



DEBATES

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

HANSARD

26 November 1992

Thursday, 26 November 1992

Petition: Tuggeranong Homestead	3483
Housing Assistance (Amendment) Bill (No 2) 1992	3484
Public health regulations	3485
Leave of absence to member	3513
Tourism and ACT Promotion - standing committee	3513
Questions without notice:	
Chartwell Crafts	3517
Communications towers	3518
Crime - sentences and bail	3519
Mental health services	3520
Fluoridated toothpaste	3521
Crime - sentences	3522
Racing industry	3523
Preference to union members	3525
Naval communications station	3526
Methadone clinic	3527
Health services consultant	3528
Woden Valley Hospital - surgical operations	3529
Paper	3530
Petrol prices	3530
Sydney Olympic 2000 bid (Matter of public importance)	3532
Canberra Institute of Technology (Amendment) Bill 1992	3544
Removal of trees - Palmerston	3550
Adjournment:	
Student drama	3550
Removal of trees - Palmerston	3551
Answers to questions:	
Health portfolio - public relations consultants (Question No 281)	3553
Sport portfolio - committees boards and advisory groups (Question No 337)	3554
Community Law Reform Committee - residential tenancy law reference (Question No 380)	3558
Removal of trees - Palmerston (Question No 381)	3559
History of Canberra - fourth volume (Question No 384)	3561
Department of Education and Training - maintenance contract payments (Question No 397)	3563
Totalcare Industries - garage and fleet servicing facilities (Question No 414)	3564
Building Control - location of inspectors (Question No 427)	3565
Builders' qualifications and licences (Question No 430)	3566
Water accounts - rural leaseholders (Question No 433)	3567
Integrated crime prevention strategy (Question No 438)	3568
Toilet blocks - construction and maintenance costs (Question No 450)	3570

Thursday, 26 November 1992

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

PETITION

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

By **Ms Ellis**, from 1,171 residents, requesting that the Assembly ensure that the residential development in Tuggeranong proceeds only on the basis that the significant heritage values of Tuggeranong Homestead are preserved and protected.

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

Tuggeranong Homestead

The petition read as follows:

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

The petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly:

That the ACT Government's policy of urban renewal will lead to more efficient use of infrastructure and thus help constrain taxes and charges to the community;

Notes that the Minister for Environment, Land & Planning has announced as part of the urban renewal policy the proposal for a residential development adjacent to the Tuggeranong Homestead;

Your petitioners therefore request the Assembly to:

ENSURE THAT THE RESIDENTIAL DEVELOPMENT PROCEEDS ONLY ON THE BASIS THAT THE SIGNIFICANT HERITAGE VALUES OF TUGGERANONG HOMESTEAD ARE PRESERVED AND PROTECTED.

Petition received.

26 November 1992

HOUSING ASSISTANCE (AMENDMENT) BILL (NO. 2) 1992

MR CONNOLLY (Attorney-General, Minister for Housing and Community Services and Minister for Urban Services) (10.32): Madam Speaker, I present the Housing Assistance (Amendment) Bill (No. 2) 1992.

Title read by Clerk.

MR CONNOLLY: I move:

That this Bill be agreed to in principle.

The Bill makes a number of changes to the Housing Assistance Act 1987 to improve the administration of housing assistance delivery by the Commissioner for Housing and to incorporate amendments to the Commonwealth-State Housing Agreement. It is necessary, from time to time, to update legislation to reflect current situations and practices to ensure the efficiency of public sector administration. This Bill brings forward such changes to the Housing Assistance Act.

The changes update the powers of the Commissioner for Housing by increasing to \$1.5m the monetary limit on the value of contracts which the Commissioner can enter into without ministerial approval. The increase reflects commercial realities and amends the original limit of \$0.5m, set in 1987, to take account of inflation, escalating land costs and housing industry trends, particularly the increasing prevalence of joint ventures between the Housing Trust and private sector developers. The changes also provide for the establishment and operation of three trust accounts. This separates the activities for housing rental services and home purchases systems, and complies with the requirements of the Commonwealth-State Housing Agreement.

This Government announced in the 1992-93 budget that the Commissioner for Housing loans program, the HomeBuyer program, would be extended through the use of an off-budget funding mechanism. The creation of a home loan trust account for this purpose will ensure that the Commissioner for Housing separately accounts for, and reports on, the home lending activity associated with moneys secured from private borrowings. The right of individuals to appeal against decisions that affect them is an integral element of this Government's social justice policy. It is also essential that the appeal process is cost-efficient and can be readily accessed by those individuals. The changes to the Housing Assistance Act therefore also include improvements to the review process for decisions made under housing assistance programs by the Commissioner for Housing. The Bill formalises existing internal review arrangements.

Madam Speaker, on 24 June 1992, this Assembly resolved that I should write to the Federal Minister for Health, Housing and Community Services, the Hon. Brian Howe, MP, seeking the retention of the Commonwealth housing agreement. The ACT Government did that and took it up in private negotiations as well, and the Federal Labor Government has retained the agreement and has guaranteed the continuation of funding under that agreement for the four years 1992-93 to 1995-96.

The ACT Government has agreed to amendments to the agreement put forward by the Federal Government that improve the planning and accountability provisions and extend the means by which housing assistance is delivered to Australians. These amendments have been agreed by all State and Territory governments and reflect announcements made in the 1992-93 Federal budget. The amendments give effect to the introduction of a three-year planning cycle and the establishment of housing advisory committees in the States and Territories; the introduction of a new community housing program; and new cash management arrangements for the payment of Commonwealth grants to the States and Territories. The agreement is included as Schedule 1 to the Housing Assistance Act 1987. Madam Speaker, I present the explanatory memorandum for the Bill.

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

PUBLIC HEALTH REGULATIONS
Motion for Disallowance

MRS CARNELL (10.36): I move:

That the Public Health (Infectious and Notifiable Diseases) Regulations (Amendment) No. 27 of 1992, made under the *Public Health Act 1928*, be disallowed.

This motion is to disallow amendment No. 27 of the Public Health (Infectious and Notifiable Diseases) Regulations. The amendment concerns notification of HIV, human immunodeficiency virus. The fact that the Government is seeking to make this amendment is a tacit acknowledgment that they have been breaking the law in the past. Is the Minister for Health now prepared to say that what he said on 12 August was not entirely correct? He emphatically said on the 12th that of course he had not been directing doctors to break the law. This was a highly misleading statement to make, because there was not a shadow of a doubt that voluntary coded notification did break the law at that time. Remember that even the latest annual report of the Board of Health has HIV down as voluntary notification. So, even as late as a couple of weeks ago, it would appear, this Government was breaking the law.

Mr Moore: That is what we are interested in.

MRS CARNELL: That is what we are interested in, yes. It is patently obvious to anyone looking at section 3 of the regulations that HIV, the organism which causes AIDS, must be notified in accordance with the form in Schedule 1, and that included full name and address before these new regulations came forward. If the Government was not breaking the law, why is it now changing the regulations to accommodate coded notification of HIV? If it was always all right, you would not have needed to change the regulations.

Mr Moore: If they were breaking the law, why don't you take them to court?

MRS CARNELL: The Minister's previous statements on this issue have been confusing, to say the least. They have been designed to allow the Minister not to commit himself to any particular position at all; but, then, that is fairly common. His answers have been designed to put the media off, to deflect them from

26 November 1992

inquiring into what is essentially a breach of the law and, of course, of public health. His answers have been designed to buy time. Now we have these regulation changes, and I must say that I strenuously oppose them. They are highly irresponsible.

How could the Minister agree to changes that ride roughshod over the interests of women who may have partners who have HIV? Under the Minister's scheme these women have no rights to be informed by their partners or by anybody else if their partners contract HIV either through bisexual activities or from other sources. This is not just scaremongering, as the Minister continually wants to assert. It is a very real concern. Yesterday the *Australian* newspaper reported results of a study carried out by the National Centre of HIV Social Research at Macquarie University. With leave, I would like to table this article before the Assembly. May I have leave?

Leave granted.

MRS CARNELL: The results reported in the *Australian* were presented to the Fifth National Conference on AIDS being held in Sydney right at this moment. The study shows that the incidence of bisexual men practising unsafe sex with female partners is extremely high. In fact, the figure was 71 per cent. That is, 71 per cent of bisexual men practise unsafe sex with their female partners. They surveyed 2,583 men who identified themselves as gay or bisexual. They said that 72 per cent of these men practised safe sex with their male partners. One must note that, although this is the majority of the men in the sample, it still leaves a whopping 28 per cent of men who engaged in unsafe sex practices with their male partners. Clearly, this is a large majority and clearly irresponsibility still plays a very large part in this community.

Of the 2,583 men, 761 or about 29 per cent identified themselves as bisexual. Of these bisexual men, 71 per cent reported that they had unprotected sex with women, yet 75 per cent of these men were concerned to practise safe sex with their male partners. This is a thoroughly disturbing trend, and again indicates the high level of irresponsibility and selfishness of this community. What this indicates is that these men were concerned about contracting the disease themselves from other men, but they were not concerned about transmitting it to women. The diligence, if you can call it that, of men towards male sexual partners was not felt towards the people they were supposed to love and cherish, their wives. Moreover, 28 per cent of the men surveyed are not even concerned about contracting the disease themselves from other men. This leaves women in a very vulnerable position. The possibilities of contracting the disease as a result of some chain of encounters between their husbands and other people that these women had no idea were occurring is very real indeed.

Yet the regulatory changes that the Minister seeks to introduce blithely ignore this evidence. The Minister's changes are couched in platitudes which have abounded over the last few years - all this stuff about driving people underground. Unfortunately, it appears that such unexplored arguments still appear to dominate policy. Right at the moment the Fifth National Conference on HIV is being hosted in Sydney. Why was the Minister not prepared to consider the new information produced at this conference? The seriousness of the partner notification issue is not just highlighted by statistical surveys; there is also good anecdotal evidence highlighting the risk women face.

A high profile case has been that of Trisha Goddard, a media presenter. Ms Goddard learnt of her husband's HIV status only after he died and after she had had a baby. I think that situation was just too awful for most women to consider. Her case was a dramatic demonstration of the fact that men do not necessarily tell their partners - and this, by the way, was in New South Wales and that is why it happened - if they become infected with this disease. The current legislation, however, relies on good faith for partner notification. As we have seen, the world does not always live up to these standards. You cannot always rely on good faith alone. The fact that people do not always see fit to inform each other of their status, together with the recently revealed facts about bisexual activity, makes for a very dangerous situation indeed. As *Who* magazine says:

Goddard's story is more than one woman's isolated nightmare. It is a startling example of the terrifying truth of the '90s. Nobody is safe from AIDS.

One might note that married women who believe that they are in a monogamous, stable relationship are at particular risk in the event that their partners do enter into bisexual activity. This is because unprotected sex within the marital relationship is very much the norm, as one would expect it to be. Indeed, the study presented yesterday to the fifth national conference shows that condoms and other forms of protection were used only 13 per cent of the time where a relationship is perceived to be stable or regular.

Madam Speaker, the Government has neglected the issue of partner notification. It is totally irresponsible to have introduced amendments of this nature while the issue of partner notification has still not adequately been dealt with. The Government said, in its response to the Estimates Committee, that its approach was in keeping - - -

Mr Connolly: There is not one Liberal Health Minister who agrees with you on this.

Mr Berry: Not one of them. Even Gary disagrees with you.

MRS CARNELL: I think it is important to listen to this. The Government said that its approach was in keeping with recommendations of the legal working party of the Intergovernmental Committee on AIDS. I am sure Mr Connolly knows this paper very well.

Mr Moore: Its very first recommendation is on notification.

MRS CARNELL: I totally agree. It is true that the working party has recommended coded notification. It is the first recommendation in the book; that is right. But it also recommended a protocol to be enshrined in law for notifying partners. That is the second recommendation in the book.

Mr Connolly: Voluntary, not coercive. You are on about being coercive.

Mr Humphries: You have forgotten that bit. By legislation.

MRS CARNELL: Exactly, by legislation. Does that mean that the Government can read only one page? It could not get up to the second recommendation.

26 November 1992

Mr Connolly: It is voluntary, not coercive.

Mr Moore: Those are the exact words - "a voluntary rather than coercive nature".

Mr Kaine: Madam Speaker, I think that Mrs Carnell is trying to make a very important point. It is not trivial, and I think that the Minister and the Government would do well to listen to it instead of engaging in some across-the-floor debate.

MADAM SPEAKER: I remind everyone again of standing orders 39 and 61, both of which require silence and no interruptions. Would Mrs Carnell please continue.

MRS CARNELL: I firmly believe that the Government should have dealt with recommendation No. 2 before enshrining coded notification. We should not in any case uncritically accept recommendations from this intergovernmental committee's legal working party, endorsed though they might have been by the Australian Health Ministers Conference. The document, despite having all the intimidating airs and graces of a government report, deserves some criticism. I am talking about this report only because the Government has used it as the basis for its change in regulations.

I think that it should be made quite clear, before anyone leaps into saying that the recommendation for notification is the final word, that this report has lots of other recommendations in it. A closer examination of some other recommendations quickly shows that there are quite a few that many of us would not agree with, and that many in the Government would not agree with either. For instance, recommendation 6.3 entitled "HIV/AIDS and sex work" says:

There should be no special offences for sex workers, brothel operators or owners of premises used for prostitution where a sex worker is HIV-infected.

Quite seriously, that is just what we did last week. Contrary to this recommendation, we have just introduced prostitution legislation which does incorporate such offences.

Mr Moore: Keep reading. Read the rest of it.

MRS CARNELL: You can do that in your speech.

Mr Moore: I will.

MRS CARNELL: Those offences are for public health reasons. Moreover, it is quite clear that here in the ACT we will not tolerate a situation where HIV infected workers remain in a brothel. So, we can already see one recommendation most people would not agree with.

Mr De Domenico: On a point of order, Madam Speaker: I am finding it very difficult to hear what Mrs Carnell has to say, because of this - - -

Mr Moore: The irony of you raising this point of order!

MADAM SPEAKER: Mr De Domenico, with the greatest of respect, when I was about to call members to order it was a member of your own side who was actually talking.

Mr De Domenico: Perhaps I could finish. I am finding it very difficult to hear what Mrs Carnell has to say, because of interjections and private conversations occurring between members from both sides of this chamber, in particular Mr Moore, the repository of all knowledge on this side, Mr Berry and other members of the Assembly as well, Madam Speaker. I suggest that Mrs Carnell be heard in silence. Mr Moore has an opportunity of saying whatever he wants to say later on.

MADAM SPEAKER: Members may like to study standing orders 39 and 61 while Mrs Carnell continues.

MRS CARNELL: The committee also says that legal recognition should be given to partners in non-traditional domestic relationships. That is recommendation 5.3. I would certainly say that the issue of homosexual marriage would make for a very interesting debate in this house; but, quite frankly, I think the working party must have been straying from its main task, and that was the issue of AIDS prevention.

There is also a lot of debate currently raging over recommendation 5.2 for a consistent age of consent for both heterosexual and homosexual activity. We all know that if the ACT Labor Party rank and file members get their way the age of consent will be 13. Again, in making this recommendation it is quite clear that the working party must have been straying from its main task, and that should have been AIDS prevention. Whatever the merits of lowering the age of homosexual consent may be, I do not think that one of them happens to be AIDS prevention.

Another of the recommendations of this much vaunted working party is that there should be needle and syringe vending machines. This is going much too far - even I believe that - because there must be some level of personal supervision for interchange when needles are distributed. The approach to this very important issue should not be one of total abandon. I would have thought that Ms Szuty would have been very pleased, too, that one of the recommendations is along the lines of her Bill, and I am sure that the Government will totally support that. (*Extension of time granted*) Therefore, it is clearly the case that at least some of the recommendations in this report are flawed. It makes me wonder what the Australian Health Ministers were doing when they endorsed this report, or whether they endorsed this report at all. Since some of these recommendations may be able to be taken with a grain of salt, why is it the case that we must uncritically accept others such as those related to coded notification?

Madam Speaker, these regulatory amendments will legitimise practices which may not be in the interests of public health. In bringing the amendments, the Government has relied on the platitudes which have often been seen to dominate AIDS policy. New evidence is coming forth all the time - evidence which must encourage the Government to modernise its approach. This evidence in particular concerns a group of people who are not connected with the gay community and who previously have been neglected by anti-AIDS campaigners - bisexual men. The Labor Government has been totally concerned with the human rights of those affected by HIV, to the exclusion of women and children.

26 November 1992

Women are particularly at risk. With no provision for partner notification, the introduction of coded notification is irresponsible, to say the least. If the Government truly believe that this report is the bible, why could they not read the second page of the report? Why could they not introduce appropriate partner notification legislation at the same time? I believe that the answer is that they introduced these regulation changes in a hurry to bail out their Health Minister.

MR BERRY (Minister for Health, Minister for Industrial Relations and Minister for Sport) (10.53): Madam Speaker, we have just heard a tirade of what I would describe as murderous Goebbels-speak.

Opposition members: Oh!

MR BERRY: I withdraw that. It was a litany of half-truths designed to create panic in the community.

Mr Humphries: Madam Speaker, I would ask you to rule "half-truths" to be unparliamentary.

MR BERRY: Half an imputation. It is all right.

MADAM SPEAKER: I will take that one on notice, Mr Humphries. Please continue, Mr Berry.

MR BERRY: It was a litany of half-truths, Madam Speaker, designed to create panic amongst women in the community in a most unashamed grab at a few political points. I was sickened this morning to hear Mrs Carnell on the radio taking a position which will result, if it is successful - and of course it will not be, because sensible people will not allow it to be - in the spread of AIDS in the community. What Mrs Carnell has proposed would result in fewer people coming forward for attention. There is no question about that. Many fewer people would come forward for attention. The result would be a wider spread of AIDS and more people would die. More innocent people would die if you listened to the madness which is being proposed by Mrs Carnell, the part-time member of this Assembly. You can easily tell by the quality of her work. The sort of madness that she has come out with in relation to this matter is something for the Liberals to be ashamed of, because it will result in more deaths in the community if it is allowed to occur.

The Labor Party will not stand back and allow this to happen. What is being proposed is something which would affect the public health of the ACT community for a long time into the future. Mrs Carnell waves around the final report of the legal working party of the Intergovernmental Committee on AIDS. It makes it very clear that the way to go is by way of coded information in relation to these matters. All of the modern and forward thinking experts in this area agree with this approach - except for Mrs Carnell and a couple of the other Liberals.

Mrs Carnell: And the AMA.

MR BERRY: The AMA - Bruce Shepherd. Forward and modern thinking, she describes it as. Mr Kaine ought to think about putting Mr Humphries back in the health area. At least I know that Mr Humphries has more sense than to take this position in relation to the matter. He would once have taken a more compassionate view on this issue. Maybe even he has been tarnished by the

proximity of Mrs Carnell. What has occurred here is madness. The advisability of having people who believe that they may be HIV positive come forward for testing in circumstances where their privacy is protected is an issue which is addressed by the national HIV/AIDS strategy, and the second issue that they deal with is the need for HIV positive persons to take all necessary precautions to avoid infecting others. What Mrs Carnell proposes is something which will result in the reverse.

In amending the Public Health (Infectious and Notifiable Diseases) Regulations the Government is ensuring that these issues continue to be appropriately addressed. Further, unlike the Liberals, we are bringing the ACT into line with the HIV notification practices in other States, particularly New South Wales and Victoria, the most significant States as far as the ACT is concerned. The other States will move because, unlike the backward Liberals opposite, they will recognise the benefits of this move. At the same time we are picking up the key public health recommendations in the final report of the legal working party of the Intergovernmental Committee on AIDS, which was ratified at the last meeting of the Australian Health Ministers Advisory Committee and released on 9 November. The form and content of HIV notifications to public health authorities across all jurisdictions vary. In amending these regulations the ACT will be meeting two key recommendations of the Intergovernmental Committee on AIDS. I will quote a couple of them. The first is:

Notification requirements in State and Territory public health legislation should be uniform for HIV infection and AIDS, using the data set out in the form, as in use from time to time, developed by the National Centre in HIV Epidemiology and Clinical Research.

The new form is in line with the national centre's form. The second recommendation I quote is:

Only coded ... data should be required to be notified in State and Territory public health legislation with the obligation to do so being placed on laboratories in cases of HIV infection and on doctors in the case of clinical diagnosis of AIDS.

These amended regulations require a coded notification and the forms are there for both the laboratory and the doctor. It should be noted that in making these recommendations the legal working party recognised the need to balance the following objectives: Epidemiological surveillance for planning, evaluation, resource allocation and trend tracking; privacy protections for HIV positive persons while collecting data of value to public health; and collection only of reliable data in a practical and efficient manner. At the same time, the legal working party recognised the importance of balancing partner notification, professional safeguards for doctors and other health care workers, and the need to protect the public from infection. Those are not things that the Liberals are concerned about.

Mr Moore: The need to prevent the public from infection, I believe you said.

Mrs Carnell: Absolutely important.

26 November 1992

MR BERRY: And, of course, not something that the Liberals are concerned about. It recommends that partner notification should be of a voluntary nature, not coercive; so, what Mrs Carnell is calling for is a sort of compulsory notification of adultery. If that were achievable she might have something.

Mrs Carnell: Wayne, that has to be the longest - - -

MR BERRY: That is what she is proposing. That is what you can take from what she said. We all well know that traditional coercive public health strategies are inappropriate, ineffective and counterproductive in these circumstances. It is very clear - now listen to this - that, if a person believes that in coming forward to be tested for HIV his or her privacy will not be respected, he or she will not come forward, and the opportunity to counsel and to educate that person will be lost and partners may not be informed. Mrs Carnell giggles at these matters because she thinks they are quite funny. It is essential that public health measures assist in the control of the virus and do not drive it underground. I have said repeatedly that what the Liberals have been on about is to drive HIV sufferers underground and to create circumstances which will prevent them from coming forward.

