pointed at a window, can pick up the vibrations of the window and allow the operator to hear what is going on. The playing of this record mucks that up. It must rattle the windows in some way or other, at some micro level, so that the device does not work. When I think back on it, the amusing part is: Who would be bothered to listen to those conversations anyway? The second point, I guess, is: Even if they did listen,

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what would they have gained from a Residents Rally strategy for that particular election that everybody did not know anyway? It was an interesting experience. That was reiterated again and again in the early days of this Assembly, and I gather that other members have had such experiences.

There is a serious side to this Bill, of course. We have seen situations where listening devices have been used entirely inappropriately. I congratulate the Attorney-General for bringing in this very sensible Bill. It will be made so much more sensible by this very minor amendment that Mr Humphries has moved.

MR CONNOLLY (Attorney-General, Minister for Housing and Community Services and Minister for Urban Services) (11.06): I thank Mr Moore for his support in principle. I apologise for having jumped after Ms Ellis finished in the in-principle stage. I was not aware that anyone else wished to get the call.

Madam Speaker, the Government will not be supporting the amendment. As I indicated, we have modelled this Bill pretty much on the New South Wales Act, and the same penalty provision has been seen to work there, without any particular problem, for some eight years now. While I accept Mr Moore's point that one ought not always to follow interstate provisions, I think the fact that it has not caused problems would indicate that the potential maximum of two years' imprisonment there is not inappropriate for the nature of the offence.

Mr Humphries seems to suggest that this is a provision that would mostly be used for the poor journalist who happens to have the documents in his drawer. I would say that it would probably be more likely to be used for the private inquiry agent who has employed somebody to do the actual dirty work of making the tap and to produce the document, and it is in the filing cabinet. If you look at the poor journalist, you might think that two years' imprisonment would be inappropriate, and I am sure that a court would think the same thing. But, if you are directing legislation to prevent the evil of people out there doing this sort of thing commercially, I would suggest that having a potential maximum penalty of two years' imprisonment is appropriate. People who are trying to make a profession of eavesdropping, who are using somebody else to do the dirty work to get the result, to get the product to use for whatever purpose they want to use it for in their private inquiry business, should, I think, be subject to a quite severe sanction. So I am not convinced that a two-year potential penalty for this section is inappropriate or that there is any necessary distinction to be drawn between this provision and others.

Mr Humphries or Mr Moore suggested that this is perhaps lazy law-making that is designed to pick up on other offences. I would say to the contrary. It is setting up a battery of provisions to prevent this agreed evil of people using eavesdropping devices on private conversations, and to catch it both at the level of the person who is out there using the technical equipment to do the bugging and at the level of the person who is going to profit from that or traffic in that. The possession of the intelligence should be treated as seriously as the person who does the preliminary harvest, so to speak, to get the information and the person who does the ultimate marketing of the information.

Question put:

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

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

MADAM SPEAKER: Members, I have received advice that Mr Stevenson will not be here this morning, so we can lock the doors and take the vote.

The Assembly voted -

AYES, 7

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

NOES, 9

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

Question so resolved in the negative.

Bill, as a whole, agreed to.

Bill agreed to.

LEGISLATION PROGRAM - BUDGET SITTINGS 1992 Paper

Debate resumed from 11 August 1992, on motion by **Mr Berry**:

That the Assembly takes note of the paper.

MR HUMPHRIES (11.14): I want to make some brief comments on the Government's legislative program. The program itself looks fairly impressive. There are a number of matters on the program which are pressing and which the ACT, I think it could be said, needs to address reasonably quickly. I take up some in the Deputy Chief Minister's portfolio. There is a batch of amendments to provide for change to registration arrangements for medical and other professionals in the ACT. That has been an issue on the table for quite some time, and we certainly support that being dealt with as soon as possible. There are amendments which have to do with - - -

Mr Berry: Do you guarantee to support them all?

MR HUMPHRIES: We do not know what they look like yet; so no, we cannot guarantee to support them. But if they are sensible and if you actually listen to the people who matter in the area, then yes, we will support them. Madam Speaker, there are a number of provisions here which need to be addressed quickly and which the ACT Opposition would like to see dealt with very quickly. In that light, we look forward to having them dealt with in the budget sittings.

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The problem, Madam Speaker, is that, despite the presence of this impressive looking document, we have to ask ourselves whether we can actually believe what is in the document. This represents the Government's target for the 1992 budget sittings, for the period between August this year and December this year. We are coming up to halfway through the budget sittings. We have had four weeks of sittings. We have six weeks left, on my reckoning. I have to ask myself whether it is really possible for most of this program to be implemented.

Mr Moore: At the current rate.

MR HUMPHRIES: At the current rate, certainly. At the current rate, we have no hope of implementing it. If we see a great acceleration, we might see most of it happen; but even then I have my doubts. Let us take the first page - the first priority matters under the Chief Minister's portfolio. You would imagine that these matters would have a fairly high rate of success in government circles, since they come from the Chief Minister and they are her first priority.

Let me go through the matters on the list. The Mutual Recognition Bill - there is no sign of that. Amendment to Audit Act, no. Amendment to Business Franchise (Tobacco and Petroleum Products) Act, no. Amendment to Financial Institutions Duty Act, no. Amendment to Stamp Duties and Taxes Act 1987, no. Amendment to Payroll Tax Act, no. Amendment to Gaming Machine Act, no. Amendment to Taxation (Administration) Act, no. Amendment to Business Franchise ("X" Videos) Act, no. Amendment to Ambulance Service Levy Act, no. Amendment to Rates and Land Tax Act 1926 - yes, we have seen that Bill in the Assembly. In the second priority category - Public Accountability and Annual Management Reports Bill, no. We have, on my reckoning, 18 sitting days left in these sittings. I hope that only the next 12 of those are really available for the introduction of Bills which we expect to pass in these sittings. Other Bills may be introduced, in the last six sitting days; but I hope that we do not try to pass them in such a short period of time.

Madam Speaker, we are left with the impression that this is a public relations document, not a genuine attempt by the Government to indicate to the community that these issues will be dealt with in the budget sittings of the Assembly. The Deputy Chief Minister, in his tabling speech, acknowledged that in the autumn sittings only 41 of the 62 Bills listed in the first priority category were introduced into the Assembly. When you take into account second and third priority Bills, on my reckoning, well under half of the Bills that were in the autumn sittings program - - -

Mr Connolly: We are here for three years. We do not do it all in the first six months.

MR HUMPHRIES: Fine. The Attorney-General interjects, "We are here for three years". That is a terribly depressing thought; but, okay, you are there for three years. The fact of life is - - -

Mr Moore: How many days to go?

Mr De Domenico: Not necessarily with the portfolio he has now.

MR HUMPHRIES: Mr Moore says, "Not necessarily". I am greatly encouraged by that remark.

Mr Moore: I said, "How many days to go?".

MR HUMPHRIES: I am sorry. I thought you said, "Not necessarily". One can live in hope, Madam Speaker. The fact of life, though, is that this is not your program for the whole of the three years. This is not what you are going to do over the next three years - or at least that is not what you have told us. This is your program, according to the Deputy Chief Minister, for the budget sittings of this year. This is what you have told the Assembly, and the community, that you hope to achieve in the space of six months. What I am saying, Madam Speaker, is that the program is a totally unrealistic expectation and has been produced simply as a public relations exercise, not as a genuine attempt to indicate to the Assembly, the Opposition and Independents, and to the community, what they can expect to be dealing with in the course of this six months. That is just not the case.

If you want to tell people out in the electorate that a Mental Health Tribunal Bill is going to be dealt with in the next few months, that is great. We will look forward to that. That will be terrific if it actually comes up. We will prepare on that basis. But if, in fact, there will be no Mental Health Tribunal Bill in the course of this six months, then you are perpetrating a deception on the electors of the ACT, particularly those concerned about, and interested in, the fate of Mental Health Tribunal legislation, and you should not be doing it. You should be realistic enough to tell people exactly what they can expect from this Government, not make up a fairy story about what sorts of wonderful things you are promising to do in the next six months but have no intention of doing.

Madam Speaker, I remind the Assembly that legislative programs came about in 1989 as a result of pressure from the then Opposition, the Liberal Party, to have that kind of program put on the table by the ACT Government. In July 1989 I asked what the Government would be doing to tell us what they were planning for the coming sittings and how they were going to present their program of legislation. The Chief Minister said, "Yes, there will be some indication". A couple of months went by, and about halfway through the sittings I said, "We are getting near to the end of the sittings. When can we actually see what you are going to do for these sittings?". Eventually a document was produced. That was the origin of this program.

But I must say that it is not much good unless it actually tells us what we want to know, or what the community expects to know. It is not too much to ask you to tell us what legislation you intend to bring into the Assembly. We are not asking you for any details. All we have - - -

Mr Moore: Did you?

MR HUMPHRIES: Yes, we produced a legislative program for every period of sittings of our Assembly. We are not getting many details now. We have the Judges' Entitlements Bill and the law and justice legislation. What is the law and justice legislation all about? What we are asking for is not exactly demanding. We are not asking for leaked Cabinet documents. We might get them elsewhere, mind you. We are not asking for all the nitty-gritty details.

Mr Cornwell: We do not have to. They turn up anyway.

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MR HUMPHRIES: Indeed. We just want the titles; that is all we want. We want a realistic expectation of what they will be.

Mr Lamont: Remember ACIL, boys.

MR HUMPHRIES: You might make a joke about this and say, "We enjoy keeping you in the dark"; but it does not help good government if the first thing we see of legislation is when you slap it on the table and say, "Here it is. Go and work it all out". If you are serious about good government, you tell people - not just us, but the community - what you are doing. You telegraph the reforms you want to enact, you give the community time to consider the framework of those changes, and then you bring them into the Assembly and introduce the framework.

I am not pretending that we are all perfect. I have no doubt at all that the Alliance Government fell down on occasions as well. But the point is that we have now come through more than three years in the life of the ACT's self-government arrangements, and I think it is about time we started getting more realistic about the way we present these sorts of things. The fact is that we all need to know what we are doing. There is a great deal of consultation that we in opposition and on the crossbenches need to do when legislation comes forward. We are entitled to do that on the basis that we know how to conduct that consultation realistically, and we can do it only with an accurate and realistic legislative program. I hope that the Government's performance in these matters will improve.

MS ELLIS (11.23): I value very much the debate this morning. It gives us an opportunity to discuss the Government's legislative program in a little bit more detail. I would like to make a couple of comments on what Mr Humphries said. He commented on being given notice of matters on the list for the Attorney-General, Minister for Housing and Community Services and Minister for Urban Services. I point out that, of the first priority matters under that heading, the Fair Trading Bill has been introduced, the amendment to the Consumers Affairs Act has been introduced, the Judicial Commission Bill has been tabled, the Judicial Commission (Consequential Provisions) Bill has been tabled, and the Adoption Bill has been tabled.

Mr Humphries: That is five out of 21.

MS ELLIS: Without being interrupted, I would also like to draw some attention to a couple of others on that list and expand upon them. Out of that first priority list, the amendment to the Evidence (Closed-Circuit Television) Act 1991 has been referred to in passing in this house prior to today. The Bill will allow evidence to be given on closed-circuit television in sexual assault and other cases concerning children in the ACT. This has already been trialled here quite successfully. This practice is leading Australia in its innovation and its use, and the introduction of this Bill will make permanent, so to speak, this practice of allowing such evidence to be given by children in court when the magistrate, the prosecution or the DPP, or whoever is involved at the time, believes that it is to the child's advantage to give evidence in such a way. This is groundbreaking legislation. As I said, it has already been trialled successfully in the ACT. I am very pleased to see it on that first priority list, and I look forward to the legislation coming through.

Another one that I would like to refer to in passing is the amendment to the Housing Assistance Act 1987, which again is in that first priority list under that heading. One of the major areas to be covered by this Bill will be the extension of the Commissioner for Housing loans scheme. This scheme will be revised and extended, and a new shared home ownership scheme will begin early in 1993. The shared ownership loan will be developed, and this will allow families to buy a share in their houses and to increase that share as their earning capacity improves.

The record of this Government in working in line with the ACT Housing Trust is an excellent one. The ACT Housing Trust has proven over time to be more than innovative in its approach to the service that it provides to our community and to the people in our community who require its help in obtaining appropriate accommodation. This sort of legislation, I believe, is quite exciting in that it gives yet another avenue for people in our community who are on a low income or who for other reasons have problems in obtaining their own home. It gives another aspect to the method by which we can offer home ownership to those people. I applaud such legislation.

A third one that I would like to refer to is in fact a category of Bills - the Credit Bill, the Credit (Administration) Bill, the amendment to the Credit Act 1985, the Fair Trading Bill, which has already been introduced, the Disposal of Uncollected Goods Bill and the amendment to the Sale of Motor Vehicles Act 1977. The last two are in the second priority category, but together all these Bills represent a range of measures the major effect of which will be to protect consumers' rights in the ACT. They each deal with a different aspect of consumer rights; but put them together and we have a package of Bills which should be applauded, as they will be on their introduction. The record of this Government in relation to consumer rights is an excellent one. Consumer rights are an extremely important subject to our community. Again, I applaud the listing of these Bills. As I said, one of them has already been introduced, and I believe that it is on the daily program for later today. The others will, I am sure, be introduced in good time.

I would like Mr Humphries and his colleagues to consider very carefully all the Bills that I have mentioned, because when they come up they will require the support of this Assembly to get through the machinery of government. I know that the innovation embodied in them will be very important to a great number of our community people. I commend all of those Bills to this house. I thank the house for the opportunity of discussing them.

MR MOORE (11.28): I will speak briefly on the government legislation program. I would like to start by drawing attention, by way of example, to the Adoption Bill that Mr Connolly made available after the election but before we actually sat at the beginning of the year. He made an exposure draft - - -

Mr Humphries: I think it was last year, wasn't it?

MR MOORE: It might have been late last year. He made an exposure draft available and has continued discussions on that Bill. I certainly know that a great deal of effort has been spent in my office on discussing the pros and cons of the different aspects of that Bill. It is a particularly complicated piece of legislation in that it deals with balancing people's rights and therefore needs time for public debate. The approach in the case of that Bill has been a very positive approach indeed.

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There are other Bills, of course, that do not require that sort of approach. I notice among the Chief Minister's first priority Bills amendments to the Gaming Machine Act, the Payroll Tax Act and so forth. These are obviously part of the whole machinery of money Bills and do not require huge amounts of time for community comment. However, it is appropriate that they have some exposure time, where possible. That is not to say that I take the same line as Mr Stevenson, who stands up here on many occasions and says that we need 60 days, so that he can poll people to find out what the majority will of the people is. The rest of us have policies to go back to and assess so that we can determine whether or not a Bill fits in with the general principles under which we operate and the specific policies upon which we were elected.

There are times when, as in the case of the Adoption Bill, a large amount of time can be given so that people can have the opportunity to express their opinion. In a large proportion of the cases, however, our positions are fairly well established and we can therefore deal with legislation relatively quickly. I think there still needs to be appropriate time for people in the community to comment and to draw our attention to a particular aspect or a particular ramification of a Bill in case we have not thought of it. Of course we take those comments into account.

This is a good opportunity to point out that my method of operating on Bills is to look at them and to use my judgment. I am quite happy to allow the people to decide whether my judgment or that of any other individual in this Assembly over three years has been entirely inappropriate. Under Hare-Clark with Robson rotation, the voters will be looking very carefully at how each individual responds and uses his or her judgment. In a proportional representation system with Robson rotation, electors will have the opportunity to say, "Yes, we think that Tony De Domenico is doing a very good job" or, "Yes, Michael Moore is doing a reasonable job", or vice versa. I suspect that they will be quite different people who say that in respect of the different members. That is one of the great advantages of proportional representation. It means that you get a range of views in the Assembly, and quite rightly so. Obviously, that was recognised by the people of the ACT in their very sensible, overwhelming support for such an electoral system.

Madam Speaker, having taken the opportunity to comment on that approach, I move on to the range of Bills in the legislation program. If the Government, after they have issued their drafting instructions, can indicate to us what is actually part and parcel of those Bills we will have time to think about how we should approach them. I know that at times - for example, with money Bills - that is not appropriate. But it may well be, for example, that an amendment to the Business Franchise ("X" Videos) Tax Act is in fact a money Bill, or it may well be that it is similar to the Bill put up by Mr Stevenson to prohibit the distribution of X-rated videos from the ACT. It would be helpful, where possible, for us to have some indication as to what the Government's intention is. It would also save us doubling up on work.

Madam Speaker, given the range of Bills being presented, I support Mr Humphries's perspective. This far into the budget sittings, we really should have more of these Bills on the table if we are to have any opportunity of debating them thoroughly and passing, rejecting or amending them as they come before the Assembly. Time is running out, and I think we should see more of these Bills tabled soon.

MR LAMONT (11.33): Madam Speaker, I will start off by answering some of the criticism raised by Mr Moore and by Mr Humphries. I think they should understand that the program tabled and addressed by Mr Berry outlines those Bills which we wish to see tabled, determined or in fact prepared during this session of the Assembly.

Mr Humphries: Twist it around. It does not say that here, does it? Where does it say that here?

MR LAMONT: Mr Berry said:

In relation to legislation proposals falling into the second priority, it is possible that some may be introduced into the Assembly during the current sittings. This will depend on the progress with the issues involved and the degree of complexity in terms of drafting.

Madam Speaker, I think that that quite clearly puts paid to some of the comments that have been made in relation to the time at which these Bills will be available.

This morning I specifically wish to address a number of the proposals. Legislation such as the Mutual Recognition Bill has been discussed at Premiers conferences over the last four or five years. The current Chief Minister has not been the only strong proponent of the concepts of mutual recognition. I am aware that Mr Kaine, during the brief period he presided over Canberra as the Chief Minister, also pushed the question of mutual recognition. Madam Speaker, it could be said that the concepts of mutual recognition have been coming upon us for the last century. One of the great difficulties we have had in this country is that our forefathers prior to Federation and even at Federation imbued us with the concept that we are a range of States within the country of Australia, instead of the concept that in fact business and the public sector would work far better without the inhibitors of State boundaries.

Indeed, those State boundaries have seen put into place a range of legislation which has affected trade between the States and Territories. It has affected recognition in a whole range of goods and services areas and led to great inefficiencies. In fact, it could be said that the concepts which have been enunciated and which will be incorporated into this Bill are the most significant micro-economic reforms in this country this century. That is not to say that it is being done only here in the ACT. A series of conferences was organised by the Premiers and the 1990 Special Premiers Conference. I was quite pleased to be part of one of the consultation meetings here in Canberra last year, when I represented the ACT Trades and Labour Council. There was a panel of eminent people from around Australia and from the ACT. We discussed such problems as the lack of recognition of skills across State borders. Because different States had different legislation, a plumber registered in Victoria, as an example, was prevented from being licensed and undertaking skilled trades work in the ACT, and vice versa. Such a regime of legislation that has prevented skilled people from travelling to meet work demands is an extremely inefficient way for us to operate.

In relation to direct goods, there are a range of concerns about the difficulties and confusion that exist in how goods are packaged, labelled and so on. Some of them are covered in the food Bills which the Minister announced and which this Assembly passed during those sittings. But a range of other measures yet to be

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addressed will significantly enhance the concepts of trade between States and Territories in Australia. Madam Speaker, as I have said, the concepts behind the Mutual Recognition Bill will, in my view, deliver the most significant micro-economic reforms this century. Hopefully, the Bill will go a long way towards overcoming the inefficiencies inherent in the State system that our federation was constructed on.

Madam Speaker, it is also appropriate to recognise that we have come a long way in redressing the problems in our transport industry. In attempts to get around the provisions of the Constitution and the Trade Practices Act about free trade between States and Territories, some States have put into force licensing mechanisms which have prevented proper interstate trade from occurring. The Minister for Urban Services recently announced a range of initiatives that the ACT Government has agreed to, but which I understand the New South Wales Government is not all that happy with, to adjust the licensing arrangements for some vehicles and place all of the States on the same playing field.

It is outrageous, for example, that most of the semitrailers used in New South Wales are in fact registered in South Australia, where the requirements for the registration of such trailers are significantly less than they are in New South Wales or in fact here in the ACT. With the support of the ACT Government, we have come to a position where registration requirements are now uniform across Australia. There was some bleating - I think that would be a generous way to describe it - from the Deputy Premier and Leader of the National Party in New South Wales, Mr Murray, on the radio yesterday, but I think that was more politicking and sour grapes than anything else. His State must now fall into line with what is happening in the rest of Australia. It has been New South Wales in particular that has kept those most significant reforms from happening much sooner. Madam Speaker, as I have said, the Mutual Recognition Bill comes from a desire - expressed in the Special Premiers Conference and acted on by what is called the overarching committee which represents the States, Territories and the Commonwealth - to arrive at a better system of commerce between the States and Territories, something which I hope that this Assembly supports unanimously when the Bill is put on the table.

Madam Speaker, the other matter in relation to the legislative program that I wanted to address is the document that was tabled yesterday by Minister Wood in relation to the Commissioner for the Environment. I compliment and applaud the Minister for releasing a discussion paper on the concept of the Commissioner for the Environment. This position, I believe, will be one of the most significant statutory positions in the ACT. It will be an onerous position because that person will be charged, as an independent body, with ensuring compliance with proper environmental laws determined by this Assembly. It will be up to this Assembly to ensure that the laws that are put into place are ones that protect Canberra's environment and protect the quality and style of living that we have. We will be placing upon the shoulders of this person, as I have said, probably one of the most onerous responsibilities of any statutory office-holder in the ACT. The Minister has now released a discussion paper and this, I believe, is the most appropriate way for us to proceed to enact the legislation which will underpin the authority of the commissioner.

Madam Speaker, I would like to address a range of other matters within the first and second priority lists, but I understand that my time is almost up.

Mr Connolly: Have an extension.

MR LAMONT: You will give me an extension for half an hour, I understand?

Mr Connolly: Absolutely.

MR LAMONT: Madam Speaker, I would draw to the attention of the Assembly the fact that this document lists 112 pieces of legislation. (*Extension of time granted*) We have seen in the life of this Assembly the introduction and substantial completion of over 55 pieces of legislation. It would be interesting to note, Madam Speaker, the number of pieces of legislation that were put through in the 12 months preceding July 1991. I stand to be corrected - I am sure that the adjournment debate this afternoon would allow the appropriate time for Mr Humphries to be able to look into it - but I understand that that number of pieces of legislation is double the work rate of the previous Alliance Government for a similar period of office.

Mr Cornwell: That is an absurd comparison to make. It really is absurd.

MR LAMONT: It probably is an absurd comparison to make when you consider that there now are only two members of the former Alliance Government in this Assembly. I did not wish to get into party politics, Mr Cornwell; all I - - -

Mr De Domenico: Of course not; you never do. Never let it be said.

MR LAMONT: Never. As I have been granted a short extension of time, Madam Speaker, there are other pieces of legislation that I would like to speak about. One is the amendments to the Occupational Health and Safety Act 1989. The responsible Minister has outlined some quite appropriate changes to the existing Act. Those opposite will have the time to get up and ring their own bells and make their own statements a little later on.

My colleague Ms Ellis has touched on a number of issues. The Parental Leave (Private Sector Employees) Bill is another Bill which at the moment is out for discussion within the community. I understand that members are receiving a great deal of representation about it. It will extend to the private sector, in non-award areas, as I understand it, conditions which are currently enjoyed by award-covered employees in the ACT. I believe that all members of the Assembly would support that. It is to ensure that all workers in the ACT are covered generally by exactly the same provisions as award employees. I believe that we will have great pleasure in debating some of the issues in that area on the floor of this Assembly in coming months.

Madam Speaker, a range of other matters have been brought to the attention of the Government and individual members in relation to fair trading Bills. I suppose that that is the best way to describe them. A number of proposed changes come within the Attorney-General, Minister for Housing and Community Services and Minister for Urban Services portfolios. A number of the proposed changes relate to long overdue reforms in some of these areas. I did notice, Madam Speaker, one particular matter which I am extremely pleased to see on the legislative program and which at least is up for discussion this sitting, and that is the professional driving instructors legislation. As you would be aware, prior to entering the Assembly I was intimately involved in the transport industry. One of the great advances that have been made in that industry has been the commencement of - - -

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Mr Moore: You were driving that along.

MR LAMONT: "Driving it along" is probably an appropriate way of describing it. Thank you once again. I have only 56 seconds left and I would like to be able to finish. The professional driving instructors legislation is an appropriate reform within the Territory. I would also draw members' attention to the creation of the Transport Industry Training Council in the ACT, which I believe will see some of the most significant reforms in training for professional drivers in the ACT. That council is supported by various agencies of this administration, as it was supported by those same agencies under previous administrations. I wish particularly to place that on the record. The professional driving instructors legislation, I believe, will be of great assistance to professional driving and, indeed, industry generally in the ACT. I commend the Government for announcing that it will bring forward all of these pieces of legislation that I have addressed this morning.

MADAM SPEAKER: Order! Your time has expired.

Mr Lamont: I will take a short extension, Madam Speaker.

MADAM SPEAKER: I do not think it is being granted, Mr Lamont.

MRS GRASSBY (11.49): I find this fascinating. I have just done some additions and I did them in a hurry. They relate to the last Assembly. Mr Humphries, who, of course, is not here, bleats about what is not done. I would like to remind him that he was in charge of a lot of legislation last year. They put up 85 Bills. In the time that we were in government we put up 126. Of course, 38 were not passed because the new Assembly was formed. Look at what is now before the house. Look at the number of Bills that have been put up and passed in the short time that we have been here. There are pages of them, Madam Speaker. I do not want to waste time by going through them. There are 28 on one page, 30 on another page, and 19 on another page. Look at what has been done and look at the proposed legislation in the paper that was given to all members. Look at what is to be put before the house by the Chief Minister and the Deputy Chief Minister.

I do not really need to go through these Bills, because Ms Ellis has named them. I am not going to waste the time of the Assembly. Mr Lamont has been on his feet, naming those Bills and going into great detail about them. He is very happy about them. You can see that the Labor Party has done a lot of hard work. Of course, Mr Moore has put a few Bills before the house, and Mrs Carnell has put one or two Bills before the house. We have not really seen very much from the Opposition in the way of private members Bills. We saw nothing from them in the way of MPIs until they were embarrassed into it by our putting up more MPIs. They are starting to do that now.

The work that the Government has put to the house in a very short time is quite incredible. I do not think there is another house in Australia that would have had such an amount of work put before it. It seems to me as though Mr Humphries has nothing else to talk about so he thought he would get up and bleat about the Government's work. He is desperate to talk about something.

Mr Cornwell: The pot calling the kettle black.

Mr De Domenico: Let her go. She has 14 minutes.

MADAM SPEAKER: Order!

MRS GRASSBY: The Opposition brings very little work before the house. They do a lot of bleating, but that is about all.

Mr De Domenico: Move for an extension.

MADAM SPEAKER: Order! Mr De Domenico, you will cease interjecting, please.

MRS GRASSBY: As we all know, during the Estimates Committee hearings we will be losing three members. They will not even be here to consider the estimates.

Mr Cornwell: Four.

MRS GRASSBY: We will be losing four, will we?

Mr Cornwell: You people still have to decide that, haven't you?

MRS GRASSBY: No. I think that decision has been made, has it not?

Mr De Domenico: Yes, it probably has, Mrs Grassby, in another place.

MADAM SPEAKER: Order!

MRS GRASSBY: So three members of the house will not even be here for the Estimates Committee hearings, which obviously are most important. An Estimates Committee is not for the Government; it is there so that the Opposition can question the Government on the work it is doing and on what the budget is all about. But three members are not even going to be here to do it. I am sure that we are going to have very early nights. Ministers are going to be able to go home very early. Of course, the public servants will be very happy about this. They will not have to spend any time here at night. All told, the Government is going to have a great time. It means that there will not be anybody here to question them. There will not be anybody to ask them where this money is being spent and what they are going to be doing.

Ms Ellis: Yes, there will. The Independents will do their bit, Mrs Grassby.

MRS GRASSBY: Will they? At least the Independents will be here. Is that right, Mr Moore?

Mr Moore: Indeed. And Ms Szuty will be here.

MRS GRASSBY: You are going to be here all the time. Is that right, Ms Szuty? Are you going to be here?

Ms Szuty: Yes.

MRS GRASSBY: I am not sure about Mr Stevenson. He is not in the house very often anyway, so I suppose - - -

Mr Moore: This is about accountability. He is not an Independent anyway.

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MRS GRASSBY: He is not an Independent, Mr Moore?

Mr Moore: No.

MRS GRASSBY: I see; I did not realise that Mr Stevenson was not an Independent.

Mr Moore: Isn't he the Abolish Self Government Coalition? That is what he has told the house.

MRS GRASSBY: That is right; I had forgotten. He stands for the Abolish Self Government Coalition, so he is not going to be here. So we will have two members here, one of whom, of course, will be the chairman, for the Estimates Committee. We will have hardly any of the Opposition. Mr Humphries was not here for most of this speech. He is back now and he can read it in *Hansard* anyway. He had better find something else to bleat about. I will give him those figures, as he was not here to hear them. Mr Humphries, you were in the last Assembly, I think. Yes, you were here in the last Assembly. I remember Mr Humphries.

The Labor Party put up 126 Bills, 38 before the house closed down. You were known as the coalition, or whatever. I can never quite remember it. I am not sure whether it was Mr Collaery's Government or Mr Kaine's Government. No, it was Mr Kaine's Government and Mr Collaery thought he was running it. That is right. You put up 85 Bills in that time. You were in government, by the way, for 18 months. You went into government in December 1989 and you were there till June 1991. If you look at the time you spent here, you should be very careful about bleating about the work that we are doing, Mr Humphries, because I think you will find that we are doing a lot more than you were doing.

MR BERRY (Deputy Chief Minister) (11.54), in reply: Madam Speaker, I would not have had much to say about this matter except for the carping comments that came from the other side in relation to the Government's legislation list. If I could just summarise the speech that I first put to the Assembly in relation to the program, and this seems to have been - - -

Mr Moore: No, there is no need. We have all just read it. It is in front of us.

MR BERRY: It seems to have been forgotten by the members. One assumes from the fact that the Opposition adjourned the debate that they wanted to discuss the issue. Now that the issue has been discussed, they do not like it. The program was put in place to provide members with an overview of the Government's program.

Mr Moore: I raise a point of order, Madam Speaker. Standing order 48 relates to the right of reply. It states:

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.

We were hoping that Mr Berry would use this opportunity to comment on the issues that we raised.

MR BERRY: I will.

MADAM SPEAKER: I am sure that Mr Berry is very grateful to you for bringing that standing order to his attention.

MR BERRY: Indeed I will, if I am not interrupted by frivolous points of order. Essentially, there was a complaint from the Opposition that the Government had had the hide to provide them with all of this information and they were not satisfied with it. It was that quick, quick, slow, slow business that we get from the Opposition at all times. It has been dealt with, but I will raise the issue of the numbers. About 72 Bills have been put on the table in the new term of this Government and there are about 19 outstanding. Most of those Bills are significant. It is very interesting, Madam Speaker, that the Government is the only one that has put forward a legislation program. What is the Opposition's legislation program?

Mr Humphries: It is not our job; it is your job. Most of the Bills before us are our Bills anyway.

Mr De Domenico: What a classic statement that was.

MADAM SPEAKER: Order!

Mr De Domenico: If you would like us to govern - - -

MADAM SPEAKER: Order! Mr De Domenico, order, please!

MR BERRY: Consultation can be a two-way street, but not in the case of the Liberals. The Government has always indicated its willingness to consult with members.

Mrs Carnell: I am quite happy to talk to you.

MR BERRY: Mrs Carnell, I do not know what would be interesting enough. I have to say that Mrs Carnell has been very restrained this week. I do not think she has mentioned "pharmacist" once. Maybe she is a bit embarrassed about the conflict of interest arguments that were raised earlier. Madam Speaker, a range of Bills have been put before the house. Again I think that there has been some criticism of the Government. It has an agenda. We have said that it is flexible, and some of those matters - - -

Mr Humphries: Yes, very flexible.

Mr De Domenico: Rubbery.

MR BERRY: Look, you mugs all had your chance to speak and did not want to talk.

Mrs Carnell: No.

MR BERRY: You have three along the back line and you did not want to talk, but you are not bad at interjecting. If you want to get up and talk about it, I will sit down. Seek leave and you can have a bit of a talk.

Mr Humphries: It is not worth talking about.

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MR BERRY: Mr Humphries has not stopped interjecting since he got in the place, and Mr De Domenico never stops. If you do not want us to give you a legislation program, we can live just as well with that. If you say, "Do not give us one again", we will be happy with that.

Mr Moore: No; I replied to it very nicely. I gave a very sensible reply.

MR BERRY: Okay. But the Liberals do not seem to want to get the bad news that is in it. Here is a progressive - - -

Mr Humphries: There is lots of bad news.

MR BERRY: It is bad news for them. They treat progressive news as bad news. As I said in this chamber the other day, it is not a matter of the name of the legislation; it is the guts of it. Legislation that is put up by a government like a Labor government which has a social justice thrust is quite different from that which would be proposed by the Liberals, and I can understand why they would complain about it. We know that if they were in government and they had a legislation program it would be about confrontation, it would be about privatisation, it would be about - - -

Mr Humphries: Eating small children, murdering mothers - things like that.

MADAM SPEAKER: Order, Mr Humphries, please!

MR BERRY: We ought to count up the number of interjections too, Madam Speaker. It would be about privatisation. Just imagine what they would do with the public transport system if Mr Westende had anything to do with it. They would sell it. They would sell the profitable bits to their mates. That is what they would do. What about housing? They would flog off the profitable bits to their mates. What about the health system? You would force all the people into expensive private hospitals. That is what you would do.

So do not whinge about what the Labor Party is doing in its legislation program. It is a progressive program. Every Bill that is implemented by way of this chamber will be progressive, except those that are interfered with by the Liberal Party. That is what we are here to prevent - to stop that sort of gross interference. You had better get used to a legislation program that is progressive. It might be painful for you, but we are enjoying it.

Question resolved in the affirmative.

LEAVE OF ABSENCE TO MEMBERS

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

That leave of absence from 26 September to 12 October 1992 inclusive be given to Mr De Domenico.

Motion (by **Mr De Domenico**) agreed to:

That leave of absence from 3 to 15 October 1992 inclusive be given to Mr Humphries and leave of absence from 18 September to 12 October 1992 inclusive be given to Mr Westende.

Sitting suspended from 12.03 to 2.30 pm

QUESTIONS WITHOUT NOTICE

Government Service - Staff Numbers

MR KAINE: My question is directed to the Chief Minister and Treasurer and refers to Budget Paper No. 3. I commend the Chief Minister on the presentation of the budget this year - the attempt to reduce it to a lesser volume of paper - and also the incorporation of the forward estimates, which I think is a step forward. There is one notable omission from Budget Paper No. 3, which perhaps represents a specific position of the Government. There is no reference to staff numbers, which have been a feature of previous program papers. Is it a specific decision of the Government to exclude staff information from the program data that is published with the budget?

MS FOLLETT: I thank Mr Kaine for his commendation on the budget papers. We are improving over time. I know that it can create difficulties for people wanting to get an understanding of the budget papers when they change, particularly in format; but I can advise that the information in this year's budget papers is at least as comprehensive as it has been in previous years. It includes additional information by way of the forward estimates. If there is further information that members require, I hope that they will come to me and ask for it.

Mr Kaine has asked specifically about staff numbers. In looking at the budget, we have not set any specific targets for staff numbers. I do not recall having taken a specific decision not to include them, but I can advise members of the analysis of staffing that was undertaken at pay 26, at the end of the last financial year. We can do a comparison of that with pay 1, which would have been in July 1991. The figures indicate that there has been an overall decrease of some 507 individuals on the payroll. Those 507 include all full-time, part-time, casual and inoperative employees, whether or not they were receiving an entitlement on that particular payday. So the figure is not one that you can take at its face value.

There are a number of significant variations that can account for those 507 positions, one of which is the reclassification of permanent full-time teachers' aides to the permanent part-time category as a result of the implementation of SEP. There was also an overall increase of 276 at Calvary Hospital, comprising principally casual staff. There was a rationalisation of the number of casual employees within TAFE and the Department of Health. Casual employees are used on a needs basis, so it is possible to have large numbers of them on payroll at any one time, although they will not necessarily be receiving salary each fortnight. Each year the departments cull the number of casual employees they have on their books, so to speak. This process is reflected in the net decrease of 389. Calvary Hospital undertakes this culling process at the end of the financial year, that is, after the pay 26 analysis had been conducted.

I have some tables here that members may find it useful for me to table, if that is their wish. There are four tables showing staffing information. The first is the number of staff on the payroll by employing authority; table 2 shows the number of staff by employment type; table 3 shows the number of staff by agency; and table 4 is a snapshot of payroll numbers in pay 26 of June 1992. I am happy to table those four tables, for the information of members, and I trust that they are of further assistance to Mr Kaine.

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MR KAINE: I ask a supplementary question, Madam Speaker. The statistics to which the Chief Minister refers presumably are for last fiscal year. Since there are no projections of staff reductions in this present year, does the Government expect to achieve a similar sized reduction in the public sector payroll this year?

MS FOLLETT: The Government, for this budget, has not taken any decisions specifically relating to staff numbers. Rather, we have allocated a budget to agencies and to programs, and I expect them to live within that budget. In the majority of cases, that budget does contain a slight reduction in funding to their running costs, and that is the area where salaries are. I want to make it clear, though, that I expect all programs to look very thoroughly at their operation. I do not believe that a reduction in their running costs automatically implies a reduction in their staffing. I trust that program managers will look across the whole range of options available to them in meeting their budgets. Should they come to the decision, however, that staff savings are inevitable, I can assure members that there will be no involuntary redundancies, that redeployment is the preferred option and will be pursued first, and that the RRR award will be adhered to. I am happy to advise that some arrangements have been agreed with particular unions on the process to be followed where staff reductions are to occur. If staff reductions are to occur, they will occur only in full negotiation and consultation with the unions involved.

Community Grants

MR LAMONT: My question is also directed to the Chief Minister. How much extra funding is provided in the budget for general community grants, and why did the Government take this decision?

MS FOLLETT: The Government appreciates the work that is carried out by community organisations in delivering high-quality services to the people of the ACT. We believe, further, that these services are all the more appreciated, all the more necessary, at a time of national recession. We have therefore taken a decision in the budget to increase funding to community organisations, and that is going to occur in two ways. Firstly, community organisations' funding will be indexed, and that will take account of the general cost pressures currently being faced by these organisations. Secondly, over and above that indexation, we have taken a whole of government approach, which I believe is a unique approach, to providing growth funding to community organisations through the budget. That additional funding amounts to half a million dollars.

The substantial amount of the additional funding does recognise that community organisations are having to cover additional costs at this time, not the least of which are their obligations for superannuation and training levies. Community organisations are employers and they do have those obligations. As I have said, at a time of recession they have a particular demand on their services as well. The grants programs which will benefit from this growth funding are administered by the Housing and Community Services Bureau, by my own department, by the Department of the Environment, Land and Planning, by the Office of Sport and Recreation, and by ACT Health.

Together, the provision of indexation and additional growth funding demonstrates that this Government has a clear commitment to enable those community organisations to maintain the level of service they provide to their clients. In addition, \$120,000 of additional funding will be provided this year to the employment and training grants program. That will be additional support to those community organisations that provide employment and training opportunities to the people in our community who face terrible disadvantage in the labour market. I believe that the package I have advised underlines the importance the Government places on these community organisations and properly reflects the fact that they are having to work harder, provide more services, and also maintain their own staffing at a time of national recession.

Estimates Committee

MR BERRY: I ask a question of Ms Szuty as chair of the Estimates Committee. Noting that the Liberals supported the establishment of the Estimates Committee and that it is a committee of the whole, and noting that the Estimates Committee process is an integral part of Assembly duties, is it true that the Estimates Committee will be depleted by 25 per cent due to the absence from Assembly duties of half the Liberal members?

Mr Kaine: I raise a point of order, Madam Speaker. I refer you to standing order 116 and ask whether the question is in order in the first place.

MADAM SPEAKER: I looked at standing order 116 because it was unusual to see Mr Berry on his feet, and I think the question is in order. Our rules simply say:

Questions may be put to a Member, not being a Minister, relating to any bill, motion, or other public matter connected with the business of the Assembly, of which the Member has charge.

I believe that it is within the interpretation of the standing orders that I can allow that. To be quite fair, I point out to you that it is not House of Representatives practice, but I will allow it in this instance. Perhaps it is something we should pay attention to in the review of standing orders that is forthcoming. Would you proceed, Ms Szuty.

MS SZUTY: Could I ask Mr Berry to repeat the question, for my benefit.

MADAM SPEAKER: Yes, I ask Mr Berry to do that.

MR BERRY: Thank you for the opportunity to repeat the question. Noting that the Liberals supported the establishment of the Estimates Committee, and that it is a committee of the whole, and noting that the Estimates Committee process is an integral part of Assembly duties, is it true that the Estimates Committee will be depleted by 25 per cent due to the absence from Assembly duties of half the Liberal members?

MS SZUTY: As members will be aware, several motions were proposed this morning indicating that several of the Liberal members would be absent for part of the Estimates Committee process. So yes, Mr Berry is quite correct.

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MR BERRY: I have a supplementary question, Madam Speaker. Is one of those who will be absent the deputy chair of the committee, Mr Humphries?

MS SZUTY: As members will be aware, Mr Humphries was elected as deputy presiding member of the Estimates Committee. He has indicated this morning that he will be absent for part of the Estimates Committee process. Mr Humphries did inform me, when he became aware of his trip to Japan, that he would be away for part of the Estimates Committee's deliberations.

Government Service - Performance Indicators

MR MOORE: My question is directed to the Chief Minister. In the ACT Government's response to a report by the Estimates Committee last year, the Government stated:

The Government agrees that the results of performance measurement should be included in any discussion of a program's outcome. As indicated in the response to recommendation (1), however, the Government is of the view that the most appropriate vehicle to provide performance measurement information to the public is an agency's Annual Report. The Government does not believe this information should be duplicated in Budget Paper No. 5.

Is it not true that the only annual reports available to us prior to the Estimates Committee hearings are the annual reports of the Department of the Environment, Land and Planning and TAFE, which both emanate from Mr Wood's ministry? If so, and considering that there are no performance indicators in Budget Paper No. 3, as there have been in previous equivalent budget papers - No. 5 in the previous year - what indications do you have, do we have, and does the community have of a manager's performance? Most importantly of all, how does the community know how well your managers have performed?

MS FOLLETT: On the general question of how many annual reports are available at this time, I will have to take that on notice. I am afraid I cannot say with certainty what the answer is. On the general question of the provision of adequate and appropriate information to the Estimates Committee, I take Mr Moore's point. I will certainly do everything in my power to ensure that the Estimates Committee has appropriate information to make the judgments, to test the accountability that is an inherent part of the Estimates Committee's work. If that means providing material that is additional to what is provided in the budget papers, I undertake to do my very best to ensure that that material is provided.

MR MOORE: I have a supplementary question, Madam Speaker. I would like to take the opportunity to endorse what Mr Kaine said about how much more readable this year's documents are. The point is, Chief Minister: How have you satisfied yourself that your managers are performing, without performance indicators?

MS FOLLETT: I am certainly satisfied, but I do not expect the Estimates Committee to take my word for it. Hence, I undertake to provide them with additional material as appropriate. I take Mr Moore's point.

Housing and Community Services Budget

MR HUMPHRIES: My question is to the Minister for Housing and Community Services. It refers to the \$2m blow-out in the Housing and Community Services portfolio, which was recorded in Budget Paper No. 3 - a blow-out in the recurrent budget of almost 4 per cent. I note that most of this sum, almost \$1.5m, is due to increased salary costs, mostly at the Remand Centre. I ask: What was the actual blow-out at the Remand Centre in 1991-92? Why did the Minister not take corrective action to rein in costs at the Remand Centre during the year? What measures does the Minister intend to take to ensure that we do not have another \$2m blow-out in the housing and community services budget this year?

MR CONNOLLY: I would have to do eight times worse before I even approached Mr Humphries's blow-out figures. I am only a learner at this game. The figures show that the community services program overexpended during the last financial year. Much of that is explainable on the basis that during a recession one would expect increased expenditure in a number of areas, and it is all set out there. I do not have the precise breakdown on the costs of the Remand Centre, although I will obtain them and provide them to Mr Humphries.

Mr Humphries: Is there a rise in crime?

MR CONNOLLY: No, Mr Humphries. Increased expenditure on concessions, which is itemised there, was one of the major areas. There was increased expenditure for the purchase of prison services in New South Wales. As I understand it, the Remand Centre additional expenditure did occur as a result of employing people to staff the psych cells who were brought on stream before the psych cells were completed. I will get a breakdown of those figures.

I understand that Mr Humphries is currently proceeding through an FOI request to obtain that data. If he had asked me, either in the chamber or on notice, I would have given him the information. If he chooses to go through another forum - - -

Mr Berry: Or if he had been into the Estimates Committee.

MR CONNOLLY: Or at the Estimates Committee. I understand that at least Mr Humphries is on parliamentary business when he is not here, which is perhaps more than some others could say. I will get a breakdown on the Remand Centre expenditure. As I understand it, it does relate to staffing arrangements in advance of the psych cells being on stream. The psych cells, however, are now on stream; they commenced operation, I think, on 2 September. I would have preferred them to have been completed earlier. I was told that they would be completed earlier. When we came into government the expenditure on the psych cells was well and truly committed. For a range of reasons, principally related to a few breakdowns, a few changes in the plan, they were opened later than was expected.

Academic Bodies - Assembly Appointments

MR CORNWELL: My question is to the Chief Minister and comes hard on the heels of the appointment, finally, of a Secretary of the Department of Education. I refer to the continuing embarrassing delay - now over 12 months, I might add, due to factional wrangling in the ALP, I understand - in the appointment of Assembly nominees to the University of Canberra, among other academic bodies. I ask: Has the matter finally been resolved so that Ms Ellis is to be appointed to the University of Canberra Council, Mrs Grassby to the Institute of the Arts, and Mr Lamont - heaven help us - to the ANU? Secondly, when will you be asking the Liberal Party to nominate its representatives to these bodies?

MS FOLLETT: If Mr Cornwell's fanciful proposal put forward there represents factional wrangling, it is news to me. It looks like a very amicable outcome to me, I must say. I do regret the delay in getting on with appointments to the University of Canberra Council, and I take full responsibility for that. It is a matter that is within my responsibility and I have not made a decision on the matter. Indeed, I have not considered that matter. The proposition Mr Cornwell puts forward has not been considered by me. It has not been put to me other than by Mr Cornwell. If it is his favoured outcome, he might care to say so.

Mulligan's Flat Nature Park

MS SZUTY: My question is to the Minister for the Environment, Land and Planning. In July this year the Minister reaffirmed an announcement made in December 1991 that Mulligan's Flat in Gungahlin would be protected as a nature park. As yet, no announcement has been made regarding the definite boundaries of that park. Can the Minister inform the Assembly when the boundaries will be finalised, to what extent they will be based on the submission of the Conservation Council of the South-East Region and Canberra, and when an announcement will be made?

MR WOOD: Early on in my life as Minister for the Environment I announced that we would gazette Mulligan's Flat as a nature park. That was well received at the time, and I indicated to bodies in the town, particularly the Conservation Council, that I would take advice from them on the boundaries for that park. Subsequently, the Conservation Council came back with a very thorough, well-considered document defining what it thought the boundaries were. At the launch of that document I indicated that we would take a very generous view of what those boundaries should be. As to when that will finally be determined as my officers work through it, it will be sooner rather than later. I would think some time in October.

Let me indicate to the Assembly as a whole that the announcement - and we will finalise it shortly - demonstrates our interest in the environment. It is not a matter that can be taken lightly. If you put a capital cost on that land, which had previously been proposed for residential development as part of Gungahlin, it runs into many millions of dollars. We are prepared to forgo that income in the interests of developing an important addition to the Canberra Nature Park.

While I am on my feet, Madam Speaker, I take the opportunity to advise the house that today I formally launched the Government's environment budget, which draws together all the elements of the environment. It has become a very comprehensive document, a document that very well demonstrates the commitment of the Labor Government to the protection and enhancement of Canberra's environment, so that many years down the track it will still be a wonderful place in which to live - perhaps even better than it is now, and that is saying something.

Government Service - Staff Cuts

MR DE DOMENICO: My question is to the Chief Minister, and I refer the Chief Minister to the answer she gave to Mr Kaine's question. It appears that it is now the responsibility of the public service and public servants in particular to determine whether there will be any staff cuts. Should the redeployment and voluntary redundancy methods both be exhausted and the decision be that more staff cuts should be required, would the Chief Minister stand by the decisions made by those public servants and ensure that there is no political or other interference to make sure that those decisions are adhered to?

Mr Berry: On a point of order, Madam Speaker: That is hypothetical.

MADAM SPEAKER: Mr De Domenico, you are not really allowed to ask questions of a hypothetical nature. I clearly heard you say, "Should this, that or the other happen". If you would like to read the question again, I will listen carefully.

MR DE DOMENICO: I refer to the answer given by the Chief Minister when she suggested to Mr Kaine that the Government had no intention of making any staff cuts but that she had given various amounts of money to various sections and that they were to determine whether there were to be staff cuts. My question is: Should those public servants now determine staff cuts - - -

Mr Berry: You are becoming hypothetical again.

MR DE DOMENICO: When they determine that there will be staff cuts, will the Chief Minister assure the Assembly that she will likely not interfere in those decisions?

MS FOLLETT: I am afraid that I am at a bit of a loss as to the nature of Mr De Domenico's question. If his question asks whether I will interfere in a political manner in a staffing matter, the answer is no, I will not. If his question asks what action will be taken where a program manager or managers apparently fail to live within their budget, that is hypothetical. I have made it abundantly clear, I believe, that I expect program managers to live within their budgets, and I believe that the budgets that they have been given are livable with. I do not anticipate the course of events Mr De Domenico is referring to. I think also that it is rather early in the day for him to be anticipating such a course of events.

Birthing Centre

MRS GRASSBY: My question is directed to the Minister for Health. In a report in the *Canberra Times* on 14 September quoting from the Australian Medical Association publication, a Canberra doctor claimed that the birthing centre services are provided at the expense of other maternity services such as the labour ward. Is this true?

MR BERRY: I opened the birthing centre early this year. The number of deliveries at the birthing centre has fluctuated from seven in January to 18 in July. This compares with the numbers of confinements in the delivery suite, ranging from 250 in April to 311 in January. The *Canberra Times* report was meant to give the impression that the birthing centre staff are underutilised. This is simply not true. In fact, when workloads in the birthing centre permit, staff are deployed to the delivery suite or to other areas of the hospital. The centre provides antenatal care and parent education. Antenatal care occasions of service increased steadily, from 22 in January to 134 in July. Parent education classes have more than doubled, from 22 in January to 48 in August.

The article inaccurately reported that the average length of stay was three days. The average length of stay for April, the most recent figure available, was 5.085 days. Members may be aware that the basis of the birthing centre's length of stay is one day. The length of stay figure raises an interesting issue for the ACT. I refer to the attitude of some to the birthing centre. The centre has attracted criticism from obstetricians. Only one obstetrician makes regular use of the birthing centre. There are, however, 10 general practitioner obstetricians who regularly attend deliveries at the centre.

When we look at the factors that contribute to the average length of stay, it is difficult to ignore the rate of caesarean sections, which is very high for the ACT. According to the latest *Australia's Health 1992*, published by the Australian Institute of Health and Welfare, some 26.3 caesarean sections per hundred live births are recorded for the ACT, compared with a figure of 16.9 across Australia. No other State reports a figure as high as the ACT's. I am proud of the birthing centre because I believe that it provides a valuable service to the women of Canberra.

Mr De Domenico: Madam Speaker, I ask the Minister to table that document. He read it so fast that I did not hear what the answer was.

MADAM SPEAKER: It will be in *Hansard*. It being 3.00 pm, pursuant to the resolution of the Assembly of 15 September 1992, I call on executive business.

APPROPRIATION BILL 1992-93

Debate resumed from 15 September 1992, on motion by **Ms Follett**:

That this Bill be agreed to in principle.

MR KAINE (Leader of the Opposition) (3.00): Madam Speaker, I have pondered at some length in the last 48 hours on the question of what I should say about this 1992-93 budget. I find it very difficult to comment on a budget that was dead on arrival.

Ms Follett: I think we have heard that before.

MR KAINE: No, that one is original. It is difficult to make a profound commentary on the Follett budget because it is so thin in content and one that must disappoint almost everyone in the Territory. It is a do-nothing budget that fails to set in place any major initiatives but seeks only to maintain the status quo. It is, unfortunately, a budget reflective of the pattern set by earlier Labor government budgets brought down in this Territory since 1989. It is the principal reason why we will find ourselves facing increasingly difficult times in the very near future, with reducing capacity to take flexible action as the timescale for decisive budgetary action becomes increasingly compressed.

I have had reason before to describe Follett budgets as nip and tuck budgets. I am sure Ms Follett will remember the words.

Ms Follett: They were my words.

MR KAINE: They were your words, indeed. They display no great initiative but rely on balancing the recurrent budget by nipping little bits of money from one program and tucking them into others. This is essentially a directionless way of budgeting. In good times it may be that such undirected activity does not do much harm because it at least maintains the existing level of inactivity, but with a few added bits of embroidery. Unfortunately, we are at a time when bold leadership is required, and this Government is not providing it. The nip and tuck approach simply will not suffice.

The budget fails abysmally to address the major problems of the Territory. The essential restructuring that the ACT needs to meet future demands and which the Alliance Government began has been abandoned by Labor. The reductions in Commonwealth funding that we know will occur each year have not been addressed and no new direction is established. Through continuing Labor decisions, we are running down our reserves to meet consecutive budget gaps. Last year alone, \$53m in one-off transitional payments from the Commonwealth, as well as a further \$25m worth of reserves established by the Alliance Government, were spent to overcome that year's budget gap. Those funds cannot be replaced and their loss will cost the ACT dearly in the future.

This year the Follett Government is borrowing prudently \$23m, and that is fine. At the same time, it is using an additional \$21m from Consolidated Fund reserves to assist in producing yet another balanced recurrent budget and to maintain a reasonable level of capital expenditures. Meanwhile, the Government gives the impression that the mandatory adjustment to reduced Commonwealth funding is a fiction, because they are doing nothing about it. We simply cannot continue to

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deplete our reserves like this, and I suspect that we are just about at the bottom of the barrel. There cannot be too many reserve funds left. This Follett Labor Government has to acknowledge the facts of life: The reduction in Commonwealth funding demands major structural reform, and nipping and tucking year by year will not do it. We must meet the inevitability of a further reduction in Commonwealth funding of the order of \$80m over the next four years - \$20m a year for each of the next four years, on average - not by exhausting reserves but by effecting real change and by real consequential reductions in expenditure.

Sadly, the budget does not offer the ACT community any solutions to the deep and difficult problems we have to face sooner rather than later. The proposed reductions in public sector spending are non-specific. The Government has abdicated its responsibility, and the public service is left with the job of achieving the 2 per cent reduction determined by the Government as being necessary in recurrent spending by whatever means the public servants consider to be effective. The Government has abdicated its responsibility for delivering budget outcomes and it has abdicated responsibility for the results. It fails to provide leadership to the public service and to the ACT.

The Government fails to convey any sense of confidence that it is in control or has any idea about where we are going or why. In many departments there will be reductions as the professionals of the public service implement the Government's vague agenda to the best of their ability. I am compelled to ask why the public service should be made responsible. Why should they be forced to determine, for example, that perhaps 30 people should be axed from the Education Department or 50 from Health? That is a government responsibility, not a public service responsibility. The Government is responsible, and it should shoulder that responsibility and not try to shove it off onto its public servants. It must also accept responsibility for any failure to achieve results.

I have indicated my concern at the Government's reliance on spending our reserves to prop up a false and unsustainable level of activity and service delivery. Spending our savings denies us a return on the potential investment of that money. It delays the restructuring that is inevitable and essential. It gives a false sense of security about our ability to sustain our current levels of expenditure. Worse, it ignores the real need to stimulate private sector activity and diversity as the future source of jobs and government revenues.

The Government's approach in this budget has been presented clearly and can be seen for what it is. It is directionless, it is visionless, it is paralysed, and it is vulnerable. It has satisfied nobody. I will cite just a few comments. The Trades and Labour Council has recognised the budget as manageable but failing to create enough jobs to pull Canberra up by its bootstraps. That is from the Labor Party's supporters. The Housing Industry Association has said that the budget has failed to address market reality and will not address Canberra's future needs. The Canberra Business Council has said that the budget lacks leadership and takes no action to restructure in depth. It is a budget characterised by lost opportunities and lost savings. It is the budget of a big taxing, big spending government.

The Chamber of Commerce's view is that adjustments have been made at the margins but that major decisions have not been taken, and the chamber has specifically referred to problems in health, in education and in ACTION which are being ignored. Dr Chessell from Access Economics characterised the budget

as balanced but unadventurous and not addressing the need for restructuring to meet our future lower level of Commonwealth funding. Ian Davis from the *Canberra Times* called the budget cowardly, containing no monumentally bad decisions - in fact, containing virtually no decisions at all. He said that the budget fails to address future adjustments to reduced Commonwealth funding. There is a common thread there. Despite the Treasurer's claim that it is a caring and socially just budget, even Dr Tomlinson from ACTCOSS says that it does not go far enough.

These comments collectively condemn this dead-on-arrival budget. But the most critical assessment that can be made of a budget in a period of recession, presented by a government faced with the inescapability of major reform, is well deserved: It is a budget of wasted opportunities. The budget not only does nothing and wastes opportunities; I believe that it also runs a grave risk of not meeting even the lacklustre targets set by the Government for itself. The assumptions about receipts and revenues may well be too optimistic. The 2 per cent growth forecast for 1992-93 is modest and there are signs of recovery in the economy. But those signs are weak, and the ACT is not showing the same level of recovery as the rest of Australia.

There is some question, then, about whether that growth is assured. Reliance on last year's growth as an indicator is not reliable because the ACT's economic performance last year was supported by strong housing sector activity, which is showing signs of slower and uncertain growth for the major part of this year. The Treasurer's optimism about the falling rate of unemployment expressed in her budget speech is scarcely justified. It is an optimism that I for one do not share, and I do not think a lot of other people share it with her either.