What we are saying is that we are going to create an environment where they can come forward without any fear of their privacy being interfered with, and without any fear of discrimination as a result of their reporting to a doctor and undergoing tests and so on. If you have a situation as is proposed by Mrs Carnell, people will not come forward willingly and we will end up in a situation where the very women that she claims that she is trying to protect will be put in more danger. That is what in fact will occur.

We have to recognise that there may be exceptional cases where voluntary notification of partners does not occur. The legal working party recommends that there be appropriate public health action in circumstances where counselling has not been successful. This requirement is not incompatible with a system of coded notification. If you bothered to take the time to have a look at the regulations you should have taken a bit of a look at the powers of the Medical Officer of Health. They are very wide. I will read to you from regulation 5. It states:

Where the Medical Officer of Health or an authorised medical practitioner has reasonable cause to suspect that a person who is or was an inmate of a house is suffering from an infectious disease, the Medical Officer of Health or the authorised medical practitioner may, for the purpose of ascertaining whether or not that person or any other person in that house is suffering from an infectious disease ...

It then goes through a whole range of - - -

Mrs Carnell: But the Medical Officer of Health does not know who the person is, Wayne.

MR BERRY: If the treating doctor is aware of unsafe behaviour amongst people who are suffering from AIDS, he can raise it with the Medical Officer of Health and the Medical Officer of Health does have some powers. In the first instance you have to get people to come forward, and under the Liberals' proposal they will not. The Liberals are not concerned about the people out there - - -

Mrs Carnell: Of course we are; that is what we are doing it for.

MR BERRY: You are not concerned. You have demonstrated over and over again in relation to public health matters that you do not care, and you have demonstrated over and over again in relation to this HIV matter that you do not care. We made it clear from the outset in relation to these regulations that the matter was under consideration. We also made it clear, in presenting the matter before this Assembly, that, to do away with any confusion which was occurring as a result of the wording of the regulations, they would be changed to make it clear to everybody that it would be in coded form, because coded form is the way to go when it comes to dealing with this issue.

We want people to come forward for treatment; the Liberals do not. We want people to stop risky behaviour out in the community; the Liberals do not care about it. We want to make sure that that coded information is available to public health officers so that we can use that information to better prevent the spread of AIDS; the Liberals do not care about that. What we have in the ACT is a situation where some politicians have gone mad on this issue, and the Liberals fit into that mould. What they have done, to grab a few cheap political points, is go back to the days when people used to have yellow patches sewn on their shirts, go on with a whole range of Goebbels-speak about - - -

Mr Kaine: Madam Speaker, this is going over the top. He should at least keep his debate to a reasonable level.

Mr Humphries: Are you going to pull him up on that? You did before.

MADAM SPEAKER: Members, are you taking a formal point of order, or are you just chatting to me?

Mr Humphries: Madam Speaker, you asked him to withdraw "Goebbels-speak" before.

MR BERRY: No, she did not.

MADAM SPEAKER: I believe that I asked him to withdraw something, which he withdrew.

Mr Humphries: Well, I ask you to make him withdraw now.

MR BERRY: No, I said "murderous". I withdrew that. No, you are on the wrong trail.

MADAM SPEAKER: Let me consider "Goebbels-speak". I am very reluctant to continue to put limitations on what people can say in this chamber. This is - - -

Mr Kaine: Well, yesterday - - -

MADAM SPEAKER: Order, please!

MR BERRY: Let me put it another way which will not make you any the more comfortable.

26 November 1992

MADAM SPEAKER: Order, please! I have not finished speaking. Mr Kaine, I wish to consider this matter and I wish not to leap into every point of order of this type without considering it. I have not ruled you out of order.

Mr Kaine: Unless we - - -

MADAM SPEAKER: I have not ruled you out of order. I will come back to it.

Mr Kaine: If they take a point of order you are very quick to respond.

MADAM SPEAKER: If you continue to interrupt me when I am speaking, I will name you.

Mr Kaine: You will?

MADAM SPEAKER: All right? Only when I am speaking.

Mr Kaine: This is not school.

MADAM SPEAKER: I am the Speaker, and you are not to interrupt me.

Mr Kaine: Oh, come on!

MADAM SPEAKER: We will have order in this chamber. I will rule on "Goebbels-speak" tomorrow, or next session. Please continue, Mr Berry.

MR BERRY: What did you say? Why don't you say it out loud?

Mr De Domenico: Come on, Lenin; stand up and give us the rest of the - - -

MADAM SPEAKER: Order, please!

MR BERRY: If you want to continue to propagandise this issue, which is what you are doing, and if you want to create fear and concern out in the community, keep going the way you are going.

Mr Kaine: This is scandalous, absolutely scandalous!

MR BERRY: Well, it was your caucus that supported this approach, Mr Kaine; so you have to bear the responsibility for it.

Mr Kaine: I am not worried about the case; I am worried about what you are saying about it. This is scandalous.

MR BERRY: Because what I am saying is true. It is true. Your behaviour is scandalous, because you have set out to create fear and concern out in the community with a view to grabbing a few votes - a cheap stunt. It is the cheapest of all stunts because what you are doing is using public health - - -

Mr Kaine: You are a disgrace as a Minister for Health.

Mr De Domenico: Commo-speak.

MADAM SPEAKER: Order! Order, please!

MR BERRY: You are using public health as an issue to frighten the community into a view which is patently wrong. You cannot use those sorts of tactics with any sense of responsibility and get away with it. You are not going to get away with it while I am about, I can tell you. I will not sit back and allow those sorts of things. I was sickened to hear Mrs Carnell on that issue this morning, because what she was about was frightening a few women out there on an issue which she has no right to do.

Mr Kaine: You have been caught with your hand in the bickie barrel. That is your problem.

Mr Lamont: Madam Speaker, I rise to a point of order on the imputation contained in the suggestion of the current Leader of the Opposition in relation to an assertion about the bickie barrel and the Minister.

MR BERRY: About what?

MADAM SPEAKER: I am sorry, Mr Lamont; I did not hear the comment.

Mr Humphries: None of us did, by the sound of it.

MADAM SPEAKER: Mr Humphries, do you have a point of order?

Mr Lamont: I move for an extension of time for Mr Berry.

MADAM SPEAKER: Just a minute; I have not finished speaking about the point of order. I did not actually hear it. If you like, I will examine the *Hansard* and come back to it if it is in the record.

MR BERRY: (*Extension of time granted*) Creating a panic about partner notification in circumstances where it is not necessary is irresponsible in the extreme. It is not what Mrs Carnell is about. She is not concerned about this issue of partner notification. What she has demonstrated by her actions so far on this issue is that she is concerned about grabbing a few votes; no more than that. That has been clearly demonstrated. Mr Kaine wears the responsibility for this.

Mr Kaine: I do not wear any responsibility. You are a disgrace. You wear the responsibility.

MR BERRY: You do wear the responsibility as the leader of the party, I am afraid. If you drive underground one person who is involved in risky behaviour out there and one more person is infected with AIDS, you wear the responsibility for that; and that is what Mrs Carnell's approach will result in. The experts know that. Why cannot you people pull her into line? You cannot allow this sort of risky politicking to continue. There is a clear message coming through from experts in this country that the best way to get people to come forward for treatment for this disease is to create circumstances where their privacy is not interfered with and they will not be discriminated against. I have said that before, but it does not seem to have sunk in. If somebody is infected with AIDS they have nothing to lose; they have nothing at all to lose.

26 November 1992

Our regulations will ensure that these people will come forward and will seek expert help. That expert help will deal with the issue of risk-taking behaviour and will counsel people about the way they should behave out there. Mr Humphries does not care about it. There will be coded information provided to public health authorities. If circumstances develop where the Medical Officer of Health has a need to take the matter further, the powers are clearly there, under the regulations.

Mrs Carnell: But he does not know.

MR BERRY: Mrs Carnell seems to think that what she proposes will protect women. It will not protect women, because people will not come forward. All of the experts - - -

Mrs Carnell: But there is no indication to say that. What has happened in South Australia?

MR BERRY: Mrs Carnell, working part time in the Assembly, now seems to - - -

Mr Humphries: She knows more about health than you do, that is for sure, even if she does work part time.

MR BERRY: She certainly knows more about running a chemist shop than I do; I will grant her that, but nothing more than that.

Mr Humphries: She knows more about health, too.

MADAM SPEAKER: Order, please!

MR BERRY: She spends more time running the pharmacy business than she does in this Assembly paying attention to issues of national importance like HIV/AIDS. She has not directed her mind to it. The Liberals have not even examined the proposals which were put before them. They are prepared to reap the profits of these cheap, political points which Mrs Carnell has set out to grab out there in the community by creating fear and dismay. Well, she is wrong. She is wrong, wrong, wrong! This Government will not stand by and let this occur without criticising her heavily, and we will continue to do it.

MR HUMPHRIES (11.13): Madam Speaker, what Mr Berry's emotive rhetoric covers up is nothing more nor less than a serious blunder on the part of this Government. Let me go back to the question, first of all, of HIV notification, and whether notification was compulsory or not under the state of the law as it existed until very recently. The hyperbole that we have heard from this Minister is nothing more than elaborate camouflage of the fact that the Government has made a serious mistake and has not been prepared to admit it to the public of the ACT, and in particular to the medical community, which has been the victim, principally, of that mistake.

Madam Speaker, the Government has maintained, and in particular this Minister has maintained, consistently, time and time again, that HIV was not notifiable compulsorily in the ACT. That is what the Minister has told both this Assembly and the medical community, time and time again. Madam Speaker, it was a lie. It was a lie. He himself came to the Estimates Committee of this Assembly and admitted that he has received advice which shows that he should not have produced that evidence before the Assembly.

Mr Berry: Madam Speaker, may I raise a point of order?

MADAM SPEAKER: Yes, Mr Berry, you may.

Mr Berry: Mr Humphries said that was a lie.

MR HUMPHRIES: I withdraw, Madam Speaker. The fact of life is, Madam Speaker, that Mr Berry told the Assembly something which is not true. Mr Berry told the Assembly something which has turned out to be inaccurate. Is that not the case, Mr Berry? Yes, it is the case. Mr Berry came to the Estimates Committee of this Assembly and admitted, "Yes, we have actually received legal advice which indicates quite clearly that HIV has always been, in the Territory, a notifiable disease". It always has been. That means notifiable in a compulsory sense, not in the coded - - -

Mr Berry: I never said that. Madam Speaker, Mr Humphries made an imputation that I said something that was not true. Therefore, there was a clear imputation. He has not backed it up with any information in relation to it. You cannot impute that people are fibbers in this. You would be the worst - - -

MR HUMPHRIES: You said the wrong thing. I withdrew "lie". I said that you were wrong. You gave inaccurate information.

MADAM SPEAKER: Mr Humphries, I was about to caution you on the provisions of standing order 55, which you are familiar with.

MR HUMPHRIES: Indeed, Madam Speaker.

MADAM SPEAKER: We have spoken about this issue before. Whether the case is true or untrue, you are not permitted to impute improper motives. I caution you to remember that as you proceed with your speech.

MR HUMPHRIES: Madam Speaker, I repeat the statement, and I stand by the statement, that the Minister gave inaccurate information to the Assembly. He gave inaccurate information to the Assembly - information which was clearly repudiated by the legal advice he referred to before the Estimates Committee but would not table before the Estimates Committee.

Mr Berry: You have not seen it.

MR HUMPHRIES: Indeed. Mr Berry, significantly, will not table that advice in this Assembly, or to the Estimates Committee. What has he to hide about this matter? If he has nothing to hide, let him table the advice. The fact is, Madam Speaker, that this Minister, this disgrace of a Minister, has been caught out. He knows, from reading the legislation, that the legislation does not conform with the view that he has expressed to the people of the ACT, particularly the doctors. He has hoped to be able to avoid the consequences of that now, retrospectively, by bringing forward regulations which make it clear that in fact it is not notifiable in a compulsory and clear format. That is what he is trying to do. He is trying to cover up the mistake he has made in the past.

Whatever you might say about the present debate, if we assume, for the moment, that the Government is correct in saying that there should be only coded notification, the Minister at least should be honest enough to come to this Assembly and admit that what he told the people of the ACT before was wrong.

26 November 1992

Mrs Carnell: It is in the annual report. The report says "voluntary".

MR HUMPHRIES: Indeed, the annual report of the Department of Health clearly says that notification of AIDS is voluntary.

Mr Berry: That is how it was collected.

MR HUMPHRIES: That is not the case. It is not voluntary, and it was not voluntary before the passage of this regulation. Under the law of the Territory, notification was compulsory.

Mr Kaine: Mr Connolly ought to be concerned about that, if you are not.

MR HUMPHRIES: Mr Connolly knows that, and I think you know that, too, do you not?

Mr Berry: Take it off to court.

MR HUMPHRIES: It went to court, as a matter of fact. It is funny that you mentioned that. It went to court, and a particular doctor in the Territory made that very claim. The Administrative Appeals Tribunal upheld that claim. I will not go into any more of that, but you know what the circumstances of that were, Mr Berry.

Mr Berry: My word I do.

MR HUMPHRIES: You and your people in your circle of advisers who felt that there ought to be some change in the law, and hoped to make that change in the law by government fiat rather than by actually changing the letter of the law, got caught out.

Mr Berry: No; I am sick of you people driving HIV sufferers underground, and something had to be done to clarify the issues.

MR HUMPHRIES: I see; so, you are prepared to change the law without telling the Assembly about it until you went too far. Is that the situation? Okay, we know where we stand now.

Mr Berry: No; to do something to clarify it and to stop you people - - -

MR HUMPHRIES: You told the Assembly clearly, in August of this year, that HIV/AIDS was not notifiable in compulsory form. The Estimates Committee was clearly told that it was, and the fact of life is that the latter advice was the correct advice.

Let us come to the real meat of today's issue, Madam Speaker, the question of voluntary notification of AIDS at the present time pursuant to these regulations. Madam Speaker, there are two important issues that have to be considered here, two vital issues; literally matters of life and death in respect of this matter. One is the need, as a matter of public policy, to encourage people infected with HIV/AIDS to come forward and receive treatment. That is an essential element of any decent public policy on this area. The second is the importance of preventing the spread of the disease, the spread of AIDS, through transmission, whether it is conscious or inadvertent transmission. They are two vital objectives which any government has to try to balance responsibly in this debate - - -

Mr Moore: But they are interlinked.

MR HUMPHRIES: They are interlinked; indeed they are. Is it possible to rank those two matters, to say which of the two is more important?

Mr Moore: No.

MR HUMPHRIES: Is it necessary to do so? Perhaps it is not. Let me put it this way. I will not express a view on that question, but I will say this much: Mr Berry told listeners to ABC radio this morning that HIV sufferers are, in a sense, under a sentence of death; that in the present state of medical technology and knowledge they are certain, regrettably, to die. Bringing people in this category forward will assist in their treatment, will alleviate their suffering; but it will not, in itself, in the present state of medical knowledge, save their lives.

The second question does save people's lives. The prevention of the spread of the disease, the notification of people who are at risk, is a vitally important process of ensuring that people's lives are not lost, and that is what this Government has lost sight of. Madam Speaker, I argue that the second issue is at least as important in ensuring that a proper public health policy is applied in the ACT.

MADAM SPEAKER: Mr Humphries, I have to interrupt you because it is 45 minutes after the commencement of Assembly business.

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

That Assembly business be extended by 30 minutes.

MR HUMPHRIES: Madam Speaker, the fact is that this Government has set in place a regime which does not allow for the proper balance of those two factors I refer to - the need to prevent the spread of the disease and the need to bring forward people who are suffering from the disease. It does not do that.

There has been a great deal of quoting from the recommendations of the legal working party of the Intergovernmental Committee on AIDS; but it has all been selective, with respect, so far from those on that side of the house. The fact is that it recommends code notification, that is true; but, hand in hand, in the very next recommendation, on the very next page of this report, it makes reference to an equally important recommendation. I want to read that recommendation more fully than has been done so far. It states:

Partner notification should occur as recommended in the National HIV/AIDS Strategy, i.e. it should be raised during pre-test counselling, and be of a voluntary rather than coercive nature.

True. However, let me go on to read what it next says:

However, professional care-givers should be protected by legislation from liability in two circumstances:

. for breach of confidence actions by their clients in exceptional circumstances where they exercise their discretion to notify the partner;

26 November 1992

I repeat, "where they exercise their discretion to notify the partner". That is not having the infected person notify the partner. It is not there, Mr Berry. You tried to quote from it before and you stopped short because you realised that it was not there. You tried to fudge that question and you did not get away with it. It is not there, Mr Berry. Do not look down and pretend that you can find it somewhere on the page, because it is not there. (*Extension of time granted*)

This recommendation clearly says that in exceptional circumstances there must be the capacity by health authorities in this Territory, or anywhere else that this applies, to notify a partner where somebody is infected and will not notify themselves. They must be protected by law. It says here, "by legislation". Where is your legislation, Mr Berry? It has not turned up. It is not here. You are putting in place only part of the recommendations that come forward from this working party.

Mr Connolly: We are moving swiftly by regulation while we consider other matters.

MR HUMPHRIES: It is not in the regulations either, Mr Connolly. You will have a chance to contribute to this debate. You show us where it is in the regulations. It is not there. We have heard this claim about blood on our hands coming from Mr Berry in a suggestion that we have blood on our hands by not letting this regulation stand. I want to quote an example of something which has happened in this Territory. I know of a case, Madam Speaker, where a person in the ACT contracted the HIV/AIDS virus in the ACT. That person came forward for treatment and was treated. That man was married and had a wife with whom he was living. That person was told that if he continued to have sexual relations with his wife he would put her at a serious risk of contracting HIV/AIDS. The man declined to notify his wife.

Mr Moore: Why?

MR HUMPHRIES: Why? I do not know why; in fact, I do not care why. The fact of life is that he did not notify his wife. That is the current state of play as far as I know. It might have gone on from there to some other stage; I do not know. The fact of life is that that man was sentencing his wife to death by having unprotected sex with her without telling her that he had contracted the HIV/AIDS virus. A regime which allows that to happen, surely, Madam Speaker, sentences someone to death. The regime proposed today by the ACT Government does not provide for notification where a man, in that very position, will not tell his wife or his partner, and that is reprehensible. We heard the expression "Murderous Goebbels-speak". I ask you, Madam Speaker: "Where does that term apply properly in this debate?". "Where does the term 'murderous' really apply in this debate?", I ask you.

If you do not have some form of notification of people who are suffering from this disease you are going to find yourself again and again, regrettably, putting people in that position, because it is a fundamentally common part of human nature that where a person contracts that disease and where they might find themselves in another relationship they are not often going to want to tell their partner, and, of course, the partner is going to expect to continue sexual relations.

They will not understand why sexual relations should not be continued. That puts that person at risk of death. There is no cure for AIDS. You cannot get a shot or take a pill or a syrup, or something, to get rid of AIDS. It is fatal. You die from it. The only protection is prevention. Notification is essential, Madam Speaker, to make sure that prevention occurs. This Government must accept its responsibility to go further and provide that protection by accepting the motion that Mrs Carnell has put forward today and passing the repeal of these regulations.

MR MOORE (11.27): It is interesting that we have heard so many half-quotes and half-truths. It is interesting that we have heard so much on an issue that is so difficult and that so much of it has been so shallow. I would like to take the first point that Mr Humphries talked about, recommendation 2.2: Partner Notification - Professional Indemnity. He failed to continue reading right through it. When you read right through it you begin to understand the complexities of the issue. Had he continued beyond the part about protection of professional care-givers from liability for failure to notify their clients and partners, and that sort of thing, he would have got to this:

Such legislation should require adherence by professional care-givers to a partner notification protocol established by health authorities in each jurisdiction, which should contain the following criteria -

this is the important part -

- . the client has refused to notify his or her partner;
- . a real risk of HIV transmission exists;
- . counselling to achieve behaviour change has failed; and
- . advice has been sought from other appropriate professionals, either peers, or members of expert panels established by health authorities for the purpose of providing ethical guidance on partner notification cases.

In the case where partner notification will occur, two additional criteria apply:

- . the client has been told that partner identification will occur after a reasonable time period; and
- . if the identity of the index case is impossible to conceal, the partner should be obliged to keep the information revealed during notification confidential.

That is part of the recommendations of the legal working party and I hope that in due time the Minister will bring that in as well.

26 November 1992

The debate here as far as the Liberals are concerned seems to be about a priority, and they have their priorities back to front.

Mr De Domenico: Yes, because people are dying.

MR MOORE: Mr De Domenico says, "People are dying". They seem to misunderstand the point. The best way to illustrate it, I think, is to use Mr Humphries's example about the man who refused to notify his wife. My question at that stage, which he was unable to answer, was, "Why?". It is the critical question. The reason it is the critical question probably arises out of embarrassment. It probably comes out of the fact that he does not want to - - -

Mr De Domenico: Would you rather be embarrassed or dead?

MADAM SPEAKER: Order!

MR MOORE: If you listen, you just might learn something; if you listen, you just might learn something about the balance on it. Madam Speaker, it is always flabbergasting to notice just how closed the minds of the conservative section of the Liberal Party, which is the bulk of it, can become. Madam Speaker, here is the point. What happens to the person who is too embarrassed to tell his wife and - as they correctly point out - is prepared, possibly, and most likely, to deliver a death sentence? Probably he is a bisexual man, if we are going to use the example that Mrs Carnell quoted from the research that was reported in the *Australian*. He is going to say, "Well, why would I notify in the first place?". That is the concern, "Why would I notify in the first place?".

Mr Humphries: Because he is sick.

MR MOORE: Mr Humphries says, "Because I am sick". He knows that he is sick. He knows that nobody is going to be able to do anything about it anyway. Once you are HIV positive, under current medical research, you are HIV positive, and there is nothing you can do about it to reverse that. You can go through a series of actions to protect your health, to give you a longer lifespan and a longer period prior to full-blown AIDS. People can do that. That is why, as priority one, the legal working party of the Intergovernmental Committee on AIDS recommends, first, that a coded form of notification be put into place.

Mr Humphries: Where does it say "priority one"?

MR MOORE: That is why they have put this first, and that is why I am going to support the Government position on this. What the Liberals would like to do, as they always like to do, is just make it black and white. It is always black and white. Just notify it; that is it; go and have a test; that is it; no worries; everything will be all right. The trouble is that it is not that easy. There is a difference of opinion in the community on it and, when you draw the balance, you have to come down, first and foremost, on a coded form of notification; and this regulation is to establish a coded form of notification.

The Liberals do not seem to be able to understand that that does not exclude the possibility of doing something else as well. They can do something else if they like. They can draw up legislation. I am prepared to teach them how to do it if they want me to. Or they can approach the Minister and they can say,

"Why do you not do it?"; or they can put a motion and direct the Minister to do it. They have a full range of possibilities available. If their motion was right in line with that recommendation, I just might well support it; but I would want to see what they drew up first.

It is also interesting that Mrs Carnell should have drawn attention to recommendation 6.3: HIV/AIDS and Sex Work. Prior to the Bill going through, I stood in this Assembly and said, "The one area of difficulty that I have is the approach on health". I was the only person who stood here and said that. That is reflected in this report that has come down since. Even so, we went a long way to meeting that.

Mrs Carnell: But we did not go all the way.

MR MOORE: In consultation with Mr Connolly, Mr Humphries and you, we did move that "knowingly infect" would go beyond the commercial sexual services provided at a brothel or escort agency to wherever commercial sexual services are provided and would apply equally in both directions. That goes about 90 per cent or 95 per cent of the way to meeting that, but I would argue that it goes not quite far enough. Remembering that this was a Bill referring to prostitution, perhaps we should put that "knowingly infect" where I originally had it, in the consequential amendments to the Venereal Diseases Act, which is now the STD Act. I think it is appropriate that we repeat that in that Act as well, as that would put us in line with that recommendation.

I think the trouble is that what we have heard today is a fair bit of half the story and half the truth.

Mrs Carnell: That is just not true.

MR MOORE: I am concerned about the reason for this. What is the reason for stopping this part? You have asked the Minister again and again to clarify his position. When he comes out to clarify the very position that you have asked him to clarify, and he does so, you then move to disallow this. You have moved to disallow this instead of doing what you should have done. You should have said, "This is a bigger picture. We want to do something else about it, so we are going to take action", instead of trying to write it all off in your hope to embarrass the Minister again.

Mr Humphries: You cannot have one without the other, Michael. You have to have both.

MR MOORE: Mr Humphries suggests that you cannot have one without the other. Mr Humphries, as far as this goes, is wrong. You can. We are about to see, some time in the next hour or so, that he is wrong, and we will have one without the other.

Mr Humphries: You should not have one without the other. Let us put it that way.

MR MOORE: He now has changed his position - but that is not surprising - and now says that we should not have one without the other. I say to him that, if he really thinks that and really believes it, he should do something about it.

MR CONNOLLY (Attorney-General, Minister for Housing and Community Services and Minister for Urban Services) (11.36): Madam Speaker, the emergence of the human immunodeficiency virus and the spread of the AIDS epidemic has been one of the great tragedies of the latter part of this century. It has affected millions of lives. It will cost millions of lives. We as Australians should be proud of the fact that Australia is seen internationally as one of the countries that are leading the world in a mature and enlightened approach to this disease. We are seen as the model for the control of AIDS in Western society. That is an extraordinary thing, because anyone who knows the history of Australian government and the Australian federation, with Federal and State and Territory governments who tend to spend most of their time squabbling, and two major political parties who tend to spend most of their time squabbling and taking cheap political points, would be amazed that we as a nation have been able to lead the world in a mature approach to AIDS.

Every State and Territory government has cooperated with the Federal Government in this approach so far. Not one major political party has thought that there would be political capital in getting down in the gutter, in the muck, and attacking governments, raising nonsense, and raising homosexuality as the Opposition did today. No-one has done it. Not one Liberal Party Health Minister has done it. But Mrs Carnell has got the prize. Mrs Carnell has decided to be the one who cannot resist getting down there in the sewer and making grubby politics about the control of AIDS. I think, Madam Speaker, that that is something that we should all be ashamed of.

I noted Mr Humphries's remarks. They were a lot more rational. He was directing himself to a debate that we have had about what the law was and what it is. That is fine. Mrs Carnell's remarks were grubby. In the back of this report there are - - -

Mr Kaine: Madam Speaker, you are very quick to pull up members of this side of the house when attacks on other people's characters are made, but you do not stop this Minister. I think that what he just said is absolutely scandalous. I think you should draw him back and ask him to conduct debate in a reasonable way.

Mr Berry: Under what standing order is this point of order raised?

Mr Kaine: I am asking the Speaker to use her commonsense and to ask the Minister to be decent and reasonable in his debate. This personal attack nonsense is unacceptable.

MADAM SPEAKER: As the debate has been interrupted, may I remind all members of the house that the debate was previously stopped to allow Mrs Carnell silence, and silence was achieved. Could we similarly have silence for Mr Connolly? Mr Connolly, perhaps you might keep the spirit of Mr Kaine's advice in mind whilst you continue.

MR CONNOLLY: I certainly would not attack Mr Kaine, because I could not imagine Mr Kaine conducting himself as Mrs Carnell did earlier on. She ignored the vast body of research and writing on AIDS. What was her source for this nonsense about compulsory notification? An article in *Who* magazine. Well, there we stand. *Who* magazine, some trashy news magazine, says that we should have compulsory notification and Mrs Carnell says that we have to have notification; that people have to be obliged to notify if they have AIDS.

Madam Speaker, it makes about as much sense as saying that there should be compulsory notification of adultery, because any person who chooses to go out and have sexual relations with any other person, whether they be of the same or different sex, is putting their partner at risk of HIV. That is the reality.

Mrs Carnell: We have had compulsory notification since 1986.

MR CONNOLLY: No; you are talking about compulsory partner notification. You are saying that partners must be told if their partners have AIDS. That is what you say; that they must be told. That is directly contrary to the report which says that it should be voluntary. You say that the partner must be told.

Mrs Carnell: If all else fails. That is what it says.

MADAM SPEAKER: Order, please! Mr Connolly has the floor.

MR CONNOLLY: This does not say that. This leaves a discretion with the medical adviser to do that. There is no element of compulsion. It would be a nonsense to have compulsion. It would make as much sense as compulsory notification of adultery. It is the same issue. Any person who has sex with anyone outside of a stable relationship is putting their partner at risk. What you are saying, picking up trashy news magazines, is highly irresponsible. You then went on to be even more irresponsible, because you could not resist - as I say, getting down into that sewer - picking up Bruce Shepherd's point and raising fear of homosexuality, raising homophobia, raising - - -

Mrs Carnell: Not only Bruce Shepherd's point.

MR CONNOLLY: You said that there are recommendations in this report which no-one could agree with.

Mrs Carnell: I did not say no-one.

MR CONNOLLY: For example, the issue of the age of consent for homosexual sexual relationships being the same as for heterosexual relationships.

Mrs Carnell: I said that many would not agree.

MR CONNOLLY: That was a - - -

MADAM SPEAKER: Order, please! The Minister will address his remarks to the Chair and Mrs Carnell will desist from interrupting him.

Mrs Carnell: Well, he - - -

MADAM SPEAKER: You will desist from interrupting, or I will name you. I am warning you. We will have order today, please. Mr Connolly, address your remarks to the Chair.

MR CONNOLLY: That was a cheap approach at homophobia. Interestingly, Madam Speaker, there is one government in Australia which has just put out a discussion paper suggesting that it will change the age of consent for homosexual relationships to make it the same as for heterosexual relationships - the Liberal Government in the Northern Territory. In the ACT, in fact, it is the same age, homosexual and heterosexual, as it is in Victoria; as it is in a number of other States.

26 November 1992

One government, the Northern Territory Government, is changing to get to the same position that we have - a rational approach. Why is it being done? In order to avoid stigmatisation; in order to encourage people to come forward and get treatment for AIDS. As Mr Humphries says, there is no cure. He is right on that. As Mr Humphries says, and again he is right, prevention is the only approach here. We have to take a mature approach. The Northern Territory Liberal Government is taking just that mature approach. It is actually changing the law in relation to age of consent for homosexuality. It is reducing - - -

Mrs Carnell: To 13?

Mr De Domenico: And you will change it to 13, will you?

MR CONNOLLY: No. The Chief Minister has made that clear. This is, again, cheap and grubby sewer politics from the Liberal Party. The Northern Territory Government is taking the courageous political step of reducing the age of consent for homosexual acts to bring it into line with heterosexual acts. That has been the law in this Territory for about seven or eight years, as it is in Victoria. That is the step about which Mrs Carnell, to make cheap, grubby politics, said earlier this morning, "That is a recommendation that no-one could agree with". Well, your political colleague, the Liberal Health Minister, is doing exactly that.

Madam Speaker, as I said at the outset, we have dealt with AIDS in this country in a way which is the model for other countries. We have done that because a mature approach has been taken by all political parties, by all State and Territory governments. The temptation to play this sort of scaremongering politics to get cheap headlines has been resisted by everyone up until now. It is sad that Mrs Carnell has not been able to resist the temptation to get a good headline, to get some public prominence, by getting down in the gutter and running those points.

What Mr Berry has done in this regulation is to move very swiftly to bring our notification law into line with what is the national recommendation. There is a range of other recommendations. Mr Humphries seemed to be making the point - shock, horror - that we have not done it all at once and therefore we are to be condemned. Mrs Carnell, on the other hand, said that there are recommendations in here which no-one could agree with. Clearly, we cannot please Mr Humphries, who says that unless we take all the recommendations and implement them all at once we should not do any of them, while pleasing Mrs Carnell, who says that there are some recommendations that they could not possibly agree with.

All the Liberals are doing here, Madam Speaker, is playing politics. That is fine. Everyone who is elected here is a politician. We have to accept a bit of that. But I would say: "Let us do what every other State government has done, and every other State opposition has done, and not play politics with AIDS, because the issue is far too important.

MR STEVENSON (11.44): The Attorney-General, Terry Connolly, accused Kate Carnell of quoting from *Who* magazine, which he referred to as a trashy magazine and therefore the statement had no validity. That is obviously the conclusion we must draw from the Attorney-General's statements. Let me read a letter from Trisha Goddard that she wrote for members of this Assembly. I read it on her behalf:

The story about my experience with my ex-husband and AIDS as written in the WHO magazine this week is factual. Every detail given by me to the writer Melisande Clarke, was checked upon by no fewer than 2 other WHO editors in order to insure the magazine remains litigation free.

These are the facts: Although I had constant professional contact with my ex-husband, Robert Nestdale, he chose not to reveal the true nature of his illness; insisting that he had lukaemia and not that he had full-blown AIDS and had been HIV-positive since about 1980. (We were married from 1985-86) Needless to say, he never informed me of his bisexuality before, during or after our relationship. His doctor informed me that Robert had refused to give permission for a Social worker to inform me he had AIDS. He then changed his story and said he had informed me, I'd been tested and was HIV negative. A complete lie. If it had not been for the conscience of one of his closest friends who by chance had discovered Robert had had lymphoma, and informed me of this, (after his death and Memorial Service) plus his advice that maybe I should have an AIDS test, I would have been none the wiser. As I have tested Negative all is physically well. However if I had been infected, I would have unknowingly infected my tiny baby and new partner.

During the long days we spent waiting for the test results, I was counselled by one of this country's most experienced AIDS counsellors and discovered that married bisexual men rarely tell their spouses that (a) they are bisexual, and (b) they are HIV-positive. She knows. She has to arrange the Counselling sessions for HIV-positive mothers and their babies ... a group that I would have joined if I had tested positive.

If the bisexual partner will not tell his wife, if the Doctor legally cannot tell her ... if we are all concentrating on the Civil liberty rights of the AIDS infected person only, what then? Do we shrug our shoulders and say "Tough luck, wife and kids"?

You in the ACT are luckier than I was in NSW. You presently have a system where a partner can be informed via your HIV/AIDS notification procedures. Authorities have a name and can inform the spouse in situations where the infected partner will not. Should you do away with this procedure you had better make sure you institute a system where partners can independently be informed, because please do not be naive enough to think that once someone becomes sick they turn into angelic beings. If they have spent a lifetime concealing, lying, arranging clandestine meetings with lovers, the HIV virus will rarely change anything. Do drug addicts give up their habit on the spot once they've learned they have AIDS?

26 November 1992

Please think carefully. It is now almost 3 years since I went through my terrifying ordeal, and I'm still not over the mental scars. If I'd have been infected, I would be seriously ill and my darling Mark and Billie Dee would be dead or dying.

It was with great reluctance that I told my story, but a Journalist had tracked down some rumours and I feel I was left with no choice. As decision-makers, you DO have a choice and should you decide to rely on (sadly) fairy-tale virtues like honesty, integrity, and truth in every case, you must be prepared to live with the fact that many people ... mainly women and maybe babies, will be at risk of dying slowly and not even knowing about it, let alone if those widows find happiness in a relationship after their infected spouse's death and pass the virus on ... and on ... and on.

Mr Berry accused Kate Carnell, in her courageous stand, of frightening a few women. Let me tell you that there are many more than a few women that are frightened. They have good reason, because in this Assembly the Minister for Health could better be called, if he pursues this avenue, the Minister for death.

MRS GRASSBY (11.50): Let us look at the situation in the ACT with these amended regulations, Madam Speaker. Coded data only is required on notification to the Medical Officer of Health. Privacy is protected. The name of the treating doctor is provided to the Medical Officer of Health. This is important for a number of reasons. It provides the opportunity for the Medical Officer of Health to follow up cases if necessary. It creates the link between the treating doctor and the health authority charged with maintaining public health standards.

It should be noted here that notification of sexually transmitted diseases in the ACT has been, at least since the 1950s, in coded form. Information provided in the notification form - it should be noted that it is irrelevant whether it is coded or not - provided to the Medical Officer of Health does not indicate the current behaviour of the person - - -

MADAM SPEAKER: Order! Mrs Grassby, I have to interrupt now because that is the end of Assembly business today.

Motion (by **Mr Berry**) agreed to, with the concurrence of an absolute majority:

That so much of the standing and temporary orders be suspended as would prevent consideration of notice No. 1, Assembly business, having precedence of executive business this day.

MRS GRASSBY: The notification form provided to the Medical Officer of Health does not indicate the current behaviour of the person, nor does it indicate any action being taken to assist the infected person to behave in a responsible manner. In fact, this situation applies to a whole range of notifications of communicable diseases, like TB and hepatitis. It is the treating doctor who is privy to the information and who will work with the person to ensure that the appropriate measures to protect the public's health are taken, including information being provided to partners.

It would also mean that if the person is not amenable to voluntary partner notification the doctor can advise the Medical Officer of Health, whose power under the Public Health (Infectious and Notifiable Diseases) Regulations allows the seeking of additional information and the taking of appropriate public health action. In other words, the provision of data in coded form does not preclude action by either the treating doctor or the Medical Officer of Health in exceptional circumstances. The notification form gives the Medical Officer of Health basic information and is only part of the total capacity for public health action. Public health action has never been bound by only what is on the notification form.

It is important for the health of the people in the ACT and for the proper management of HIV/AIDS that these regulations are not disallowed. We all know the danger for male or female members of the ACT who, if Mrs Carnell's notice got up, would never report this. We could have an epidemic of HIV/AIDS. Now, in the ACT and Australia, we are in a far better position to cope with this disease as long as we maintain privacy. Mrs Carnell will want these people in a camp, with barbed wire around them to keep them in and other people out; or maybe they should be wearing a patch that says, "Unclean". This is medieval; this is what would have been done in the past. Mrs Carnell quoted from *Who*. Next she will be quoting from the *Readers Digest*. We must not allow the spread of AIDS, and, with privacy, this will not happen. At a party I attended in Sydney some time ago, I spoke with Professor Penny - - -

Mr Humphries: Are you going to quote a party guest now?

MRS GRASSBY: I do not quote from *Who*; I quote people who really know about it. When I spoke to Professor Penny he made the point that privacy was one of the most important things; that we must not chase this disease underground. If we were to chase it underground, he said, we would have a lot of trouble in getting people to come forward and admit that they had this disease. I think that Professor Penny would know a lot more about it than *Who* magazine.

MS SZUTY (11.54): Madam Speaker, I believe that it is unfortunate that I need to oppose a motion proposed by a member of the Legislative Assembly which is motivated by concern for human health and welfare. In the case of the motion to disallow the Public Health (Infectious and Notifiable Diseases) Regulations Amendment No. 27, I feel that the issues have been blurred. While situations where women whose partners have not told them that they are bisexual or that they have contracted the AIDS virus are very tragic, we are not able to legislate to ensure that people will always tell the truth. After a lifetime of duplicity and lying, as is stated in the letter by Ms Trisha Goddard, circulated to members of the Assembly by Dr Alex Proudfoot, some people are not going to become virtuous all of a sudden and tell all. If they have seen it as being in their interests to lie about their sexuality in the past, they will continue to lie if it suits their needs at that time.

It would seem to me that in some cases it is, in fact, easier to lie to a doctor or a health professional than to a partner. At what point do we believe the information given about their sexual behaviour by a person who presents for HIV testing? Once the medical officer has a positive diagnosis, the promoters of compulsory notification would have us believe that it is simply a case of contacting the partners of the person involved. In many cases that may be true; but has that action protected them, or would such action prevent people who may

26 November 1992

feel that they have been exposed to the virus from coming forward? Indeed, does the health professional concerned have correct information about the partners involved? Fear is a strange phenomenon. People in real life often hide from painful truths. They can often hide dual lifestyles from partners, including intravenous drug use and bisexuality.

Perhaps in the case of the letter circulated by Dr Proudfoot medical notification would have alerted Ms Goddard earlier. But as her partner had been HIV positive since 1980, and had not informed her before the relationship began in the mid-1980s, her position would have been the same as far as her exposure to the virus was concerned. By her own admission, the relationship was over before she would have been notified of her former husband's HIV status.

I am sure that other situations exist like the one we have been made acquainted with by Dr Proudfoot. But the main aim is surely one of trying to get the most number of people who have been exposed to the virus to come forward for treatment. If the population that is now identified as being most at risk - that is, intravenous drug users and bisexual men - is to be convinced of the need to be responsible for their behaviour and come forward for testing, it must be without threat of exposure.

There are now signs that some forms of HIV can be dormant for a longer period than was first thought possible before the development of full-blown AIDS. In a perfect world, people affected would come forward without condition. However, the harsh reality is that many of these people are still unable to face the fact that their behaviour has exposed themselves and others to the virus. As I say, in a perfect world, these people would see no reason to lie about their behaviour. Their partners would be aware of their dual lifestyle, and the risks associated with their behaviour would be assessable. There would also be no discrimination against people who have been tested HIV positive.

But we are far from being a perfect society, and it will be some time before the AIDS virus can be treated like any other communicable disease. If and when a vaccine or cure is ever found to counter this virus, the community may then accept it as a disease - not a moral disease, but a medical condition - and the fear that grips those who would have been exposed may dissolve. Madam Speaker, I am sure that Mrs Carnell's moves to disallow these changes to regulations arise from concern for the health of women and partners of people diagnosed as HIV positive. However, for the reasons I have outlined, I will be opposing the motion.

MR CORNWELL (11.59): Madam Speaker, I find myself obliged to join this debate because I have heard a great deal of rubbish from the other side of this chamber. I believe that it follows the usual line, and that is that anything that impinges upon people's rights as opposed to their responsibilities in this city has to be denigrated and attacked at every opportunity. We have a situation such that we can no longer with impunity have a reasonable debate upon so many matters. I would suggest to you, Madam Speaker, that we would probably run into the same drivel about concentration camps that Mrs Grassby spoke about if we were trying to have a sensible, decent debate on matters like Aboriginals or, perhaps, Vietnamese nurses. Frankly, I am sick and tired of the approach adopted by the Labor Party and their supporters in relation to issues of this nature.

It has been said, and I think it has been demonstrated this morning by some of the people opposite, that the agenda on this very important matter of AIDS has been captured and is being run by the gay lobby. I say that because I have been quite appalled at the attitude of people opposite in relation to innocent victims of this deadly virus. It appears to me that we cannot get up and debate this matter sensibly and logically, without being attacked on the basis, as I said earlier, that we are planning to set up some concentration camps; that we are invading people's privacy; that we will - - -

Mr Lamont: Who are the guilty victims?

MR CORNWELL: Mr Lamont interjects and asks, "Who are the guilty victims?". I could not have a better example of what I have just been talking about. We are not discussing guilt, Mr Lamont. We are discussing the problems that are likely to be confronted by a lot of innocent people out there in the community.

Mr Moore: So, who is not innocent?

MR CORNWELL: Just a moment. We are discussing the problems likely to be confronted by a lot of innocent people out there in the community if they find themselves infected by this virus by their partner. We are not judging their partner; what we are saying is that the people who have not been told by their partner are certainly innocent victims, and they at least deserve to have the opportunity, if they are tested positive, to receive medical treatment. This is going to be denied them under the arrangements that this Labor Government has put forward.