The balanced recurrent budget with which Ms Follett is obsessed to the exclusion of all else will depend on the public sector restraining expenditure by an aggregate 2 per cent, and there is real doubt that this can be done. As an example, the Follett Government's own recurrent health expenditure last year exceeded budget estimates. The estimate was \$211.7m; that is what was appropriated by this Assembly. The Government's own budget figures, released two days ago, show an actual expenditure of \$222.3m; that is, an overexpenditure of \$10.6m compared to what was appropriated a year ago. There can be no better expectation that expenditures will stay within the budget parameters this year. In government schooling expenditure, similarly, the estimate was \$184.4m; the actual expenditure was \$188.4m, or an overexpenditure of \$4m. Their record in achieving their own budget control is not very good. It is noteworthy that there is no forecast of reductions in government school expenditures for this year, and only a one per cent reduction in health.

Without significant reductions in health and education expenditure, the budget outcome must be in doubt, since together they represent about 40 per cent of the recurrent budget. The business rules for the health program, for all practical purposes, guarantee additional funding for that program in 1992-93 simply for the asking, although one must ask why that is so. I remind the Assembly that on the Government's own figures, which I quoted a little while ago, some \$10.6m more was spent in health last year than was originally budgeted. That expenditure is now built into the health budget base, before any other additions are made.

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Indeed, the unforeseen and uncontrolled revenue benefits that rescued the Government from a deficit last year have also been built into the budget base this year. Consequently, there is a question hanging over the achievability of the receipts for 1992-93. Last year there were many revenue items that actually underachieved. Land tax, stamp duty on leases, life insurance premiums, motor vehicle registrations, franchise fees on X-rated videos, financial institutions duties, and parking and traffic fines were all below budget expectations. Why would we expect that they will reach yet higher levels of achievement this year? The recession remains in place, business activity is low generally, and these figures are extremely fragile. I believe that the assumptions made in framing this budget are extremely fragile. They depend on growth in the economy, continuing recovery in consumer confidence, costs in the public sector remaining within estimates, and receipts achieving estimated levels. These are all variables in which only a very naive, or perhaps courageous, Minister, in the terms of "*Yes, Minister*", would place great confidence.

The budget fails to stimulate or provide any incentives whatsoever for the ACT economy. It fails to redress our unemployment crisis. Essentially, the Government has responded to unemployment not with jobs but with training schemes and short-term work experience programs. It has responded to the need for economic stimulation with schemes to plan for activity at some time in the future. The estimates of job growth in the budget are also optimistic. The 2,000 jobs estimated to flow from the Commonwealth construction program, specifically York Park, will occur in the ACT, but most will not be available this year; neither will there be any guarantee that the jobs will result in 2,000 - or any - fewer faces on our unemployment queues. Some of those jobs will go to the existing employees of successful contractors and immigrant unemployed workers will take some of the remaining jobs. Of those jobs available to our local unemployed, many may not be suitable for the skill levels of our young and long-term adult male unemployed. I submit that there is not much joy for our unemployed in that project.

Of the other jobs the Treasurer spoke about, many are training jobs, not real jobs that result in long-term employment. For example, the 30 young people to be employed under the Government's special youth employment initiative will have jobs for only six months. What happens at the end of the six months? They go back on the unemployment queue. The Government claims that some 500 jobs will be created through their public works program. The realities of today's economic circumstances may well prove this claim to be illusory as contractors competing for this work contain their operating costs to a minimum, in many cases bidding merely to keep their businesses alive and leaving no capacity for additional employees. They, like the Government, are obliged to do more with less, hence those additional jobs may not materialise.

Support for the private sector is almost non-existent in this budget. The Government offers only the casino, the freight handling facility, and development of projects with Optus and Telecom as indicators of the budget's contribution to the private sector. The casino, as we all know, has been in development for several years and cannot be claimed entirely by this Government as its own initiative, although it may generate jobs this year. The freight facility will be welcomed, but it is certainly a long-term project. It is a long time into the future, and we do not see any jobs likely to emerge this year.

The cooperation the Government speaks of with Telecom and Optus is also a welcome development if it leads to a major new business presence in the ACT, and particularly in the short term. But it also will have little impact on the ACT economy this year. When you boil it all down, there is not a lot there.

Unfortunately for the private sector in the ACT, there is nothing in the budget but an increased financial institutions duty, a business incubator at Kingston and funding for the National Industry Extension Service. I concede that these are valuable and I welcome them, but they are hardly enough to make any significant impact this year. I think it would be fruitless to examine the small number of programs the Government will be supporting by the provision of the odd \$250,000 or \$500,000 a time. The budget papers identify them; but, taken together, they contribute only marginally.

I believe that I am obliged to make some observations about what might have been done and what still remains to be done by any government that has the heart and the vision to administer the ACT as it must and should be administered. My comments relate to the two essential and interdependent halves of the whole. In summary, they concern the public sector, which must be reduced significantly in size, and the private sector, which must be stimulated to grow in both size and diversity. The Government's management approach to the public sector is clearly to abdicate from active intervention. Where specific strategies have not been identified - and I use the Chief Minister's words - and few have in fact been identified, the Government relies on its public sector managers to determine how the prescribed 2 per cent saving will be met. No specific strategies have been published, other than a non-specific restructuring, with staff redeployment rather than staff reductions. With some 60 per cent of recurrent costs in salaries, that strategy is likely to be of only limited success.

The other restructuring initiative - and I use the word loosely - is to increase the training levy from 0.5 per cent to one per cent of salary. I do not know what contribution that will make to jobs. A new human resources management system is to be introduced to provide more efficient personnel management, at a cost of \$3m this year and \$1m next year. That expenditure will still not reduce the size of the public service or address the functional issues that need to be dealt with. It might allow the Government to come up with some accurate information about personnel, but that is all it will do. Then there is the initiative to reduce energy consumption. Although one is tempted to refer to turning out the lights and using only pay telephones, energy efficiency, of course, is to be encouraged. Unfortunately, even an exceptionally efficient public service that remains in its present configuration will be too big and too expensive for the ACT to afford for too long.

The Government must cease putting its head in the sand, hoping that the future will go away. The future is here now, and we must deal with it now. This budget has wasted yet another year of time that we can ill afford. There is a difficult but clear alternative to the Government's budget, and that is to take action now to reduce the physical size of the public sector; to identify redundant functions that need not be performed at all and discontinue them; to identify those services that can be provided just as well by the private sector, yet with benefits flowing from employment, growth and diversity; getting the costs of these services off the public purse by contracting out or by unqualified privatisation, which should be done swiftly; and moving corporatised functions away from being a cost to the government purse - indeed, they can become contributors through dividend payments, as ACTEW already has.

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Action initiated by the Alliance Government to corporatise ACTEW and forestry operations should be reactivated and other functions such as some elements of ACTION should be assessed for corporatisation. This Follett Labor Government should have no qualms on this subject. They should simply observe the performance of their big brothers over the lake as a guide to action. The Government must undertake an urgent, wide-ranging review of the public sector to identify functions that could be handled better and at less cost to the public purse through adopting these strategies. The organisational arrangements for those functions retained in the public sector must be restructured to ensure maximum effectiveness and efficiency in service delivery, concurrently with the review and reorganisation of the public sector.

While that is going on, the private sector must be stimulated and encouraged to diversify. The Government must review the tax burden on business, with the aim of reducing the current level of taxes that impact with negative effects on productivity and investment. Taxes such as land tax, payroll tax and financial institutions duty discourage and depress investment and productivity. Government programs of compulsory training levies and superannuation guarantees and such activities as occupational health and safety programs all discriminate against and provide disincentives to business growth. The Government must also review fees and charges and regulations that impact on business and economic activity. The time taken to process business applications, inspections and licences must be reduced, and impediments to business initiatives must be removed. It should be determined whether many of these processes are needed at all, whether they can be dispensed with, and whether they can be treated in a different, less obtrusive way.

The Government must consider strategies by which savings from reductions in the size and activities of the public sector can be used to stimulate and motivate the private sector. The private sector, not the public sector, will be the provider of jobs and the generator of government revenues in the ACT in the future. Savings could offset tax reductions; employment programs could be funded from retained taxes. Whatever the arrangements, the net effect must be to transfer activity from the public sector to the private sector and to reduce the costs of government. The Government must divest itself of dead assets or underused resources, in whatever form, and turn the proceeds to productive use. As an example, capital assets not fully used in the public interest - dare I suggest even school properties - must be realised.

I have been critical yet, I hope, constructive in my comments. I do not want to let the opportunity pass without giving credit where it is due. The Government has presided over a surplus, albeit small, in 1991-92. It has brought down a budget for 1992-93 that provides some sectors of the economy with support and encourages some hope for another year without significant deficits, if it can manage to achieve its targets. However, sadly for the ACT, there is cold comfort in the knowledge that we are all in the same boat, becalmed in a deep fog without a paddle. We know, to our regret, that soon - maybe not this year, but soon - we will be woken from our torpor to the reality of a day that is harsh and unforgiving of our indolent past. We need a vision for our future that we can put our faith in, one that we can direct our energies to. I put the Government on notice that, if they fail to provide this, my Liberal colleagues and I will. The community deserves better.

Madam Speaker, before I sit down, I would like to note the presence in the chamber of Senator Ian Macdonald, a senator from Queensland and shadow Minister for local government and the ACT. Through you, I would like to welcome him to our chamber.

MADAM SPEAKER: Welcome, Senator.

MR MOORE (3.23): Madam Speaker, it is with pleasure that I rise to comment on the Appropriation Bill. In looking at this budget, I think it is important to note that what we see originally is a careful, responsible, balanced budget. In 1989, Labor had no numbers to guarantee their budget - you will recall that, out of 17, they had five members - and they presented a careful, responsible, balanced budget. In 1990, the Alliance, led by Trevor Kaine, did have the numbers, and they also presented a responsible, careful, balanced budget. In 1991, again with no guarantee of the numbers, Labor provided a careful, responsible, balanced budget.

This year, as far as this Bill goes, Labor had the numbers absolutely guaranteed, no question whatsoever, and they delivered a careful, responsible, balanced budget. What consecutive governments have done on each of those occasions is to take the 1988 bureaucrats' budget and fiddle with the edges. We heard the Leader of the Opposition talk about nip and tuck. What is different about this year is that this Labor Government and this Chief Minister had the opportunity to do something different, to put their mark on a budget, to deliver something that reflected their strategy. Madam Speaker, this is the budget of opportunity lost.

There is nothing particularly wrong with the budget, except that it is a short-term budget that lacks any long-term strategy. That is to be expected, of course, because there is no long-term strategy coming from the Government. Perhaps after Ms Szuty's motion, which was passed by the Assembly, we will start to see the development of a strategy. Next year we may see a better budget and not have this same opportunity lost. The opportunity was there to have a significant impact on micro-economic reform in this budget. Instead, what we have is a careful, responsible and balanced budget. It does do those things; there is no question about it. But what it does not do is put the mark of the Government on this financial situation.

Trevor Kaine offered a series of alternatives in his speech on the budget, and I imagine that those alternatives would be entirely inappropriate for this Government because they are conservative in their character. I can understand why Rosemary Follett would not go along those lines. But I would have expected something quite different, because in its nature this budget is conservative. It is conservative in the sense that it does not seek to make very many changes.

The other thing about this budget, as I go through it piece by piece, is that we need to look at what it was intended to do, and that is to provide jobs. Speaking on previous budgets, I have suggested that it would be appropriate to take money from the capital budget and transfer it to the recurrent budget. In this budget the Government has done just the opposite, and in a time of deep recession I agree with it. I accept that there is a difference in the economic background which required a move of that nature because this is supposedly a budget of jobs. There are some real jobs created by this budget; there is no question about that. But there is a certain lack of openness about those jobs.

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In the Chief Minister's speech and in her answer yesterday to a dorothy dix question from either Mr Lamont or Ms Ellis, there were a number of comments about the 220 new places this year in government employment and training schemes. Let us make it quite clear, when we talk about employment and training schemes, that what we really mean has nothing to do with employment schemes. These are training schemes for employment, and that is where there is a lack of clarity. The average expenditure on these - this follows the interjection I made yesterday - is of the order of \$11,000 per person. I wonder how many unionists - and a number of the Labor members here have come out of the unions - would support anybody earning \$11,000 a year? Should that be considered to be a reasonable aspect of some employment scheme? They are not employment schemes, of course; they are training schemes.

The ACT youth conservation corps gets \$2m in 1992-93, which will provide 40 places this year and 80 places in a full year. So we are talking about an investment of some \$2,500 each. If you work the figures the other way round, you could argue that it is \$5,000 each. Either way, it is hardly the sort of money that is providing jobs. It is providing training. But what is the point of training when there are no jobs to be trained for? What was most important - and it could have happened, but the opportunity was lost - was to provide real jobs in a long-term sense. Real jobs were provided by the increase in capital expenditure in the area of housing construction. There is no question about that, and the Government deserves congratulations on that. But those jobs are by their nature short term. They last as long as the particular construction lasts.

What we need in the ACT is a strategy that provides for long-term jobs in the manufacturing industry, and increased jobs in service to government, particularly in providing excellence in technology. There is no question about the amount of money the Commonwealth Government, and the ACT Government to a very minor degree, expends in terms of high technology. It is an area where the ACT is positioned particularly well because of the universities. We already have people with the understanding of high technology and we have the ability to bring manufacturing industry into the ACT. Here was another opportunity lost.

Turning to education, it seemed to me that comments in this morning's newspaper also referred to opportunities lost. While under Trevor Kaine and the conservative Liberals we would no doubt see cuts to education, and we heard the business sector talk about cuts to education, it surprises me that we should also see cuts to education from this Labor Government. According to this morning's *Canberra Times*:

The President of the council, Pam Cahir, says cuts to expenditure on the schools' budget would amount to 2.5 per cent, not 1.8 per cent as projected by the Government, over the next year and in real terms was more likely to be something in the order of 4 per cent ... taking into account higher enrolments against a background of an unchanged level of resources.

Mr De Domenico: Who said that?

MR MOORE: It was the president of the Council of Parents and Citizens Associations, Ms Pam Cahir. What we expect here is a government that will take opportunities to ensure that their basic philosophy is incorporated in improving equality of opportunity for all. Equity in social justice starts first and foremost in equal opportunity in education. With a real reduction in education instead of a significant increase in education, what we see is the loss of opportunity, the loss of equity, and a backdown on social justice.

On page 13 of the Chief Minister's speech is this statement in relation to education:

The longer term funding arrangements for non-government schools will follow from our consideration of the Berkeley Report.

The Government now has the Berkeley report. They have had time to consider it; and they could have responded appropriately to it in this budget. It is an opportunity lost. When I speak of opportunities lost, I am also very conscious of the fact that what we have is the first budget of a government that is in power for three years. We have fixed term elections; we have three years.

Mr De Domenico: That is up to you.

MR MOORE: Both Ms Szuty and I independently have stated again and again that we will support Rosemary Follett, the Chief Minister, and that we will pass this Bill, along with the Supply Bill, without amendment. You have that commitment; there is no question about that commitment, and I reiterate it, appropriately, in this speech. I reiterate it particularly at this time, when I talk about opportunities lost, so that next year, when you think about a long-term strategy, and you now have 12 months to plan for it, you can have a look at opportunity and be ready to grasp that opportunity and take it.

One area where there is an attempt to take that opportunity is community support services, where there is approximately an 8 per cent increase in the budget. In that area it is opportunity taken, and I congratulate the Government on that. But let us put it in perspective. It is a Federal Labor government that has given us a recession, that has turned out the unemployment figures we have, that has given us problems with housing, that has created the problems that require a significant increase in community support services. Nevertheless, congratulations do apply, and it would be churlish of us not to apply them at the appropriate spot.

In terms of law and order, we should also look at the finances that have gone into crime prevention. It is crime prevention that our police forces have been working on in practice, and that is one thing that distinguishes them from many other forces throughout the world. If the Australian Federal Police were to compare themselves to other police worldwide, I think they would find that they are world leaders in terms of crime prevention and community policing. That is something that needs to be encouraged and improved. The Minister for police, although he probably does not like to use that title, has put money directly into crime prevention, and the focus on that area deserves congratulations.

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In the Attorney-General's area, the program objective for the administration of justice states:

To ensure access for all individuals to fair, impartial and equitable systems of law and justice within the Territory.

It is a noble objective, but unfortunately the opportunity has been lost to take major steps to meet that program objective. We are aware of how inequitable it is for the people of the ACT in terms of access to justice, in particular, to the courts. That is the subject of review by our Legal Affairs Committee, and I hope that we get to it quickly.

I think it is appropriate to make some general comments about key performance indicators. (*Extension of time granted*) I commented on this matter at question time, and I would like to reiterate it in the overall budget context. It is very refreshing that the budget this year is so much easier to read. For those of us who were in previous Assemblies, it really is a major step forward in readability. For those of you who have not looked at a budget before, that is probably hard to believe. In fact, it is much more readable than previous ones.

I am concerned, as was shown by my question at question time, about the removal of the key performance indicators, particularly in the light of the fact that we have so few agencies' annual reports. With those annual reports we would be able to see the performance indicators, we would be able to see how the managers have performed, and we would be able to determine whether or not the budget and the performance indicators are appropriate. I remember asking question after question of the now Leader of the Opposition, then the Chief Minister, and his reply so often was: "We let the managers manage and we measure them against their key performance indicators". I have no problem with that concept; it is a quite good concept. But, if we do not have any key performance indicators, how can we assess whether or not the managers are managing? We have a responsibility to do that. My question at question time had an appropriate reply in the first stage from the Chief Minister, who said "Yes, we will provide whatever information you need for the Estimates Committee", and I foreshadow that it will be information we need.

Her second reply did not answer the question I asked - not that that is a huge surprise. The question was, "We want to know what the performance indicators are. How did you get to this stage without knowing what the performance indicators were?". I think that says something, but fortunately we have the system of accountability in the Estimates Committee, and that system will provide us with the opportunity to assess and measure performance. The community can then understand whether or not the money is being spent wisely.

It is important for us to compare the outlook with the outcome. In these budget papers we have the outlook for this year and the outcome from last year. What we need to do is go back to Budget Paper No. 5 from last year and compare what we saw as outlook then with outcome for this year. That is another role for the Estimates Committee. I conclude my speech by saying that it is in the Estimates Committee that I look forward to going through these papers much more carefully, and to questioning both the Ministers and their bureaucrats about the details of their government. It is through the Estimates Committee that we can hold government much more accountable. I think it was one of the most successful exercises of the previous Assembly, and I hope that that success will continue.

MS SZUTY (3.42): Madam Speaker, in preparing this speech in reply to the budget, I have drawn on my response to the budget strategy put forward by the Labor Government in June of this year. One of the key areas that I feel is an important government initiative is the need for a three-year strategic approach to be taken to the ACT budget, and my colleague Mr Moore has drawn attention to that. I acknowledge that the forward estimates have been included in the budget papers. But we have no vision of what this Government feels the ACT will achieve in the next three years, except for mention of a 2 per cent per annum reduction in recurrent operating funds for most programs over the next three years.

What we are offered at the end of each program in terms of an outlook for forward years is more of the same, with no targets, aims or plans of action identified. There are exceptions. ACT Corporate Management talks of the challenge of reducing expenditure by 2 per cent per annum over the next three years. Environment, Land and Planning have outlined that they need to reduce expenditure by the same amount. Community Services have outlined their programs and they say that they need to find one per cent efficiencies over the triennium. Fire and Emergency Services have restored my faith in forward planning by listing a set of goals that they feel the service should achieve in that period. For the rest, words such as "continue", "develop" and "review" are prominent, with the feeling that we are going to have much more of the same.

Over the next three budget years there is an estimated decline in recurrent receipts from the Commonwealth from \$601m to \$518m. In this same summary of receipts we see a decline in other recurrent receipts and an increase in taxation. We see some of the planning for future years in a more detailed look at the figures, with revenue from payroll tax, general rates, land tax, financial institutions duty, the new casino tax, and motor vehicle taxes and registration making hefty contributions to this rise. I do not read these figures as an increase in these taxes; nor do I detect a vision for Canberra, except to see more of the same.

The future outlooks of the various programs, despite their mention of achieving reductions, have not approached the need for major restructuring of the ACT Government Service. I am aware that the Chief Minister has put great faith in the bringing on line of a computerised personnel system to help identify the size of the ACT public service, which is estimated at 22,000 or less. While we may indeed have to wait for more accurate records of the number of public servants on the payroll, there is an imperative to ensure that the public sector is as lean as service provision will allow. While only addressed obliquely in this budget, work may need to be commenced on major restructuring initiatives, with the involvement of peak community groups, unions and the general community, so that when the computers identify our public service numbers we have agreed on strategies for restructuring.

Another key area of importance I was looking for in the Government's budget was a careful examination of the social justice needs of the community. These have been addressed to some extent. We have improved access to training and jobs, particularly for young people and women, providing community groups with funds to meet their superannuation and training costs, increased funds for pregnancy counselling, increased pastoral care for high school students, and the

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initiatives in the health portfolio. But in areas such as disability services we have only vague statements to rely upon about what will be developed as a result of the new Commonwealth-State agreement in this area, and there is no high schools development program funding as such, outside of the pastoral care initiatives.

One of the biggest omissions from the budget papers is information about the Government's intentions as they relate to urban renewal processes. We have some hints, the major indication being that the Government has a fully-fledged strategy, albeit not public, with the statement that in 1993-94 there will be an increase in population in part due to urban renewal. We also have a projected 50 per cent contribution from urban renewal strategies of new housing sites in 1992-93. The adoption of urban renewal strategies by the Government appears to be happening without regard to the finalising of the draft Territory Plan and consideration, accepted by this Assembly last month, of a long-term strategic plan for Canberra.

Any move towards urban renewal also needs an analysis of the community infrastructure that is necessary to support anticipated population growth over the next three years and over this budget period. This includes identification of community infrastructure in terms of schools, health centres, public transport infrastructure, open space, identification of town centre needs, sport and recreation facilities, and a timetable for implementation. As part of this process, it is important that the ACT Government commence an assessment of the structural assets we possess - a task mentioned in the Chief Minister's budget strategy statement. However, there is very little follow-up information provided in the budget papers which will allow members and the general community to assess whether this task is being undertaken, except again in the context of urban renewal.

I commend the Government on its community consultation process in the lead-up to the budget and hope that this will continue in the future. Many of the initiatives in the budget appear to have come from the input of the peak groups and organisations consulted, namely, the Canberra Business Council, the Trades and Labour Council, and the ACT Council of Social Service. The ACT Council of Social Service, for example, called for the recognition of the greater needs of students with disabilities, and the budget response has been to expand the integration program in schools. The council has also called for an increase in the Jobskills program, as did the Youth Affairs Network of the ACT. Some other suggestions have been answered at least partially in the budget. For example, the call for personal development programs for high school students by the Women's Consultative Council and the improved student welfare and counselling call from the ACT Council of Parents and Citizens Associations are in part answered by increased pastoral care in high schools.

In broad and very general terms, it appears that the Government has taken community views on board and has attempted to meet some of these expectations. This has been no easy task. The Government has adhered to its pledge not to borrow for its recurrent funding needs, a decision that may become harder to adhere to in years to come. I have said that this is a goal worth striving for if we are not to overburden the community with debt in years to come. The Government has taken the opportunity to increase financial institutions duty, a move I feel is quite legitimate. As a community, I feel Canberrans are learning very quickly what the real costs of running the Territory are and accept that revenue needs to be found to soften the transition to self-government.

Another important facet of this budget is the 2 per cent reduction in funding to most agencies - a sensible approach to finetuning management, provided that at the end of the day those agencies over budget have their operations reviewed through a stringent inquiry process. The community has become cynical about budget overruns, and we need to ensure that we build community confidence in the administration of the Territory. We can do this by open government, which accounts for overruns and questions those areas where budgets are exceeded.

Another part of the budget worthy of comment is, of course, the capital works program. Borrowing for this type of expenditure received my endorsement before the budget was handed down, as it is one area where a boost can be given to both jobs and the economy through increased activity. The Planning, Development and Infrastructure Committee recommended that an extra \$15m be spent on capital works projects as a means of creating some more activity within the economy, and I am pleased that the program has been increased from \$130m in 1991-92 to \$147m in 1992-93.

Two of the projects identified in the budget papers deserve particular mention. The first is the refurbishment of South Building as the home of the ACT Legislative Assembly. It is pleasing to see that a commitment has been made to this project. In the context of this project, in my opinion it is also necessary to review the siting of public service departments and to decide how best to accommodate the ACT public service in the future. The second project to which attention is drawn is the West Belconnen infrastructure works. The Planning Committee also recommended that this go ahead, but - and I stress this point - the committee recommended that it "would expect the Government decisions on the variation to the Territory Plan and any issues arising from the impact statements to be finalised before any actual construction work is commenced on this project". While I recognise the need for the Government to set aside money for this project in anticipation that it may go ahead this financial year, it is important that the community is informed of the Planning Committee's recommendations, and ultimately the Assembly's recommendations.

Another budget strategy initiative that I feel lacked elaboration in the budget was the identification of assets surplus to requirements. I note that there is some discussion of asset rationalisation in connection with urban renewal. However, this takes it out of the realm of income production or reuse for community use and places the issue in a development context. This does not give any hope for revenue savings in the short term - the context in which it was mentioned in the budget strategy. I hope that there will be more information on the identification of assets surplus to requirements forthcoming from the Government in the near future to help clarify this issue.

Moving from development to the provision of services, I congratulate the Government on its emphasis on service delivery rather than administration in addressing budget issues. It is important in social justice terms that we concentrate on service delivery to those most in need, particularly as we as an Assembly hold responsibility not only for State functions but also for municipal functions. With this dual function, it is important that we not get overly involved in mechanics but devote our energies and ever dwindling funds to providing the people of Canberra with the services they need in order to take part meaningfully

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in community life. We also need to show responsibility in the financial administration of these municipal functions, and it is here that we need some clearer direction from the budget process. I support the idea of full cost recovery for these services and encourage the Government in supporting the efforts of ACTEW to bring the provision of water into line with its other services, that is, operating at a profit, not a loss.

The other area of ACT economic activity that I note the Government has given active encouragement to is tourism. Again, as a member of the Assembly's Tourism Committee I am pleased that there has been a \$2m increase set aside for marketing the ACT as a tourism destination through the Tourism Commission. In conclusion, I feel that this budget sets a fairly straight path for the ACT for the next 12 months. We are still feeling our way through the recession, and the emphasis in this budget on employment and economic growth has been appropriate. I hope that as the economy recovers from the current hard times there will be scope for further enhancing the community and social welfare aspects of the Government's economic blueprint.

MR LAMONT (3.54): Madam Speaker, I suppose that it is always a question of measuring what one hears in this Assembly from one side of the house against what one hears from the other. I am afraid that the budget response this afternoon from the Leader of the Opposition reminded me of that old adage: The more things change, the more they stay the same. I will go on to elaborate on that. For the edification of the house, I should indicate where that came from. It is a quote from a Visconti film, *Il Gatto Pardo*, which means "the grey cat". Unfortunately, the response this afternoon from the Leader of the Opposition, in my estimation, means that the title I conferred on him previously - the Silver Fox - has to be adjusted to reflect more accurately the movie from which my quote came. I am afraid that it now rates with the grey cat, and that is unfortunate. However, it could be propitious because the person who played the lead in that film was Anthony Quinn, and late in the afternoon, when the light in the corner is coming through the right way and the Leader of the Opposition flashes across the room, there is a passing resemblance to Anthony Quinn - who played a colonel in that film, by the way.

When I say that the more things change the more they stay the same, it is not that Mr Kaine has not been wont to change his tune from time to time. Any reader of the ACIL document will testify to that. It is just that Mr Kaine's changes always involve coming back full circle. The reason for this is clear. Despite the meek protestations by the local Liberals, the Federal coalition has effectively made the ACT branch of the Liberals redundant. We can all remember when Colonel Kaine got his orders in May this year. Allow me briefly to remind the Assembly of what those orders said.

Mr De Domenico: On a point of order, Madam Temporary Deputy Speaker, I respectfully say to you that, notwithstanding the interesting things that may have been contained in the ACIL document, what that has to do with the budget I am blown if I know. Would you please rule on that?

MADAM TEMPORARY DEPUTY SPEAKER (Mrs Grassby): Mr De Domenico, I will let Mr Lamont go further. He has not quite finished the sentence, and I think we should hear the rest of it.

MR LAMONT: Allow me to remind the Assembly of what that ACIL document had to say - and it is interesting, bearing in mind Mr Kaine's comments about the budget:

Up till now the ACT economy has achieved above average growth, due to the influence of federal government expenditure ...

The [frightpack] package implies a considerable winding back of government expenditure and, perhaps more important, employment of Commonwealth public servants ... Within the ACT itself, the Liberal Party needs to recognise that a much reduced role for government is in the national interest.

There we have it again from when Colonel Kaine was told to pull the pin: "Go out there, Colonel, and tell the people of Canberra that it is - - -

Mr Kaine: On a point of order, Madam Temporary Deputy Speaker: If he wants to use my rank, it was group captain.