You are so keen on talking about people's rights. What about their responsibilities? You are so keen to talk about the problem and that people should be given the option as to whether they are going to admit and tell their spouse, their partner, that they are infected. What about the right of the partner to know? That does not seem to enter into your considerations. Ms Szuty said - and I think Mr Moore made the same point - that she believes that people who are exposed to the virus may not come forward if this disallowance goes forward. I think there is a pretty powerful incentive to come forward and seek treatment because, as Mr Humphries and, I think, Mrs Carnell indicated, this is a deadly disease.

Mr Moore: But there is no cure.

MR CORNWELL: There is no cure. Thank you. I think you may find that people who are infected will nevertheless come forward. They will at least - - -

Mr Moore: There is no cure; why come forward?

MR CORNWELL: Just a moment. They are certainly not going to hide out there. I think you misunderstand human nature. I would imagine that if they are prepared to come forward some of them may not be prepared to tell their spouses and their partners. They obviously are not prepared to accept their responsibilities in this matter. I believe that it is only right and proper that others should. I do not accept that the people who are infected by this HIV virus have all the rights and none of the responsibilities. I believe that the health and the lives of innocent people are at stake, and we should give at least as much attention to looking after their rights as to the rights of those sufferers of HIV.

26 November 1992

MRS CARNELL (12.05), in reply: I think it is very unfortunate that this debate has progressed the way that it has, or it had until Ms Szuty brought it back to some semblance of sanity. This is a public health issue. I think we all know and understand that it is a public health issue. I think that the current legislation in the ACT has been badly misrepresented in this debate. The Public Health (Infectious and Notifiable Diseases) Regulations and all the associated legislation that goes with them have very definite privacy requirements in them now. In respect of all of the diseases that have been notifiable and infectious over the years, I believe that the privacy provisions that are in that legislation have stood us in the ACT very well.

Mr Moore: They have been different, Kate. They are curable.

MRS CARNELL: That is not strictly true, Mr Moore. Diseases like hepatitis B, which certainly has some connotations, is notifiable in the ACT and I do not see on the front page of the *Canberra Times* or anywhere else stories of the people who happen to be suffering from it. I do not hear any claims that people are not coming forward to be tested for hep B or for a number of the other diseases involved. I believe very strongly that our legislation is very good and does protect the privacy of the people involved. It also protects the rights of others - not just the right to know, but the right to be educated on how to live with very difficult conditions, and there are a lot of them.

But HIV, as is rightly said, at this stage is not treatable. It is not just a matter of information down the track if the doctor who did the testing believes that somebody who has been diagnosed as HIV positive has not told their spouse. I think somebody who has been tested HIV positive, when asked, "Have you told your spouse or your family?", will say yes, and that is it. Under this new legislation that is the end of it. All a person has to say is yes, and nothing more happens. Under the legislation that used to apply to HIV, actions were taken that would have protected - - -

Mr Berry: No, they were not.

Mr Connolly: Gary just told us the story of how it does not happen - Gary's sad tale.

MRS CARNELL: That should have happened, I said; not did happen. That should have happened under the old legislation. That is supposed to happen. The doctors involved could do a number of things, and they included education. That would have protected Trisha Goddard because she would have been informed early in the relationship, not after the death. Her own comments suggested that, if she was informed, then they would have practised safe sex and therefore she would have been substantially safer. As it turned out, she was very lucky. Many other women will not be lucky if they are not given the opportunity to be told, to be informed, and to be educated.

This is not about some form of great hysteria. It is about having regulations that are sensible and that will protect both the people who have HIV and their contacts - not in some heavy-handed way, but in a way that will educate people on how to live with a disease that is very much a problem in our community, and will continue to be one for a period. I have to admit that, if the Government had

implemented recommendation No. 2 when it implemented recommendation No. 1, my position, I believe, would have changed. I believe that I would not have opposed the Government's approach on this. I think I made that comment in my speech. I believe that what we need from this Government is an appropriate approach that looks at both sides of the story.

Question put:

That the motion (**Mrs Carnell's**) be agreed to.

The Assembly voted -

AYES, 6

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

NOES, 9

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

Question so resolved in the negative.

LEAVE OF ABSENCE TO MEMBER

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

That leave of absence this day be given to Mr Westende.

TOURISM AND A.C.T. PROMOTION - STANDING COMMITTEE **Discussion Paper on ACT and Region Tourism**

MR DE DOMENICO (12.11): Madam Speaker, I present a discussion paper by the Standing Committee on Tourism and ACT Promotion entitled "ACT and Region Tourism", and I ask for leave to move a motion in relation to the paper.

Leave granted.

MR DE DOMENICO: Madam Speaker, I move:

That the Assembly takes note of the paper.

Tourism is of vital importance to the ACT economy. More than one million visitors directly support an estimated 7,000 jobs in the tourism industry and inject around \$8m each week into the economy. The committee is pleased to note from the Chief Minister's statement to the Legislative Assembly on 21 October that the tourism industry's contribution to the ACT economy is properly recognised by the Government.

26 November 1992

Madam Speaker, by any standard, tourism is such a major force in the economy that the committee decided to examine the role of the industry and, in particular, its potential for expansion, because adverse perceptions about Canberra are as likely as not to influence visitor numbers. The committee also resolved to look at the issue of Canberra bashing, so-called, which has become something of a national sport. Early in the inquiry it became clear to the committee that it could not examine the tourism potential in the ACT and associated issues without giving consideration to the broader Canberra region. In other words, the committee accepted that in respect of tourism, as with other economic and social issues, the ACT is not an island and that its tourism potential is as much a part of the south-east region of Australia as is the region's tourism potential for the ACT. Accordingly, the committee extended its inquiries to include wide-ranging discussions with tourism operators and others associated with the tourism industry in the ACT, the south-east region and elsewhere.

Madam Speaker, in May the committee had discussions in Brisbane which were specific to international tourism, perceptions about the ACT as a destination and issues relating to the convention trade. During September the committee visited industry representatives and regional tourism bodies in the alpine and south coast regions. The committee reported to the Assembly following both visits. In a public hearing in Canberra on 30 July, evidence was taken from 19 representatives of the tourism industry, community organisations and government departments. The committee also received 27 submissions from a wide cross-section of the industry and the community.

The inquiry has fallen naturally into two parts. On the one hand, the committee has focused on issues directly relevant to the ACT, and on the other it has discussed matters such as coordination and cooperation between the ACT and the south-east region. Tourism in the ACT and region also embraces a range of short- and long-term issues, and the committee has sought to assess these in reaching conclusions about the future course of the ACT industry. Madam Speaker, in the normal course the committee would report to the Assembly on the result of its inquiry, leaving it for the Government to respond to its recommendations. However, arising from the views and opinions it received during the course of its hearings and discussions, the committee was confronted with a range of options on how to develop tourism's full potential in contributing to the economy. The committee recognises that the various options would impact on the industry at different levels. Accordingly, the committee has decided to present preliminary conclusions and queries for public comment in the form of this discussion paper. The intention is to allow interested persons and organisations to put further views to the committee before it makes specific recommendations to the Assembly.

Madam Speaker, the committee also realises that the future challenges us and the industry. Significant events, such as centenary and federation celebrations, the spin-off from the Sydney Olympic Games bid, which will be debated at a later time today, and other forthcoming events, and above all perhaps even things like the 2002 Commonwealth Games, are some of the most important tourism challenges and opportunities before the ACT community in the next 10 years. Madam Speaker, the committee has put forward proposals for meeting these challenges. The discussion paper is an integral step in assisting the industry to participate in the expected growth in national tourism. Accordingly, Madam Speaker, the committee urges the industry and other interested persons to respond to the discussion paper by 26 February next year, before it makes its report to the Assembly. I commend the discussion paper to the Assembly.

MR LAMONT (12.15): It is with a great deal of satisfaction that, as a member of the standing committee, I see this discussion paper tabled this day. The concept of issuing a discussion paper in the first instance was a generally held view by all three members of the standing committee. We believe that the promotion of discussion within the tourism industry is absolutely essential if a more cooperative approach to the issues confronting the tourism industry are to be addressed in the ACT. Madam Speaker, in the short time available to me I wish to draw members' attention to page 47 of the discussion paper, and in particular to a number of quite significant issues that have been put forward by the committee for discussion. The first of those is recommendation 11.2, which is:

That the Tourism Commission in consultation with the industry and appropriate conservation and environment authorities examine the potential for ecological tourism and the implications of this for the ACT natural environment.

That is contained in paragraph 3.19 in the body of the report. This is a significant issue which is often overlooked as far as the tourism potential in the ACT is concerned. We all acknowledge that we live in not only one of the finest cities in Australia but one of the finest cities in the world, because of its environment. That attraction, and the attraction of the parks surrounding the ACT, is an asset which we believe the industry and the Government should be looking at allowing to be appropriately exploited. "Exploitation" is a word often used in relation to the environment; but there needs to be discussion between the groups that have been outlined to allow, without vandalism occurring to our natural environment because of hordes of tramping feet, for the natural environment in the ACT to be shown off to people not only within the ACT but in Australia.

I also would draw the Assembly's attention to recommendation 11.5 in the summary of conclusions. There will always be debate about how the Tourism Commission and tourism promotion are funded in the ACT. A range of suggestions have been put forward by groups of people over the last number of years. One was a bed tax. That was rejected by the industry as being iniquitous. There were a number of other suggestions put up, such as a loo tax.

Mr Humphries: Do you reject it?

MR LAMONT: It was also rejected by a number of people within the industry.

Mr Humphries: And you?

MR LAMONT: Myself? This is a summary of conclusions. In this report we put out a range of options for discussion. We believe that this is a matter which needs final consideration. I would certainly be hoping that, when we consider our final report, the committee may be in a position to come down with a recommendation about those matters.

Mr De Domenico: In fact, the Chief Minister ruled it out last year.

MR LAMONT: The Chief Minister, the Minister for tourism, as Mr De Domenico has indicated, did rule it out last year. The industry also ruled it out and I think that is important. A number of other suggestions have been put. One was a loo tax - a tax based on the number of loos you have in commercial premises, et cetera. That was not something which was specifically canvassed by the committee, but I am aware that there was such a proposition floating at some time.

Mr De Domenico: We flushed that one away.

MR LAMONT: There have been issues raised about various other methods of taxation. As Mr De Domenico says in relation to the loo tax, we flushed that one out. Funding the marketing of the ACT as a tourist destination in toto is one of the significant issues that the industry and the Government must come to grips with. I hope that this document provides the catalyst, as Mr De Domenico has outlined, to allow the industry and government to come to an agreement as to how that should be done.

Recommendation 11.6, on page 48, is another of the interesting suggestions that the committee believes need to be addressed. The recommendation addresses the issue of inbound tourism. Until this issue is addressed, inbound tourism is not something that I believe we will see a significant increase in. The recommendation refers to the question of Canberra Airport. Frankly, a lot of the inbound tour operators are extremely critical of the fact that to bring tours to Canberra you must first of all stop off in Sydney or Melbourne. You then have a four- or five-hour coach drive, which generally requires an overnight stay in Sydney. The added expense of all that is significant enough to prevent a lot of the inbound tourism operators from promoting Canberra as an inbound tourist destination. The report and the witnesses quite clearly demonstrate that the ACT region - it was the regional context that the committee kept in mind when drawing its conclusions - will not attract significant inbound tourism unless this matter is addressed. We see it as a significant step forward in promoting this region as an inbound tourist destination.

Mr De Domenico outlined the significant number of submissions that the committee received. He also outlined the fact-finding tour of the region which was undertaken by the committee, in particular by Mr De Domenico and Ms Szuty, which was invaluable in coming to grips with and promoting the issue of cooperation within the region as far as tourism is concerned. Too often there is a view held by some operators in the industry that everything the industry does must particularly and singularly identify their business. There is greater recognition in the region and in the ACT that we must be marketing the region and the ACT as a destination per se. That is the only way in which we ultimately will receive significant inbound tourism.

Madam Speaker, the work which was done was significant in arriving at this discussion paper. The committee has acted, as most of the committees of the Assembly have, with a great deal of cooperation amongst its members. In particular, I wish to place on record our appreciation of Bill Symington, the secretary of the committee, who ensured, at times in quite trying circumstances, that the committee was able to maintain the thrust of its decisions and the information provided to it. He did a sterling job, along with other members of the secretariat, in ensuring that this publication was able to be presented this day. I would want to ensure that that is placed on the public record.

Question resolved in the affirmative.

Sitting suspended from 12.24 to 2.30 pm

QUESTIONS WITHOUT NOTICE

Chartwell Crafts

MR KAINE: I would like to direct a question to the Minister for Community Services, Mr Connolly. The Minister is probably aware from the *Canberra Times* article this morning that Chartwell Crafts, a group of 12 disabled artists whose works hang in Parliament House and a number of civic buildings, face imminent closure of their Phillip gallery-workshop. Commonwealth Government funding, through the Department of Community Services, has ceased, and despite their efforts and considerable success at becoming self-sufficient they are not able to sustain themselves without some funding assistance. Can the Minister indicate whether the Government is able to assist this group by replacing the Commonwealth grant funds so that Chartwell Crafts can continue to operate?

MR CONNOLLY: I thank Mr Kaine for his question. I am aware of Chartwell Crafts' situation. I think all members are aware of the work that that group has done and has admired various artworks that are hanging around this town that have been done by that group. Chartwell Crafts have not been in receipt of recurrent ACT Government funding. They were provided some years ago with a start-up grant from the Chief Minister's Department's Economic Development Division. I believe that that occurred during the period of Ms Follett's stewardship, although it may have transferred over into the period of your stewardship. In any event, they were given a start-up grant for small business development. As you would well understand, those start-up grants are made fairly clearly conditional on the basis that it is a start-up grant for a business; it is not an application for ongoing recurrent funding. While they have been, I understand, in receipt of some recurrent Commonwealth funding, they have run into problems with that and the Commonwealth funding has been stopped.

I would be happy to work with Chartwell Crafts, should they approach me. They have not approached me so far for assistance, but my colleague Ms Ellis has been in touch with them to try to steer them in the direction of perhaps overcoming some of the problems that caused that withdrawal of Commonwealth recurrent funding. I understand that there have been some issues in relation to the way groups who are in receipt of Commonwealth grants acquit those grants and comply with various Commonwealth accountancy provisions.

We think that Chartwell are an important part of the Canberra community. They are operating on the lines of a business, and I think it is their goal, and always has been their goal, to operate without recurrent funding. They do enjoy some benefits at the moment. They are in peppercorn rent premises that were once government owned but were handed over to Jobless Action - a community group that sometimes gets some criticism, but a community group which in fact is passing on those premises to Chartwell Crafts at a very notional rent. So, they have certain advantages there.

We would be happy to try to help them put together a package that may allow them to get back into some sort of Commonwealth support. In relation to your basic question of whether we are in a position to provide ongoing recurrent funding when the Commonwealth withdraws funding, I have to

say that we are not. The ACT's budgetary position, as you well understand as Opposition Treasury spokesperson, is a difficult one, and we are simply not in a position to say that we can find money from some pot of gold somewhere to prop them up when Commonwealth funds are withdrawn. If their Commonwealth funding goes, we do not have additional sources of funding to replace that; but we would like to cooperate with Chartwell Crafts to try to help them establish themselves as a successful small business, which is their goal, and perhaps iron out some of the problems they have had in relation to the way they put their program together to attract Commonwealth funding.

Communications Towers

MR LAMONT: My question is directed to the Minister for the Environment, Land and Planning. Is it correct that Optus Communications is planning to erect a number of communication towers in the ACT? If so, what consultation has taken place with the ACT Government on this proposal?

MR WOOD: Madam Speaker, it is correct, and there is a story attached to the way it is happening. Last August, Optus Communications - - -

Mr Kaine: A good answer, Minister; you can sit down now.

MR WOOD: No, you need to hear. This is a quite significant factor. Optus Communications, our second telecommunications carrier, approached my department for the direct sale of sites for base transceiver stations to allow Optus Mobile to link the ACT to its national and international network. Each installation occupies a site of about 100 square metres, within which is a 20-metre tower and a small building. The ACT Government will enter into a licence agreement for their use of nine sites. A further base transmitter station will be installed on the roof of the Department of Administrative Services building in Civic. The licences are for terms of 20 years, with a rental of \$5,000 a year for each site, increasing by 5 per cent a year.

However, a disturbing factor in this exercise is that, because of the passage of largely unreported Commonwealth legislation last year, the Optus project is an exempt activity. The Commonwealth Telecommunications Act 1991 exempts telecommunications carriers such as Optus from Territory laws relating to environmental impact assessment and land use planning. This means that Optus can build facilities and transmitters and dig trenches without obtaining approvals, under either the Territory Plan or any other Territory law or obligation.

This exemption - it also applies to AOTC - concerns us as a government and community that jealously guard our reputation for careful planning, for nurturing the environment and for consultation. The legislation requires my department to provide a response to requests for sites, usually within 28 days. The Telecommunications Act therefore makes the decision making process for exempt activities largely dependent on a system of self-assessment conducted by the carrier - in this case Optus. Under this system Optus assesses whether its proposal would affect the environment to a significant extent and whether measures to reduce impacts are required, though they have been required to consult with my department.

The ACT Government, like those of the States, is powerless under the Commonwealth legislation. The Act does not, however, limit the Commonwealth's rights. We have the bizarre situation where the Commonwealth, through the NCPA, can impose standards on the Optus project if any of its preferred sites are on Commonwealth land, but prevents us, the Territory Government, from imposing our high planning standards. This is a concern, but we are hogtied. Let me stress, however, that our fears have not been borne out in the case of Optus. My department has been in consultation with them and there has been a high degree of cooperation. For example, Optus has responded to concerns about the location of some of the base transceiver stations by accepting alternative sites. We have achieved the best outcome, given the considerable constraints imposed on us by the Commonwealth legislation, and I welcome Optus to the ACT. Madam Speaker, I table a list of the sites in the ACT where those base transceiver stations will be located.

Crime - Sentences and Bail

MR HUMPHRIES: My question is to Mr Connolly, the Attorney-General. I refer the Minister to a newspaper report of a discussion paper issued by the New South Wales Labor Opposition last weekend. In it the Labor Party of New South Wales calls for minimum gaol terms for rapists and a tightening of circumstances in which bail is granted to repeat offenders. Given that the ACT Labor Government time and again has rejected these initiatives when they have emerged from the mouth of the ACT Opposition, can the Minister tell us who is in error - Labor in New South Wales or Labor in the ACT?

MR CONNOLLY: Madam Speaker, the Liberals in the ACT are in error because they have simply not read the New South Wales Labor Party discussion paper. I assume that they have not read it, because Mr Humphries, being an honourable man, if he had read it, would not so misrepresent it.

Mr Humphries: Come on; you know what it says.

MR CONNOLLY: I obtained a copy, not the newspaper report. While we all hold our media friends in high repute, sometimes, Mr Humphries, you cannot believe what you read in the paper. I refer to the copy of the discussion paper which I obtained. I will make sure that I get a copy from my office and table it this afternoon for the information of members. The Liberal Opposition could do with reading New South Wales Labor Party position papers, as they could do with reading our position papers generally. You can learn a lot from the Labor Party.

Mr Carr said in that paper that they would consider the possibility of mandatory sentences. When you read further, and, indeed, when you read from the newspaper reports, they were particularly concerned, Madam Speaker, with a situation which appears to have developed in New South Wales where a number of people who are second time offenders are not getting custodial sentences. I am not aware of that being a particular problem in the ACT. I am aware of a couple of cases which have occurred recently where non-custodial sentences were imposed.

Mr Humphries: They do not get first sentences in the ACT.

MR CONNOLLY: That is a silly statement, Mr Humphries, because the courts here tend to impose quite strict sentences.

Mr Humphries: You have a talk to Judge Gallop.

MR CONNOLLY: There was a case before a particular judge, and I will not name him. In relation to that case, which achieved considerable publicity, this Government had a discussion with the Director of Public Prosecutions, lodged an appeal and ensured that that appeal was argued. So, the Federal Court has heard argument in relation to one particularly contentious matter where a non-custodial sentence was imposed.

We in this Government take the view, very strongly, that sexual assault is a matter of real concern. I noted yesterday that there has been an increase in the reported incidence of sexual assault. To some extent that is something to be applauded. We know one thing about sexual assault in this community, and that is that it is not reported. One of the most dramatic jumps in yesterday's figures was a jump from zero to 20 in the number of incest cases. No-one would say that in the previous financial year there was no incest in the ACT. It was not being reported. It should be reported.

We, in some ways, lead the country in relation to the way we deal with sexual assault. We have video evidence in the Magistrates Courts for victims of child sexual assault. I have previously said to this Assembly that next year we will be bringing forward reforms to extend video evidence to adult victims of sexual assault. We have a specialist unit headed by a senior female lawyer in the DPP's office to handle matters. We have a specialist sexual assault police unit which operates out of the central police station in suburban-style accommodation. I note that one of the main recommendations in the New South Wales Labor Party report is to improve the way police handle sexual assault matters. We, in effect, have been doing that for many years in the ACT.

Madam Speaker, to some extent what Mr Humphries has read from media reports and not from the original paper misstates the view of the New South Wales Labor Opposition. They have not called for minimum sentences. They have said in a point in a discussion paper that they would explore the possibility of minimum sentences; but that is, when you read further, in the context particularly of repeat offenders, which is not a particular problem in this Territory. We take sexual assault seriously, as, I am sure, would all members, and we have shown that in relation to appeals that have been lodged recently.