MR LAMONT: "Go out there, Colonel Group Captain Kaine, and tell the people of Canberra that it is in the national interest that they should be made to suffer. End of transmission; eat this correspondence". That was the subject of the message. No matter that this is based on one of the crudest and most politically distasteful attacks on the citizens of Canberra, which is designed to make them a hated minority on which to blame the recession.

Mr Kaine protests that his policy is all his own work; it is all part of his own imagination. Let us look at the type of language that is used throughout all their documentation and all their presentations: Competition, choice, consumer benefits, individual self-reliance, incentive. Let us go back and remind ourselves of the orders from ACIL:

Liberal philosophy, especially as embodied in [frightpack] aims to build on the positive elements ... A succinct statement of this philosophy needs to be distilled and oriented to the ACT situation. Most of the items can be drawn directly from [frightpack] and the key watchwords are:

competition, not privilege - - -

Mr De Domenico: I raise a point of order, Madam Temporary Deputy Speaker. I respectfully suggest that, if Mr Lamont is going to quote from any document, he should quote correctly. I am aware that Mr Lamont has difficulty in quoting and putting in various words; but, once again, let us have relevance, please.

MADAM TEMPORARY DEPUTY SPEAKER: I am sure that it was just a slip-up, Mr Lamont.

MR LAMONT: It was; it was a typographical error on this note, Madam Temporary Deputy Speaker.

Ms Follett: Madam Temporary Deputy Speaker, I take a point of order. Mr De Domenico insists on referring to relevance. May I refer him to standing order 58.

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Mr De Domenico: I am not the Temporary Deputy Speaker, Ms Follett. You might refer her to standing order 58.

MR LAMONT: We are talking here about the same words distilled into a local policy that has been used to encapsulate or to enshrine Fightback. That is all Mr Kaine really has to offer. He talks about incentives for business. Let us look at some of the incentives he and his party support: A \$30m cut to government research and advisory bodies in the ACT; a \$53.31m cut in ACT management services; a \$64.2m cut in Administrative Services in the ACT; a \$4m cut in sports funding in the ACT; a \$9.76m cut in government program advertising; \$104m to be lopped off Defence in the ACT; over \$17m cut from education in the ACT.

Mrs Carnell: What has this to do with the budget?

MR LAMONT: There will be \$12m off Health, Mrs Carnell; \$66m out of Industrial Relations in the ACT; \$5.83m out of Science and Technology; \$12.4m from Industry and Commerce. There are lots of incentives there for small business! They are the cuts you are supporting in the ACT. And you have the temerity to stand up here and criticise this budget. But let me go on. Not only can you not stand up here with any degree of propriety and talk about lack of incentive in our budget; what happens when your own figures and your own policies are used? It shows just how bankrupt your statements are.

Mr Kaine: I raise a point of order, Madam Speaker. Mr Lamont asked me, when I was leaving the chamber a little while ago, whether I was coming back. I am sure that he wanted me to hear what he had to say. I have not yet heard him say one word about his Government's budget. What is this debate about? I thought it was about the ACT budget, but he has not said one word about it yet. When are you going to draw him back to the subject of the debate?

MADAM SPEAKER: Mr Kaine, there is a very interesting standing order that I have now paid a little more attention to than before.

Mr Kaine: Did Mr Lamont draw your attention to it?

MADAM SPEAKER: No; it is because we have never discussed this sort of Bill before, Mr Kaine. Standing order 58(b) states:

... on the motion for agreement in principle to appropriation bills for the ordinary annual services of the Executive, matters relating to public affairs may be debated.

In other words, the digression rule and the irrelevancy rule are suspended. Thank you, Mr Kaine, for drawing it to my attention. I think standing order 58(b) does give us a little leniency.

MR LAMONT: Madam Speaker, they should crow as well. If I were sitting over there, after listening to the speech from the Leader of the Opposition I, too, would be hanging my head in shame.

Let us go on, so that the people of Canberra can get a true comparison between the proper, responsible budget delivered by the Follett Labor Government and what these people are proposing for them. Along with all of those other cuts, they are suggesting that there be a \$7.15m cut for Housing. I suppose that that says, "Don't worry about them; chuck them out on the street". That is what your

policy and your philosophy really mean. They are also suggesting that there be a \$13.6m cut from Primary Industries. The list goes on: \$34m from the Department of the Prime Minister and Cabinet; \$14m from Foreign Affairs; \$6m from Finance in the ACT. How about this one, Mr De Domenico? The policies you support will mean a \$3m cut out of Tourism and Aviation in the ACT. That is what you are supporting in your "frightpack".

All this comes to a grand total of \$514m, which your policy, Mr Kaine, the Fightback policy, which we all know will be a disaster for the ACT, proposes in direct cuts out of the ACT. That is what they are proposing as far as the ACT economy is concerned. That \$514m translates into over 1,000 public sector positions. And get this, Mr Kaine: This reduction of 1,000 in the public sector would result in the loss of about 550 additional positions in the private sector. That is the Kentucky Colonel's recipe - give us an additional 1,550 unemployed in the ACT. That is what he is proposing - a jump of more than one per cent in the ACT's current level of unemployment.

Even if we accepted the small-minded, feeble-bodied philosophy encapsulated in Fightback, which says that the Federal public sector has to be slashed, the fact is that the Liberals are not pursuing their slashing task equitably but will be making the people of Canberra the scapegoats for their master plan. What about their hateful rhetoric? Remember the kneecapping recommended by Peter Reith? This modern day minority-baiting is certainly backed up by the figures. The Fightback statement notes that there will be a dramatic reduction in what it refers to as "central bureaucratic regulation" and an end to accountability requirements for the TAFE and non-government schools areas. It is interesting to note - I will be surprised if this is denied - that nowhere in Fightback is there reference to cutting existing education initiatives. Therefore, the main avenue for making the \$173m cut in the national education budget proposed by Dr Hewson, and I understand supported by the ACT Liberals, will come from central office cuts.

Mrs Carnell: Yes.

MR LAMONT: You are supporting \$173m being taken out of our economy here in the ACT. Mrs Carnell has said yes, with much glee. So while the ACT typically accounts for about 24.4 per cent of the Commonwealth public sector, we can expect that the ACT will feel the brunt of cuts of around \$129.75m, or 75 per cent. And this Opposition have the hide to get up here this afternoon and condemn a responsible budget by the Follett Labor Government!

The same is true in Employment and Training. We can expect that the greatest portion of the Liberals' \$300m cuts - perhaps \$225m - will be borne here in the ACT. Industrial Relations shows us just how savage the translation of the Hewson rhetoric - the rhetoric supported by Mr Kaine and the Liberals - will be for the ACT. The Liberals propose abolishing the workplace reform program, the union restructuring program, and the workplace culture program. Reductions of 50 per cent in the industrial relations development and policy development programs and a raft of other cuts mean that, of the coalition's planned \$79m cut in this area, the ACT can expect to shoulder more than \$68.6m worth.

This is the real story of the response of these people opposite to the responsible Follett Labor budget. They have been too scared to come out and say what they would do to the economy in the ACT. I said at the beginning that it is a case of the more things change the more they remain the same. The Liberals have no

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alternative but to go on leave in the next three weeks, unless they have no leave, because they have nothing to contribute to the estimates process. It will show what they propose to do when they introduce the Kaine Fightback package for the people of Canberra.

I find absolutely incredible the conflicting messages coming from them. Mr Kaine is saying, "Ms Follett, you should be borrowing". Mr Humphries is saying to the Minister, "You should be allowing the police and so on to get more money". Mr Kaine says, "But you have to have smaller government". Then Mr Humphries says, "But you have to have smaller government. You have to cut back on government spending". I cannot follow how they can have any objection to the responsible budget issued this Tuesday.

MR DE DOMENICO (4.09): Let me try now to get the debate back to where it ought to have been before Mr Lamont stood. We are debating the Follett Labor Government's budget, not Fightback, or Mesopotamia or anywhere else. I do not need to go to any ethnic television producer or film producer to get my quotes, Madam Speaker, as did Mr Lamont in respect of Mr Kaine. I will go to the *Canberra Times*, which is closer at hand and is more reflective of what the people of Canberra believe than is a Spanish, Italian or French film director. Let me read what the *Canberra Times* said, Madam Speaker. I quote:

Yesterday's ACT Budget is the work of a government that is incompetent or paralysed - or both.

Let me repeat that, Madam Speaker: The budget is the work of "a government that is incompetent or paralysed - or both". That was said not by any movie director but by the *Canberra Times*. It went on, though, Madam Speaker, and I quote:

The Budget is an exercise in fiddling the figures; in postponing decisions that must be made if the ACT, in two or three years' time, is to have anything approaching an acceptable level of public goods and services; and in failing to take advantage of the slim opportunities, economic and political, which exist.

That is not from an ethnic film producer, or any other film producer, Mr Lamont, but from the *Canberra Times*. I will repeat that first line because it bears repeating time and time again:

Yesterday's ACT Budget is the work of a government that is incompetent or paralysed - or both.

How true those words are. As Mr Kaine said, what a wonderful opportunity it was for you people on the other side to display some vision and to do something. But what did you do? You did nothing. I do not blame you for that, because you have very good teachers who are teaching you what to do - the mob up on the hill there under Keating. I will shove it down your throats time and time again: We are in the worst recession that we have ever had in this country, not because of any Liberal government, not because of any Fightback, but because of the grim reaper up there, Paul Keating. We have the highest level of unemployed in Australian history, with one million people on the street, and in your budget you have done nothing that is going to improve that. That is a fact of life. I know that you are all reeling and cringing.

Mr Kaine: It is disgraceful.

MR DE DOMENICO: It is disgraceful. You are all cringing over it. You are all like shivers looking for spines to crawl up. That is what you deserve. That is the reality of life. Let us have a look at what the *Canberra Times* went on to say. It said:

... if only politicians would show some guts.

The *Canberra Times* - Ian Davis, in fact - called the budget a "coward's sleight of hand". We do not need to go to any film producers; the *Canberra Times* described it as a "coward's sleight of hand", and that is what it was.

Let us have a look at the unemployment figures. Ms Follett stood up in this place and said, "Listen, we are the best thing since sliced bread in this town and we are going to do everything we can to fix unemployment problems". She has done nothing at all about that. The ACT August ABS figures showed an unemployment fall of just 0.6 per cent in the ACT. In other words, there are still 12,700 people unemployed in Canberra. Youth unemployment rose, in fact, by 1.7 per cent, from 27 per cent in July to 28.7 per cent in August. There are 1,200 young people looking for work. Many have given up.

The Chief Minister agrees with me, I hope, that this budget was supposed to be about creating jobs in the ACT. I asked the Chief Minister the other day how many jobs are going to be created. We had some sort of answer this morning in the *Canberra Times*. I added them up and, if we are to believe the Chief Minister - as Mr Kaine said, it is very difficult to believe anything that this Government says - they total 1,141. This is if the Chief Minister is to be believed. If they all come to fruition - - -

Ms Follett: I take a point of order, Madam Speaker. I think Mr De Domenico's earlier remark about whether you can believe the Government is one matter, but whether you can believe me is another matter altogether, and I require that he withdraw that imputation.

MADAM SPEAKER: That is correct, Mr De Domenico. I have ruled that way before. I would ask you to withdraw the second of your comments, not the first.

MR DE DOMENICO: If this Government, led by this Chief Minister, is to be believed, Madam Speaker - - -

Ms Follett: Did he withdraw, Madam Speaker?

MADAM SPEAKER: Are you replacing that comment? Do you withdraw your comment?

MR DE DOMENICO: Yes, I withdrew, and I am replacing that.

MADAM SPEAKER: Thank you.

MR DE DOMENICO: If this Government, led by this Chief Minister, is to be believed, Madam Speaker, if we are to stretch the longbow and believe everything that this Government says, it may bring the unemployment level back to 11,559. What a wonderful thing to be walking around this town boasting

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about, that we still have 11,559 people unemployed! What a fantastic effort by this Government! It cannot use the excuse that it has been around for only about a year. Its members have been around for a long time.

As Mr Moore and Ms Szuty said, it was a wonderful opportunity for this Government to display some sort of vision; but what did it do? It did nothing. They are not my words but the words of the *Canberra Times*, and, as Mr Kaine said, the Trades and Labour Council - not necessarily supporters of the people on this side of the house. They did not have any plaudits for this budget; nor did Dr Tomlinson, the poet laureate of Canberra. Nor did the Business Council, or anybody else. It seems to me that the only people who really believe what they are saying and what they are doing are the eight people on that side of the house, four of whom are not here. That is how important it is to you people.

Let us get onto the reality. The budget has approached job creation, Madam Speaker, by creating jobs that will last as long as the funding lasts. The budget could have created jobs by creating an economic environment which encouraged growth and therefore long-term employment opportunities, but it did not. Could not money for training schemes have been better spent, for example, to reduce the burdens on the private sector, sending out the message that this Government understands the economy and knows that only by encouraging growth can real long-term jobs be created? It did not do that.

Yesterday I suggested in the house that there were more training schemes than unemployed people. In today's *Canberra Times* - once again I do not need to go overseas to find out what is going on - there is a very interesting article on the value of training schemes. Really, the Chief Minister should take time to read it. She will find it to be most sobering reading. Let us have a look at it. It talks about the YES scheme, the NEAT scheme, the RED scheme, the WPP scheme and the CEP scheme. They have all been abandoned. It is no wonder that they have been abandoned.

Let us have a look at one scheme that was put in place by Mr Unsworth, the last Labor Premier of New South Wales, who from time to time was called all sorts of things. This program was in place in New South Wales. It cost the taxpayers a total of \$92.5m and it was chucked out because it created hardly any jobs at all. They are the sorts of things that members of this Government stand up in this Assembly and boast about. They have all these marvellous schemes for people, but there is not one skerrick of evidence as to how many long-term jobs are going to be created. Yet this Government stands up and says, "Hey, we are fantastic; steady as she goes". Let us look once again at what the *Canberra Times* said. I will repeat it once again - "a government that is incompetent or paralysed - or both".

Turning again to employment, I mentioned the \$92.5m that had been spent on a training program. A gentleman said in the *Canberra Times*, of these training programs:

They address the symptoms rather than the cause of labour market disadvantage.

In other words, training schemes are bandaids. The sore festers on regardless, under the soothing plastic-shield cover. It looks good, but there are big problems underneath. In fact, the bandaid could make the problem worse by not letting the air in. For this Government to stand up and say, "Hey, listen, we have four-and-a-half thousand schemes", is humbug.

Madam Speaker, Mr Kaine said, "What could we have done?". There is a lot that this Government could have done. Let us tackle the cost of labour first. That is the greatest impediment. People must realise that the greatest impediment to employing other people is the cost of labour. We heard nothing in this budget about what this Government would do to release the private sector from the shackles that they are in because of the fact that there has been a 17.8 per cent increase in taxes to the private sector over the last two years. Some will say, "Oh, yes, but this year we have increased only the financial institutions duty". The reality is that over the past two Follett budgets there has been a 17.8 per cent increase in the cost of labour.

The ABS figures are very interesting. They break down the cost of labour on the following lines: Overall, earnings were up 6 per cent to \$26,225 per worker. Superannuation, a Federal Labor Government initiative, went up 18.1 per cent. Payroll tax went up 11.5 per cent. Workers compensation went up 3.8 per cent. Fringe benefits tax went up 17.3 per cent, and that did not take into account the announcements made by Mr Dawkins yesterday - the ones he tried to shield not one month ago when he delivered his budget. That is what is impeding people employing people.

Interestingly enough, today I received a letter from a well-known Canberra small business person who I believe has, in a nutshell, hit the problem right where it hurts. I am sure that she will not mind me using it. It is from June Tammatt of Tammatt Pty Ltd, a long-term employer of people in this town. She says this:

At a time of record high unemployment the government's policies seem hell bent on making it more and more difficult for employers to employ staff. The burden of long standing associated costs including payroll tax, holiday leave loading, generous sick leave entitlements, numerous paid public holidays and workers' compensation insurance, has recently been further weighed down by the imposition of the "training guarantee" and employer-funded superannuation.

Quite apart from the actual outgoings involved in all these charges (which are considerable) the administrative operation for a small businessman is a nightmare.

She goes on:

There is a limit to the capacity of businesses to meet these ever-increasing costs of labour. Many have already reached that limit and gone out of business. For those that remain the obvious priority is to limit staff numbers to the absolute minimum in order to survive.

That is the sort of thing that is being said daily by small business people in the ACT. What does this Government do for them? It does nothing.

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Even Ms Follett's colleague in Western Australia, Premier Carmen Lawrence, the last Labor Premier in Western Australia for a long time after the next election, saw the problem of the cost of labour. What did she do? In her budget she gave payroll tax relief to the private sector. She is not a Liberal Party apparatchik or someone who would vote for this side of the house.

Mr Kaine: We do not have apparatchiks.

MR DE DOMENICO: We do not have them in our party - that is right - as Mr Kaine, my leader, says. Even Carmen Lawrence, the Labor Premier of Western Australia, saw the light. She had the guts to make the right decision, and that was, "Let us give small business and the business community some relief with their costs of labour". What does this Government do? It does nothing.

Mr Kaine and, I am sure, my other colleagues will say other things that the Government could have done. Justice Rae Else-Mitchell reported on whether we are utilising our assets to the best of their ability. The answer to that is no. That report has been stuck in some corner somewhere and is now collecting dust.

Mr Lamont: Madam Speaker, I raise a point of order. This is getting a bit repetitious. The Business Council has already said all of this.

MADAM SPEAKER: Mr Lamont, the relevant standing order on repetition is concerned with whether the member is repeating his or her own arguments, and I do not think that Mr De Domenico is. Please continue, Mr De Domenico.

MR DE DOMENICO: A good try. I know that it hurts, Mr Lamont, but listen. Once again, unlike you, I am not referring to things said by overseas film producers; I am referring to what is said here in Canberra by the *Canberra Times*.

Recent statistics from the Australian Bureau of Statistics show how weak the ACT Government is, in fact. We have the highest public sector labour costs in Australia, at \$40,040, compared to the lowest, which is in - wait for it - Queensland. It is not in a Liberal-led State but in Queensland. The average in Queensland is \$31,653, but in the ACT it is \$40,040. It is no wonder that it is so difficult to employ people in the ACT when the costs are as exorbitant as that.

If you wanted to create some jobs, why did you not, as I said before, lift the payroll tax threshold from \$500,000 to \$1m? Why did you not introduce enterprise bargaining? That is a very interesting point, because Mr Lamont stood here and tried to talk down the industrial relations practices enumerated in Fightback. He should read what Senator Peter Cook has had to say from time to time. He is saying things like this: From now on he is looking at any Federal Public Service pay rises being based on productivity, on a workplace bargaining principle.

Mr Cornwell: He is a Labor man, isn't he?

MR DE DOMENICO: Yes. In fact, he was formerly the secretary of the Trades and Labour Council in Western Australia.

Mr Cornwell: Really?

MR DE DOMENICO: Yes; but obviously he is in a different faction from Mr Lamont and some of his colleagues. Even Senator Cook realises the reality of the thing. You have to get the cost of labour down to enable people to employ more people. It is very logical and it makes sense. You do not have to reinvent the wheel to realise what the problem is, and this budget did not address that point at all.

Mr Cornwell: They are frowning over there. They do not understand.

MR DE DOMENICO: They are frowning over there. Instead of cutting the financial institutions duty in order to attract capital to the ACT, what does this Government do? It increases it. Once again one would think that the logical thing to do, if you want business to come into town, is not to overburden it with things like the financial institutions duty but to decrease it so that it makes it attractive. But, no; that is rednecked. It is throwing people into the street, as Mr Lamont says. But that is logical business sense.

Of course, in this budget this Government did nothing for the business community because it knows nothing about business. Let me quote you a couple of examples. (*Extension of time granted*) Thank you. There is an industry in this town, in Mitchell in fact, that is now researching, developing, manufacturing and exporting some of the best high-tech equipment that is being used in satellites that are sent into space from time to time. Someone ought to go out to this company and say, "Listen, you are doing a fantastic job. We welcome you in Canberra; please stay in Canberra".

I will tell you what is happening there. Not one person from the Chief Minister's Economic Development Division has ever been out there to have a look around. Unless somebody goes out there very smartly, this company has a chance of moving to South Australia. It has received not one incentive, not one iota of incentive, not even a slap on the back, from anybody on the government side. I am saying to you that that is the sort of company that we ought to be encouraging to stay in Canberra, even if we have to give it some sort of incentive, for heaven's sake, because it is employing people. It is putting Canberra on the map in world-class research and development. There is another thing that this budget does not do; it does nothing about companies like that.

Another engineering company whose present payroll is \$480,000, which is under the payroll tax threshold, wants to employ another engineer. It is finding work easier to come by from time to time because it does very good research and development work. It will not be employing an extra engineer because, even at \$40,000, which would bring its payroll up to \$520,000, plus the add-on costs, which would make it a bit higher, it automatically then has to pay payroll tax. To employ one junior engineer at \$40,000 it will cost that company somewhere around \$85,000. That is what this Government could have done; it could have given some sort of incentive for those people to employ more people, but it did not.

Mr Kaine: Wait for the OH and S oncost as well.

MR DE DOMENICO: I have refrained from talking about OH and S, Mr Kaine, because some people on the other side of the house might be inclined to say that I am pre-empting debate on something that may be coming up from time to time. We have some more on that, so do not worry. That is a classic example of this Government saying that it is a government of consultation.

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The consultation process was interesting this time, Mr Kaine, because, as you quite rightly said, the Trades and Labour Council gave its thoughts on the budget. The Business Council gave its view as well, as did the Canberra Chamber of Commerce, Dr Tomlinson, and the *Canberra Times*. Let me repeat again what the *Canberra Times* said. I agree with it entirely. It said:

Yesterday's ACT Budget is the work of a government that is incompetent or paralysed - or both.

Yes, you are incompetent. Yes, you are paralysed. Yes, you have no idea of what to do to make this town tick.

MR WESTENDE (4.27): Madam Speaker, my preliminary comments on the budget are somewhat general; then I will go to my area of responsibility. Ms Follett's speech includes the following significant assurances:

This Budget reflects our commitment to improving the effectiveness of the public sector and the efficiency of its service delivery.

This Government recognises the work of both -

the public and private sectors -

and this Budget provides support to both.

Is this budget faithful to its assurances? The *Canberra Times* reports on the budget on Tuesday, 15 September, which my colleague has already quoted, and the ABC radio comments by ACT watcher David Chessell stressed the budget's business as usual appearance. I emphasise the word "appearance". Mr Lamont talked about the cuts proposed by the Federal Government, but may I remind this Government that we have to budget for the future which the ACT faces. That is the main problem with the third Follett budget. It presents a prudent balanced budget, but in reality the ACT faces a \$120m cut in the \$730m it receives from the Commonwealth. That is 10 per cent of the whole budget.

Many areas of excessive government budgetary activity which should be cut back have not been addressed. In reply to comments this morning by the Deputy Chief Minister, I would like to assure him that while I am away my shadow portfolio will be adequately looked after. The budget affecting my area has already been analysed, and will continue to be analysed, and the proper questions will be asked by the person looking after it.

Debate interrupted.

ADJOURNMENT

MADAM SPEAKER: Order! It being 4.30 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.

APPROPRIATION BILL 1992-93

Debate resumed.

MR WESTENDE: Let me now speak of my shadow portfolio, urban services. In the urban services area, last year's Budget Paper No. 2 included the decision to consolidate many of its corporate services into a single Corporate Services Bureau within the Department of Urban Services. It was said that this, together with other rationalisations in common services, would produce savings of \$1.85m last year. In fact, there was a \$3.4m overrun, the equivalent of 7.6 per cent, even after \$500,000 had been transferred from the capital budget. Budget Paper No. 2 this year will tell the story.

Let us talk about public transport and ACTION. The operating subsidy per passenger rose 0.7 per cent. The target was a reduction of 4 per cent, so this is a 5 per cent variation. Service delays and failures were 1.5 per cent of total services. Budget Paper No. 3 states, "but most of the failures were attributable to industrial disputation". Why use the word "but"? The ACTION accounts display the general deception which many commentators have already pointed out with regard to this budget - that is, what you save on the recurrent swings you lose on the capital roundabouts.

Consider Budget Paper No. 3, page 176. We are told that contributions to the Consolidated Fund in 1992-93 are up nearly \$1m on 1991-92 because of a full year of repayments under the so-called bus acquisition and replacement program of both interest, \$460,000, and principal, \$496,000, from 1992-93 to 1995-96. Deducting these leaves what may be called a standard payment of \$459,000 to the Consolidated Fund, which is still \$1,000 down on the \$460,000 of 1991-92. Meanwhile, on the appropriations side, recurrent subventions were \$52.9m in 1991-92, actual, versus a planned \$51.9m in 1992-93 - that is, they are to be down \$1m - while capital advances for the two years are \$14.1m versus \$13.2m, an increase of \$1.1m. So the total appropriation is essentially unchanged.

The decrease in recurrent subventions is touted as a saving as part of ACTION's three-year budget strategy involving a \$10m reduction, but it is offset on the capital side. There is reason to doubt that even these modest recurrent subvention savings will be achieved. The decrease in recurrent subventions reflects the first of a three-year budget strategy, and it is admitted to be an estimate, which is aside from any growth in services, indexation, new policy and restructuring initiatives.

The clearest picture is given on pages 178 and 179 of Budget Paper No. 3, and in particular in the footnotes. In brief, that picture is as follows: There are changes in recurrent subventions and expenditures. The budget strategy, efficiency savings and removal of redundancy funds amount to \$3.532m. This is offset by increases in debt servicing, indexation, the superannuation guarantee charge and funds for the acquisition of automatic ticketing - a total of \$2.471m. In addition, fares are projected to be up \$828,000, or 5.9 per cent, due to a 4 per cent increase in fares and a projected increase in patronage. The implication is that patronage will rise more than fares. This, and slight changes in trust revenue, leaves the net recurrent position \$183,000 down, at \$69.9m.

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I turn now to the changes in the capital position. There is an increase in the advances from the Consolidated Fund of \$889,000; a decrease in the proceeds from sales of \$1,168,000; and a decrease in major capital equipment purchased of \$168,000. That leaves the capital part of the account 2 per cent, or \$110,000, down. A false sense of security is conveyed by those budgeted changes. In fact, the net taxpayer support for ACTION is to remain in 1992-93 at \$65.9m. Table 4.3 in Budget Paper No. 2 or pages 178 and 179 of Budget Paper No. 3 prove it. This is just \$66,000 better than last year, not \$66m. To put this amount in terms that may be more widely understood, the \$65.9m taxpayer support for ACTION represents virtually the whole of the general rate base which, according to table 8.1 on page 130 of Budget Paper No. 2, was \$71.7m in 1991-92 and is projected to be \$75.8m in 1992-93. I repeat, Madam Speaker: To put this amount in terms that may be more widely understood, the \$65.9m taxpayer support represents virtually the whole of the general rate base. Do not forget that this payment is to be made by the ACT taxpayers on top of fares of \$14.89m in 1992-93. That is the bottom line.

Just to show that we can do our homework, even though we are away, the footnotes to the main city services section Consolidated Fund table reveal that sales of taxi plates and custom number plates are what is meant by the line item "Proceeds of sale". There are to be no taxi plate sales in 1992-93, and none in forward years either, it seems. This raises a number of questions. Are more to be issued? If so, are they to be free of charge? If not, how can the burden of increasing taxi scarcity on consumers be justified? ACT forests expenditure is to rise by \$1m, while revenue is increasing by \$500,000. That certainly is a way to conduct a business, is it not?

What about fees? In 1992-93 fees collected for approval of building plans are to be increased 17.5 per cent. This is a very onerous increase. Other fees will be indexed 3 per cent. Overall fees will increase 27 per cent, however. In the Government Corporate Services Bureau, recurrent costs - mostly accommodation, salaries and operational expenses - are to increase 15 per cent to \$48.2m. Capital costs - mostly a continuation of a major fit-out - are to increase by more than 40 per cent to \$7.7m. Total appropriations are planned to rise 18 per cent. The excess of appropriations over receipts in 1992-93 is budgeted to be \$53.3m, compared with \$45.7m in 1992, or an increase of 17 per cent.

I turn now to public works and services. This area draws on the Consolidated Fund and has revenue from fees for services which are collected in separate accounts. Other 1991-92 initiatives reported include a review of the fleet trust account which achieved savings through a range of actions, including staff reductions. Details of this would be welcome. There are none in the budget papers. The outlook for 1992-93 includes plans for a major review of asset management services and another of the ACT fleet. Presumably, the latter will be addressing efficiency questions upon which conclusions were not reached in the 1991-92 fleet review.

The Government's intention to establish a supply and tender agency is a bit of a mystery. Pages 223 and 224 of Budget Paper No. 3 refer to this. While the report in the budget papers hints that competitive supply by ACT suppliers is intended, there is this accompanying statement:

This will be achieved through active promotion of procurement policies to support ACT industry including an extension of the availability and use of the ACT period contracts and the collection and provision of relevant information to both suppliers and purchasers.

There is undue room for manoeuvre in this statement, but I do hope that the Government means what it says and that we may see a supply and tender agency very soon. Indeed, the statement indicates that there may be some ACT preference built into the period contract process already.