Mental Health Services

MR MOORE: My question is directed to the Chief Minister, Rosemary Follett, although it may be necessary to pass the question to another Minister. I am quite happy with that. Does the Chief Minister acknowledge that she, jointly with the Minister for Health, sent a fax to Magistrate Warren Nicholl regarding a case before him yesterday, and urged the magistrate to find a solution to the case, which is rightly the responsibility of the Minister for Health, who has not yet provided adequate health care for the psychiatrically ill, forcing the magistrate to send to the Remand Centre or gaol people who should be within the health care system?

MS FOLLETT: Madam Speaker, if Mr Moore refers to the same matter which I have in mind, his facts are perhaps a little bit confused. It is true to say that I had correspondence from Magistrate Warren Nicholl about a particular case which he was hearing in the ACT. That case was to do with a young person who was mentally dysfunctional and who had come before the criminal justice system. In relation to that young person, I think it is fair to say that a number of options have been tried out in the ACT in order to make proper provision for that person's care and also for the care of the community. The options in this case have included some that are quite resource intensive - for example, accommodation in a two-person house, with nursing care. Another option that was tried was a unit with, again, around-the-clock support and supervision, in that case provided by Barnardo's. Those relatively resource-intensive options did not prove adequate, so we are faced with a situation where a particular kind of care needs to be provided.

Madam Speaker, there has been quite an amount of liaison between officers of the relevant ACT Government agencies in order to develop appropriate accommodation and support options for this particular person. I was able to advise Magistrate Nicholl earlier this week that an option had presented itself, which was to provide accommodation in a specialist unit at Kenmore, and that that appeared to be an option which would suit this particular case. I am not aware whether that option was taken up, but I can check and find out whether that is the case.

On the general question of mentally dysfunctional people, I think that this Government has taken a range of options to support those people which are on the record. Some of the things which we have done include the establishment of the Guardianship and Management of Property Tribunal and the establishment of the Community Advocate position. There were some initiatives also in the current budget, the 1992-93 budget, including the Mental Health Review Tribunal and a case management scheme, an intensive care team for the seriously mentally ill, and an outreach service for adolescents with mental health problems. I think all of those initiatives have some bearing on the case that Mr Moore has in mind.

I do acknowledge that there are grave difficulties in dealing with what is a quite small number of people who have particular needs and who are in danger of falling between the services currently provided. In this case we have found an option which is actually in New South Wales. As I said, I have drawn that to the magistrate's attention. Madam Speaker, the Attorney-General advises me that that option has been taken up and that that person is in Kenmore now.

Fluoridated Toothpaste

MR STEVENSON: My question is to the Minister for Health. The Standing Committee on Social Policy, in their inquiry into fluoridation 1989 to 1991, recommended in paragraph 10.90:

the ACT Government initiate proposals through its membership on various interstate councils and make direct representations to toothpaste manufacturers to:

- . make unfluoridated toothpaste readily available at prices comparable with fluoridated toothpaste; and

cease practices that make fluoridated toothpaste unduly enticing and palatable to children (eg the addition of colourings (other than white) and flavourings).

Would Mr Berry please tell the Assembly what action has been taken or is proposed to implement this recommendation?

MR BERRY: I tabled the answer to that last week, Madam Speaker.

MADAM SPEAKER: That question has been answered, Mr Stevenson.

Crime - Sentences

MR CORNWELL: My question is addressed to the Attorney-General. I refer to the recent sentencing of Ian Leslie Bush to life imprisonment for murder following an earlier conviction and five-year sentence for manslaughter, of which he served only a laughable nine months. This matter, as you would be aware, I am sure, was canvassed in last Friday's *Canberra Times* editorial, which stated in part:

... that Ian Bush was free within nine months of his first conviction makes an absolute mockery of justice or the idea that there is any truth in sentencing.

My question, Mr Attorney, is: Are you taking any steps to ensure that such derisory periods of sentence for such manslaughter convictions do not occur again, and, if not, why not?

MR CONNOLLY: Madam Speaker, the question of what sentence to impose on a person is a matter for the courts in this Territory. It always has been and, if the Labor Government has its way, always will be.

Mr Kaine: They have to sentence in accordance with the law.

MR CONNOLLY: Indeed. The maximum penalty for manslaughter is a quite long period of imprisonment. I think it may be 20 years, but I am not sure what the original head sentence was. The process by which that head sentence was reduced occurred some years ago. I think it was in about 1977-78 - certainly pre-self-government.

The situation now is that a sentence that is imposed by the courts in this Territory and served within New South Wales is served out in accordance with New South Wales truth in sentencing legislation. We have some doubts about the wisdom of the way that legislation has been structured because it has certainly led to an enormous bulge in persons going through the New South Wales court system. It seems that New South Wales courts now are adjusting their sentencing to take into account truth in sentencing legislation, but the bottom line is that people now serve a sentence that is commensurate with what was imposed by the courts. We may sometimes differ with the sentence that was imposed by the courts, and if the prosecution authorities do that they can and do appeal.

MR CORNWELL: I have a supplementary question, Madam Speaker. Who decides - New South Wales or ACT parole boards - the remitting of sentences in relation to ACT prisoners, Mr Attorney?

MR CONNOLLY: In relation to any remission now, it is the responsibility of the parole authorities in this Territory. In relation to pardons and remissions of sentence, it is a matter for the ACT Executive. I can advise that that is a matter that always is considered very carefully. In the period that we have been in government, I think we have done one remission in relation only to some parking fines for a person who had a history of mental difficulty and that type of matter. We have not, to my recollection, done a remission which involves a release of a person from gaol, although we have, on a number of occasions, been requested to do so by one of your opposition colleagues.

Racing Industry

MS ELLIS: My question is directed to the Deputy Chief Minister in his capacity as Minister for Sport. Can he advise the Assembly of the importance of the racing industry to the Australian and ACT economies?

Mr Kaine: He just happens to have a nice long answer ready.

MADAM SPEAKER: Order, please! Mr Berry has the floor.

MR BERRY: One of the things that I like to do - - -

Mr Kaine: What is it, three pages or five?

MR BERRY: I like to keep people well informed in relation to these matters, Madam Speaker.

Mr Humphries: When is that to happen?

MR BERRY: It is quick, quick, slow, slow, again with the Liberals. If you want to answer a question they do not want to hear it. If you - - -

Mr De Domenico: Just table it.

MADAM SPEAKER: Order, please!

Mr Humphries: This is filling up question time.

MR BERRY: If you ask questions, question time gets filled up. The ACT Government, Madam Speaker, of course - - -

Mr Humphries: Just get on with it, Wayne.

MR BERRY: You cannot believe these Liberals. As soon as they raise an issue in relation to question time, they complain about not getting complete answers and then, of course, they complain about getting too much.

Mr Kaine: We would not mind if the Minister took as much time and trouble to answer our questions as he does the dorothy dixers. We would have no cause for complaint.

26 November 1992

MR BERRY: Yesterday I had the pleasure - - -

Mr Moore: I take a point of order, Madam Speaker. I think that the Leader of the Opposition was referring to standing order 118, which says:

The answer to a question without notice:

(a) shall be concise and confined to the subject matter of the question;

... ..

Concise is hardly three pages. It is absolutely ridiculous.

MADAM SPEAKER: Mr Moore, I do not believe that you can define any better than I what is and is not concise, and that is a problem. I do believe that we would get to the answer to the question a lot quicker if we did not have to entertain so many points of order. Would you please get to the answer to the question, Mr Berry?

Mr Kaine: I would like him to devote as much time to my next question instead of shrugging it off.

MR BERRY: Are you not interested in the importance of the - - -

MADAM SPEAKER: Order, please! Would you allow Mr Berry to answer the question?

MR BERRY: No, they do not want to hear the answer because it is good news. This lot - the lot of them - want only bad news. Madam Speaker, yesterday I had the pleasure, with members of the business sector and other members of this Assembly, of listening to a speech at the Convention Centre by Mr David Churches, who is heading up the Olympic bid. Mr Churches set out all of the details of the benefits to New South Wales in particular. As far as the ACT is concerned, there are significant benefits which will flow to the Territory in the form of tourism and international recognition of this region as a place in which to spend some time and to spend some money. Mr Churches set out the benefits to Sydney. There are significant benefits there. My recollection of it is - - -

Mr Moore: I raise a point of order, Madam Speaker, under standing order 117(f). We have a discussion of a matter of public importance today and Mr Berry clearly is pre-empting that discussion. This question is out of order.

MADAM SPEAKER: Mr Moore, that was a good try, but the MPI is not on the notice paper. You may proceed, Mr Berry. Would you please answer the question?

MR BERRY: I must say that it is very difficult to get onto any issue here when you get such a range of interjections. The Olympic bid is a very important sporting bid which will affect the ACT.

When it comes to racing, Madam Speaker, today we issued a report which was commissioned by the racing Ministers across Australia in relation to the contribution of the industry to Australia. Claims regarding the size and significance of the racing industry have been made across the country. In the ACT we have about 140 full-time employees. The number of people involved

both full time and part time is, of course, much greater. The contribution of the racing industry to the ACT in 1991 was estimated at about \$18m. Mostly, that was in the form of race gambling. The report estimated that the racing industry paid \$7m in racing taxes and charges to the ACT in 1991. The future of our local racing industry will be under threat, of course, should the dreaded goods and services tax be introduced, and a major - - -

Mr Humphries: There is no tax on gambling. There is no GST on gambling.

MR BERRY: The racing industry will be affected. What about stallions' fees, veterinary services, float charges, and even entering our three racetracks? There is still uncertainty about the GST package and what it might do to the community. The racing industry, Madam Speaker, makes a major contribution to the ACT economy, and it has been identified as making a major contribution to the Australian economy as well. I am saying to members of this Assembly that it deserves the full support of the Assembly as it develops and as it contributes to the ACT economy.

Preference to Union Members

MR DE DOMENICO: I hope that Mr Berry takes as much time to answer this question as he did that one. My question is addressed to the Deputy Chief Minister in his capacity as Minister for Industrial Relations. I refer the Deputy Chief Minister to an answer he gave to a question I asked on Tuesday when I was talking about the Labor Party's policy on preference provisions in ACT awards. In answer to my supplementary question on that, Madam Speaker, Mr Berry said:

It is pretty clear that the promotion system within the ACT public service is a merit system. It is a silly suggestion.

I refer Mr Berry now to another question I asked at the Estimates Committee about details of all industrial awards which incorporate a preference clause for employment of union members and preference clauses in awards applicable to ACT Government employment. His answer was, "There are, in fact, four such awards". One was the Australian Public Service Redeployment and Retirement (Redundancy) Award 1987. One was the Jobskills Program (ACT Government) Award 1992, and that one says, "Preference of employment and preference in retention of employment to union members". Another was the Hospital Employees (Administrative Staff - ACT) Award 1966, which is now inoperative. Last, but not least - and wait for this one - the Fire Brigade Employees (ACT) Award 1975 says, "Preference of employment for union members". Keeping in mind the answer that the Minister gave me on Tuesday, firstly, would the Minister now agree that his answer was incorrect and that there are at least four awards with preference provisions; secondly, if that is the case, will the Minister now realise that he inadvertently or otherwise misled the Assembly?

MR BERRY: No, I did not. I do not have your question in front of me, but I think it related to promotion within the Government Service in the Territory. Do you agree?

Mr De Domenico: You are answering the question. Would you like me to answer it for you?

26 November 1992

MR BERRY: As far as I am aware, your question related to promotions. These were preference in employment. I do not have the awards in front of me either, although I do have some recollection of one of them. I can tell you that the one that I have some clear recollection about was not in relation to promotions either. Again, the Liberals do not understand how the preference clauses work.

Mrs Carnell: You mean that you cannot be promoted because you are not there.

MR BERRY: No; the Liberals do not understand how these preference clauses work. In the ordinary course of events - I speak in a general sense, not in relation to particular awards - employment is offered with the influence of a preference clause. It usually goes on to say that, all things being equal, a union member will get preference for employment. Those sorts of clauses are not unusual. They have been provided under the Federal Act for years and years. There is nothing unusual about them and I do not know what all the fuss and bother is about. When it comes to promotion, and I think that is what your question related to, they are entirely different matters.

Naval Communications Station

MS SZUTY: Madam Speaker, my question without notice is to the Minister for the Environment, Land and Planning, Mr Wood. I gave Mr Wood notice that I would be asking this question this morning. Labor MP John Langmore recently asked a question on notice, No. 1957, in Federal Parliament concerning the naval communications station at Belconnen. In his response Mr Bilney replied that he was awaiting a response from the ACT Department of the Environment, Land and Planning on the significance of residual PCB levels in the ground. He also stated that the sale of the land could commence in the year 2000. Can the Minister inform the Assembly as to whether the risk of PCB contamination of the land in question has been assessed as yet, and has the ACT Government been given a commitment from the Federal Government that the land in question will become Territory land after the Navy has vacated it?

MR WOOD: Madam Speaker, obviously, there is a risk with that PCB contamination if proper steps are not taken to remove the PCBs, to the extent possible, to isolate an area and to take certain other measures. To that effect the ACT Department of the Environment, Land and Planning is continuing to work with the Department of Defence on the clean-up of that PCB affected land within the transmitting station area. The residual PCB levels will be addressed in accordance with the guidelines for the assessment and management of contaminated sites that have been jointly developed by the Australian and New Zealand Environment and Conservation Council and the National Health and Medical Research Council. In addition, the Territory Planning Authority, as we come close to the time of our own development, can set specific criteria to be met according to the intended use of the land.

Mr Kaine also is interested in this matter, because not very long ago he asked me a question about when this land would be given over to the ACT. I understand that Robert Ray, the Minister for Defence, advised Mr Langmore earlier this year that the Belconnen and Bonshaw naval stations will remain in operation until new facilities are built in the Riverina region of New South Wales. Construction of that new facility is scheduled to commence in late 1995 and it is planned to be

operational in 1999; hence the year 2000 is about the time that this land would become available to us. The Department of Defence is to confirm the actual land to become available and the timetable for release. I understand that the whole of the defence land in Belconnen will be degazetted as national land upon the relocation of the existing facility. Any costs to the ACT Government for this land are yet to be negotiated.

Methadone Clinic

MRS CARNELL: My question is to the Minister for Health. The Minister will be aware by now that a hidden camera was installed and used for several weeks without patient consent or knowledge at Woden Valley Hospital methadone clinic. If he is not, I have the memo here. I refer the Minister to his comments this morning specifically about the importance of privacy and human rights - something with which I totally concur. Taking into account these comments, will the Minister condemn the use of secret video camera surveillance in the toilet sampling area at the clinic, and will he guarantee that this appalling attitude to human rights will not pervade his expanded public methadone program?

MR BERRY: Will the member be patient when a question has been put on notice and wait for the answer?

Mrs Carnell: This is a different question.

MR BERRY: Mr De Domenico asked me a question the other day in relation to this matter, Madam Speaker.

Mrs Carnell: Last week.

Mr Kaine: It is not the same question.

Mr De Domenico: And we knew the answer before you did.

MR BERRY: I would not expect you to ask a question unless you knew the answer, Mr De Domenico. Madam Speaker, I will give, first of all, the response to Mr De Domenico's question. It probably answers most of the issues that were raised by Mrs Carnell. A monitoring camera, I am informed, has been installed in the toilet at the methadone clinic at Woden Valley Hospital after lengthy consultation with clients. All clients - this is my advice - were notified about the proposed change several months before its introduction and the matter has been discussed - - -

Mr Humphries: That is not what we have heard.

Mr De Domenico: Be careful what you say.

MR BERRY: I am not in the least bit concerned about it. The matter was discussed at a staff-client forum before the camera was put into use. When the camera system was put into operation clients were notified personally. In addition, clients also have been reminded that they may elect to request a treatment program option which does not include supervised urine screening, if they wish. The camera, which makes no recordings, was installed to provide a more efficient and less obtrusive means of ensuring that program clients

26 November 1992

provide a sample of their own urine for drug testing. It was installed in the ceiling of the toilet to protect the equipment from damage. Already some clients have attempted to interfere with the operation of the lens. The personal observation of urines is essential in order to ensure that urine screen results from program clients are reliable, as these reports are necessary for both medical safety and legal reasons

Use of a camera for supervising urine screens is consistent with national practice in methadone programs. Mr Russell Bayliss, the ACT Government Solicitor, advises that the installation and use of the camera in the toilet at the methadone clinic at Woden Valley Hospital, under the circumstances outlined above, does not breach either the Privacy Act or the Human Rights and Equal Opportunity Commission Act 1986.

MRS CARNELL: I ask a supplementary question. Taking into account his answer there, could the Minister explain why the memo to all clients, dated 19 November 1992 - the day, by the way, that the question was asked - tells the clients, to my knowledge for the first time, that it is happening? In fact the first sentence reads: "We have been trialling the supervision of urine test sample collection by remote video over the past few weeks".

MR BERRY: It says, by Mrs Carnell's own admission, that it had been trialled and the - - -

Mrs Carnell: They were told after it had been done for a few weeks.

Mr Humphries: Why were they telling them then?

Mr Kaine: You said that it was after consultation.

MADAM SPEAKER: Order! Please let Mr Berry finish the answer.

MR BERRY: In response, I will repeat what I said earlier. This is my advice in relation to your question, Mr De Domenico. All clients were notified about this proposed change several months before its introduction, and the matter had been discussed at a staff-client forum before the camera was put into use - several months before.

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

Health Services Consultant

MS FOLLETT: Madam Speaker, on 21 and 22 October Mrs Carnell asked the Minister for Health a series of questions concerning the employment of Ms Annie Austin and whether the provisions of the Public Service Act had been complied with in relation to her employment. As the matters relate to the staffing of senior positions and SES processes, Madam Speaker, I am responding as Minister responsible for public service matters.

The response is that the Head of Administration has advised me that Ms Austin was engaged under professional service contracts. She did not hold an SES position. She was not appointed under the Public Service Act and did not exercise delegations under that Act. Ms Austin used the title

General Manager (Corporate) as a local title to describe her role. As no position has been created, there could be no question of gazettal as a vacant position; therefore, any concerns or questions about the application of the Public Service Act are not applicable.

In relation to the further questions about the period Ms Austin was overseas, I am advised that Ms Austin did travel to England in July to a Duke of Edinburgh Study Conference. During the four weeks of her absence Ms Austin was not under contract to ACT Health. She was not paid by ACT Health, and all her travel expenses were met by the study conference. Hence, the reference to \$13,000 in the last part of Mrs Carnell's question is not relevant. Ms Austin entered into a new three-month contract with ACT Health on her return. This contract concluded on 2 November 1992.

Madam Speaker, I have sought and received an assurance from the Head of Administration that all vacancies in the ACT SES are gazetted in the required way, and that all SES positions are filled following a merit selection process and once the necessary approvals of the Public Service Commission are obtained.

Woden Valley Hospital - Surgical Operations

MR BERRY: Madam Speaker, on 25 November Mrs Carnell raised a question in relation to operations and surgery sessions. I would like to say, before I get into the body of the answer, that Mrs Carnell would understand that elective waiting lists are affected if there are emergency cases which come through casualty at the hospital system and use up beds within the system. Waiting lists are used to maintain a continuous flow of work through the hospital system, particularly on the elective side.

Mr Kaine: The waiting list is used to maintain a continual flow of work.

MADAM SPEAKER: Order!

MR BERRY: If you do not understand about waiting lists - - -

Mr Kaine: I do understand very well, and your answer was rubbish, Minister - absolute rubbish.

MADAM SPEAKER: Order, please!

MR BERRY: An efficient hospital system relies on waiting lists to ensure that the available resources are used most efficiently. There is no question about that.

Mr Humphries: It is ridiculous. You do not need a waiting list to run a hospital.

MR BERRY: I am afraid that that is the nature - - -

Mr Kaine: I wonder why private hospitals do not have long waiting lists.

Mr De Domenico: So, if you run out of funds, just increase the waiting lists.

MADAM SPEAKER: Order, please! Mr Berry is attempting to answer a question.

26 November 1992

MR BERRY: Whether you like it or not and whether you want to agree with it or not, elective waiting lists are part of every public hospital system around the country.

Mr Kaine: Only because there are not enough resources put in to eliminate them. It is like housing lists.

MR BERRY: Here we go again - spend more, spend less. The Liberals would have people standing at attention beside empty beds, using somebody else's money to do it. That is the sort of thing the Liberals would do when they are in opposition. Of course, it is quite the reverse when they get into government.

The numbers and types of operations on theatre lists are determined by the relevant surgeon, surgical bookings office staff and bed allocations staff. Most lists have one major case and three to four day cases. The proportion of in-patient and day cases is influenced by the availability of in-patient beds and the urgency of the case. Elective bookings of theatres are occasionally limited to one major case and one day case when bed availability is low, for those urgent cases which I mentioned earlier. These lists are usually supplemented to full capacity, when one major case and one day case is less than full capacity, by the addition of emergency and semi-urgent patients in the 24 hours prior to the list. It should be noted that some major cases occupy up to two sessions alone. I think Mrs Carnell's question was simplistic, Madam Speaker, and did not take account of all of the facts which affect the way efficient hospitals have to operate these days.

PAPER

MR CONNOLLY (Attorney-General, Minister for Housing and Community Services and Minister for Urban Services): In question time today I said that I would provide for Mr Humphries's edification the ALP discussion paper, "Labor's Approach to Sexual Assault Law Reform", issued the other day by Mr Carr and written by Ms Sandra Nori. I table that paper for members.

PETROL PRICES

Paper

MR CONNOLLY (Attorney-General, Minister for Housing and Community Services and Minister for Urban Services) (3.14): For the information of members, I present the report of the ACT Government Working Group on Petrol Prices. I move:

That the Assembly takes note of the paper.

Madam Speaker, this working group was established in December of last year. At the time, the Government released a draft fuel price control Bill for community comment. The working group comprises senior officers from the Chief Minister's Department, the ACT Treasury, the Department of the Environment, Land and Planning and my department, including the Consumer Affairs Bureau, and is chaired by Mr Len Sorbello, Deputy Law Officer, Constitutional and Law Reform Branch, of my department.

This report represents the culmination of about a year's work by the Working Group on Petrol Prices in collecting data and consulting with the community and the industry on petrol issues in the ACT and interstate. The working group contacted and sought submissions individually from every service station operator in the ACT, from every major oil company in Australia, from all representative organisations connected with the petroleum industry in Australia and the ACT, including the Australian Institute of Petroleum and the Motor Trades Association. The group also sought and received submissions from the ACT consumer organisation Canberra Consumers and from the NRMA.

There was at the time the group was established, and I believe that there still is, a lot of concern in the community about petrol prices in the ACT. The Government has always recognised that there were a range of longer-term and structural issues affecting the petrol market in the ACT which needed to be considered in a systematic way if a credible response to this matter was to be made. It was this task which the working group was established to undertake, and its findings and recommendations are set out in this report.

The main finding of the report is that there is a lack of competition at all levels in the ACT petrol market and that this is the reason for higher ACT petrol prices. The report recommends a range of measures to stimulate a more competitive environment in the ACT petrol market, including the promotion of additional independent competition into the market and a series of changes to government planning and land policies affecting service stations. For the first time, we have a document which comprehensively examines the ACT petrol market and the wide range of government policies and practices which affect it, and therefore we now have a tool which should help to provide a basis for us to develop sound policies on this issue.

Because of the importance of this issue to the public and the industry, we believe that there should be a period of comment on this report and its recommendations before any final decisions are taken. For this reason, the Government has not adopted the report. We propose that comments on the report be directed to the working group, care of my department, until 20 January of next year. I look forward in the coming months to learning of public and industry comment on the report. Given this public comment process, the Government will not proceed with the price control legislation - the Fair Trading (Fuel Prices) Bill - until it decides its position on the recommendations of the working group's report.

The Government has consistently said, in response to the industry's concern that we should not introduce price control but should leave it to the market, that we would be comfortable with that if the market was operating fairly. This report is an indictment of a market which is not operating competitively; of a market which, compared with an average Australian market of some 20 per cent independent involvement, has only 7 per cent independent involvement, and in which there is no evidence of price competition or price differentiation across the whole community.

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

SYDNEY OLYMPIC 2000 BID
Discussion of Matter of Public Importance

MADAM SPEAKER: I have received letters from Mrs Carnell, Mr Cornwell, Mr De Domenico, Mr Humphries, Mr Kaine and Mr Lamont proposing that matters of public importance be submitted to the Assembly. In accordance with standing order 79, I have determined that the matter proposed by Mr Lamont be submitted to the Assembly for discussion, namely:

ACT Government support for the Sydney Olympic 2000 bid.

MR LAMONT (3.19): Madam Speaker, Canberra's association with the Olympic movement goes back to 1924, when the boy from the northern suburb of Braidwood - Bungendore - Nick Winter, who had come to Canberra in the building boom in Canberra's early years, won gold in the hop, step and jump at the Paris Games. A picture of this earliest Canberra Olympian can be seen, appropriately, in Blundell's Cottage. Canberra's association with the Olympic swimming tradition also has heroic beginnings, when one realises that swimmers at Manuka pool in the 1920s would have been doing their laps with the great Andrew "Boy" Charlton, a medallist in the 1924 and 1928 Olympics. Legend has it that his spirit can be seen to this day on the site of the Civic pool; but close observation shows that it is Mr Duby inspecting the con-dome down there.

The first Follett Government actively supported the Victorian Government's Olympic bid. The Follett Government at that time recognised the importance of there being unity of purpose amongst all the governments in Australia if the Melbourne bid was to have any chance. That bid was unsuccessful, but the principle has not changed. Practical support for the Melbourne bid was also offered by the Follett Government. We offered ACT facilities for warm-up training and pre-Games trials. I am pleased to note that the offer of this assistance has been extended now to the Sydney bid. The Chief Minister has also offered the New South Wales Premier assistance in lobbying diplomats in Canberra, and this offer and the offer of support facilities have now been accepted.

The Government has already hosted senior members of FIFA, who are also voting members of the OIC selection committee. Members of FIFA will be in Canberra on 9 December to inspect Bruce Stadium during the Australia-Brazil youth soccer game sponsored by the ACT Government. In the last couple of months the Minister for Sport, Wayne Berry, and the New South Wales Minister responsible for the Olympic bid, Bruce Baird, have jointly announced regional support for the Olympic bid. The board of the Australian Institute of Sport have announced that their training facilities will be used for acclimatisation by visiting Olympic teams should the bid be successful. I understand that the ACT will also be tailoring appropriate grants towards potential local Olympians. A good example of this has been the support it has been giving to the ACT young rowing development squad. The Sydney Olympic Bid Committee has acknowledged, along with FIFA members, that Bruce Stadium is of international standard, and it has actively considered giving Canberra quarter- and semi-finals in the soccer.

Support for the Sydney bid has been widespread within the Canberra community. The Australian Institute of Sport, the Canberra Business Council, the Building Owners and Managers Association, the ACT Chamber of Commerce and Industry, the Australian Hotels Association, and even the Liberals' 250 Club have seen the benefits of such a bid. It is worth considering that by the year 2000

the trip from Canberra to the Homebush Olympic village could be less than two hours, or something close to that. The people on that list understand that then, even more than now, the proximity of the Sydney Olympics will be of tremendous import to Canberra's commercial sector.

The one group whose name does not appear, however, is the Kaine Opposition. Certainly, it never appears in anything but the faintest print in relation to support for this bid. They want us to believe that they are lukewarm to the Sydney bid because they have bigger plans for the Commonwealth Games bid. Frankly, this is just a dangerous political game and one which could be very costly to Canberra, if not Australia. Let us face it; this Opposition did a pretty good job in helping to undermine the Melbourne bid when they jumped on the negative band wagon with their soul mate, Mr Kennett, and they look set to do the same for Sydney. A good example of their tardiness was their active discouragement of the Follett Government's upgrading of Bruce Stadium, a stadium now acknowledged as being of Olympic standard.

The possibility of the Commonwealth Games is not a substitute for the practical benefits that can flow from Canberra supporting the Sydney Olympic bid. I would like to think that Canberra could host the Commonwealth Games in the year 2002; but I am not blind, as some on the other side of this room appear to be, to the very real financial costs - - -

Ms Ellis: One appears to be; the rest of them are not.

MR LAMONT: The fact that there is only one member across the other side of this chamber is indicative of the type of support the Liberal Opposition have for the Sydney 2000 bid. There is only one of them sitting in the chamber to discuss this matter of public importance. When you are in the chair, Mr Deputy Speaker, you are there, I take it, in a non-partisan role. Only one of them is prepared to stay in this chamber to discuss this matter of public importance.

Mr Berry: He has his one eye on things, though.

MR LAMONT: That is very true. His one eye is probably kept on the matter. The remote possibility of a Commonwealth Games in Canberra is not a substitute for the practical benefits which can flow to Canberra from supporting the Sydney Olympic bid. As I have said, however, I am not blind to the very real financial costs and other impediments that are being placed in the way of a successful Commonwealth Games bid being launched by the ACT Government, for that is who would have to do it. For example, the bid preparation cost for the Commonwealth Games would be \$6m.

Mr De Domenico: About \$10m.

MR LAMONT: That is \$6m just to prepare the bid. There is another \$4m in between the time the bid is submitted and the time it is determined, so I will accept your \$10m, Mr De Domenico. That is \$10m on a bid for Games which every single pundit close to the determination of this matter has acknowledged will not come to Canberra, even if they do put in the bid.

Mr De Domenico: Not so.

MR LAMONT: That is very simply the fact. We find that a number of statements have been made in the international media which quite clearly indicate that it is intended that for the next two to three terms the Commonwealth Games will go to developing nations. That is simply the fact. There has also been quite direct evidence in discussions of both a local and national nature which is quite clearly destined to prove me right in suggesting that a Commonwealth Games bid would be futile in the ACT. The efforts are being expended by the people opposite to pursue a pot of - - -

Ms Ellis: The person opposite.

MR LAMONT: - - - the person opposite to pursue a pot of fool's gold and not to get in and play the main game. It is time the Liberals stopped trying to make absurd political gain over the issue of the Commonwealth Games. The Commonwealth Games is something we could have a closer look at, but to pursue that in lieu of support for the Olympic 2000 bid is pursuing a fool's pot of gold. In addition, it should also be stated that talking up the Commonwealth Games may have a negative impact on Sydney's chances for the Olympics. We need a national approach to the Sydney bid, and it is about time the people opposite got behind it and supported it.

There have been a number of interjections saying "Not so", "This is not going to happen", "We are not going to go this way". The runs are on the board. When the Melbourne bid was put in for the Olympic Games, it was pooh-poohed by these people. It was ridiculed by these people and Jeff Kennett.

Mr De Domenico: No, it wasn't.

MR LAMONT: It was, and it is on the public record that they did so. What we now find, I suggest, is that Mr Kennett, and probably these people opposite, would like to see it in Victoria. They have changed their tune. You cannot trust them. You cannot trust what they are saying to us in relation to the Commonwealth Games or the Olympic Games or anything else. I need not remind you, Mr Deputy Speaker, that as recorded on page 84 of the proof copy of *Hansard* one of the members opposite said "Well, I'm honest now that I'm out of government", and then went on to say, "I hope that was not on the record". This is typical of the attitude these people are adopting in relation to issues such as this.

The matter of public importance is quite clear. Every Canberran has the opportunity, with the World Cup soccer game here later this year, to show the representatives of the IOC that we are supportive of the Sydney 2000 bid by attending that international standard soccer game. Those officials will be in attendance, and I believe that our support is crucial to the success of our bid for the Sydney 2000 Games. What will happen as far as the economy of the ACT is concerned will be significant. As I have said, the Government has offered a range of facilities, in the ACT, in addition to those that are supported by governments, such as the AIS, and support has been given by organisations such as the Building Owners and Managers Association.

I raise that point because I, along with a number of other members of the Assembly, attended a luncheon yesterday where Mr Churches, who is responsible for the planning and development of the bid for Sydney 2000, was in attendance. I understand that the Minister may be making further reference to the issues that were raised there when he addresses this matter of public importance.

It is critical, in my view, that everybody in this Assembly unequivocally support this bid. They should not be diverted into pursuing pots of fool's gold at the end of the Commonwealth rainbow but should get their eye on the ball and remember what the main game is. The main game in this case is something that is achievable, and that is the Sydney 2000 bid. The benefits to the ACT would be inestimable. I hope that we see a proper turnaround this afternoon by those opposite and that during this matter of public importance discussion they come out and unequivocally support the Sydney 2000 bid. If they do not, they will stand condemned not only by everybody in the ACT but by all the people of Australia.

Mrs Carnell: It is all right; we do.

MR LAMONT: Mr Deputy Speaker, I commend the Sydney 2000 bid and wish them every success. I can hear from their interjections that those opposite have changed their minds already. Even now they are trying to jump on the band wagon and support it. I hope that on this occasion they do. I hope that they keep their eye on the ball and play the main game.

MR DE DOMENICO (3.32): Let me say to Mr Lamont that, yes, we always keep our eye on the ball, we always play the main game, and we never ever play the man, unless we are pushed in the back first. I am delighted that Mr Lamont attempted at the end to politicise the whole thing, because I can now be allowed to politicise it as well, Mr Deputy Speaker, and I shall. However, I will read my prepared speech first.

There is no doubt that major sporting events bring a wealth of benefits into the host country, State or Territory. An Olympic competition in Sydney in eight years' time will benefit not only Sydney but the whole of New South Wales, with considerable flow-on effects into the ACT. In this respect, the ACT Government will receive our agreement to support Sydney's bid. The Liberals congratulate the Government on its foresight. The Government has clearly and correctly perceived the benefits of major sporting events, even when 300 kilometres away and in a different State. The benefits of such a competition are substantive enough to warrant this Government lending its support to the proposal. Well done, Government.

In the same vein, it is a puzzle to me why, according to Mr Lamont's comments, this Government can understand the benefits of Sydney's bid for the Olympic Games but cannot grasp the benefits of our own bid for the 2002 Commonwealth Games. All major cities in Australia - Brisbane, Sydney, Melbourne, Adelaide and Perth - have seen the benefits of securing major international sporting events. The reasons are not the love of sport alone but are based on the firm financial benefits which major sporting events attract.

The Chief Minister, I believe, would accept this. According to her recent ministerial statement on tourism, nine out of 10 of the future events being cooperatively coordinated by the events unit are sporting events. The reason nine sporting events were mentioned in the ministerial statement on tourism is that these events will attract significant financial benefits to Canberra. The events will bring people and dollars into the city: Motels, restaurants, transport and attractions will all benefit. Canberra will create an impression on these visitors, who will go home and promote our city. Sports organisations will spend money here. The international, national and local press will cover these events. Businesses will come into Canberra and spend money.

The ripple effect of benefits lasts long after the event is over, as we all know. If successful, the event will pay for the development of the sporting facility, which is then available for the people of the city to use. Developments of this nature significantly increase the infrastructure of the city and the economy. "What if there is a loss in financial terms?", one might ask. For example, let us say that there is a loss of \$100,000 in staging an international event. The \$100,000 bottom line figure ignores the press coverage, the full motels, the busy restaurants, the promotional benefits, the business money spent here, the favourable impressions, the return visits, the transport used, the boost to the economy and the infrastructure development.

Could this Government, or any government, spend \$100,000 for the same benefits? The answer to that question is no. The fact is that these benefits, while they do not figure in the bottom line, do exist, and these benefits are very good value for money. Perhaps a \$100,000 loss is made, but elsewhere in the community a \$200,000 or more - perhaps \$2m - benefit is made. The loss in those terms is negligible.

While we are happy and delighted to support the Sydney Games bid, there are two reasons why this Government has yet to support the Commonwealth Games 2002 bid. From the comments of Mr Lamont, one might think they are now trying to play politics with it. Let them try. One reason they have not supported it is the politics, and the other is fear about taking a reasonable risk. Allow me to deal with the latter first.

As I have just explained, hosting a major sporting event is a risk, whether it is an Olympic Games bid, a Commonwealth Games bid, an international soccer match, or the like. It is a risk that carries intangible benefits, though. What you miss out on on the swings you pick up on the merry-go-round. Sydney understands this; it is making a bid for the 2000 Olympic Games. The ACT Government understands this because it has today decided to talk about supporting this bid. We have heard even Mr Berry at other times support the bid, and we commend the Government for that.

Let me also say that, in turn, Mr Peacocke, a New South Wales Minister, and Mr Baird, another New South Wales Minister, and some Federal members of parliament on both sides of the house, have publicly supported a bid for Canberra to host the 2002 Commonwealth Games. For Mr Lamont to stand up here in this Assembly and say that the talk around the world is that Australia has no chance of getting the 2002 Commonwealth Games is utter nonsense. Let me tell you, Mr Deputy Speaker, that before I was elected to this house I hosted a lunch with various figures in the Commonwealth Games Federation from overseas who make the decisions and who shall remain nameless.

Mr Berry: Because we might be able to check up on you.

MR DE DOMENICO: I am prepared to give you the names privately, Mr Berry. You can check up all you like. They will tell you that if Canberra put in anything like a good bid for 2002 we would stand a very good chance of being successful. Adelaide might rebid, of course, and I think that if Adelaide rebids we should think twice about putting in a bid of our own. They are the facts.

The Government has a responsibility to its people. It cannot be seen to be spending money on risks. These are difficult financial times. Can the ACT afford it? Would it be worthwhile? The Liberals believe that the answer is yes, if the bid is structured intelligently. We believe that the answer is yes, whether we are talking about a 2000 Olympic Games bid for Sydney or a 2002 Commonwealth Games bid for Canberra. In fact, with the Canberra Commonwealth Games bid for 2002, even if lost, we would win. It can be a win-win situation if the bid is structured to benefit Canberra. This bid can promote Canberra, unite the business community, develop our sporting infrastructure, and develop the processes which in the future can attract many different major sporting events, not just the Commonwealth Games for 2002.

What if we lost the Commonwealth Games bid for 2002, as Mr Lamont believes we would? That shows great foresight. What if we did lose if we put in a bid for 2002 but attracted 10 major international sporting competitions over the next seven years? What you lose on the merry-go-round you pick up on the swings. If you are smart, if you are clever, a bid can be structured to attract to Canberra not only the Games but many other major events. The benefits of promoting Canberra as a city in the big league will continue throughout the 10 years of preparation, and in the years after the bid.

If Mr Lamont spoke to Rod McGeoch and other people involved with the Sydney Olympic Games bid, they would say the same thing to him that I have been saying here now: Even if Sydney does not win - and I believe that they will - they will have received enormous benefits in terms of tourism promotion and other things by just putting in a bid. If Mr Lamont would care to speak to Mr McGeoch, that is what he would say. Let me tell you why Mr McGeoch would say that - because that is what Mr McGeoch has said to me on the countless occasions I have spoken to him. As for Mr Lamont attempting to convey the impression that the Liberal Party does not support that bid, let me also tell Mr Lamont that when I was overseas recently I did a little lobbying for the Sydney 2000 Olympics bid. For Mr Lamont to come in here and tell untruth after untruth after untruth, time and time again, is just sheer humbug and belies the facts.

Ms Follett: I raise a point of order, Mr Deputy Speaker. To accuse a member of this Assembly of telling untruths is unparliamentary and should be withdrawn.

Mr Humphries: Half-untruths is okay, apparently.

MR DEPUTY SPEAKER: Mr De Domenico, I suggest that you withdraw it.

MR DE DOMENICO: I withdraw. For Mr Lamont to come into this place and tell half-untruth after half-untruth after half-untruth after half-untruth is sheer humbug.

26 November 1992

Mr Lamont: I rise on a point of order. That is three untruths, Mr Deputy Speaker.

MR DEPUTY SPEAKER: No, it is one-and-a-half. Three half-untruths are one-and-a-half.

MR DE DOMENICO: I also remind the house, Mr Deputy Speaker, that the Commonwealth Games - - -

Mr Lamont: Can he withdraw them?

MR DEPUTY SPEAKER: I do not uphold the point of order.

MR DE DOMENICO: The Commonwealth Games 2002 Committee has already suggested a feasibility study into sporting facilities. That feasibility study seems to have had the previous support of the Deputy Chief Minister, the Minister for Sport. I quote from the *Canberra Times* of Saturday, 25 July 1992:

The work of Canberra management consultant Ernst and Young, -

who, by the way, also do the feasibility studies for all the Olympic Games bids -

the report is the result of a request from the Minister for Sport, Wayne Berry, and could be the catalyst for a full-scale campaign to capture the biggest event of any kind to be staged in the ACT.

That is what Mr Berry said; but obviously Mr Lamont and Mr Berry did not talk about it, as they do not talk about various other things from time to time. The Commonwealth Games 2002 Committee has already suggested a feasibility study into sporting facilities, to kick the ball off - excuse the pun. The Chief Minister's Economic Development Division should be able to undertake cooperatively such a study in-house, for a significantly reduced amount of money, as the resources to carry out this study are already in place. Once again, I commend the Chief Minister's Economic Development Division for already looking into the feasibility. Well done.

The Liberals suggest that, whilst we support the Sydney Olympic bid, we also should tentatively look at the Commonwealth Games 2002 - not as an end in itself, but as a means of attracting attention and sporting events to Canberra. The Chief Minister is aware that her events unit is supporting the Youth World Cup soccer tournament. This event is of the calibre which Canberra wants to attract and could do so in the process of working towards the Commonwealth Games bid. The Youth World Cup soccer tournament attracts a television audience of billions; four years of qualifying series now culminate in Canberra, with 16 of the world's top teams selected from 180 countries. I say proudly that Australia is included.

Canberra will fill with international visitors, who will spend their money here and take home pleasant impressions of Canberra. The Territory will benefit from the huge media exposure. The Kanga Cup international youth soccer series will be held in Canberra for the next five years. Children and their parents from Europe and America will visit Canberra each year. Then there is the World Cup showjumping and the Esanda Rally - major events with significant benefits - here in Canberra.

The risks are negligible if the structure of this bid is developed on the principle that, if we lose, we win. Our support of the Sydney 2000 Olympic bid is vital; I agree with Mr Lamont and the Government. We can even use the Sydney Olympic bid to develop our own chances. By dovetailing into Sydney's plans, we can attract favourable events here and demonstrate our ability to organise, coordinate and run smooth, well-planned sporting events. Sydney's plans to decentralise the Olympic Games will fall into our laps and boost our chances. Canberra can learn from Sydney's experiences in running such an event, to ensure that the Commonwealth Games 2002 are run effectively.

Olympic Games and Commonwealth Games have been run in many countries at a profit. In doing so, these events have contributed significantly to the economies and infrastructures of those countries. We need to be flexible and adaptable in our approach to the future of tourism in Canberra, and one part of this process is taking up opportunities as they offer. Our support of Sydney's Olympic bid will help Sydney while it also helps us.

Finally, let me say a word about politics, which Mr Lamont brought into this debate. I am disappointed to see that politics has entered the debate on the Commonwealth Games 2002 bid or the Sydney Olympics bid, or any other international sporting event that might come to Canberra from time to time. Nothing else can explain the Government's reluctance to take up a feasibility study. Mr Lamont was present when the Committee on Tourism and ACT Promotion took evidence. Mr Lamont well knows that the Canberra Business Council and the Chamber of Commerce and the tourism industry and everybody else who came into that committee agreed that Canberra should have a go and put in for the 2002 Commonwealth Games.