The budget raises several issues in the general urban services portfolio area which deserve closer consideration. Most have only been touched upon in my speech already. In brief, these issues are, firstly, ACTION. The real issue is the confirmation of the burden on ACT taxpayers. The budget contains no solution. A variety of salary assumptions are built into the different programs and parts of programs. It is not clear that they are consistent. Table 3 shows the variation in salary assumptions in just the urban services area. The second issue is the efficiency reviews. In several areas efficiency reviews are planned or have already been undertaken, with no real evidence of efficiency dividend occurring or being in prospect. Examples are big bins, the Corporate Services Bureau and the AMS energy management program. What is implied by the non-sale of taxi licences in 1992-93? (*Extension of time granted*)

Madam Speaker, I have only touched on certain aspects of my portfolio. I could go on and on. In conclusion, Madam Speaker, I would like to echo what has already been said about the budget's big omission, and that is to provide an opportunity for increased jobs. May I suggest that the big issue in this budget is unemployment. There is only one way to provide employment, and that is to create a business climate that is conducive to growth in the work force. Until a viable economy exists, no prudent employer can hire people on the off-chance that the economy as a whole will improve.

MS ELLIS (4.43): Madam Speaker, at first I was a little reluctant to contribute to this debate; but after hearing the words of my colleague Mr De Domenico I am driven to respond, particularly in relation to the comments that he made concerning training schemes and the relevance of training schemes to the employment market in this town. Mr De Domenico gave a very distinct impression that training schemes were a waste of money; that they did not do anything; that they did not achieve anything. You can wave pieces of paper in my face until you are blue, Mr De Domenico - -

Mr De Domenico: It is not my comment.

MS ELLIS: Well, you said it, my dear, and I am about to put a bit of fact onto the record. There are two particular training schemes that I am going to refer to, both of which the ACT Government contributes to. The first one is the NEIS scheme. This year, 1992-93, \$154,000 from the ACT Government is going to go into that scheme. The Commonwealth Government provides income support for 40 people so that they can participate. Last year 75 applicants completed courses in marketing, bookkeeping, taxation, insurance and goal setting, and 34 small businesses received start-up capital totalling \$114,000.

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Last year the break-up of that was as follows: If you were a single applicant you got \$2,500 to start your small business; and partners got \$5,000, including \$800 for insurance and accounting costs. It also provides, through NEIS, 12 months of mentor and network support, which is invaluable in helping these people from the beginning to start their businesses. This year those grants are to be changed to a flat rate of \$4,000, and more businesses will be funded. Since 1989 more than 200 people have undergone training in the ACT in small business management skills. Sixty-two businesses were funded to start up. Almost 80 per cent of these businesses are still operating, some very successfully, and in very diverse areas of employment. For instance, a fellow who started mud-brick building through NEIS is booked out until the end of 1994. Mr Cornwell can scoff if he likes, but there is obviously a niche in the market and this man is now no longer unemployed. There is a lock doctor who is now making a good living. There is a commercial cleaner. Who knows where that could lead in increased employment for colleagues of his?

The NEIS group is so impressed by the progress of this sort of training scheme that they have formed a subcommittee to investigate the possibility of a method by which they can repay the ACT community for the support that they have received in setting up their businesses. The sort of thing that they have in mind is, maybe, free service to the Salvation Army and other community support groups around the town. I cannot understand how anybody can be critical of a training scheme that proves to be so successful.

Mr Cornwell: You have given us one or two examples.

MS ELLIS: I have given you three. In the time that I have I have given you three. Another training scheme that I will refer to very briefly is the Caloola Farm enterprise in Tuggeranong. All any of the members opposite have to do is get in their cars and drive to these places and visit the people who are receiving the training from these people. You will find - - -

Mr Humphries: We have.

Mr De Domenico: A wonderful organisation.

MS ELLIS: I do not know why you are so critical of them. Caloola Farm last year, I understand, received funding of \$175,000, part of which came from this Government. They did things like train older unemployed men in forklift driving courses. The day I went to the graduation, half these gentlemen could not be there. Why? They were working. They were in work. There are pre-vocational courses for women. If you go down to the Caloola Farm training scheme in Tuggeranong and meet the people there you will understand the feeling of absolute optimism they have, given the support that they receive from these training programs, an important part of which is included in this year's budget. I think you will find, Mr De Domenico particularly, that your reflections upon the training schemes announced in this year's Follett budget are very misdirected. I would very much like this record to show that you are wrong.

MR HUMPHRIES (4.48): I will talk about training in a moment; but I think that those comments, if they are meant to suggest that we are not in favour of training programs, are too silly for words. The fact of life is that training programs are no substitute for real jobs. Any government which thinks it is addressing the job problem by creating lots of training opportunities is sadly deceiving itself, and, Madam Speaker, this Government is one such government.

When I first read the budget speech that the Chief Minister delivered the other day I thought to myself, "This is an election budget. This is a budget full of goodies and give-aways designed to win an election. The only trouble is that the election is not due for two-and-a-half years. Why on earth is this coming out at this time?". I think the Chief Minister summed up the essential element of this budget when she said on ABC radio yesterday morning, "I do not think we have made big sacrifices in this budget". That, I think Madam Speaker, sums it up in a few words. We have not made any big sacrifices in this budget, but the question we have to ask ourselves is this: Should we have made some big sacrifices in this budget?

I am not a masochist. I do not believe in fiscal restraint because it is character building. But I do think that we should be making every budget in the early half of the 1990s an absolute winner in terms of delivering to the people of the ACT a stronger and more secure financial future. Every budget must build for that future. Every budget has to leave the Territory financially stronger than it found it. Madam Speaker, I have to say that I do not think this budget does. As Mr Kaine has pointed out, this budget makes no provisions for reductions in Commonwealth support, except for this financial year. Let us consider what that means in terms of the long-term future. The total size of our problem is something like \$120m-odd. We are facing a reduction in only four years of \$120m-odd in our Commonwealth grants. We simply cannot ignore that problem, but this Government effectively has. The only way to face up to that problem, frankly, is to make a fundamental restructuring of the way in which services are delivered in the ACT.

The point is that \$120m is about 10 per cent of our total ACT budget. You cannot get around that problem by nipping and tucking. You have to make fundamental changes to the way in which you deliver services and the efficiency with which you deliver those services. The answer has to be to reduce costs, in particular, to trim the size of the ACT Government public sector, and, of course, most importantly, to reduce waste. Madam Speaker, now is the time to act; not when the problem becomes more severe, but now. The election is not for two-and-a-half years. The window of opportunity is open right now. Now is the time to make those important structural changes. Now is the time to make changes in the nature of service delivery in the ACT which would persist into the future. I have to ask, Madam Speaker: What will be left of this budget at the end of this financial year, on 30 June 1993? The answer, of course, is absolutely nothing. This budget will have died and gone to meet its maker - if it has not already done so - and will have delivered no long-term benefits to the people of the ACT. That, Madam Speaker, troubles me greatly.

Ms Follett has made a great virtue of having balanced her budget. She has recited this like a sort of mantra, "Yes, I have balanced the budget, I have balanced the budget, I have balanced the budget". But, Madam Speaker, although that is something of an achievement, frankly, balancing the budget was not the major challenge which the ACT faced in this financial year. The major challenge we have had to face is creating an environment for positive change to build a secure future for this Territory, and to make the fundamental changes which would allow the ACT not to have to make serious and deep cuts to services in future years.

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I am surprised at the lack of confidence that the Labor Government has exhibited in making that decision. It keeps telling us that it expects to govern in this Territory for a long time to come, but where is the indication of long-term decision making? Where is the indication that you have put in place measures which will save pain at some point in the future, particularly when that \$120m reduction really starts to bite? Frankly, there is not one shred of evidence that you have done that. The challenge has been passed up and we find ourselves borrowing, once again, from the future; borrowing, if you like, from the needs of our own children.

Mr Cornwell: Back to the future.

MR HUMPHRIES: Back to the future, indeed. In the *Canberra Times*, Ian Davis described this budget as a "coward's sleight of hand". I cannot go past quoting the first few paragraphs of that comment. He wrote:

If a passer-by sees a house on fire and fails to raise the alarm and exposes the occupants to danger then he is culpable.

Not as culpable as the person who lit the fire but culpable nonetheless.

In yesterday's Budget the Follett Government also failed to act and is deserving of condemnation for its inaction.

You can't say that yesterday's Budget contains any monumentally bad decisions.

Its weakness is that it contains virtually no real decisions at all.

Madam Speaker, that has been the opinion of most of the commentators who have come forward to comment on this budget - that it is good as far as it goes; but it leaves untouched the questions that a government in its position, a government which has just faced an election and won it, ought to have faced up to. It has not faced up to those fundamental questions and it stands condemned for not doing that.

Madam Speaker, one of the virtues which have been sung about this budget is that it is supposed to have created employment. It is supposed to be a jobs budget, a budget that will generate a secure future for at least some of the people of the ACT who have lived with the drudgery and misery of unemployment. I welcome that focus, at least as far as the rhetoric goes. It is a valid concern at a time like this. But the question I ask myself is: How many jobs have actually been created, overall, by this budget? The budget speech, unfortunately, is less than clear on that subject. It talks about a lot of jobs. In fact, the first jobs it mentions are on page 10, where it talks about 2,000 jobs; but it is referring there to the Commonwealth Government's promise of 2,000 jobs with respect to York Park. When we get down to the ACT Government jobs, as far as I can see there are 300 jobs to be created through the capital works program, with a flow-on of about 220 jobs in other sectors - let us say 500 jobs.

If we take out those Commonwealth and private sector initiatives and are left with just those 500 jobs, we have to ask ourselves what offsets there are in this budget to job creation. We found out today, in answer to a question from Mr Kaine, that there are offsets which have to be placed side by side with the jobs

that supposedly are being created by this budget. We have a 2 per cent cut in government department expenditure, a 2 per cent cut in each department's operations. That will manifest itself, unquestionably, in some job losses, and any Minister who says "No", frankly, is not giving us the full picture.

Mr Kaine: Living in cloud-cuckoo-land.

MR HUMPHRIES: Living in cloud-cuckoo-land. I have been there. I know that if you say to the public servants, "Give me 2 per cent; how you do it is up to you", you will get job losses, because it is easier to do that and it creates, in some ways, more frustration for the Government than doing things which might otherwise be the case if the Government had a plan for making that 2 per cent reduction. Believe me, Madam Speaker, there will be job losses. Of course, the Government has not issued any figures in these budget papers to say just how many there will be, as it attempted to do last year, and I can understand why - because, Madam Speaker, with each job that is lost through that process of budget reduction we are losing the benefit of the 500 jobs supposedly created in this budget.

How many are going to be lost? We do not know. If we lose, say, 300 jobs through a budget reduction of 2 per cent, and that is not unrealistic by any means, we will have a net gain of only 200 jobs out of this budget - a \$1.2 billion budget producing just 200 new jobs in the ACT. That is not a very impressive figure at all. Of course, if the ACT Government achieves the level of job reduction it aimed for last year, which was, on some accounts anyway, pretty unclear - over 500 jobs - then the net result of this 1992-93 budget would be not a bean, not one single net job created in the ACT. Madam Speaker, to talk with a smiling face into the cameras and say, "This is a jobs budget" seems to me to betray enormous lack of regard for the people out there who are going to be hurt by this cruel deception. Where are the jobs? They are not anywhere.

Ms Szuty has quoted approvingly the number of give-aways in this budget, and I will go on to refer to some of those myself. I must say that some of those give-aways are very nice and I think that they are great - particularly in the area of health, I say with great approval. Some of those things needed to be done some time ago and it is great to see that they are finally there. But I have to say that we cannot talk in glowing terms about the things the budget does in terms of new expenditure initiatives without pointing out that the other side of that very same coin is the fact that there is going to be a 2 per cent reduction in the Government's overall outlay in each individual department as well as a 0.5 per cent increase in training levies, which effectively brings it very close to 2.5 per cent in overall reductions.

That means that what the Government gives with one hand it will take away with the other. What manifests itself as a nice new initiative in one area will have to be paid for, in effect, within that department, to some extent, by the other offsetting cuts which are going on elsewhere, and, as I have said before, given that new programs are in some cases starting up and new initiatives are being created, there will almost certainly have to be job reductions elsewhere.

I referred to new initiatives and I will mention them briefly so as to give a sense of balance to this comment on the budget. There are important initiatives dealing with the Aboriginal Advisory Council. I must say that that is a welcome development. It accords with the initiative of next year's International Year for the World's Indigenous People, and it also dovetails with the initiatives flowing

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from the recommendations of the Royal Commission into Aboriginal Deaths in Custody. I might say that in this budget it is a little hard to disentangle Commonwealth funding from ACT funding in some cases; but, putting that to one side, that is a welcome initiative. We have seen a targeting of domestic violence in the budget. There is a \$43,000 initiative to assist victims.

There is money for a mental health tribunal. We are seeing some attempt to address some of the consequences of *Paying the Price*, with \$180,000 for mentally ill people who are in the criminal justice system. I cannot let this opportunity pass without saying that the really big problem in Corrections in the ACT is the need for new facilities. It has not been addressed. The \$2m budget blow-out we saw in Community Services this year, most of which comes from Corrections, will undoubtedly come back again if we do not fix the basic problem, and that is having an obsolete, ramshackle and inhumane Belconnen Remand Centre.

Madam Speaker, regrettably, there are more things to be said about what is missing than about what is there. We were promised in the last election a number of things that are not really too expensive but which we have not really seen brought out in this budget. Where, for example, is pubcard? It is not all that expensive. In fact, it ought to pay for itself. When are we going to do something about pubcard and deal with what you, Mr Berry, have been talking about - actually it was Ms Follett - the serious problem with under-age drinking in the ACT? Pubcard would deal with that.

Mr Berry: Who promised pubcard?

MR HUMPHRIES: Your Minister for police services, the Attorney-General, Mr Terry Connolly, the guy who sits behind you.

Mrs Grassby: No, he didn't. He never did.

MR HUMPHRIES: I am afraid that he did, Mrs Grassby. I will be happy to show it to you during an adjournment debate if you really doubt that. I do not think that he would deny that he was going to bring in pubcard. We have seen nothing on the safety houses scheme promised in the last election. Most importantly of all, we have not seen a thing about police on the street, when we know that there are serious problems with rising crime, as demonstrated in yesterday's MPI.

There are some initiatives in the budget. There is going to be a \$50,000 allocation for a crime-fighting strategy. That, I understand, basically is to be in the form of a caravan which will move around ACT suburbs and which, I am sure, will give criminals an enormous fright, especially in suburbs where the caravan does not happen to be on a particular day. I do not want to be too sarcastic. It has some benefit; but, frankly, I think it is a little bit tokenistic. We were looking for a major reallocation of funds, away from administration in police services and into the pointy end of crime-fighting. I make the point that I have made before. We have not actually seen in the ACT - the Minister has just come back into the house, the Minister who is not in favour of pubcard, we are told. (*Extension of time granted*) Apparently you are not in favour of pubcard any more, Minister, so I hope that you have reconciled that with the caucus. It is a bit of a shocking revelation to encounter; but, do not worry, we will work it out afterwards.

Mr Kaine: He is apparently suffering from amnesia.

MR HUMPHRIES: He must be, yes. Anyway, we do not know what the Government is doing today, but they will work it out in due course. It would have been nice to see some reallocation of those resources. To make sure that there is no confusion about this question which the Government is trying to generate, this Opposition does support sensible reductions in outlays in all areas where it is appropriate, including the police; but that means that we have to consider the appropriateness of outlays, particularly in the area of administration.

It is my understanding that at no time in the last four or five years has a comprehensive analysis been done of the level of "bureaucratic" - I use that word in inverted commas - assistance to police services in the ACT. As I understand it, somewhere between one-third and one-half of all people employed under the Australian Federal Police Act in the ACT are basically sitting behind desks doing white-collar jobs. I would say to the Government that there is very great room for a cut in the police budget, in the area of backup or bureaucratic support to the police without necessarily cutting the pointy end of policing. I am not saying that there is a particular way of doing this. What I am suggesting to the Government is that it do its study, that it do its analysis of how that might work. It has not been done, I am told, and I would like to see some effort made to address it.

Madam Speaker, as Mr Kaine has said, this Government is a sad reflection of lost opportunities. We have made criticisms of this budget which are quite similar to criticisms made of previous Follett budgets, and the reason is very simple: This budget continues the same kind of theme as previous Follett budgets. Let us make a small change here, a little change there, and make people believe that nothing fundamental or great needs to happen in the area of ACT administration and the provision of services to affect the way that we provide those services to the people of Canberra. But that is just not true. It is a deception. It is a lie which cannot be allowed to sit. This Government should be telling people, fair and square to their faces, "We need to take stock of our position and make changes which will reflect our economic position into the future".

We have not seen that happen from this Government. If we do not see it happen, whoever is in government in this Territory in four years' time, and it could be you - it is unlikely perhaps, but it could be you - is going to have to reap the burden of that inaction. It is inaction. If you cannot face up to that problem now when you have a window of opportunity, when you have just faced an election and you have secure numbers in this Assembly, when are you going to face up to it? If not now, when?

MRS CARNELL (5.07): Madam Speaker, this budget is a sham. No attempt whatsoever has been made to address the very real problems that beset the ACT. The budget strategy seems to be based on the hope for a Tattsлото win, but not even Tattsлото has a \$120m prize. The Government is relying on another windfall like the unpredicted revenue increases that saved their bacon earlier this year. If it were not for the windfall gains in stamp duties, the Government would be in a much bigger mess. Ms Follett was lucky this time, yet the obvious lessons she should have learnt have not been learnt. We see the Government taking the same old approach to this budget - the do nothing and hope for a Tattsлото win approach. Maybe this is some new form of economic theory, but somehow I doubt it.

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When you look at the health budget, in particular, you can only conclude that the Labor Government is budgeting on a wing and a prayer. Madam Speaker, we all know that the ACT is facing a program of expenditure reduction. This is in line with the Commonwealth Grants Commission findings, to bring spending into line with other States. Unfortunately, this Government still has not got the message. The necessary cuts are not being made, which means that there will be some very rude shocks around the corner. This year we will see an overall increase in the health budget of at least 2 per cent. In recurrent terms a one per cent drop has been forecast, but we will see an increase when supplementation under the so-called business rules is taken into account. Mr Berry said that further supplementation will occur - he said that yesterday - and it will.

The same applies to supposed cuts over the next three years. The Government is spreading the idea that there will be a \$4.5m cut in Health. Firstly, this is simply not enough. The Grants Commission requires much more than that. Secondly, if it is only a \$4.5m cut, with supplementation we will actually see a spending increase. Last year there was \$10.6m worth of overexpenditure. At this rate the supposed \$1.764m cut this year looks fairly sick. The Labor Government is not managing in accordance with the Grants Commission process. The process calls for a decrease in expenditure - I say it again; a decrease in expenditure - and this Government is making increases in the health arena. It shows that the Labor Government just has not got the message about overexpenditure in Health. What it means is that, because we are not making the necessary cuts now, there will be some very rude shocks around the corner. There will be greater cuts; there will be fewer hospital beds.

The cuts have to be made, but they have to be targeted. The Government's past approach has been the across-the-board cut approach. This approach means that all services will be run down, regardless of their contribution to health outcomes. Their approach has been to duplicate services provided in the private sector and elsewhere. A lot of money has been squandered, even when this Government has made some attempt to make cuts in Health, and that certainly is not the case this year. We have to be able to increase services where necessary, and where they can improve health outcomes, and where they are needed by the community. You have to be able to target these cuts. There is no such policy flexibility from this Government. There is no vision and there is no strategy for the future. This year any attempts at making the necessary cuts have been abandoned.

The Government says that there has been a decrease in the number of occupied bed days. The decrease is 4.8 per cent. The Government says that this is due to a decline in average length of stay. At best this is a half-truth; at worst it is straight propaganda. There is one simple fact that explains the decrease in occupied bed days, and the fact is that the number of beds has been cut to 819, from 909 beds in June or July last year. The Labor Government has dramatically reduced the number of beds. More than anything else, that explains why the number of occupied bed days has fallen. There is nothing to be proud about in that. When you treat more patients in fewer beds there is only one way to do it, and that is to shove them through quicker. That is how this Government has reduced the average length of stay - by having fewer beds and shoving them through quicker.

Reducing the average length of stay is desirable if it can be done by improving surgical techniques and treatment procedures and by establishing a convalescent facility to take non-critical, long-stay patients. Unfortunately, the convalescent unit, which was a central part of the redevelopment plan and has featured in

most budgets since 1989, seems to have been dropped from the Labor Party's agenda. This will mean that the pressure on the hospital and on the nurses and on the aged and the long-term convalescent patients will continue. We will continue to see elderly patients discharged from our hospitals before they can really cope on their own at home, because the system needs the beds and there is nowhere else to send them. Is this the quality public health system that Mr Berry talks about? I certainly hope not.

The budget papers say that the cost per bed day is 30 per cent higher in the ACT than it is elsewhere. This is no great surprise. We have known this since 1988, if not before. Yet we are told this as something of a new revelation. I am afraid for the whole health system if this Labor Government has only just learnt of this fact. I say it again - costs per bed day are 30 per cent higher. What does the Government plan to do about it? There is no mention of a strategy in the budget - only the lame comment that it will be investigated. Mr Berry may not like it; but that is just not good enough. He must do better.

Madam Speaker, I welcome the start of planning for a new cardio-thoracic unit. It is certainly a much more important priority than funding for an abortion clinic. Mr Berry was very keen on that. He said that it would go ahead before other priorities. Mr Berry has obviously been set straight by his Cabinet colleagues.

Mr De Domenico: He got done again, did he?

MRS CARNELL: That is right. They told him to get on with the cardio-thoracic unit - a very wise decision, I might say. As I said, I am glad that there is at least some movement on this facility, and I welcome that; but no provision has been made in forward estimates for the cardio-thoracic unit, or, for that matter, for most of Mr Berry's other relaunched initiatives. How will the recurrent costs of the hospice, the cardio-thoracic surgery and mammography be funded in future years? I hope that Mr Berry is not going to tell us that these projects were not funded in forward estimates because he did not know what they cost. Mr Berry should know what they cost before introducing the initiatives. Again there is the absence of a strategic approach.

One thing we do see is more funds for case-mix data. Case-mix data is important. It helps identify priority areas and assists in the allocation of funds. It allows us to make comparisons between the performance of our public hospital and those elsewhere. Last year's Select Committee on Hospital Bed Numbers clearly identified the importance of case-mix measures. Mr Berry has constantly told us that case-mix is being implemented. "Yeah, yeah", he said, "don't you worry about that". Now we discover otherwise. Case-mix implementation has been too slow, but now at least it is getting a kick along. It is disturbing to think that the Labor Government has only now realised the importance of this information. This information has been available through New South Wales for many years. Even little country hospitals have adequate access to this information. Like urban renewal, these things seem to take a lot of time to dawn on the Labor Left.

Madam Speaker, the budget heralds an 8 per cent decrease on last year's spending in health promotion funds. There is 8 per cent less than last year for health, community and sporting groups. This is short-sighted because it leads to increased costs down the line. There is wisdom in spending on projects which

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foster healthy lifestyles and which keep people out of hospitals in the longer term. On the more positive side, I am pleased to see that money is being made available to help stop smoking amongst our young people and amongst our economically and socially deprived, but overall health promotion is being cut. Community health and health promotion always seem to be the first to be cut, especially under a Labor Government which has absolutely no strategic approach to health. There is a direct contrast between what the Government says in its propaganda pamphlet on the budget and the reality of an 8 per cent cut. The pamphlet says that there are more health promotion funds, whereas in reality there is an 8 per cent cut on last year's expenditure. This is straight out deception.

Mr Connolly: Spend more. She wants us to spend more.

MRS CARNELL: No, I just want you to tell the truth in your brochures. There is also another deception - the statement that the 1992-93 budget develops Canberra as a centre for freight distribution and warehousing. We all know the truth. There is some money made available for researching the project, but that is all - a feasibility study. Canberra will not be like that at the end of 12 months. So, that is more evidence of government deceit. Taxpayers' money is squandered on a propaganda exercise.

Another propaganda exercise was completed by the Labor Government in July. Mr Berry said that Health had made a \$246,000 surplus. Nothing could be further from the truth. The budget papers confirmed what we knew all along. The 1991-92 outcome shows that there was, in fact, overexpenditure to the tune of \$10.6m. However you look at this, this is \$10.6m worth of overexpenditure, explained under the guise of the so-called business rules. They are rules which allow the Government to get away with anything they want to. These rules do not assist accountability at all.

Madam Speaker, the health budget is remarkable for its absence of long-term strategy. The fifth floor has not provided any future direction for ACT Health.

Mr De Domenico: They provided a lot of leaks, though.

MRS CARNELL: That is right; there were a lot of leaks. They have not developed any plan at all. Instead, they are relying on the wing and a prayer approach. They are waiting for a Tattsлото win or some other revenue windfall just so that they can fund the promises they have made in this budget. Some of the new projects Mr Berry has announced will help his public relations, possibly, in the short term, particularly with the Labor Party Left - - -

Mr De Domenico: He needs it.

MRS CARNELL: He needs it. But there is no sense of priority in these announcements and there is also very little funding in the forward estimates. Until this Government can grasp the nettle that the Grants Commission poses, govern with a sense of vision, and adopt a problem solving approach with a long-term strategy, we will continue to face the severe problems in Health and elsewhere in the budget. We will continue to see our waiting lists grow and our service provision decrease.

MR STEVENSON (5.20): Madam Speaker, many members have talked about lost opportunities. Others have said that you can pay for only what you have the money to pay for. Both are fair enough comments. Something that we all agree on is that we have problems. All organisations or members talk about the increasing problem of Federal funding running out. One thing it presents us with, of course, is a wonderful challenge. We certainly have scope to create some marvellous things in the ACT.

Many people ask: What can be done? What should be done? What should we do? What difference can we make? In Australia 10 years ago one per cent of the population owned 10 per cent of the wealth. Today that same one per cent of the population owns 25 per cent of the wealth of this nation. Is that social justice? We are all involved in this. Mr Kaine mentioned earlier that we need to reduce the public sector. I think most people would agree that having 22,000 people in the public service in the ACT is no longer sustainable. But need there be concern if that area is reduced? Are there solutions that we could all agree upon? If we maintain such a high level of the public sector, what will happen?

The Canberra Business Council media release dated yesterday quotes Denis Page of that organisation. He said that he saw this as a budget which delays the inevitable. He said:

It is disappointing to note that the ACT businesses and the community are budgeted to yield to the Government a further 7.5 per cent increase in taxes since 1992 with those taxes rising from \$430m last year to \$462m. It should be noted that since self-government taxes have increased from \$268.4m to \$462m. One can only project that these increases will continue unless there are changes on the expenditure side and there is a danger that we will get out of step in developing trends in other states of looking to reduce state taxes, at least to encourage business growth.

Can the business sector solve the problem? Can the business sector increase to incorporate many people who are currently working in the public sector? Certainly, jobs in the public sector cost a great deal more than jobs in the private sector. There is a definition of "private enterprise" that I think is relevant. Private enterprise is the freedom to enter into trade, commerce and industry without restriction either by the state or by existing participants in a particular profession or trade. There, to a large degree, we can see the role of government. One of the major roles of government is to protect that right to ensure that monopolies are not created.

How are jobs to be created? Are jobs to be created by government increasing taxes so that people cannot spend and so that businesses cannot employ? I do not think so. I think the answer is clear. The answer is not so much for the Government, for politicians, to work to create new jobs, but simply to allow natural law, natural processes, to have effect. If you want anything done, give people incentive. If you want to encourage productivity, reward people for producing.

We do not do this when we increase taxes on business. You cannot say to a business, "We are going to tax you for the additional people that you employ" and expect them to employ more people. You cannot say to a business, "We are going to tax you on rewards to your employees, to tax you on fringe benefits", particularly when you say that you are going to tax the business, not the

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employee. Is it social justice that we impose these penalties, these taxes on business, when we protect ourselves as members of parliament from them? Business would say that the problem is their capacity to pay. We say the same thing. Yet if we reduce our expenditure, if we reduce government expenditure, there will be more money in the business sector. If there is more money in the business sector, they will be able to employ more people.

A huge, simple argument is not often spoken of. If governments do not take away people's money, is there a suggestion that it will be hidden away, burnt, destroyed, not used? Of course not. If governments are not using the money, people will be using the money. Some people even suggest that, as they earned it, they would use it more wisely than government. We must reduce penalties on business. What is business? Business is nothing more than people working for a living. People with an idea and with a business community environment decide to give it a go, to try to employ people, to try to produce things that are useful in society.

There is another major secret in this area, and I think it is community. What is community? What is community in Canberra? Is it the ideal situation in Canberra that members of this Assembly run everything? We either do it or do not do it, and then this community in the ACT stands or falls. I do not believe that that is the answer. I do not believe that that is what people want. I think the answer - this fits in with everybody's ideology - is to have people fully involved in community. Can we do anything to help people become involved in this community? Indeed we can. One area, and this cannot be underestimated, is public consultation. Do we go to people and ask them for their ideas? Do we go to people with our ideas? Do we say to people, "We are here to serve all people for the greatest benefit to the community"? I know that much is said about consultation; but, truly, most people in this Assembly and outside the Assembly know that it is lacking. True consultation would involve laws being made known to people. There would be legislation that is beneficial to people. Legislation would be clear and understandable.