If Mr Lamont went around to sporting groups, as I do from time to time, and asked those sporting groups for their opinion, they would also say to Mr Lamont that we should have a go, we should go for it. If Kuala Lumpur can do it, if Brisbane can do it, if Perth can do it, if Auckland can do it, certainly Canberra can. Canberra can do it; Canberra will do it, if these people opposite get off their backsides, stop sitting on their hands, and have a go for Canberra. For Mr Lamont to come into this house and try to play politics with something as important as the Commonwealth Games bid is sheer and utter humbug.

It seems that the only person that agrees with Mr Lamont, if the truth be known, happens to be the member for Canberra, Mrs Kelly, who in one fell swoop on radio during the Olympic Games seemed to pooh-pooh Canberra's bid for the 2002 Commonwealth Games. Mrs Kelly should have taken advice from some of the sporting groups around this town, who have said to me and to others, "Why shouldn't we have a go? Even if we are not successful, there will be enormous benefits to the people of the ACT and to Canberra in the way it promotes itself on the international stage".

Mr Deputy Speaker, let it not be said by Mr Lamont because it is not true. This Liberal Party supports the Sydney bid for the 2000 Olympics. When members of this political party travel overseas from time to time, we actively see what we can do to help that bid; we have done so and will continue to do so. We will continue to support that bid, as we will continue to defend the right of Canberra to put in a bid for the Commonwealth Games of 2002.

MR BERRY (Minister for Health, Minister for Industrial Relations and Minister for Sport) (3.47): Mr Lamont has spoken to this Assembly on the importance of any bid for the Olympic Games and the support this Government has given to date for the Sydney bid. I am not going to dwell too long on the Commonwealth Games bid. It is easy for Mr De Domenico to say, "Yes, we should have a plunge", but this Government is not going to commit \$100,000 to a feasibility study just because it is a good idea. It has to have an outcome, and we are not going to commit ourselves to a \$10m bid unless there is good reason for us to do it.

The first thing before us is the Olympics bid in New South Wales. Yesterday I was at the BOMA luncheon, where Mr Churches from the Sydney Olympic bid company spoke on the bid to bring the Olympic Games to Sydney in the year 2000. If the bid is successful, and we will know this after the 96 members of the International Olympic Committee meet in Monte Carlo on 23 September 1993, it will have major benefits for the whole of Australia and, in particular, for the ACT. The Sydney bid alone has created 1,000 construction jobs in Sydney and planning for the Games employs 40 salaried and 1,000 volunteer staff. This is without the flow-on of benefits to other areas of the economy.

It is not without risk. This is a big undertaking and one which involves the commitment of a lot of finances to the development. The bid company has done a lot of research in its planning, and it is estimated that \$2 billion worth of investment in infrastructure would be needed between now and the year 2000. The New South Wales Government has already committed \$300m for the construction of the aquatic and athletic centres. A further \$1 billion would complete the venue construction program. The Sydney bid company is confident that it is preparing the best proposal possible. In a recent meeting in Acapulco, the Sydney bid organisers offered to pay the return air fares to the Games for athletes and officials. This offer was based on calculations that the maximum number of athletes and officials involved would be 15,000, and the cost is estimated at more than \$US30m.

The Liberals' silence on Olympic sport, as has been said earlier, is on a par with their Marcel Marceau views on the GST and what it will do to sport.

Mr Cornwell: What on earth does that mean? What has Marcel Marceau to do with the GST?

MR BERRY: The Liberals do not want to talk about it. One wonders what the massive increase in building costs of the Homebush centre will be if the GST is introduced, or what the increased costs on air tickets will be to the New South Wales Government, as they have offered to pay the costs of the athletes travelling to the Olympics. This offer is expected, in particular, to assist Third World countries to attend the Games and encourage them to vote for Sydney.

The level of community support for the staging of the Games is a significant factor in the selection of the host city. It has been determined in surveys that 90 per cent of respondents in New South Wales supported the conduct of the Games in Sydney and over half said that they would be prepared to host visitors. A major advantage is that all athletes could be accommodated within a short distance of their competition and training venues. Planning and construction of

facilities is well down the track, with the development of major facilities at Homebush Bay, including the latest in international standard rowing and canoe courses. The harbour would provide a magnificent venue, as everybody would agree, for the yachting competitions. Sydney's air in early spring is another advantage, as it is much cleaner than that of its major bid competitors at that time of the year. None is cleaner than Canberra's, of course.

It is estimated that the economic benefits of the Olympics in the year 2000 will last for more than a decade. The benefits will be Australia-wide; 15 to 20 per cent will be generated in the Games year, with the impact across a number of sectors, including construction, tourism and service industries. Over 100,000 additional jobs would be created in the lead-up to the Olympics. The gross economic gain is estimated to be in excess of \$13 billion. Those are the estimates that were put forward. The Follett Labor Government has played its part in showing support for the Sydney bid for the Olympics. When Bruce Baird travelled in this region, we were quick to indicate to him that we were committed to supporting the holding of the Games in Sydney, and of course there would be some benefits to the ACT.

We acted immediately to secure one of four major international soccer matches to be played in Australia in December this year. Soccer, because it affects so much of the world, has a major influence on those who are considering where the Olympic Games will next be held. We are promoting one of the SBS Youth Challenge 92 soccer matches at the Bruce Stadium on 9 December. The Brazilian team, the current South American champions, will play the Coca-Cola Youth Socceroots in what promises to be a match which can put Canberra on the international soccer map. The game is recognised by FIFA as a full A international soccer fixture and is one of the most important games to come to Australia since 1981, when Canberra was the host city for the quarterfinal between West Germany and Australia. This match will be a dress-up rehearsal for the FIFA Coca-Cola Cup world youth championships in March next year.

Last week I attended the draw in Sydney, and Canberra has been allocated two high calibre matches - Colombia versus an African team and Russia versus an African team. They will draw international focus to the ACT. Not only will the international soccer world be watching us, but so too will the Sydney Olympic bid organisers. We will be assessed on our professionalism in conducting major events, our standard of facilities and our level of community sport.

Madam Speaker, if Sydney is successful in its bid, we are in a strong position in the ACT to host a preliminary group round of Olympic soccer competition. We are holding discussions with the bid people to give them our full support. I consider that these matches will be a dress-up rehearsal for what is to come. The flow-on benefits, which I think everybody recognises, will be many. One will be increased tourism through marketing Canberra as an add-on, if you like, to a visit to Sydney. It will gain recognition as a major sporting centre because there will be, I am sure, some attractions in the ACT for lead-up competitions to the Olympic Games.

People coming to and from Australia might well be encouraged to come to Canberra for a couple of days or more, and people travelling to and from Sydney will be encouraged to stop off for a couple of days or more and contribute to the tourism industry in the ACT. As Sydney's closest neighbour, we in the ACT

26 November 1992

stand to benefit from all of these things, perhaps more than most other places in Australia. We have some special attractions which would be of interest to anybody considering a trip to the Olympic Games and, with the right packaging and full support, I think we can deliver the goods for the people of the ACT.

I close by saying that the Government is taking every opportunity to ensure that our support is focused on ensuring the maximum benefit to the ACT, but at the same time acknowledging that this is a massive issue for all of Australia and one which we support as Australians, not only as ACT residents. They are just a few of the benefits that will flow on as a result of the Olympic Games, and I offer those people organising the Sydney bid all our support and best wishes in their bid for the Olympic Games.

MR CORNWELL (3.57): I must say that this matter of public importance - I do stress the words "matter of public importance" - has to be one of the most trivial that I have heard in this chamber. It is "ACT Government support for the Sydney Olympic 2000 bid". I do not see this, frankly, Madam Speaker, as a matter of public importance. I believe that it goes without saying that we people in Canberra, despite what people elsewhere in the country may say or believe, are Australians and naturally we would support any bid by an Australian city for the Olympic Games. One could argue that, Sydney being our closest capital, we probably would have greater support for it, for the obvious benefits that Mr Berry has indicated would flow from Sydney obtaining the Olympics, than for some of the other Australian capitals. But it is self-evident that we would support any Australian city's bid for the Games and I fail to see why we are having a matter of public importance discussion on the subject.

Mr Wood: It is self-evident that we are concerned about public safety, and we debated that yesterday.

MR CORNWELL: Mr Wood interjects that we had a debate on public safety. I would suggest to you that, in terms of matters of public importance, public safety in this city at the moment is of much more importance to the ACT community than this particular self-evident MPI. Let me repeat; everybody in this Assembly would support Sydney's bid for the Olympic Games, and that includes the Liberal Party. Mr Lamont accused us earlier, saying that Mr Kaine and his supporters had not backed Sydney's bid. Of course we did and of course we do.

I appreciate that there are those in the world who believe that the Olympics should not be some sort of expensive moveable feast around the world, but should be relocated permanently in Greece where they began. There are in fact many advantages in that that one could put forward. I am sure that it would do the Greek economy a tremendous amount of good. That would also have an advantage in terms of the sporting prowess of the sports men and women who participate. They would be able to attend the venue where the Games are to take place and acclimatise themselves. We all know that there have been problems in the past, depending on where the Games were held. I think it is fair to say that the sports men and women of the country where the Games take place have an advantage over some of the visiting sports men and women. So, there are some advantages that could be put forward for locating the Games in one particular place, namely Greece. People throughout the world could go to that venue and acclimatise themselves before the event began. However, that is not about to happen and therefore we must address having the expensive moveable feast.

I am delighted that Sydney has put in a bid. I have to say this, by the way, because I am originally from Sydney and I have a deep and abiding affection for that city. I think that if the Games are centred there it will be a magnificent achievement and Sydney will do the Games proud. I do not support Mr Lamont's accusation that the promotion of Canberra for the 2002 Commonwealth Games will have a negative impact upon Sydney's bid. This is a nonsense.

Mr De Domenico: Sydney does not think so.

MR CORNWELL: Mr De Domenico confirms that Sydney does not believe so and I cannot see any reason why it should. I believe that we could almost put up a package on this sort of thing - that the Olympics be held there in 2000 and the Commonwealth Games be held here in 2002.

The fact is that there are significant benefits to the ACT in bidding for the 2002 Commonwealth Games if Sydney obtains the Olympics in 2000. Obviously, as has already been pointed out, there will be warm-up venues. There would be the opportunity for people to train outside Sydney, and what better place than Canberra, a short distance from the Games venues? People could train here before going to the main events down there in Sydney. We do have facilities here, but some of them might require a little upgrading. I stress that word "little". We have shooting facilities; we have rowing facilities; we have Bruce Stadium, as already mentioned, which could be used for a variety of sports. The fact is that we are very well placed to provide those facilities. In providing the warm-up areas for the Olympics we would be adding to the facilities that we could provide in two years' time for the Commonwealth Games. I believe that that could strengthen our claim for them. It would, of course, be an add-on advantage for tourism. People could visit here when visiting for the Olympics. They could then assess for themselves whether they wished to come back here in two years' time to the Commonwealth Games.

I find strange the suggestion that for the next two or three times the Commonwealth Games will be held in developing nations. I think we have to remember that what we are looking at is the Commonwealth Games, not the Olympic Games. It has already been suggested that Sydney will be paying the air fares for some of the Third World countries to attend the Olympics. I think it speaks for itself, Madam Speaker, that a great many countries, developing nations particularly, would have difficulty in funding the infrastructure for the Commonwealth Games. I would think that any responsible and prudent developing country would be looking very seriously at whether they should be putting that sort of money into the infrastructure when, very clearly, they have many other demands on health, on education and on infrastructure development.

Mr Berry talked about whether it is worthwhile putting \$100,000 into a feasibility study for the Commonwealth Games in 2002. I would remind Mr Berry that there is still to be a decision on what to do with the \$19m casino premium. The Chief Minister herself has said that this money should be put into community, cultural and heritage facilities. I do not see why \$100,000 of that could not be hived off if you want to do a feasibility study for the 2002 Commonwealth Games. I think that would be money very well spent, and it

26 November 1992

represents a very minor amount. That could certainly come under the community category. I know that the Labor Party have had a little bit of trouble as to whether it is community as well as cultural and heritage, but never mind; I believe that it could come under the community category and I accept their word that community is part of the area that is to be funded by this \$19m casino premium.

Therefore, I believe that there are good reasons for examining Canberra as the site for the Commonwealth Games in 2002. I would certainly support Canberra backing off if Adelaide decides to apply again. I think that is only fair. I think it is only neighbourly in terms of Australia. But let me say that there is no reason why we, Canberra, the ACT, should not apply for the Commonwealth Games in 2002, and there is also no reason whatsoever why we should imagine that that is going to inhibit Sydney's bid for the year 2000 Olympic Games.

MADAM SPEAKER: The discussion has concluded.

CANBERRA INSTITUTE OF TECHNOLOGY (AMENDMENT) BILL 1992

Debate resumed from 19 November 1992, on motion by **Mr Wood:**

That this Bill be agreed to in principle.

MR CORNWELL (4.07): Madam Speaker, the Liberal Party supports the Canberra Institute of Technology (Amendment) Bill 1992. The Bill seeks to achieve three changes. The first is the name change for the current ACT TAFE. The second is an increase in the financial responsibilities without ministerial approval of the proposed and intended institute. The third is an increase in the membership of the advisory council of that institute from seven to 11 members. All three amendments are directed at raising the profile and improving the image of this important education body, and this upgrading, if I might use the word, is welcome.

As the Minister said in his introductory speech, community perceptions of TAFE as a "tech" simply do not reflect the educational services now being provided by that body. In fact, many community perceptions would be narrowly inaccurate, in my opinion, as a brief examination of the cover of the 1991 annual report will testify. Here we find nine separate schools operating out of ACT TAFE in a diversity well beyond the bounds of the traditional tech college. The diversity can be easily recognised by the names of the nine schools, and I believe that it is instructive to read them into the *Hansard*. We have Applied Design, Applied Science, Community Education, Construction Studies, Electrical and Electronic Studies, Engineering, General Studies, Management and Business Studies, and, finally, Tourism and Hospitality.

As the names of the schools amply testify, the ACT TAFE system has outgrown the manual arts curricula. It has also outgrown a name that I believe is synonymous with such limited educational opportunities. The new name, Canberra Institute of Technology, recognises the changes that have taken place in the ACT TAFE system, yet still recognises, in retaining "technology" in its title, those antecedents that helped make the institute what it is today. This is as it

should be, because the old TAFE and tech colleges in their time and place served the community very well. We should not belittle either their efforts or their influence upon earlier generations of students. Fortuitously, the word "technology", while acknowledging its derivation, also points the way ahead and one would hope that the Canberra Institute of Technology will, in years to come, achieve the deserved reputation of other institutes of technology in Australia and the world.

The amendments accompanying this name change, as I said earlier, complement the change, or at least present an opportunity to do so. I qualify my remarks, Madam Speaker, because the increase in membership of the institute council from seven to 11 people should augur well for increasing the expertise available to a potentially dynamic body. Unfortunately, governments sometimes spoil such opportunities by interfering in the process of making appointments. While I hope that this will not happen to the Canberra Institute of Technology Council, I do serve notice that the Liberal Party will keep a very close eye out for political favouritism in appointments to the body.

I also note the increase from \$100,000 to \$250,000 in the financial limits the institute may make without ministerial approval. This is not really explained, save that it brings the institute into line with some unnamed comparable ACT agencies. The Minister might like to clarify that, if he can, when he is responding. I would like to think that the creation of CIT does, as the Minister claimed in his tabling speech, enhance the social, educational and employment prospects of the ACT region. Unfortunately, Madam Speaker, I cannot agree, for while the institute might be socially enhancing for some students, and undoubtedly will be educationally enhancing to most, for even the institute's best endeavours to enhance employment prospects is, I suggest, asking a great deal - in fact, too much.

After something like 4,000 potential students missed out on an ACT TAFE place this year and, Australia-wide, teenage enrolments in TAFE fell by 33,000 or 12 per cent in the past two years, and apprenticeship intakes fell by 35 per cent in the same period, I grant you that something had to be done. The result in the 1992-93 budget was a \$4.4m increase in subventions to TAFE. This came in a variety of additional funding initiatives of both Commonwealth and ACT governments to provide 500 more places at the ACT TAFE campus.

Welcome as these additional places may be, they do not guarantee jobs any more than the number of places that are usually available in TAFE schools, and it is to be regretted that some Labor apologists, obviously desperate for even a fractional decrease in the estimated 7.2 per cent or 12,000 people currently unemployed in the ACT, are prepared to cynically translate these 500 training places into jobs. Clearly, they are not jobs and the best that could be said is that the TAFE - soon to be institute - training might offer a preferable career path to a university degree - a sad commentary, I might add, on the "lucky country"; nevertheless, one mentioned recently as an option by the Labor Minister for Employment, Education and Training, Mr Kim Beazley. This situation, admitted by a Labor Government Minister, stands as a further indictment of Labor's mismanagement of the economy and the consequent destruction of jobs, opportunities and the hopes of a generation.

26 November 1992

In conclusion, I note that one of the arguments advanced for the name change was the ignorance of or objections held overseas to the TAFE acronym. I am aware that the institute's council has high expectations of benefiting from the export market and I trust that this endeavour will prove successful. It will not do so, however, unless our own local Australian demands can be satisfied. Otherwise, no matter how successful overseas promotion might be, it could degenerate into anger, into envy and into resentment among our own people who, in this quite desperate training market that exists at the moment, miss out on places they perceive as being taken by overseas students.

This is a matter that is the responsibility not of the proposed institute but rather of governments, and I would urge them at both the Federal level and the local level to be aware of this potential problem. Let me conclude as I began, Madam Speaker: The Liberal Party supports the legislation and we wish the proposed Canberra Institute of Technology good teaching.

MS ELLIS (4.16): I rise in support of the Canberra Institute of Technology (Amendment) Bill 1992. The change in the title will reflect more properly the national reputation the institute enjoys for the quality of courses that it is able to offer, the excellence of the students it graduates and the professionalism of the teachers it employs. It will also guarantee better recognition for students' achievements. It will not diminish TAFE's determination to maintain its commitment to quality education, nor will it reduce the institute's responsibilities to further education and pre-vocational training.

The institute will sustain its practical relevance to the workplace by continuing to play a very significant role in the provision of trade training and will also uphold its second chance courses for students who need to upgrade their literacy, numeracy and preparatory skills. It will allow the active pursuit of national and international opportunities in areas such as tourism and hospitality - for example, the new International Hotel Management School - and environmental training, such as the new Waste Management Centre recently launched by the Minister, Mr Wood.

The new International Hotel Management School will serve us well. It will work towards the rapidly growing tourism industry in this Territory and in this country, and career employment opportunities. It will enhance the nationally recognised leadership role in tourism for this area and it offers enormous export possibilities. The new Waste Management Centre will provide and encourage enterprise in waste management and pollution control. It will offer specialised training in public and private sectors. Educational materials for education, community and special interest groups will be provided, new industry and new jobs will be promoted, and it will promote a very badly needed environmental responsibility in our community.

The new title will also provide a clear indication in international markets that Canberra means quality education. It will fix firmly in the public's collective mind the recognition that the institute provides important skills in advance technologies as well as established manual arts training. It will also clearly state the institute's position in the south-east region in terms of comprehensive provision of post-secondary education and training. By using the name "Canberra" the several local, national and international markets can more readily recognise the geographical origins of the institute.

The changes to the advisory council, as Mr Cornwell has mentioned, are a necessary reflection of the new status of the institute. The old TAFE Advisory Committee will be replaced by the new Canberra Institute of Technology Advisory Council. It will have more members, growing from seven to 11, and this will reflect very much the growth in the scope of training in the ACT. This can all augur well for the institute, for its students and staff and for Canberra itself, and I am very pleased to see this Bill go through. I join other members in this place in wishing the future Canberra Institute of Technology all the very best.

MR HUMPHRIES (4.19): Madam Speaker, I also believe, as my colleague Mr Cornwell has indicated, that this Bill will enhance the work of what is now the Canberra TAFE and will become the Canberra Institute of Technology. I think that, in achieving a status for this institution which reflects our ambitions for it, this Bill is a worthy piece of legislation. A very vigorous debate goes on in academic circles about the ranking of academic institutions and the way in which those institutions compete, one with another, for particular marketplaces of students. I have no doubt that the passage of this legislation will allow the Canberra TAFE, the new Canberra Institute of Technology, CIT, to better target some people in that student market to whom it believes it has services to offer - in other words, students who would be well placed to accept the services they have to offer but who might otherwise overlook the institute because of its name, its title and its perceived position within the marketplace.

The decision to change the name of the institution, I have to note, is a reflection of the ever present desire by educational institutions and other arms of government to adapt to new vogue nomenclature. The institute of technology label is one which is now shared by a number of institutions - RMIT in Melbourne, the Queensland Institute of Technology, and I think the New South Wales Institute of Technology might still exist. I think it might have gone on to another phase, the university of technology. There is the TIT as well, the Tasmanian Institute of Technology. Those sorts of developments are natural.

Madam Speaker, the fact of life is that the educational lexicon is replete with discarded institutional descriptions. We had the college of education at one time. We had the college of advanced education. We had institutes of mechanics. We have had all sorts of phrases which have come and gone. The question I ask myself, Madam Speaker, is this: Is this new description any better than the old one? The Institute of Technical and Further Education was a body providing education in a technical sense, like panel beating, electronics, carpentry - things which people understood to be technical in nature - and it provided further education for those who wished to upgrade their skills in particular areas such as typing and secretarial skills, word processing - things of that kind. It was a fairly clear description and people could understand what it was they were getting for that title.