There is a Bill before the Assembly at the moment that has a clause with 158 words in one sentence, followed by a clause that has 170 words in it. Is that clear legislation? We have plain speaking awards in Canberra. Let us earn them ourselves by producing legislation that, for a start, members of parliament can understand without having to sit up all night, hoping that someone in the party has the capacity and spends the time trying to understand it. But you give this legislation to people in the community, and they do not understand 99 per cent of it. That is probably a conservative statement.

We need legislation that does not contain unintended consequences. We have before the house today a Fair Trading Bill that, if passed as is, would make it an offence for a bank to supply automatic teller machines. It would make it an offence for any business to offer services that someone ordered by phoning and giving a credit card number. It would make it an offence to operate a computer at home and order goods and services. All these things would be made an offence by this fair trading legislation. It clearly says that it is not okay for a trader to encourage someone to use a credit card or a debit card without written authorisation. I know that this is an unintended consequence; but it was intended that that Bill would go through today, after a delay of about a week. We must

allow time for people to understand what the legislation is about. We must allow time for people that it would impinge upon to be able to come along to us and say, "Yes, you have done a good job on that, but there are a couple of points here", or, "Overall the principle is wrong; let us look at it this way".

We need legislation that does not reduce our democratic freedoms. Unfortunately, much of our legislation does. A Bill passed today reverses the onus of proof. That has become very common in this and other parliaments in Australia. Most of all, we need to ensure that legislation is not passed until adequate public consultation has occurred. I think you well understand that when I say "adequate consultation" I mean at least two months. People would have an opportunity to do what needs to be done to understand legislation. It is not just one, two or three pages. Much of the legislation that comes through this Assembly is longer than the entire Australian Constitution. First of all, legislation should not be passed unless it is supported by the majority of the people in this community.

All people in this Assembly, and outside in the community, business organisations and others, have spoken at one time or another about a vision, a grand plan. Where is that vision for the ACT? Where is that plan? We make statements, but have we drawn up a plan? Could we go and talk to people outside, and ask 100 of them, "What is the plan for ACT? Where are we going?"? Some might say, "Well, we are going to a place where there are increased taxes, reduced freedoms and more borrowings". Could we in this Assembly agree on a plan for the ACT? Here we are, 17 members, supposedly managing and governing the ACT, and we do not have a plan that we agree on and understand. There is a corporate plan for ACTION buses. They have a mission statement, a goal. It says, "To provide an efficient and effective bus service for the ACT community". That is the same as last year. It is clear and understandable. Actually, it is a very good corporate plan. Where is the plan that we have in the ACT? What about Australia? How will we succeed without a plan?

But there are plans. I have a particular plan. It may not be agreed to by everybody in this Assembly, although some believe in it. Self-government should be abolished. But that is only part of it. It should be replaced by a municipal council, or by a city council, with a lord mayor. We should administer a flourishing community, a flourishing capital, according to the will of people in Canberra. This would involve members of parliament, free of improper influence or control, who are able to speak on any subject as they see fit; people who are able to act in accordance with the constitutional law.

Mr Berry: Who is improperly influenced? There is an imputation - - -

MADAM SPEAKER: Just a minute, Mr Stevenson. There is a point of order.

Mr Berry: There is an imputation in what he just said that members in the Assembly are improperly influenced, and I think that ought to be withdrawn.

MADAM SPEAKER: Mr Stevenson, we heard you say that we are being improperly influenced. Is that correct?

MR STEVENSON: Let me deviate and make the point.

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MADAM SPEAKER: Just a minute. You may deviate and make a point; but if you did say it you will have to withdraw it first.

MR STEVENSON: What I said was that we could have a situation where members, free of improper control, can speak their mind.

MADAM SPEAKER: Right. That is a definite imputation - that we are currently under improper influence. I ask you to withdraw it, please.

MR STEVENSON: As it is true, I will withdraw for the moment and then explain it.

MADAM SPEAKER: No; just withdraw it.

MR STEVENSON: I withdraw.

MADAM SPEAKER: Thank you. Now you may start again on what you wanted to say.

MR STEVENSON: Let me explain. (*Extension of time granted*) In Australia, not only does the Constitution require that members of parliament be free of hindrance to represent their electorate; but crimes Acts in Australia clearly state that if a member of parliament is bribed, influenced or controlled in any way it is an offence. In Tasmania Edmund Rouse tried to bribe a member of parliament, one Jim Cox, a Labor member, to vote on a particular issue. For that he was charged, found guilty and sent to gaol. It is a very serious offence.

If a person in the community comes along to members and tries to control, to influence, to suborn or to do various other things in respect of their vote on any one issue and that is reported, they can be charged, and if the charge is proven they can be convicted. Yet we have the situation that a member of a party in Australia, not just in this Assembly, can exert that same influence, that same improper control, and control the vote and voice of a member of parliament. When you have that, you do not have a democratic situation.

Some while ago Peter Cochran abstained from a vote on sustainable development. He felt that the people in his community, his electorate - whom he is bound to obey, legally, morally, constitutionally - did not want him to vote on that issue. He did not vote. Wal Murray delivered a tirade against Peter Cochran. Why? Because he did not do as he was told by the party. Wal Murray threatened Peter Cochran with loss of support of the party. I hold this to be clearly unconstitutional. This was an attempt to control a member of parliament. I wrote to the ICAC at the time. They acknowledged, and I am waiting for them to do something about it. I grant that not many politicians in this country will acknowledge this principle, but most people will - that members of parliament should not be under that improper party control. That is what it is, wherever it is.

We would all agree that we should involve the community, but let us do it in a fair dinkum way rather than just paying lip-service to the principle. Let us allow people the time to have a say. Let us allow them real freedom of information. Let us allow them free access to their records in this Assembly. There should be very few exceptions to citizens having access to the documents and the information on which we make decisions. There should be fewer

decisions made behind closed doors. There should be open debate in this Assembly. I believe that decisions should be made in this Assembly, not behind closed doors. We should not come down here and ask, "How are we voting on this issue? Okay, let's go. This is what it is going to be. We will stick together". What about the freedom to speak on behalf of the community?

So much can be done if we work with the people. If we hold ourselves to be above the people, to be the politicians who tell people what to do, rather than the other way round, we will go the way of all governments in Australia, and this budget will appear to be no different from many others in Australia during the last decade. What did they result in? They resulted in increased unemployment, increased business failure and increased borrowing. That is what we have in this community. We can change that if we work together.

MRS GRASSBY (5.40): Madam Speaker, I just thought, "What if we had a house full of Dennises?". My God, what a shemozzle it would be if we had a house full of Independents. Madam Speaker, I congratulate the Government on a very responsible budget. It was not a Bankcard budget. We have a AA+ rating. I am sure that next time our Treasurer will get a AAA+ rating. The budget reveals that on capital works alone the Government is spending \$223m, which is going to provide 3,000 jobs. If Mr De Domenico says that there are not any benefits for the small businessmen, I would like to know where these people are going to spend all their money. Obviously, he thinks they are going to go to Queanbeyan. If it is going to give 3,000 more jobs, people are going to be spending their money.

Mr De Domenico: Where did the 3,000 come from?

MRS GRASSBY: It is going to provide 300 more jobs. They will come from the capital works that are going to be done in the area, Mr De Domenico. Look at the works: The floodway and sewer in Harrison; land development extensions in Fyshwick and Mitchell; the Tuggeranong indoor sports stadium; the cyclepath improvements; the Gungahlin primary and preschool; and the community arts access workshop.

Look at the money that is going to be spent by ACTEW and Housing. Something like \$200m is to be spent. There will be \$38.5m for the purchase of 350 homes by first home buyers. A further \$5m in loans is to be set aside for a new shared home ownership scheme to be introduced. The workers are going to be building these homes, Mr De Domenico. They will be out building the 350 homes on which this money is going to be spent.

We all know the problems facing women who have not been in the work force for years and who, all of a sudden, through divorce or because of other problems, need to go back to work. There will be the mature age women's traineeships scheme which is getting \$314,000 in 1992-93. There are 20 places to be offered for them. There is to be the establishment of a Tourism Development Unit within the Tourism Commission. In 1992-93, \$300,000 is to be spent to attract and develop new events, and to identify gaps in existing tourism infrastructure. Look at the money that will be spent on the new hotel management complex, which, I think, is an innovative idea for Canberra.

Mr De Domenico: It is \$100,000 for a feasibility study. How many jobs?

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MRS GRASSBY: It all helps to give money to people. Look at the money that is going to be spent for people with non-English-speaking backgrounds. There is going to be \$63,400 spent in that area. Where do you think it is going to go, Mr De Domenico? There is the national child-care strategy. There will be 600 new outside school hours care places on a cost and share basis. People have to look after these children, Mr De Domenico. There is going to be money there for people to get jobs.

The Belconnen shopfront is to be established, at a cost of \$414,000. It all has to be built; it all has to be done. There is work there. There is to be the construction of a hospice for the terminally ill, at a cost of \$3m. Where do you think that is going to come from? Look at the refurbishment of Watson Hostel - - -

Mr Kaine: When are you going to lay the first brick of the hospice? In 1996? It is in your budget, but you cannot claim to have it when it is not there.

MADAM SPEAKER: Order! Mrs Grassby has the floor.

MRS GRASSBY: Look at the refurbishment of Watson Hostel, which is to cost \$245,000. The construction of a detox centre for \$375,000 is provided for.

Mrs Carnell: There is only \$500,000 altogether in Health this year.

MADAM SPEAKER: Order!

MRS GRASSBY: Thank you, Madam Speaker. The construction of a purpose-built facility for the Red Cross Blood Transfusion Service is to cost \$1.4m. Who do you think is going to be building that? Money is going to be spent on the new preschool and primary school at Conder. Money is going to be spent on playground upgrading. That will cost \$350,000. There is \$1m for a range of minor works, including intruder alarms and dust and fume control. All these things have to be bought. People have to do the work. There is to be \$1m spent on increased classroom space. I could go on and on. It is a tremendous budget. Look at the amount of money that is going to be spent.

I laughed at Mr Moore who said something about training people for whom there are no jobs. He is probably off at university now. I do not know why he is getting extra training. Obviously, he feels that he is not going to have a job here after three years, so he had better get trained for another job. One minute he is telling us not to spend any money on training, but the next minute he is rushing out and getting more training. As for Mrs Carnell, she thinks Mr Hewson is right to cut 3,000 jobs, under Fightback. She might as well close her Red Hill pharmacy, because all those public servants who live up there in grand houses will be moved elsewhere. They will not be coming to your pharmacy to spend any money. So you will need to get retrained for something too, Mrs Carnell. I can see that happening to you.

Mr De Domenico: You will keep her rich by buying valium from her. She will be right.

MRS GRASSBY: I never need valium. Do not worry about that. I might need it sometimes when you are on your feet, Mr De Domenico; but normally no, never. Mr Westende obviously does not understand the Estimates Committee. He has just told us all about the budget so that he can go away. I love that. It does not matter. He stood up and told us all about it in his speech. He does not

understand what the Estimates Committee is about. You go to the Estimates Committee and you question the public servants and the Minister to find out exactly where it all is. But, no, he has made his speech, so that is fine. He can go off to a conference on furniture. It really does not matter any more; this is it.

Mr De Domenico: She has been on the slops, I think.

Ms Follett: Madam Speaker, I take a point of order. Mr De Domenico's audible comment was grossly offensive and ought to be withdrawn.

MADAM SPEAKER: Yes, Mr De Domenico; I ask you to withdraw that. It is offensive.

Mr De Domenico: I withdraw, Madam Speaker.

Ms Follett: Stand up and withdraw it.

Mr De Domenico: I beg your pardon? Are you the Speaker as well?

MADAM SPEAKER: Order! It is normal to stand up when you withdraw, Mr De Domenico.

Mr De Domenico: I withdraw, Madam Speaker, in deference to you.

MRS GRASSBY: I would like to say to Mr De Domenico that I do not think he has ever seen me drinking alcohol. Possibly, I am the one person in this house who does not drink alcohol; so just be very careful, Mr De Domenico.

Mr Stevenson: How many?

MRS GRASSBY: I am sorry, Mr Stevenson; I was not counting you. I am sorry about that. I keep thinking of a house full of Stevensons and it worries the heck out of me. Grants of \$1,575,000 have been given to the ACT Racing Club. Where do you think that money is going to be spent? It is going to be spent in Canberra, and that will give jobs to people. You keep saying that there are no jobs from this budget. I think the Government has been conservative about the number of jobs. I think there are going to be a lot more jobs out of this budget. I think they have been very conservative in creating it. The Government has brought down a very sensible budget. It has not gone out and spent like mad money that we do not have. We have not had to sell off things like the GIO to pay for things.

Mr De Domenico: We do not have one.

MRS GRASSBY: Exactly. But we do not have to sell off ACTEW; nor do we have to sell off ACTION, which you would do. Mr Cornwell would sell all the public housing and throw people out in the street. We do not have to do that to balance a budget, but that is what they have to do in New South Wales. To balance their budget they have to sell off everything. We do not have to do that. We have a healthy budget and we will give lots of jobs to people in Canberra.

MR CORNWELL (5.49): Madam Speaker, I would like, first of all, to extend congratulations to the Government on reducing the budget papers to six. I think, however, they should be reduced to four because, frankly, I think that the two supplementaries are an exercise in tokenism, Chief Minister. Nevertheless, congratulations on reducing the papers to fewer than last year.

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My colleagues have, I think, adequately canvassed the broader issues of opportunities lost in this budget. I would like to address the question of education. It is a major item in the budget and, along with health, represents some 40 per cent of funding. I may also, if I have time, say a few words about housing. I must say that my initial reaction to the education budget was one of disappointment. After more considered judgment, I see no reason to change my opinion.

This view was shared by others. We know what some of the print media said; but I would like, as an example, to indicate what one of the television stations did. It could feature only two items from the education budget and they were \$2.8m for 500 new TAFE places, which is a Commonwealth initiative and is hardly school-based education, and the \$7.2m capital works for Conder Primary and Preschool. I accept that that is useful for employment; but, again, it is hardly hands-on education, Mr Wood, at least for this year - though I must say that I am pleased to see that Conder Primary will accommodate only 460 students and not the 750-plus students indicated to me recently in a reply to question No. 95. You may have the opportunity to correct that at some time, Mr Wood, or explain to me where the discrepancy arises. That is in reply to question No. 95 in relation to the student size of that school.

The education budget was a disappointment not only to me but also, of course, to the government school sector and, indeed, the Australian Teachers Union, both of whom, I think, were hoping that this portfolio would be quarantined from budget cuts. I think that is an understandable expectation, given the crucial importance that a good education has assumed these days for obtaining any sort of job.

I think it is also fair to say that the government school sector has not done too badly in this budget. There have been a few very small financial initiatives, such as the \$200,000 for integrating special needs primary students into mainstream classes, \$145,000 for pastoral care and career advisory services in high schools - heaven knows, we need it - and, of course, the third introductory English centre in Tuggeranong. I applaud these initiatives. They are needed. In fact, one could argue that they are overdue. Similarly, the \$1m for minor works, particularly the component for intruder alarms, considering the vandalism that has been going on in our schools, is certainly welcome, although I wonder how many schools will be protected by this component, given the relatively small amount of \$1m for total minor works.

The same question arises in relation to the \$1.3m in Commonwealth funds for additional capital works for secondary schools. Mr Wood, I might add, has indicated that so far some 17 schools and colleges are likely to benefit from this \$1.3m. This represents about \$76,500 per facility, and we await further details from you, sir, as to what this relatively small amount will really provide for each school or college.

I know that the P and C Council and the Australian Teachers Union expected more in terms of funding from this budget. That comes as no surprise; they generally do want more. In fact, I do not know of any year when they have not expected more, and to some extent it is their responsibility to seek additional funding at all times. I happen to disagree with them, however, Madam Speaker - not because I do not think most of their requests are necessary, but because I believe that any disappointment the government school sector might experience

from this relatively lacklustre budget will be insignificant compared with the bitter disappointment the community can look forward to in future years because, despite the rhetoric, your Government, Chief Minister, has made only minor savings in education. These savings might impact later this financial year to a greater degree than we now realise. I am not in a position to judge this because I am referring to the proposed, but unidentified, adjustments which you mentioned in "the department's central office structures and in realising economies in administrative overheads".

Irrespective of these impacts, the real crunch - namely, the cutback, realistically, in education finance, sought repeatedly by the Grants Commission - has been fobbed off once more. This is despite Mr Wood's solemn warning in the *Canberra Times* that I read on Wednesday morning that the present levels of expenditure in education could not be sustained. I believe that this is indeed an opportunity lost, and lost despite an awareness of the problem, at least by your Education Minister. Perhaps he was conscious of the \$4m blow-out in the 1991-92 budget.

Mr Wood: There was no blow-out. Come on!

MR CORNWELL: No blow-out? The figure originally quoted was \$184m and the actual figure, I think, was \$188m. So it throws into doubt whether we are going to have a 1.8 per cent or even 2.5 per cent reduction in education this year, given that \$4m blow-out last year.

I believe, however, that in addition to creating this problem in the government sector, the Government has also allowed this failure to seriously address education funding to extend to the non-government sector. Here you have compounded the mistake, with more serious consequences, I believe, for non-government schools. I say that not because I am referring to the relatively small cuts to the textbook allowance, or the bus usage subsidy of \$56,000 that has been dropped, or even the \$33,000 that is taken from Canberra Grammar School's higher school certificate special purpose grant. In fact, the total, I think, is about \$225,000. Mr Wood nods. Thank you. These are important. I would not argue that. I have no doubt that they will hurt the non-government sector, but I submit that they will be sustainable.

The Government's real offence, Madam Speaker, to the non-government sector concerning the real expenditure cuts is its delay in addressing the issue. I am referring, of course, to its failure to address the issue by putting off the longer-term funding arrangements for non-government schools until consideration of the Berkeley report. The non-government schools' forward planning will be seriously delayed and, I believe, unreasonably interrupted. The Government has had the Berkeley report since July. One would have thought that they could have addressed it properly in this budget. They have not done so. The forward planning of the non-government schools, I repeat, will therefore be seriously delayed and unreasonably interrupted. Therefore, I believe that the Government has done a significant disservice to both sectors of ACT education by its abject failure to face the long-term financial realities of this portfolio. Interestingly, in doing so, you have ended up pleasing nobody, if criticism from the Australian Teachers Union and the P and C Council is anything to go by. All you have done, I suggest, is postponed the day of financial reckoning.

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Turning now to the TAFE sector, I join with others in recognising and again applauding the initiatives in this area. However, again it should be pointed out that the 500 additional student places are a result of Commonwealth, not ACT Government, funding. The \$70,000 waste management initiative and the \$100,000 international hotel management school initiative are both seed funding for planning studies.

Ms Follett: Not enough?

MR CORNWELL: None of these initiatives, Chief Minister, by any stretch of the imagination, despite your hallucinations yesterday, can be regarded as job creating. At best, they are training opportunities that we hope, after a change of Federal government, will lead to permanent and secure employment. Essentially, Madam Speaker, this budget has provided additional training opportunities in TAFE, thanks to Commonwealth largess, and a "steady as she goes" approach in school-based education. In so doing, it has failed to confront the financial imperatives at the school level, and I predict that the Government will rue the day it allowed itself to be so craven in tackling this issue.

Mr Connolly: Spend much less.

MR CORNWELL: It will be the community, as always, Mr Connolly, which will be the real loser. Ultimately, it will be the community that is called upon to suffer service and quality cuts disproportionate to those which would be the case if a gradual, but more courageous, financial adjustment had been made.

Briefly to address housing - I would like to give much more consideration to this when we get to the estimates - might I say that the Government might be proud of its 262 additional dwellings and its \$41.8m in rental rebate concessions, but I think it remains an indictment of the failed policies of the Australian Labor Party that so much is needed in this area to help the growing number of poor created by your fiscal policies, both federally and locally. Of course, it is not all bad, because it enables Mr Connolly's socialist housing empire to grow. Already the Housing Trust is Canberra's largest landlord. We know that. I suggest that, with outstanding rents of \$4.4m - - -

Mr Connolly: They are actually reducing it.

MR CORNWELL: With outstanding rents of \$4.4m in 1991-92, I would say that already it would be a matter of considerable concern to all responsible taxpayers and ratepayers. I am delighted to hear your interjection. I acknowledge that you are reducing it, and I will be pursuing that most avidly in the estimates.

Again I fear that one sees a missed opportunity here, Madam Speaker. I wonder what sort of savings would result if the funds for rental rebate concessions were provided as rent relief and prospective Housing Trust tenants could seek accommodation on the open market with these funds. What savings in overheads and maintenance of properties would result to the Government if this money were handed over to the tenants to seek accommodation on the open market? They would be considerable. What savings would you achieve in bad and doubtful debts? I think, again, that they would be substantial. Of course, from the tenants' point of view, what choice would then be afforded to these applicants to live where they felt comfortable rather than be guinea pigs for your social engineering? I believe that there would be substantial savings, but again it is an opportunity lost by this Government. I believe that, ultimately, again it will be the community that will be the loser.

MS FOLLETT (Chief Minister and Treasurer) (6.03), in reply: Madam Speaker, I would like to thank all members for their comments. Before I begin to address those comments, I might remind members of a statement made in the ACIL report of some fame. The ACIL report stated that the Liberals are sending a contrary message to the community about their sense of fiscal responsibility. I do not know the ACIL company very well; but I would dare to suggest, Madam Speaker, that that is probably the truest statement they have ever made, because what we have had from the Liberals opposite has ranged from nothing more than empty rhetoric from their leader, Mr Kaine, to utter gobbledegook from Mrs Carnell and Mr De Domenico.

Madam Speaker, I will address in some detail the comments made by Mr Kaine, as he does purport to be the alternative Treasurer. All I can say, Madam Speaker, is that, whilst he might have acquired a better class of speech writer, and there is no doubt about that, unfortunately the content leaves a lot to be desired. On the question of reserves, which Mr Kaine addressed, Madam Speaker, Mr Kaine is simply wrong about the budget's use of reserves. It is a surprising error on his part. He has, in fact, confused the capital and recurrent budgets, and he tried to suggest that we have been using reserves to fund the ongoing services of government. That is simply not true. Madam Speaker, the recurrent budget is balanced without the use of accumulated reserves. We are, however, just to put it right, using \$20.8m of reserves to help fund the capital budget. We are using reserves in that way instead of borrowing, and I think it is a good use of reserves. It does, in fact, save us \$400,000 this year, and \$2.4m in future years. These reserves have been built up, in large part, by the surpluses of the last two Labor budgets, in 1989 and 1991.

Just to put members' minds at rest, we are maintaining adequate reserves. Mr Kaine fulminated about our using all of our reserves, but that is not true either. We have, in fact, fully maintained the \$31m in reserves that was provided by the Commonwealth at self-government, and there is also \$18m from the casino premium which is earmarked for cultural facilities. We have substantial moneys also, Madam Speaker, in the superannuation trust fund. Mr Kaine is simply wrong about the use of reserves last year also. It is a matter that he ought to get some better advice on. Madam Speaker, \$37m of the \$53m was used, again, instead of borrowing. I cannot see how Mr Kaine can fault that. The remaining \$15m funded restructuring measures, measures which were designed to save money in the longer term. Mr Kaine made a confusing comment about \$25m in that last budget, and I state, Madam Speaker, that it was used to retire Commonwealth debt. Again, that is hardly a waste of money.

Mr Kaine also made comments about whether our savings will be achieved. There is no doubt in my mind that those 2 per cent savings will be achieved. I reiterate that I believe that program managers are the best people to determine where efficiencies can be made in their own programs. The Government, for our part, have examined and endorsed a quite broad range of measures that have been put forward by program managers to achieve those savings. They are, in fact, detailed in Budget Paper No. 3. Program managers have accepted ownership of these savings. I expect that they will be achieved.

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Mr Kaine looked also, Madam Speaker, at raw figures in both education and health, and he has simply ignored the fact that our population is growing and our school enrolments are growing. We have, in fact, provided funding for that growth. It is an entirely reasonable thing to do. Madam Speaker, we have set significant expenditure reductions in place, and they are realistic reductions; they are achievable reductions. In the health area, Madam Speaker, Mr Kaine's reference to the business rules seems to suggest that we should have no flexibility to cope with changes that are beyond the Government's control. I do not know what he intends us to do, Madam Speaker - stack the patients in the car park perhaps. We will not do that. I can only assume, Madam Speaker, that he would cut essential services to pay for wage increases or to compensate for decreased revenue from the private patients.

I turn now to Mr Kaine's comments on revenue. I would say that the revenue estimates in the budget are realistic and they are based on patterns which emerged last year as well as, of course, Treasury predictions of future trends. There is nothing airy-fairy about them. In some areas, Madam Speaker, revenue items underachieved last year. We have had a recession. This may have escaped members opposite. Some have overachieved, but I doubt whether members opposite could have predicted the enormous increase, for example, in conveyancing activity. I doubt very much that they would have made that prediction, and, indeed, neither did we. There will always be variables; but I am confident that we have estimated as accurately as possible, and the budget is not based in any way on fragile parameters. I stand by the Treasury's expertise in making those estimations, and I would certainly put the Treasury expertise in these matters far above that of the contrary Liberals opposite.

Madam Speaker, Mr Kaine also dismissed the impact of the budget on the creation of jobs in the private sector. I really think that he has done less than justice not just to the budget but to the private sector's ability to respond to some stimulus. I believe that the measures we have put in place are realistic and achievable, and they make use of the means available to us in the best possible way. Mr Kaine, of course, in his contrary fashion, has complained that some measures are short term; for example, training. He does not like training at all because it is short term. On the other hand, and many of the contrary Liberal members made this comment, the freight facility and the international hotel management school are too long term for them. They really just do not know what they want.

Madam Speaker, Mr Kaine has spouted his usual rhetoric about smaller government, about privatisation, about contracting out, and so on. He has also put forward the idea of a wide-ranging review of the public sector. With his experience of the Priorities Review Board under his belt, so to speak, I am amazed that he would dare to suggest a similar exercise. Members will recall that Mr Kaine, in effect, had to distance himself from that report. He paid out well over \$300,000 in consultants' fees for that report, and then did not use it and said that he could not use it. How is that for fiscal responsibility? Madam Speaker, Mr Kaine, as I say, has really spouted nothing more than empty rhetoric. Where he did venture what he understood as the facts, he is wrong. I think that is very unfortunate in somebody who does claim to be the alternative Treasurer.

Madam Speaker, I will deal fairly briefly with what other members have said. Mr Moore and Ms Szuty, as usual, said a great deal that is sensible, a great deal that is useful and a great deal that will be pondered upon.

Mr Kaine: That guarantees their vote for the next three months.

MS FOLLETT: Madam Speaker, I make no bones about the fact that the most memorable statement by Mr Moore was that he would support the Appropriation Bill unamended, and I thank him for that. At least both Mr Moore and Ms Szuty understand and appreciate the social justice nature of this budget, and again I appreciate their comments in that regard.

Mr De Domenico seemed to get to his feet really for the prime purpose of proving that he could read out aloud what other people had written. He seemed to feel that he needed to prove that. Madam Speaker, if I were he, I would be trying to prove it as well, because he certainly proved that he cannot count. He has, in fact, made a twit of himself on some of the issues that he raised, not the least of which was payroll tax. Quite clearly, he has not recalled to mind the actions of his leader in regard to payroll tax in the only budget brought down by Mr Kaine. Mr Kaine, in his only budget, increased the marginal rate at which most payroll tax is collected from 6 per cent to 7 per cent. He took that action in a deliberate move to raise \$4m in his budget. Mr De Domenico clearly has forgotten about that. I would like to add, Madam Speaker, that in his one and only budget the amount raised in additional revenue by Mr Kaine was, in fact, \$46m. He also raised land tax. I think that has slipped members' minds as well. He raised land tax, Madam Speaker - all of the land tax that applied at the time - from 0.75 per cent to one per cent. I think members opposite have to match the rhetoric with the actions at some stage; otherwise I am afraid, as I said, that ACIL have made the truest statement that they will ever make.

Madam Speaker, I say again that members opposite cannot count. I would like to refer everybody to their little countdown campaign, the "900 days to go" campaign. Members opposite put out a quite long press release about how there were 900 days to go before they got back into government and so on. It was treated with the contempt it deserved, of course. Nobody ran it, except the Liberals who put it on - - -

Mr Kaine: But you noticed it.

MS FOLLETT: I did notice it. They put a little poster on the window of their office on the first floor - "900 days to go" on the first day; the next day, "899 days to go"; the next day, "898 days to go". It has disappeared, Madam Speaker. I can only conclude that their maths deserted them after a couple of days. It is consistent with their performance in general on anything to do with figures. Their maths deserted them completely. The only other possible scenario is the one Mr Humphries suggested in his speech, which is that they do not really think they are going to be in government in 900 days, or 900 years. He said it himself.

I should like to refer briefly, because I am a merciful person, to Mrs Carnell's comments about the health budget. My colleague Mr Lamont, in the course of Mrs Carnell's comments, very kindly maintained a Kate poll of items where she would like more money spent and items where she would like less money spent. Not surprisingly to the people who were forced to listen to her inanities, it came out at 10 each way - 10 places where she wants to spend more and 10 where she wants to spend less. Again, I refer to the contrary message on fiscal responsibility being put forward by those opposite. I remind the Liberals, who seem to have forgotten, of Mrs Carnell's comments on the Julie Derrett program on 3 April.

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She said:

We've really got to make sure that we continue to be focused on outcomes and that means that sometimes that might mean more money spent in a particular area.

More money, Madam Speaker. Again, on 8 April, Mrs Carnell was reported on 2CN as follows:

The Opposition's Health Spokesperson, Kate Carnell, claims the standard of health care in the ACT is suffering due to Government budget constraints.

What a contrary message on fiscal responsibility! It is totally contrary. As so many of them seem to be confused about the health budget, I would like to spend a little time commenting upon that. (*Extension of time granted*) The Opposition keep asserting that Health overspent by a figure, which I believe they have invented, of \$10.6m.

Mr Kaine: It comes out of your own publications.

MS FOLLETT: It has not come out of the budget papers; it is a totally rubbery figure, and no more than you would expect from the people over there. Budget Paper No. 2 quite clearly shows, on page 34 and again on page 40, that the total health expenditure, that is, programs 26 and 27 combined, exceeded the original budget estimate by a total of \$7.67m on the recurrent side. This is made up of \$6.4m for hospitals and \$1.2m for public and community health. On the capital side, there was actually an underexpenditure of \$2.8m. Therefore, for both recurrent and capital combined, the expenditure above the original estimate was \$4.8m. Try to ingrain that in your minds, please. Forget the other figure. You made it up.

As is clearly pointed out on page 40 of Budget Paper No. 2, the increases under the business rules resulted from legitimate causes. The legitimate causes, which would have caused the Liberals to stack the patients in the car park, included wage increases, changes in the number of private patients and changes in specific purpose funding from the Commonwealth. They deliberately fail to understand the health budget. It is a complex matter and, as I have said, they cannot count backwards from 900, so we know that it is beyond them. I am sorry that members of the Liberal Party did not see their way to making a better assessment than they have made. Unfortunately, in regard to education, the Opposition says that education expenditure blew out by \$4m. Page 39 of Budget Paper No. 2 - - -

Mr Kaine: We have a different page.

Mr De Domenico: We must have got bodgie copies.

MADAM SPEAKER: Order!

MS FOLLETT: They will not listen, Madam Speaker, even when you try to put them right. They are contrary. Page 39 of Budget Paper No. 2 says that government schooling expenditure was over by \$3.2m; non-government schools expenditure was below the budget by \$0.7m; and higher education and training expenditure was \$0.165m below the budget. I ask members to try to come to terms with the real figures and to understand what is in the budget papers.

Mr Berry: I raise a point of order, Madam Speaker. I have been trying to listen to the Chief Minister's speech and I cannot hear it for the repeated interjections. I have heard repeated calls from you for order. I think it is getting to the time when these people are going to have to be disciplined if they do not behave themselves. I ask you to ensure that they are called to order.

MADAM SPEAKER: Members, I remind you of standing order 39.

MS FOLLETT: Madam Speaker, I will be brief. Mr Stevenson's comments I found, again, nothing less than empty rhetoric. On the other hand, I do not remember Mr Stevenson going to the people on a strong platform of financial management, so perhaps we can forgive him for the lack of grasp of the area that he has demonstrated.

I commend the budget to the Assembly. It is a budget that is based on social justice. I believe that it spends the most money where it is most needed, and that is in the creation of jobs. It has a balance of responsible or prudent levels of borrowing combined with a balanced recurrent budget, and I believe that that is the appropriate course. Some members, and I am surprised at this, have criticised the budget as being a little on the conservative side. Madam Speaker, you will not see budgetary heroism, you will not see fiscal gymnastics, from me ever. I maintain that financial management is one of the most serious tasks any government can undertake. I certainly take it very seriously, and I will not run risks with the budget of the ACT. The people opposite who are calling upon me to do that have only to look at the experience of other States that have done that to realise what a dangerous course it is. My budget is aimed at protecting the ACT and protecting the future of the ACT. I commend it to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

MS FOLLETT (Chief Minister and Treasurer) (6.23): Madam Speaker, pursuant to standing order 174, I move:

That the Appropriation Bill 1992-93 be referred to the Select Committee on Estimates.

Question resolved in the affirmative.

PAPER

MADAM SPEAKER: Members, I present, for your information, the 1991-92 annual report for the ACT Legislative Assembly Secretariat.

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POINTS OF ORDER **Papers and Statement by Speaker**

MADAM SPEAKER: I table, for the information of members, a piece of correspondence sent to my office at the beginning of this sitting period. As you will see from the information I table, this correspondence has attached to it what purports to be a statistical analysis of points of order in the Legislative Assembly sittings up to and including Thursday, 20 August 1992. The correspondence is signed by the Leader of the Opposition. The letter merely brings these so-called statistics to my attention. Had the matter rested there, I would have had no particular reason to follow it up or to bring it to the attention of the Assembly. However, information conveyed to me in conversations with some members of the Assembly makes it evident that the document I have tabled has come into the possession of a journalist in Canberra.

If the Liberal Party and the Leader of the Opposition wish this matter to be one of public debate or debate in the Assembly, that is their right, which I strongly support. However, to the extent that statistics may be relevant, I believe that the Assembly will be best served by the presentation of accurate statistics obtained from an authoritative source. I have therefore asked for an examination of the *Weekly Hansard* index to be made to determine whether the summary presented constitutes an accurate record of events in the chamber. I am advised that it does not. The *Weekly Hansard* for the final part of the period covered by the letter is not yet available. However, points of order can be examined for the sittings up to and including 13 August 1992. While this is one week shorter than the period examined in the paper sent to me, it is the only accurate analysis available to me at the present time.

As you will see from the paper I now table, a total of 48 points of order were taken by the Opposition in this period. The official record shows that there were significantly more points of order taken by the Opposition than they claim. Even allowing for the fact that we are examining a period one week less than that examined in the statistics of the Leader of the Opposition, the points of order are underestimated by a factor of 33 per cent. Looking at the other categories discussed, such as "Not ruled upon at all", "Ruled against" and "Upheld", my advice shows that the statistics are also inaccurate there.

In conclusion, I ask members to note the following: I do not accept that statistical analysis, whether official or freelance, is a particularly productive basis for examination of points of order or other rulings in this chamber. The device of points of order, in this Assembly and in other parliamentary forums, is frequently used tactically to disrupt the flow of proceedings. I have sought throughout these proceedings to apply the standing orders correctly for all members of the chamber and, with the support of the chamber, I will continue to do so.

ADJOURNMENT

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

That the Assembly do now adjourn.

Assembly adjourned at 6.27 pm until Tuesday, 13 October 1992, at 2.30 pm

ANSWERS TO QUESTIONS

Legislative Assembly Question No. 178

Shopping Centres - Crime and Policing

Mr Humphries - asked the Attorney General

(1) What crimes have been reported to police in each of Canberras suburban, district and town centre shopping centres in 1991-92 (year-to-date), 1990-91, 1989-90, 11 May 1989 to 30 June 1989.

How many of these crimes, by category, have been "cleared-up".

(3) What percentage of the Territorys total crime, by category, occurs in or around Canberras shopping centres.

(4) What complaints (not involving a criminal offence) have been reported to police in each of Canberras suburban, district and town centre shopping centres in 1991-92 (year-to-date), 1990-y1, 1989-90, 11 May 1989 to 30 June 1989.

(5) How are Canberras shopping centres policed.

(6) How much does the Australian Federal Police spend on patrolling Canberras shopping centres.

(7) How does this compare with other policing activities.

(8) What effort is put into crime deterrence in Canberras shopping centres.

(9) What is the Governments existing policy on the policing of Canberras shopping centre.

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

NOTE: The AFP system does not allow for the extraction of statistics for part months. Consequently, statistics have been provided from 1 May 1989, not 11 May 1989.

The figures have not been broken down to individual shopping centres due to the difficulty in putting the rcsponse into a readable form and the final number of pages it would require.

The figures quoted beiw relate to alleged offences taken from the Criminal Offence Report (COP) database, and du not necessarily reflect the incidence of a particular crime.

The figures DO NOT include figures for offences committed at Service Stations which are not necessarily located at shopping centres.

Figures quoted in AFP Annual Reports include all offences at all locations.

The figures are correct as at July 1992.

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(1) and (2) Crimes Reported to Police, and Numbers Cleared, in Canberras Suburban,

District and Town Centre Shopping Centres

I May 1989 - 30 June 1989 1 July 1989 - 30 June 1991 1 July 1990 - 30 June 1991 1 July 1991 -
30 June 1992

Offence Offences Offences Offences
Reported Cleared Reported Cleared Reported Cleared Reported Cleared

Offences Type

OFFENCES AGAINST THE PERSON

Assaults (Excluding Sexual)

Assaults Causing A.B.H. - - 6 3 5 5 S 3

Assaults, Other 2 1 23 16 32 IS 41 24

Sexual Assaults/Offences

Indecent act, no consent - - 0 1 2 1 2 1

Indecent act, person <16yrs - - - -

N.E.C.

Other Offences

Bomb Hoax 2 - 2 1 -

Bomb Threat - - - Other - - 1 - 2 1 S 5

ROBBERY AND EXTORTION

Robbery

Armed Robbery 4 4 - - 12 4 14 4 -

Other Robbery - - - - 4 1 4 4

Extortion

Blackmail and Extortion 1 2

BURGLARY, FRAUD AND OTHER

OFFENCES OF THEFT

Burglary

Burglary Shops 78 3 706 69 759 74 791 80

Burglary Other - - 2 - 11 - 16 1

Fraud and Misappropriation

Fraud 9 2 116 41 98 51 267 126

Misappropriation 33 27 44 43 1 1

Counterfeiting - - 2 1 3 - 4 -

Handling Stolen Goods

Receiving 1 1 4 4 S 4 S S

Unlawful Possession 2 2 7 6 12 11 20 17

Other - . - 5 4 8 8

7 6

1 May 1989 - 30 June 1989 1 July 1989 - 30 June 1990 1 July 1990 - 30 June 1991 1 July 1991 - 30 June 1992

Offence Offences Offences Offences

Reported Cleared Reported Cleared Reported Cleared Reported Cleared

Offence Type

Theft or Illegal Use of Vehicle

Motor Vehicle Theft - - 4 1 4 1 I -

Bicycle Theft - - - 1 - 2 -

Other Vehicle Theft - - - I - - -

Other Theft

Stealing from the Person - - 1 - 3 - I -

Stock Theft - - I - - - -

Shopstealing 113 82 633 518 964 824 1183 999

Other Theft 60 16 322 60 640 122 961 233

PROPERTY DAMAGE AND ENVIRONMENTAL OFFENCES

Property Damage

IV Arson - - 4 - 4 1 9 2

4a Other Property Damage 51 - 333 28 633 51 671 43

V

V

OFFENCES AGAINST GOOD ORDER

Government Security Operations - - - I 1 1 1

Justice Procedures 1 1 7 4 9 6 8 6

Firearms and Weapons - - 1 1 2 2 1 -

Indecent Exposure - - 2 - 3 - 3 -

Other - - 5 4 6 5 26 21

OTHER OFFENCES (N.E.C.) 2 1 22 17 12 5 38 1

NOTE: Offence classifications are based on Australian Bureau of Statistic ANCO (1985).

N.E.C. - Not Elsewhere Classified

ABH - Actual Bodily Harm

Source - Information and Statistical Services Branch COR Database

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(3) Percentage of the Territory's Total Crime,

Category, Occurring In or around Canberra's hopping . Centres.

1 May 1989 - 30 June 1989 1 July 1989 - 30 June 1990 1 July 1990 - 30 June 1991 1 July 1991 - 30 June 1992

Percentage Percentage Percentage Percentage

Offence Type

OFFENCES AGAINST THE PERSON

Assaults (excluding sexual)

Assaults Causing A.B.H. - 4.00 2.75 2.03

Assaults, Other 2.99 5.25 6.18 5.59

Sexual Assault/Offences

Indecent act, no consent - - 1250 5.71

Indecent act, person < <16yrs - - -
6.06

N.E.C. 40.00 N/A N/A N/A

Other Offences

Bomb Hoax 3333 6.25 - 50.00

Bomb Threat - - - 1250

Other - 11.11 4.55 9.25

N ROBBERY AND EXTORTION

4s

-1 Robbery

00 Armed Robbery 30.77 - 33 Other Robbery - - .33 25.x5
6.67 8.00

Extortion

Blackmail and Extortion - - - 50.00

BURGLARY, FRAUD AND OTHER

OFFENCES Oh THEFT

Burglary

Burglary Shops 75.00 8455 93.01 98.14

Burglary Other - 0.14 0.85 1.13

Fraud and Misappropriation

Fraud 13.64 14.08 23.96 32.17

Misappropriation 97.06 32.12 33.33 -

Counterfeiting - 25.00 30.00 80.00

Handling Stolen Goods

Receiving 10.00 25.00 31.25 22.73

Unlawful Possession 50.00 1750 23.53 40.82

Other - 2S.00 15.38 36

.84

1 May 1989 - 30 June 1989 1 July 1989 - 30 June 1990 1 July 1990 - 30 June 1991 1 July 1991 -
 31 May 1992
 Percentage Percentage Percentage Percentage

Offence Type

Theft or Illegal Use of Vehicle

Motor Vehicle Theft - 0.27 0.27 0.05

Bicycle Theft - - 0.07 0.16

Other Vehicle Theft - - 2.12 -

Other Theft

Stealing from the Person - 25.00 17.65 435

Stock Theft - 11.11 - -

Shopstealing 94.17 98.75 98.97 99.24

Other Theft 7.17 6.43 8.61 11.71

PROPERTY DAMAGE AND ENVIRONMENTAL
 OFFENCES

Property Damage

Arson - 4.21 2.16 4.46

Other Property Damage 1151 10.15 13.08 11.68

OFFENCES AGAINST GOOD ORDER

Government Security Operations - - 25.00 11.11

Justice Procedures 5.26 9.72 6.52 3.49

Firearms and Weapons - 1.23 230 0.85

Indecent Exposure - 2.41 4.11 3.70

Other - 4.03 3.59 7.88

OTHER OFFENCES (N.E.C.) 3.92 7.46

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(4) These figures are not available. Calls for police assistance which subsequently do not result in an offence are not retrievable from the database.

(5) During the day, regular police patrols are allocated to shopping centres. These patrols may be in the form, or a combination of, vehicle, foot or bicycle patrols.

At night, and as resources allow, shopping centres are policed by regular vehicle patrols and whenever possible, by police dog patrols.

(6) Actual cost associated with policing Canberras shopping centres are not specifically recorded. All costs are absorbed within each Patrol Districts budget.

(7) See 6 above.

(8) Considerable effort is put into crime deterrence in Canberras shopping centres. The main shopping centres are patrolled regularly by foot patrols, and other smaller centres are patrolled as resources allow.

The ACT Region Crime Prevention Unit advises shopkeepers on matters concerning security and crime prevention, concentrating on deterring theft and/or break and enter.

(9) Canberras shopping centres will continue to be policed by regular patrols and shopkeepers will be advised on appropriate crime prevention measures.

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**MINISTER FOR HEALTH
LEGISLATIVE ASSEMBLY QUESTION
QUESTION 223**

Home-Based Palliative Care Program

Mrs Carnell - to ask the Minister for Health:

1. How many positions are currently available in the Home Based Palliative Care Program.
2. What is the average monthly number of patients registered with the Palliative Care Program.
3. What is the waiting time to get into the Home Based Palliative Care Program.

Mr Berry - the answers to Mrs Carnell's questions are:

In reply to your question I am pleased to advise that:

1. The Palliative Care Program is staffed by 10.5 FTE which covers a roster of five nurses each morning, two per evening shift with an on-call system between 11.00 pm and 8.00 am seven days per week. There is additional funding to the value of 4 FTE to cover leave relief and casual staff.
2. The program services an average of 25 clients at any one time.
3. The average waiting time from referral phone call to registration on the program is approximately 1.5 days. , ,

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MINISTER FOR EDUCATION AND TRAINING

**LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO 228**

**Education Budget - Increase in
School Enrolments**

MR CORNWELL -asked the Minister for Education and Training on notice on 1 August 1992:

In relation to the Chief Ministers statement in the 1992 Budget Strategy Statement (page 8) that "an increase in school enrolments and a movement from private to public schools" had contributed to a budget gap currently estimated at over \$70 million -

- (1) In what area(s) has there been an increase in school enrolments to contribute to this gap.
- (2) How many enrolments were there in each of the area(s) at (1).
- (3) What was the cost of these increased enrolments which contributed to this budget gap.
- (4) In what area has there been a movement from private to public schools.
- (5) How many students have moved in each of these area(s) in (4).
- (6) What was the cost of these increased enrolments which contributed to this budget gap.

MR WOOD - the answer to Mr Cornwells Question is:

- (1) School enrolments across the ACT have increased by 730, or 1.2 per cent, in the five years 1987 to 1991.

This increase has been concentrated in the higher cost areas of upper secondary and special schools.

- (2) Enrolments in Years 11 and 12 increased by 1,649 from 8,122 to 9,771, an increase of more than 20 per cent, between 1987 and 1991. As well, special school enrolments increased by 101, or more than 27 per cent, from 372 to 473 during the same period.

- (3) The cost of the additional enrolments in secondary colleges and special schools was \$10.2 million. Taking into account decreased enrolments in some other areas, the overall additional cost to the public education system was \$5.6 million in 1990-91 figures.

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- (4) Only six of the 15 non-government secondary schools offer Years 11 and 12; students enrolled in other non-government secondary schools transfer to the government sector for Years 11 and 12.
- (5) In 1991, 491 students commencing at government secondary colleges and two students commencing at special schools reported attending non-government schools the previous year.
- (6) The cost of these 493 transferring students was \$2.6 million in 1990-91 figures.

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

Question No 239

Civic Youth Centre

MRS CARNELL: Asked the Chief Minister - In relation to the Civic Youth Centre

- (1) Who are the current tenants.
- (2) Is rent received from any of these tenants.
- (3) How many rooms are located in the Civic Youth Centre.
- (4) What is the purpose and floor space of each room.
- (5) Are rooms in the Centre ever left unoccupied.
- (6) What is the Government's estimation of the number of people using the Civic Youth Centre each week.
- (7) Have expectations, at the time the Civic Youth Centre was originally built, as to the amount of use the Centre would receive, been sustained.
- (8) What is the cost of maintenance each year.
- (9) Are major renovations in store for the Civic Youth Centre.
- (10) Do community or interest groups with charters or purposes not associated with youth affairs or young people make use of the Civic Youth Centre.

MS FOLLETT - The answer to the member's question is as follows:

(1) The current head tenant of the Civic Youth Centre is the Civic Youth Centre Management Committee. The current subtenants of the Civic Youth Centre are:

- Short Cuts Information and Advocacy Service
- Short Cuts Youth Housing Outreach
- Jobline .
- Youth Accommodation Group
- Red Cross Youth Health Project
- The Youth Resources Centre (Work Resources Centre Inc)

The facility is managed by the Civic Youth Centre Management Committee which also receives recurrent funding through the Youth Services Grants Program (\$112,137 in 1992/93) to operate the Civic Youth Centre Cafe/drop-in and, a range of programs and services for young people.

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(2) The Civic Youth Centre Management Committee has a rent free lease from the ACT Government and receives rent from all of the above listed sub-tenants to contribute to the running of the Centre.

(3) The Civic Youth Centre consists of four functional areas each containing a number of rooms:

- A Cafe/drop-in space.
- A multi purpose hall.
- A self contained program space for the provision of services to unemployed young people.
- A two storey open plan office block.

(4)The purpose and floor space of each of these areas is as follows:

- The Cafe/drop-in space - 206 square metres provides direct support, assistance and a range of programs and services for young people in the. City area, particularly those in crisis...-.
- The multi purpose hall - approximately -200-square metres - provides space for programs and activities,. as well as meeting space and an entertainment and recreational venue for young people in the City area.
- The self contained program space in which .services for unemployed young people are provided approximately 162 square metres - currently tenanted by the Youth Resources Centre.
- The open plan office, block - 241 square metres currently housing five of the youth services listed above.

(5) The Civic Youth Centre facility is fully .tenanted and heavily utilised. The Cafe/drop-in space is open 5 days per week and is used 5 evenings a week for programs such as literacy and free food programs provided by the Red Cross Roadhouse, the Hare Krishna Food For Life Program and Jobless Action.

The hall is used during the day for activities and programs run through the Cafe and is used every night of the week and weekends by a range of community groups and young people for activities such as band practice and band nights.

The self contained program space is utilised five days a week for employment programs. The office block is used during normal business hours.

(6) It is estimated that approximately 900 contacts with young people are made per week in total through the various programs based in the Civic Youth Centre.

(7) Yes - The Civic Youth Centre has fulfilled the expectation that it would be a focal point for the

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provision of youth services in the City area.

- (8) The cost of maintenance for the 1991/92 financial year was \$6,907 for urgent minor repairs and approximately \$800 for minor new works.
- (9) Yes - \$75,000 was allocated for a major refurbishment of the Civic Youth Centre in the accelerated capital works program announced by the Government last February. It is anticipated that work will commence in late September 1992.
- (10) Yes - Community or interest groups with charters or purposes not associated with youth affairs or young people may use the facility through the hire -of the multi-purpose hall at the rate of \$5.00 per hour or \$10.00 per hour if they charge participants for the activities offered.

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

QUESTION NO 247

**Housing Trust - Fraser Supported
Accommodation Property**

Location of supported accommodation in Fraser

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

(1) Further to your reply to question on notice No. 218 that namely "There have been no breaches of the ACT Planning Authority's Criteria for Siting Supported Accommodation in Residential Areas in relation to the purchase of (a house in) Fraser by the ACT Housing Trust" when -

(a) One of the two key objectives in the supported accommodation location criteria, viz:

(i) Maintenance of residential amenity for Ron Ia living in the immediate area,

has been broken by (A) failure to advise local residents of the occupations;

(B) installation of full scale security lighting and

(C) security screening on the front windows of the property;

(b) Point One of the Design and Siting Criteria for "supported accommodation", namely -

The building facade is to blend in with the existing streetscape has been broken by (A) installation of security lighting;

(B) security screening on front windows;

(C) totally enclosing open front verandah by timber rails and nylon mesh; and

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(c) Section C (Consultation) of the Criteria, namely -

"Residents and lessees of blocks adjoining the subject block ...as a minimum are to be consulted for their views on design and siting conditions as it affects their residential amenity. "

has been ignored by the breaches of criteria set out at (ii) above.

(2) What is intended to be done about these breaches of the Criteria for Siting

Supported Accommodation in Residential Areas of the ACT Planning Authority.

(3) Why were these points at (1) not addressed in answer to question on notice

No.218.

Mr Wood - the answers to the Members question are as follows:

(1) In relation to the matters raised in (1) I would make the following points:

(1) (a) (A) The Objectives in the ACT Planning Authoritys Criteria for

Siting Supported Accommodation in Residential Areas stress the importance of anonymity for the security of supported accommodation. This is why local residents are advised that the dwelling is to be used for Supported Accommodation, but the actual occupant group is not identified.

This objective was not breached by the ACT Housing Trust. The Chief Planner has on file copies of letters sent to the neighbours of the property in question, advising them of the purchase of the property by the ACT Housing Trust and the intention to use the dwelling for the provision of supported accommodation. These letters are dated 14 January 1992 and signed by Joan Westaway as A/g Commissioner for Housing. These letters satisfy the ACT Planning Authoritys requirements.

(1) (a) (B) The ACT Planning Authoritys Criteria for Siting Supported

Accommodation in Residential Areas state that "the appropriate residential Design and Siting policies will apply". The installation of security lighting is not a matter considered in the ACT Planning Authoritys residential Design and Siting policies and does not constitute a breach of the ACT Planning Authoritys requirements. The lighting installed is only activated by movement in the vicinity of the doors of the dwelling and is not flood lighting.

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(1) (a) (C) Similarly, security screening to windows is not considered in the

ACT Planning Authority's residential Design and Siting policies, and does not constitute a breach of the ACT Planning Authority's requirements.

(1) (b) (A) Point One of the Design and Siting Criteria in the ACT Planning Authority's Criteria for Siting Supported Accommodation in Residential Areas requires that the building facade blend with the existing streetscape. As this dwelling has been in situ since 1974 it comprises an element of the existing streetscape. As discussed in (1) (a) (B), security lighting is not considered in the ACT Planning Authority's residential Design and Siting policies.

(1) (b) (B) As in (1) (b) (A), the dwelling is an element of the existing

streetscape and therefore complies with the ACT Planning Authority's requirement that it blend with the existing streetscape. The ACT Planning Authority's residential Design and Siting policies do not consider the addition of security screens on windows.

(1) (b) (C) There is not a legal requirement under the existing Buildings

(Design and Siting) Act 1964 for an application to be made for approval of this work.

(1) (c) The requirements of the ACT Planning Authority for

consultation with neighbours were met in the correspondence from the A/g Commissioner referred to in (1) (a) (A). The requirements for consultation have not been breached; on the contrary they have been complied with in full.

(2) Nothing is intended to be done as no breaches of the criteria have occurred.

(3) The above points were not addressed in answer to the question on Notice

No. 218 because no breaches had occurred and the ACT Planning Authority's policy has been complied with.

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MINISTER FOR EDUCATION AND TRAINING

**LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO 248**

**Government Schools -
Average Per Student Costs**

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

Further to your statement (The Canberra Times - 18 June 1992) , that "there are now 287 Year 13 students still at school costing close to \$7000 each..."

- (1) How is this figure per student reached, given that the average cost per college student in 1990-91 was \$5,640 (reply to question on notice No. 7).
- (2) What was the average cost per student in 1991-92 in (a) primary; (b) high; and (c) colleges.

MR WOOD - the answer to Mr Cornwells question is:

- (1) The average expenditure per college student from my Departments budget in 1990-91 was estimated at \$5640. The cost to the Government is always greater than this because certain additional salary on costs are included in the ACT Treasury budget. These additional costs include Comcare premiums and long service leave. When they are included, the estimated total cost would be significantly more than \$5640. While an exact figure was not available, an estimated amount was the basis of the statement in the Canberra Times.
- (2) The average costs per student for 1991-92 are not yet available.

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**MINISTER FOR EDUCATION AND TRAINING
LEGISLATIVE ASSEMBLY QUESTION
QUESTION 249**

**Belconnen Region High Schools -
Staff-Student Ratios**

MR CORNWELL - asked the Minister for Education and Training on notice on 11 August 1992: ,
In relation to Drawing Together, the Report by the Belconnen Region High Schools Task Force,
what are the 1991 figures for Table 7 at page 64 and Table 8 at page 66 of this publication.

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

Table 7: ACT, NSW and total Australian government secondary school
staffing.
1991 (full time equivalent)

ACT	NSW	Total
Australia		
Type of staff		
Teaching	1514	23268 71679
Specialist		
support	42 419	1763
Admin. and clerical	267 . 4301	11928
Maintenance, etc.	32 408	1564
Total	1855 28395	86934
Students	18472	306489 878610
Staff per 100 students	ACT NSW	Total ACT
Australia per cent		
above or		
below Aun		
Teaching	8.20 7.59	8.16 +0.5
Specialist support	0.23 0.14	0.20 - +15.0
Admin and clerical	1.45 1.40	1.36 +6.6
Maintenance, etc	0.17 0.13	0.18 -5.6
Total	10.04 9.26	9.89 +1.5_.

Sources Australian Bureau of Statistics, (1992) Schools Australia, 1991, ABS Catalogue 4221.0.
Commonwealth

Government Printer, Canberra.

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Table 8: Class size distribution in ACT high schools, July 1991

High schools	Class size	Per cent over	Per cent over	Per cent over
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20 students	25 students	30 students		
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ACT (a)	89.8	62.9	9	
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Australia (b)	81	41	3	
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Source: (a) ACT Department of Education Class Size Census.

(b) Australia 1990 Australian Teachers Union Survey.

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MINISTER FOR HEALTH

LEGISLATIVE ASSEMBLY QUESTION

QUESTION 260

Spectacles for Pensioners - Supply Contract

Mrs Carnell - asked the Minister for Health

In relation to a contract with OPSM to supply optical-wear for Health Care Card holders (ie. pensioners).

- (1) Is there any particular reason why a contract should be signed with one _ . particular supplier of optical wear.
- (2) Has OPSM contracted to supply spectacles at discounted prices.
- (3) When the contract with OPSM finishes, could the system be restructured so that a pensioner receiving a voucher for optical equipment from ACT Health had a range of optometrists to choose from; if not , why not.

Mr Berry - the answer to Mrs Carnells question is as follows:

- (1) No, however under the tendering and contract process better value for money is usually obtained from a sole supplier.
- (2) Yes.
- (3) It would be possible, however a separate administrative structure would have to be set up to oversee such as arrangement, and it may not be possible to get such discounted prices from a larger range of suppliers. The increased administrative costs plus the probable increase in the cost of spectacles would far outweigh any advantage to the consumer that would be provided from one supplier with outlets ACT wide.

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MINISTER FOR SPORT

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO 270 .

**Office of Sport and Recreation - Acting
Assistant Secretary**

Mr Kaine - asked the Minister for Sport - In respect to the reply given to Question 182 concerning Mr Conways employment I ask for the following supplementary information

- (1) What characteristics of the position occupied by - Mr Conway warrant its classification at the SES Band 1. level..
- (2), If the position is not part of the formal Departmental structure, and is not informal, how should it be -
- (3.) .Was the position created for Mr Conway to occupy and if not what duties was it created to perform and who -were the previous occupants.
- (4) The answer to Question 182 (2)(e) implies that the
position will become associated with the Office of Sport
and Recreation (a) was the position,, or is it now,,
associated with that office; and (b) is it intended to
transfer Mr Conway to. the office following the review
indicated..
- (5) Would the transfer of the position to the Office of Sport and Recreation increase the status of that office from that equivalent to a section to that equivalent to aBranch.
- (6) How was the position canvassed within .the Department and
by whom. ..
- (7) (a) What qualifications were considered relevant to the position; how many
Departmental officers were considered
. .
suitably qualified and approached about performing the duties of- the position; .(b) what means
were available to register interest. in filling the position, and (c) what budget has been allocated
to the position to. enable. the
duties to be discharged.,.
- (8) -In reply to question 182 (3)(h) reference was-made to.-. duties outlined in .182 (2)(c). Which
duties specifically in 182 (2)(c) were involved is attending meetings with the ACT Law Office
on SP bookmaking.

- (9) Did the replies to question 182 (2)(f) and (g). imply that Mr Conway was the sole Departmental officer participating in those meetings on SP bookmaking.
- (10)The reply to question 182 (4)(d) did not provide information about the title of the position. What is the title of the position. Is the SES Band 1 officer referred to Mr -Conway or another officer. If Mr Conway is that officer, what is his connection to the. Office of Sport and ecreation, or if another officer please clarify the reply in 182 (2)(e).
- (11) (a) In reply to question 182 (4)(e) was Mr Conway representing the ACT Government Service or was he pursuing his duties in some other capacity; and (b) if he was not acting in a formal departmental role, why did "DELP meet the expense of his participation.

Mr Berry - the answers to the Members Questions are as follows:

- (1)The position occupied by Mr Conway is a previously vacant position in.the Department of the Environment, Land and Planning. It was .considered the duties were such as to. warrant classification at the SES Band f level.
- (2)The position is part of the establishment of .the Department of Environment, Land and Planning- but not part of the structure of the Office of Sport and Recreation. It reports directly to the Secretary of that Department.
- (3) No. The position was a vacant position on the establishment of the Department. -
- (4) (a) The position reports directly to the Secretary of the Department of the Environment, Land and Planning and is . not part of. the structure of the Office of Sport and Recreation. However Mr Conway, while. undertaking the duties of the position., has a close association with. the Office. -
- (b) No. When the Review is finalised, vacant positions will be filled through the normal recruitment processes.
- (5) It is not proposed to transfer the position currently occupied by Mr Conway to. the Office. The Office currently comprises three Sections, all reporting to the. Director Environment and Conservation.. The Review is recommending the establishment of a Branch structure for . the office-of Sport and Recreation which would, inter alia, undertake the functions of Mr Conways position:.
- (6) The Director Environment and Conservation discussed the position with staff who had relevant background, experience and skills.

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(7) (a) Senior management experience and expertise in the area of Sport and Recreation at local and national level as well as high level liaison and negotiation skills and the other core criteria for SES-Band 1 were required. One other Departmental officer and Mr Conway were approached.

(b) See (6) above..

(c) The budget allocation covers the. annual salary of \$ 5.9,121 per annum and normal SES Band 1 benefits.

(8) General responsibility for maintaining close links with the development of racing policy and the racing industry.

(9) No. The reply to 182 (2)(f) relates to how Mr Conway was appointed to- his current position and the reply to 182 (2)(g) refers to his duties-in that position. I believe, however, that the question refers to 182 (3)(f) and 182 (3)(g). In that case the answer is yes-..

(10) Assistant Secretary. The SES Band 1 officer referred to - is Mr Conway. Refer to (2).

(11) (a) Mr Conway attended the Conference as an officer of the ACT Government Service. -

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MINISTER FOR THE ENVIRONMENT, LAND AND PLANNING

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO 277 .

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

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

what consultants have been engaged in public relations, media, advertising, promotional and related tasks in (a) the Ministers office; (b) the Ministers Department; (c) each agency for which the Minister has responsibility in the period 1 April 1992 to 30 June 1992.

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

(a) NIL

(b) NIL

(c) A consultant, Mr P Hobbs, was engaged on the 18 March 1992 to assist with the public presentation of the Departments programs and Governments policies, with particular emphasis on the Draft Territory Plan, planning variations and preparation of the feature article for the Departments 1991/92 Annual Report.

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MINISTER FOR EDUCATION AND TRAINING

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO 278

**Education and Training Portfolio - Public
Relations Consultants**

MR KAINÉ - asked the Minister for Education and Training on notice on 13 August 1992:

What consultants have been engaged in public relations, media, advertising, promotional and related tasks in (a) the Ministers office; (b) the Ministers Department; (c) each agency for which the Minister has responsibility in the period 1 April 1992 to 30 June 1992.

MR WOOD - the answer to Mr Kainés question is:

- (a) the Ministers Office nil
- (b) the Ministers Department nil
- (c) Agencies for which the minister has responsibility:

ACT Institute of TAFE . nil

Vocational Training Authority.. nil

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MINISTER FOR THE ARTS

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO 297

CANBERRA WORLD FESTIVAL

Mr Cornwell asked the Minister for the Arts - In reference to the expenditure of \$54,240 to explore the possibility of a Canberra World Festival (Question on Notice 198)

(1) How was this money spent.

(2) Who were the organisers of the proposed festival.

(3) For what specific purposes was the total amount of \$142,540 originally provided: .. -.

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

(1) This money was spent on event management items such as sponsorship acquisition and administrative costs. In the vicinity of \$50,000 was spent on consultants, one primarily for sponsorship acquisition and the second as event manager for the development of the event program. The office base for the event was established at the offices of the event manager where a discrete telephone line for the Canberra World Festival was connected. Items such as stationery, printing, telephone advertising and general administrative costs absorbed the remainder of the \$54,240.

(2) Canberra World Festival Incorporated was the event organiser. Mr Alex Kruczaj performed the role of Chairman initially pending appointment of Mr Simon Phillips as the current Chair.

(3) The amount of \$142,540 was provided "to assist in meeting the costs associated with staging a major annual winter festival, to be known as the Canberra World Festival, in mid-June 1992".

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ATTORNEY GENERAL

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO 300

Weapons Legislation - Consultation

MR CORNWELL - asked the Attorney General

Has the Government consulted with shooters organisations concerning the amendment proposed to the Weapons Act 1991 as listed as a Second Priority in the Governments Legislation Program 1992 Budget Sitting; if not, why not.

MR CONNOLLY - the answer to Mr Cornwells question is as follows

Since the Weapons Act commenced on 3 October 1991, a number of minor anomalies and administrative difficulties have come to light. Officers from my Department, in consultation with the Australian Federal Police and the members of the Weapons Control Advisory Committee (on which the shooting organisations are represented), have been working to identify these problems and consider ways in which they might be overcome.

The outcome of this process is a discussion paper which is being finalised at present and which will be distributed to interested parties for their consideration and comments. The amendments to the Act will not be drafted until this process is complete. It is likely that the proposed amendment Bill will be introduced in the first sittings of the Assembly in 1993.

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MINISTER FOR HOUSING AND COMMUNITY SERVICES

LEGISLATIVE ASSEMBLY QUESTION

Question No 302

Child-care Places - Tuggeranong

Mrs Carnell - asked the Minister for Housing and Community Services -

- (1) What is the Government doing to increase child care places and facilities in Tuggeranong.
- (2) How many new childcare places were generated in Tuggeranong over the last financial year.
- (3) What specific initiatives were put in place during the last financial year to increase childcare places in Tuggeranong.
- (4) How many childcare places in Tuggeranong exist at the present time.
- (5) In which Tuggeranong suburbs are these childcare places located.
- (6) How many of these places are occasional care and how many are long day care.

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

- (1) The Governments plans to increase childcare places in Tuggeranong include two new child care facilities to be built in this financial year; twenty new occasional care places in an unused wing of Taylor Pre School, ten new occasional care and fifteen long day care places at a new neighbourhood house in Conder. The new occasional care places will be jointly funded under the National Child Care Strategy. Provision of further long day care places in Tuggeranong is being negotiated in the extension to the National Child Care Strategy. The Government will also encourage provision of employer supported and commercial child care facilities in Tuggeranong.

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Forty four new places have opened at Calwell in April, 1992. Twenty of these are ACT funded occasional care places and twenty are long day care places jointly funded with the Commonwealth. The ACT Government has leased part of the former Kambah Health Centre to a commercial child care operator who will provide seventy places. This centre opened in August 1992.

In addition 46 new Family Day Care Places were provided under the National Child Care Strategy in Tuggeranong in 1991/1992.

A recent survey by the ACT Planning Authority shows that parents prefer child care either close to work or on the way to work. Tuggeranong residents leaving the area to work, can access two new centres at Mawson (25 places) and Curtin (58 places). Parents can also access the existing network of centres throughout the city.

Negotiations commenced with Department of Education and Training to convert unused pre school facilities for child care at Taylor Pre School.

Negotiations are continuing with the Commonwealth to extend the National Child Care Strategy in order to provide 230 new Long Day Care, 230 new Family Day Care and 660 new Outside School Hours Care in the next 4 years in high need areas of Canberra.

The Government is considering the release of new land in Tuggeranong for child care purposes for both commercial and community based operators.

(4) The following child care places exist in Tuggeranong at the present time:

Community based Long Day Care = 186

Commercial Long Day Care = 147

Occasional Care = 162

Family Day Care = 734

Outside School Hours Care = 542

TOTAL = 1771

These figures refer to the number of places available but do not reflect the number of children using these places. Part time users share many places particularly in family day care and occasional care. Family day care also

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provides after school care. There is considerable overlap in service type with some after school care and occasional care being provided in family day care and long day care services.

The following table shows the location of child care by service type. Family day care is excluded because it is not licensed and figures are not available for each suburb.

Table included.

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

Question No 303

Streetlink Program

MRS CARNELL - Asked the Chief Minister upon notice on 8 September 1992.

(1) In the 1991-92 expansion of the Streetlink program, how many extra workers were funded.

Has the Streetlink program been co-located with the Commonwealths Youth Access program.

(3) Has this co-location occurred at the Youth Access Centre in Belconnen.

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

(1) Two extra workers were funded in the 1991-92 expansion of the Streetlink program, one for each of the Northside and Southside Streetlink teams.

(2) No - The Northside Streetlink team is to be co-located with the Commonwealths Youth Access Centre in October 1992.

(3) No - Both the Northside Streetlink team and the Youth

Access Centre will be moving from their present locations into the new co-located premises in Belconnen.

2504

MINISTER FOR URBAN SERVICES
LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO. 308

Comcar - Private Hiring

Mr Westende - asked the Minister for Urban Services:

- (1) In relation to the Governments proposed use of Comcar for private hiring can the Minister for Urban Services ensure that there will be a "level playing field" in regard to Comcars competition on a commercial basis with private hire car firms.
- (2) Will Comcar pay a hire car licence plate fee; if so, will it be the same as the fee paid by private hire car firms.
- (3) Will Comcar pay sales tax on petrol.
- (4) What will be Comcars motor registration fee.
- (5) Will Comcar pay sales tax on its new vehicles.

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

(1) Unlike in other jurisdictions, the ACT Motor Traffic Act 1936 (MTA) binds the Crown in all aspects except in relation to the registration of motor vehicles and trailers and the issue of labels.. This means that if Comcar intended to service private clients, it would have to be appropriately licensed under the MTA. However, Comcar has not applied for any public vehicle licence at this time.

It is my view that if Comcar is to compete with taxis or private hire cars to transport private clients, it would have to do so under similar conditions as those existing operators in the public vehicle industry. The ACT Government has no intention of using Comcar for private hirings.

- (2), (3), Comcar have not applied for any licence as yet so I cannot comment on what
- (4),(5) payments would need to be made. However, as stated above, if Comcar competes with taxis or private hire cars, it will do so on a "level playing field".

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**ATTORNEY GENERAL
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO. 310**

Vandalism Costs

MR HUMPHRIES - asked the Attorney General

- (1) What was the cost of vandalism to the ACT Government for the following years: (a)1989-90, (b)1990-91 and (c)1991-92.
- (2) How does this compare on a per capita basis to other States and Territories.

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

- (1) The information is not readily available and the diversion of considerable resources would be required to compile it.
- (2) Given my answer to (1) above, it is not possible to answer this question.

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**MINISTER FOR THE ARTS
LEGISLATIVE ASSEMBLY QUESTION**

QUESTION NO 31 6

**Childers Street Theatre Management
Advisory Working Party**

Mr Cornwell asked the Minister for the Arts

In relation to membership of the Management Advisory Group for the new Childers Street Theatre of seven women, four men and one vacancy (Enigami August 1992), why was gender equity not observed.

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

A public forum to discuss possible management -models for the new Childers Street Theatre was held on Monday 22 June 1992. At this public meeting it was decided to determine membership criteria for a Management Working Party. It was decided that a diverse range of performing arts practitioners, with a range of management skills and representing different cultural perspectives, should be selected.

A second public meeting was held on 13 July 1992 to elect a Childers Street Theatre Management Advisory Working Party according to the criteria established at the previous meeting. The meeting voted to elect the eleven suitably qualified people currently serving on the Management Advisory Group for the new Childers Street Theatre.

As can be seen, the Advisory Group was formed as a result of community meetings and was not appointed by the Government.

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MINISTER FOR THE ENVIRONMENT, LAND AND PLANNING

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO. 318

Dickson Hotel Site - Redevelopment

Mr Tony De Domenico - asked the Chief Minister:- In relation to plans to develop a new service station on the old Dickson hotel site in Dickson

- (1) What consultation took place?
- (2) Will Woolley Street be closed or reduced in size?
- (3) What will be the affect on the aesthetics of the surrounding area?
- (4) Has a study been conducted on traffic flows, especially through Woolley and Badham Streets?
- (5) Does the Government have a policy on the development of a business which duplicates the services of existing business in the area?
- (6) What price did the Government receive for the land behind Woolley Street?
- (7) What betterment tax will the Government receive for the old hotel site?
- (8) Were community views sought on the service station and China Town development proposals and how?
- (9) Was a visible and practical environmental assessment made of the development?

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Mr Bill Wood - the Chief minister has asked me to reply to the members questions as follows:

- (1) The former lessee of the Dickson hotel applied to the ACT Supreme Court to vary the lease under section 11A of the City Area Leases Act 1936 in December 1988. The process involved public notification and received the Courts provisional approval later that same month.

The variation allows the site to be used for "hotel, motel, serviced apartments, residential flats, restaurants, offices, professional suites, personal services, service trades, cafes, bistros, indoor recreational facilities and shops other than supermarkets".

- (2) There will be no alteration, and none is anticipated in the future, to the configuration of Woolley Street.
- (3) The current aesthetics of Block 2 Section 32 Dickson will be improved with an attractive development that has taken into account the sensitivity of the surrounding areas.
- (4) As part of the overall design of the proposed -development, the lessee was required to undertake a traffic and parking study of the area. ARUP Transportation Planning provided a "Traffic and Parking Effects Report - Redevelopment of the Dickson Hotel Site", as part of the proposal.

The Report addressed the traffic/parking implications of the surrounding areas, including the proposed access points to the Service Station. The Report was made available to the Department of Urban Services, Roads and Traffic Branch, which endorsed the Traffic Concept Plan, including the proposed Badham Street access.

- (5) There is currently no Australian Capital Territory, or Commonwealth Government policy regarding duplication of businesses in the ACT. Nor, as far as I am aware, is there any such policy in place elsewhere in Australia. All lessees in the ACT are entitled to develop or redevelop parcels in accordance with the conditions in the lease and the Territory Plan.

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(6) If the Member means the original price paid for the site in September 1963, an amount of 42,000 pounds was received by the Commonwealth.

If the Member means that area currently occupied by Department of Urban Services depot, at the rear of those shops fronting Woolley Street,, this land has not been made available for sale to any interested parties, as yet.

(7) Betterment was assessed at \$298,500.00 and was paid on 14 March 1989. The variation was finalised on 5 May 1989. As members will note, the whole process occurred prior to Self Government.

(8) As I have already stated, consultation was part of the original application by the then lessees when they applied to the Supreme Court for a variation of their lease.

With respect to the proposed Chinatown development, a policy variation to the "Dickson Group Centre, Area E, October 1990" was undertaken. Public consultation was part of this variation.

Ongoing consultation between the developers and the ACT Government will continue throughout the development to ensure that site access, noise standards, energy conservation, waste management, and the design and operation of the proposed building meet acceptable standards.

(9) Under schedule 9A of the Territory Plan, a mandatory preliminary assessment was not required, as the proposed service station is outside the prescribed area of the surrounding residential areas.

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**MINISTER FOR URBAN SERVICES
LEGISLATIVE ASSEMBLY QUESTION**

QUESTION NO. 323

**ACTEW - Provision of Information to
Assembly Members**

Mr Westende - asked the Minister for Urban Services:

- (1) Is it true that the Minister has instructed ACTEW not to release information on ACT's water usage without first referring the request to him.
- (2) Could the Minister assure me if such a request is made that the information will be forthcoming: if not, why the secrecy.

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

- (1) I expect ACTEW to keep me informed about questions from Assembly members which are relevant to my portfolio responsibilities.
- (2) The information has already been provided to the extent which available computer records permitted.

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MINISTER FOR THE ARTS

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO 330

Cultural Development Consultant

Mr Kaine - asked the Minister for the Arts

In relation to the consultancy currently being conducted by Mr Forward, will the Minister

- (1) Provide a copy of the contract for service by which Mr Forward was engaged as a consultant.
- (2) Indicate (a) the results to be achieved; (b) the methods to be used; and (c) the time frame for the consultancy.
- (3) Indicate whether there were competing tenders for the consultancy and if so provide details of them and the basis on which the decision to engage Mr Forward was made.
- (4) Indicate to what extent Mr Forward has (a) relevant experience and qualifications; and (b) past achievements in the cultural affairs consultancy area.
- (5) In comparison to other consultancies let by the Ministers department, indicate whether the conditions under which Mr. Forward was engaged are exceptional.

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

- (1) It would not be appropriate for me to provide a copy of the contract for service by which Mr Forward was engaged as it contains information of a personal nature and could breach Mr Forwards privacy rights.
- (2) (a) building links between the ACT cultural activities and Commonwealth cultural institutions, the tourism industry and the education sector; developing an understanding in the community and among cultural groups of their role in major ACT cultural facilities, including proposed facilities; ensuring that

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cultural development is treated as a significant factor in the overall planning process; and assisting in the development of the Government's public art program.

(b) initial meetings with representatives of national cultural institutions, of the tourism

. industry and of ACT school systems to establish

areas of common interest with the ACT Cultural Council, and to discover how relations with the Council can be strengthened and joint endeavours facilitated, to be followed up by

appropriate actions to achieve those ends;. involvement in consultations between the Cultural Council and cultural groups; and contributing to interagency working groups on the preparation of advice to Government.

(c) .The consultancy commenced. on 27 July 1992 for a term of twelve months.

.(3) Tenders were not called for the consultancy. Consideration was given to the claims and availability of officers within my portfolio, and arts-related organisations who would be suitable to undertake the task. No-one, other than Mr Forward, was suitable and/or available for short-term . transfer. The cost of calling competitive-tenders was therefore considered unwarranted.

(4) (a) Mr Forward's relevant experience and qualifications are his work on education and the arts at the Australian National Gallery from 1983 to 1988 and at the first Centre for Australian Studies in China which he set up in Shanghai between 1988 and 1990;. and his work on public policy in universities in Australia, Japan and China between 1962 and 1990, in a consultancy for a Commonwealth department in 1986=87 and* in ministers offices in federal

and ACT Governments between 1973 and 1992 - the. most relevant being his recent involvement with

community groups and-policy-processes in the ACT as senior private secretary to the chief Minister in 1991-92

(b) See above. .

(5) In comparison to other consultancies let by my , department the conditions-under which Mr Forward was engaged are not exceptional. .

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**MINISTER FOR HOUSING AND COMMUNITY SERVICES
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO 346**

Housing Trust - Manuka Properties

MR CORNWELL: Asked the Minister for Housing and Community Services

- (1) Is it a fact that the ACT Housing Trust owns properties at Nos 23 and 27 Murray Crescent, Manuka.
- (2) Is it the intention of the Trust to redevelop these properties into small-scale commercial offices or professional suites.
- (3) If the reply to (2) is affirmative, why is the ACT Housing Trust entering into such commercial development.

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

- (1) Yes.
- (2) No.

The Housing Trust has applied for a lease purpose variation for each property to allow for its use for residential and small scale professional offices and consulting rooms, so that they can be sold and the proceeds used to purchase replacement rental housing. The Housing Trust seeks to maximise the value of these assets so that the proceeds can be used to assist a greater number of people on the waiting list than might otherwise be the case.

- (3) Not applicable.

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**MINISTER FOR HOUSING AND COMMUNITY SERVICES
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO 347**

Housing Trust - Manuka Property

MR CORNWELL: Asked the Minister for Housing and Community Services

(1) Is it a fact that the No 23 Murray Crescent, Manuka, property is owned by the ACT Housing Trust.

(2) Is this property burnt out and if so, approximately when did this fire occur.

(3) What is the estimated UCV of this site.

(4) Why has the property been left derelict since the fire.

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

(1) Yes

(2) The property was extensively damaged by fire in 1989.

(3) The estimated UCV of the site at 1 July 1992 was \$136,000.

(4) The Housing Trust originally intended to redevelop some properties in the area for non-retail commercial uses and to lease them as a source of rental income while preserving the capital base of the assets. A cost benefit analysis indicated that this was the best financial option for the Housing Trust.

The house at 23 Murray Crescent, Manuka, was not repaired at the time because it was felt that the estimated \$60,000 cost of repairs could not be justified in the light of these plans.

The plans were abandoned in 1992 when a decision was made to seek a lease purpose variation and sell the properties at 23 and 27 Murray Crescent, Manuka by auction. The properties will be scheduled for auction as soon as the outcome of the application to vary the lease purpose clause is known.

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**MINISTER FOR SPORT
LEGISLATIVE ASSEMBLY QUESTION**

QUESTION NO 348.

**Sport and Recreation Grants -
Unexpended Funds**

Mr De Domenico - Asked the Minister for Sport - In relation to \$132,000 unexpended funds from the sports and recreation private sector grants program

- (1) What was the composition of this unexpended amount, ie where did these funds come from.
- (2) Which sporting organisations, recreation or other organisations did not spend the full amount..
- (3) How much was not spent by each of these organisations.
- (4) What was the intended "use.
- (5) Why were the grant monies not used in each case. .

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

- (1) The unexpended funds of \$132,000 were composed of \$90;497.00 identified. for the Sports Loan Interest Subsidy Scheme (SLISS) which was not used due to.delays in the expected. construction of projects approved -in principle under the Scheme, and \$41,219.00 from the sport and recreation . development grants programs not being utilised by the end of the financial . year. The funds were carried over into 1 992-93 and have been committed to several projects on recommendation from the Sport- and Recreation Council . to meet identified priorities-reflecting national initiatives and local needs.
- (2) These were no organisations that did not spend the full amount granted. . Under the SLISS program the. delays in expected construction and thus taking up of loans were, for the Belconnen Basketball Centre, the South Canberra Gymnastics and Judo Centre and the Canberra City Gymnastics Club.. The sport and recreation grants. programs operate on a-calendar year basis and all funds from the 1992 program will be committed by December 1992
- (3) See Question (2)
- (4) See Question (2)

APPENDIX 1:

(Incorporated in Hansard on 16 September 1992 at page 2365)

MINISTER FOR HEALTH

QUESTION TAKEN ON NOTICE

15 SEPTEMBER 1992

MRS CARNELL - ASKED THE MINISTER FOR HEALTH

YOU INDICATED IN ANSWER TO MY QUESTION ON NOTICE NUMBER 123 THAT AN ESTIMATED 100,000 DISPOSABLE SYRINGES ARE DISTRIBUTED EACH YEAR UNDER THE A.C.T NEEDLE EXCHANGE PROGRAM. ON CONSERVATIVE ESTIMATES, THIS WOULD MEAN THAT HEROIN USERS ARE USING AT MOST ONE OR TWO DISPOSABLE SYRINGES PER WEEK. THIS INDICATES THAT NEEDLES ARE BEING SHARED OR AT VERY LEAST RE-USED. THE MINISTER WOULD UNDOUBTEDLY BE AWARE OF THE DANGER OF THIS IN TERMS OF SPREADING HIV. WHAT IS THE MINISTER DOING ABOUT THIS PROBLEM AND DOES HE ACCEPT THAT THIS IS REALLY CAUSING A DANGER TO HEALTH?

MR BERRY - THE ANSWER TO YOUR QUESTION IS:

THE GOVERNMENT IS COMMITTED TO REDUCING THE SPREAD OF HIV INFECTION WITHIN THE COMMUNITY.

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PREVENTING HIV INFECTION IN INJECTING DRUG USERS AND THEIR SEXUAL AND DRUG USING PARTNERS IS OF COURSE A KEY ASPECT OF THIS.

AS A PART OF MY DEPARTMENTS COMMITMENT IN THIS AREA, FUNDS ARE ALLOCATED TO ENSURE A BROAD RANGE OF SERVICES ARE AVAILABLE TO PROVIDE COUNSELLING, INFORMATION, EDUCATION AND HIV PREVENTION EQUIPMENT TO INJECTING DRUG USERS.

THE PRIMARY SERVICE FUNDED IN THIS AREA IS THE A.C.T. NEEDLE EXCHANGE PROGRAM WHICH OPERATES THE "A.I.D.S. BUS" AND A NUMBER OF EXCHANGE OUTLETS FROM CANBERRAS COMMUNITY HEALTH CENTRES AND A VARIETY OF COMMUNITY ORGANISATIONS.

THE A.C.T. INTRAVENOUS LEAGUE IS ALSO FUNDED THROUGH THE AIDS MATCHED FUNDING PROGRAM TO PROVIDE INFORMATION AND EDUCATION TO PEOPLE WHO INJECT DRUGS.

MRS CARNELL VOICES CONCERN THAT NEEDLES ARE BEING SNARED BY INJECTING DRUG USERS. OF COURSE, I TOO SHARE THIS CONCERN BUT I BELIEVE THAT MEASURES BEING TAKEN BY THE GOVERNMENT ARE HIGHLY APPROPRIATE.

IN 1991/92, THE A.C.T. NEEDLE EXCHANGE PROGRAM DISTRIBUTED 97 455 NEEDLES AND SYRINGES.

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THIS FIGURE REPRESENTS A MONTHLY AVERAGE OF 511 CONTACTS WITH INDIVIDUALS AND 8121 NEEDLES BEING DISTRIBUTED PER MONTH.

AT EACH OF THESE CONTACTS, CLIENTS ARE OFFERED INFORMATION ABOUT PREVENTING INFECTION WITH HIV AND HOW TO KEEP NEEDLES CLEAN THROUGH THE WIDELY ACCEPTED AND PROMOTED BLEACH AND WATER METHOD.

BECAUSE THE NEEDLE EXCHANGE PROGRAM OPERATES IN SUCH A WAY THAT CONFIDENTIALITY OF CLIENTS IS PRESERVED, IT IS DIFFICULT TO DETERMINE EXACTLY HOW MANY USERS THERE ARE IN THE A.C.T.

ALSO, AS WITH ALL NEEDLE EXCHANGE PROGRAMS IN AUSTRALIA, IT IS DIFFICULT TO KNOW PRECISELY HOW OFTEN USERS INJECT DRUGS AND HOW OFTEN NEEDLES ARE SHARED OR USED MORE THAN ONCE BY THE SAME INDIVIDUAL.

ANECDOTAL EVIDENCE FROM USERS SUGGEST THAT THE NEEDLE EXCHANGE PROGRAM IS PREVENTING INJECTING DRUG USERS FROM BECOMING INFECTED WITH HIV.

MORE IMPORTANTLY, THE EPIDEMIOLOGICAL DATA ALSO SHOWS THAT THE NUMBER OF USERS WHO HAVE TESTED HIV POSITIVE REMAINS VERY LOW IN THE A.C.T. AND AUSTRALIA. EXPERTS SUCH AS DR ALEX WODAK FROM ST VINCENTS HOSPITAL IN SYDNEY ATTRIBUTE THIS TO THE INTRODUCTION OF NEEDLE AND SYRINGE EXCHANGE PROGRAMS.

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AS I STATED EARLIER, THE GOVERNMENT IS COMMITTED TO PROVIDING MEASURES WHICH ASSIST INJECTING DRUG USERS AND OTHER MEMBERS OF THE COMMUNITY FROM BECOMING INFECTED WITH HIV.

AS A KEY SERVICE PROVIDER, THE A.C.T. NEEDLE EXCHANGE PROGRAM IS PROVIDING AN EXCELLENT SERVICE IN THIS AREA.

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