The institute of technology is, I would suggest, a little less clear, a little less descriptive of what it actually is. Technology as such covers a vast array of activities and it would be quite understandable if a person either outside the Australian education scene or outside Australia altogether might imagine that an institute of technology might, for example, conduct research. I do not believe that research has ever been conducted at TAFE in any substantial sense, or ever will be, at least for the present; but that can be the impression it leaves.

There is another drawback with changing the name, and that is that it can sometimes discourage some students, students that we desperately wish to encourage to go on to advance their skills base and to make themselves more adaptable in the changing job market. It might discourage those students from believing that they have a place in this institution. A humble carpenter or plumber or mechanic, or potential carpenter or plumber or mechanic, might feel out of place in an institution with the grand title of an institute of technology. Nonetheless, I believe that we should embark on this exercise and we should see whether this serves the interests of the ACT. If it achieves a higher profile in the market, it may well be a major development for the ACT's educational capacity, particularly in the international scene, and make the ACT a much more desirable destination for those overseas students who are, admittedly, very lucrative for the ACT economy. I remember reading, when I was Minister, that the average Japanese student living in the ACT produced several hundred times more revenue for the ACT than a single Japanese tourist. So, that sort of observation, I think, is not lost in this debate.

I have one last comment, Madam Speaker. The council of the institute is to be expanded to provide for more technical expertise and a wider range of community input into the work of the institute. That is very desirable. But I have to use this opportunity to say that I sincerely hope that the full complement of the council is achieved by the Government as quickly as possible, and certainly in a considerably shorter timeframe than we have seen in the case of either the Council of the Australian National University or the University of Canberra, both of which bodies, I understand, are still waiting for government appointments.

MR WOOD (Minister for Education and Training, Minister for the Arts and Minister for the Environment, Land and Planning) (4.25), in reply: Madam Speaker, I thank members for their contributions. Starting with Mr Cornwell, I thank the very stiff and upright member for his comment, and I hope that his neck improves to the stage where his head will be less immobile. He is correct in saying - I think Mr Humphries should take note of this - that the institute has outgrown its name. I think Mr Humphries's view is typically conservative. I have to say to him that the world does change. Roles and functions and the whole course of things change.

Mr Humphries: Does it have to change? That is the question.

MR WOOD: I am afraid it does, Mr Humphries. I think that is the clear demarcation between you and me. We acknowledge that change does occur, and the name change in this case recognises, as Mr Cornwell indicated, the changing role of TAFE. I want to make it clear to members in the Assembly that, while it recognises the increasing scope of what is still TAFE, there is absolutely no intention to leave behind its attention to those very important basic trade and technical skills. The new CIT will carry on very emphatically the role that it has done so well for so long.

I was not quite as appreciative of Mr Cornwell's comments about appointments to the enlarged CIT council. I have occasion to make many appointments to boards. In the last year I have announced two new councils - the Cultural Council and the new Environmental Advisory Council. I have made a large number of appointments to existing boards.

Mr Cornwell: Schools council.

MR WOOD: Boards or councils. I take great care in so doing and I believe that they stand up to the greatest possible scrutiny. You are welcome to do so, because we appoint, on my recommendation, only the highest calibre people. The record is there for that to be seen. Mr Cornwell made some comment about the new sum of money before ministerial consent is required. Comparison is made with ACTEW and the Milk Authority. I think they are appropriate bodies with which to make the comparison.

Mr Cornwell also spoke about employment prospects, suggesting that simply educating people - I am using my words here - does not necessarily guarantee jobs, and I note that. But let us understand the way of Canberra. One of the great attractions of Canberra, and one of the selling points we use around Australia for prospective employers, is our quality education system; the fact that we have graduates of very high quality from all our institutions. We must maintain our edge in that in order to continue to attract people to Canberra, especially in that area of technology in which we are so interested. So, I do claim that providing better educated people will provide jobs, because it makes Canberra a better place for employers to come into.

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.

CANBERRA INSTITUTE OF TECHNOLOGY (AMENDMENT) BILL 1992

Debate resumed.

MR WOOD: Madam Speaker, in view of the general agreement we had during this debate, I will not take up the political side of things. I will not develop some of the openings that were made available to me by making a comparison of the policies of the Keating Government in the training area with the policies under the Hewson Government. It is of enormous importance that the Keating Government continue, because the major emphasis that they give to training is essential for Australia. If they are replaced - in that unlikely event - that emphasis will be much diminished. Madam Speaker, I think I will leave it at that because members generally welcome this. In fact, with a little reservation from Mr Humphries, they enthusiastically welcome this. Let us now pass this Bill.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

26 November 1992

REMOVAL OF TREES - PALMERSTON Paper

MS SZUTY: I seek leave to table the response to question on notice No. 381 concerning the felling of trees at Palmerston.

Leave granted.

ADJOURNMENT

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

That the Assembly do now adjourn.

Student Drama

MR HUMPHRIES (4.32): Madam Speaker, I will not detain members for long - - -

Ms Follett: Too right you will not.

MR HUMPHRIES: Okay. I have my marching orders from the Chief Minister. Madam Speaker, I would like to review in a sense a couple of student plays which I attended recently. Members will be aware that in the ACT secondary college system we have an incredibly productive environment in a whole series of areas, no less in the area of student drama. I was so impressed with two recent productions that I attended in the last two weeks that I would like to put on record in *Hansard* my appreciation for the quality of those productions, in particular for what it indicates about student drama in the ACT.

The first such play was at Narrabundah College earlier this month. Narrabundah College has an excellent drama department, which is well known, I think, throughout the Territory and, indeed, throughout the country. A number of students from that drama department have gone on to places like NIDA and similar institutions. Their production was *Lulu*, a play from around the turn of the century by a German-American playwright, Frank Wedekind. It was a very risqué play in one sense. It was banned in many places until well into this century. The students performed that play with tremendous maturity and indicated the enormous amount of work that had gone into it. Peter Wilkins is the head of the drama department of that college and was the director. He continues to produce tremendously good work and to stimulate an enormous level of activity and creativity among his students.

A few days later I attended, as did the Minister for the Arts, a performance of *A Midsummer Night's Dream* at Phillip College.

Mr Kaine: Who wrote that?

MR HUMPHRIES: I believe that Shakespeare was the author of that play - a rather older playwright, but perhaps better known than Frank Wedekind. Madam Speaker, this was an equally enjoyable evening of entertainment. I think people often forget that Shakespeare's comedies really are comedies and *A Midsummer Night's Dream* was and is one of the best. It was a bit of a surprise on my part. I spent the evening racked with laughter. It was an extremely enjoyable evening of entertainment. The students again performed the play with tremendous intelligence and it was directed by Maria Kelliher. Madam Speaker, I obviously cannot recommend that members attend either of those plays because their seasons have now ended, but I can say to members that if they want a good night's entertainment they should think about going along to what their local college is doing. If the evidence I have seen over the last four or five years is any indication, they will rarely be disappointed.

Removal of Trees - Palmerston

MS SZUTY (4.36): In case members were wondering why I sought leave to table the response to a question on notice, I would like to address the question in the following way. My first question was: Who were the builders responsible for the felling and removal of trees in Palmerston, as referred to in Mr Wood's media statement of 28 September 1992, who were in clear breach of development conditions? The lessees of the two blocks in question are Pendon Constructions and Pratezina Homes Pty Ltd. These companies also hold the building permits for construction on the said blocks. I think that is about all I need to say at this stage.

Question resolved in the affirmative.

Assembly adjourned at 4.36 pm until Tuesday, 8 December 1992, at 2.30 pm

26 November 1992

Blank page.

**ANSWERS TO QUESTIONS
MINISTER FOR HEALTH
LEGISLATIVE ASSEMBLY QUESTION
QUESTION 281**

Health Portfolio - Public Relations Consultants

Mr Kaine - asked the Minister for Health:

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

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

There were no consultants engaged in public relations, media, advertising, promotional and related tasks in (a) the Ministers Office; and (b) in the Ministers Department; and (c) each Agency for which the Minister has responsibility in the period 1 April 1992 to 30 June 1992.

Several officers have been employed by public relations, ACT Health as external contractors. They have worked standard union rates and public service hours to handle specific projects within ACT Health.

These officers have been called consultants but are infact external contractors.

3553

MINISTER FOR SPORT

LEGISLATIVE ASSEMBLY QUESTION.

QUESTION NO 337

Sport Portfolio - Committees, Boards and Advisory Groups

Mr Kaine - asked the Minister for Sport = For all Government Committees, Boards and Advisory Groups within the Sport portfolio

- (1) How many people are appointed to each of these bodies and what is the date of appointment of each member.
- (2) What are the terms of reference for each of these bodies.
- (3) What is the total time of the appointment for each of these bodies
- (4) What is the gender breakdown of each of these bodies.
- (5) What cost is associated with each of these bodies, ie fees or salaries paid to members. .
- (6) How many public servants, service each of these bodies, by position and salary . and how much time is devoted by these officers to that task daily, weekly etc..
- (7) How many of these bodies produce a publication, how are these distributed and how much does it cost to produce them. -

Mr Berry -the answer to the Members question is attached. .

3554

MINISTER FOR SPORT (337) RONSA

ACT Academy of Sport Advisory Board

1. Present Members

Dr Alan Roberts Chairperson 1/1/92 to 1/1/95
Ms Robin Duff 1 /1 /92 to 1 /1 /95
Mr Lawrie Woodman 1/1/92 to 1/1/95
Ms Heather McKay 1 /1 /92 to .1 /1 /95
Mr Tim Sheens 1/1/92 to 1/1/95
Ms Sue Hobson 1 /1 /92 to 1 /1 /95
Mr Steve Whan 1/1/92 to 1/1/95
Ms Dale Inabinet Ex officio

2. Terms of Reference

To advise the Minister and Sport and Recreation Council on programs of ACT Academy of Sport

3. Term and Power of Appointment

4. Gender Breakdown

4 Males - 4 Females

5. Remuneration Mechanism

Nil

6: Public Servants

The ACT Academy of Sport Advisory Board is serviced by an ASO 3 at \$26384 - 28475 salary.

This secretariat service for the Board is-only a part of the duties of this position. The estimated time per week devoted to servicing the Board is five hours.

7. Publications

N/A .

3555

26 November 1992

ACT Sport and Recreation Council

1. Present Members

Ms Sue Baker-Finch Chairperson 1/1/92 to 1/1/95 Mr Jerry Lee Deputy Chairperson 1/1/92 to 1/1/95 Ms Shirley Brown 1/1/92 to 1/1/95 Ms Heather Reid 1/1/92 to 1/1/95 Dr Alan Roberts 1/1/92 to 1/1/95 Mr Frank Cassidy 1/1/92 to 1/1/95 Mr. Vince Tetley 1/1/92 to 1/1/95 Mr Jeff Townsend Ex officio 1/1/92 to 1/1/95 Mr David Lawrance Ex officio 1/1/92 to 1/1/95

2. Terms of Reference

To advise the Minister on all matters relating to sport and recreation in the ACT.

3. Term and Power of Appointment

4:- Gender Breakdown

6 Males - 3 Females

5. Remuneration Mechanism

An honorarium of \$1000 per annum be paid to members of the Council, with pro-rata adjustments to be made for those members serving part .year terms.

6. Public Servants

The ACT Sport and Recreation Council has one Executive Officer to provide secretariat services. This is an ASO 6 at \$35424 - 40693 salary and it is a full time position devoted to servicing the Council.

7. Publications

WA.

3556

ACTTAB Limited

1. Present Members

Mr Jim Colquhoun 13/12/90 to 13/12/92
Mr Rhyll Scales 13/12/90 to 13/12/92
Mr Athol Williams 1/7/91 to 30/6/93
Mr Phillip D Neck Chief Executive Officer
Mr George Wason Director 8/1/92 to 30/6/93

2. - Terms of Reference

To operate a totalizator betting service in the ACT.

3. Term and Power of Appointment

Directors appointed by the Voting Shareholders for a period specified in the notice of appointments.

4. Gender Breakdown

4 Males - 1 Female .

5. Remuneration Mechanism

Chairperson - Specified Office - Rate of fee per annum- \$24,381 (from 15.8.91) Remuneration Tribunal det No 26 of 1991 refers

Deputy Chairperson -Specified Office - Rate of fee per annum - \$13,075 (from 15.8.91) - Remuneration Tribunal det No 26 of 1991 refers

Member -Specified Office - Rate of fee per annum - \$9,821 (from 15.8.91) Remuneration Tribunal det No 26 of 1991 refers

Travel Allowance (for Chairperson, Deputy Chairperson and Members) - Capital .City \$300; other than Capital City - \$1-55

6. Public Servants

The ACTTAB is a Territory owned corporation and its staff who service the ACTTAB Board are not public servants:

7. Publications

The ACTTAB produces an Annual Report and a Statement of Corporate Intent.

Approximately 300 copies of the Annual report are distributed through the ACTTAB agencies to shareholders and interstate TAB offices. The approximate cost of printing is \$4000.

Approximately 60 copies of the Statement of Corporate Intent are distributed to shareholders and through the ACT Government .Service. The approximate cost of . printing is \$600. .

3557

26 November 1992

**ATTORNEY GENERAL FOR THE AUSTRALIAN CAPITAL TERRITORY
LEGISLATIVE ASSEMBLY QUESTION
QUESTION ON NOTICE NO 380**

**Community Law Reform Committee - Residential
Tenancy Law Reference**

MR CORNWELL - Asked the Attorney General upon notice on 17 November 1992:

In relation to the Community Law Reform Committee of the ACT and the current Residential Tenancy Law reference does the Governments policy aim to:

- (a) increase or decrease competition between different landlords. to provide residential accommodation; or
- (b) increase or decrease competition between individual landlords and tenants, irrespective of whether or not they agree on all the terms and conditions of their relationship.

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

These questions assume the Government has determined its policy in relation to a reference of the Community Law Reform Committee before the Committee makes its recommendations to Government. This is not and can not be the case.

The Government will not prejudge the issues nor undercut the position of the Committee but will make informed decisions once it has the benefit of the Committees recommendations. The answer to the members questions is therefore as follows:

The Government will determine its policy with respect to the Committees reference on reform of residential tenancy law after the Committee has presented its recommendations to Government. If Mr Cornwell has any further concerns in relation to the questions he raises, he may wish to consider taking them up with the Committee.

3558

MINISTER FOR THE ENVIRONMENT, LAND AND PLANNING

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO. 381

Removal of Trees - Palmerston

Ms Szuty - asked the Minister for the Environment, Land and Planning:

- (1) Who were the builders responsible for the felling and removal of trees in Palmerston, as referred to in your media Statement of 28 September 1992, who were "in clear breach of development conditions".
- (2) How many trees were felled "in clear breach of development conditions".
- (3) Where were the trees located.
- (4) Are the builders responsible affiliated with the Housing Industry Association and/or the Master Builders Construction and Housing Association.
- (5) In your Media Statement of 28 September 1992 you refer to instructions to your Department to ensure that the builders obtain "no benefit from their actions", (a) what action has your Department taken in this instance, and (b) what moves are under way to ensure that such incidents do not occur in the future.
- (6) What response has resulted from your communications to date, if any, with the Housing Industry Association and the Master Builders Construction and Housing Association on this issue. - -

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

- (1) The lessees of the two blocks in questions, are. Pendon Constructions and Pratezina Homes Pty Ltd. These companies also hold the building permits- for construction on the said blocks.
- (2) As same of the stumps of the trees were also removed -it has not been possible to establish an accurate-.count however it is estimated that approximately 10 trees were removed.
- (3.) The trees were located in Palmerston on block 3 section 159 leased by Pendon Constructions and block 17 section 160 leased by Pratezina Homes Pty Ltd, both medium density developments.

3559

26 November 1992

(4) Pratezina Homes Pty Ltd is a member of the Housing Industry Association (HIA) and Pendon Constructions is a member of the Master Builders Association (MBA).

(5) Both builders submitted design proposals showing an increase on the maximum number of dwelling units indicated in the Development Conditions. This proposed increase was from the . area.from where the trees had been cleared. My Department refused the application and the number of dwellings to be constructed will be the maximum permitted ,in the Development Conditions.. Lessees are required to plant replacement tries.

A range of measures to be included in future documentation, which would prevent a re occurrence of this action, is also being considered by my Department .

(6) My Department has contacted both the HIA and the MBA who have issued a statement to their members deploring the action taken by these builders in Palmerston.

3560

MINISTER FOR THE ENVIRONMENT, LAND AND PLANNING

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO 384

History of Canberra - Fourth Volume

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

(1)Was a consultant employed to write the History of ACT Self-Government and, if so, why.

(2)Will this book be sold and; if so, will the proceeds go to the Government or the author.

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

(1) During 1989 discussions were held between officers of the ACT Government Service and the University of Canberra about the development of a project to record the administrative history of the transition to self-government. The ACT Administration had previously initiated and funded, as a Bicentennial project, a three volume History of Canberra. The intention was to collect, catalogue and analyse both oral and written source materials which would provide a bank of data for use as a source for future volumes of an administrative history of the ACT and the, creation of self-government. The project was launched by the. then Chief Minister, Mr Trevor Kaine, on 11. May 1990 at a seminar entitled "Government of the. Two Canberras: Canberra as the National Capital and. Canberra as a Place to Live".

Following agreement with the University of Canberra, two research assistants were appointed in early 1990 to carry out the necessary research work. These people have worked to an academic, director, Professor Roger Wettenhall, and a steering committee. The research work entailed a large number of interviews with key figures and considerable research. of the documentary evidence. Following completion of the data gathering, work is proceeding to prepare a draft manuscript. It is expected this work will be completed by about the end-of 1992.

The project was commenced in -1989 because a large number of the key players, stretching back over the previous 25 years, were still alive and accessible. This has greatly facilitated the research effort.

3561

26 November 1992

2

(2) It is intended that following completion of this project a book will be published and sold as a fourth volume of the History of Canberra. Arrangements for publication have not yet been completed. Remuneration for the author, if any, would be determined as part of the publishing arrangements. Given the nature of the publication, any remuneration to the author is likely to be minimal.

3562

MINISTER FOR EDUCATION AND TRAINING

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO 397

**Department of Education and Training -
Maintenance Contract Payments**

MR CORNWELL - asked the Minister for Education and Training on notice on 17 November 1992:

- (1) Is the Minister aware that the Housing and Community Service Bureau make maintenance payments to private contractors in 14 days.
- (2) Why does the Department of Education and Training take 30 days for this process.

MR WOOD - the answer to Mr Cornwells question is:

- (1) The policy of the Department is to settle its accounts in accordance with ACTGS policy of payment within 30 days. Terms of payment (Ie payment within 30 days) are endorsed on all purchase orders.
- (2) Maintenance contracts are drawn up with a standard Terms of Payment Clause of payment within 30 days from acceptance of goods or services and receipt of invoice. However, the Department will settle before 30 days if a special arrangement with the contractor has been negotiated or if discount is invoiced.

3563

26 November 1992

**MINISTER FOR HEALTH
LEGISLATIVE ASSEMBLY QUESTION
QUESTION 414**

**Totalcare Industries - Garage and Fleet
Servicing Facilities**

Mrs Carnell - asked the Minister for Health:

In relation to Totalcare

- (1) Why is the provision of "credit for vehicle savings" to the value of \$131000 included as a consultancy?
- (2) What did this arrangement involve?
- (3) Was this arrangement approved by the Chief Ministers Consultancy

Review Committee? _ .

Mr Berry - the answers to Mrs Carnells questions are as follows:

- (1) The Estimates Committee previously asked for a "list of all of the people and organisations engaged as consultants throughout ACT Health": In the response provided, an amount of \$131000 was shown as a "credit for vehicle savings" for Totalcare. This amount represented savings generated through efficiencies in the operation of the garage and fleet servicing facilities provided under contract by Totalcare to ACT Health.

The credit should not have been shown with consultancies.

Questions (2) and (3) are therefore not applicable.

3564

MINISTER FOR URBAN SERVICES
LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO 427

Building Control - Location of Inspectors

Mr Westende - asked the Minister for Urban Services: .:

- (1) Is the Minister aware of the costly and inconvenient. situation of having the Plumbing and Electrical Inspectors located separately to the building inspectors for approval of building: plans
- (2) Are steps being taken to alleviate this problem by housing these sections in the one building thus speeding up the plan approval process

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

- (1) At the present time ACT Building Control co-ordinates the approval of building proposals with other organisations including ACTEW, in regard to electrical and plumbing building approvals. .In effect, a person submitting plans is required to come to either Civic or Tuggeranong Building control counters to submit plans, which are .then delivered on the ACTEW.

In regard to the building phase, ACTEW conduct their own inspections in isolation to Building Control.. There is sometimes a need for ACTEW to seek information from contractors, being builders, electricians or plumbers, and a requirement for these contractors to visit the ACTEW service centres in Mitchell and Tuggeranong. ,

In March, 1993 ACT Building. Control will be located in accommodation in Mitchell, Woden and Tuggeranong. Building Control is currently located in Civic and Tuggeranong.

It is not a major inconvenience for contractors to attend both ACTEW and Building Control locations and this will become less of a problem from March 1993 when the offices will be located in problem to each other and close to the developing areas of Tuggeranong and Gungahlin.

3565

26 November 1992

MINISTER FOR URBAN SERVICES
LEGISLATIVE ASSEMBLY QUESTION

QUESTION No 430

Builders Qualifications and Licences

Mr Westende - asked the Minister for Urban Services:

- (1) What progress is being made to permit mutual recognition of builders qualifications and licences with other States, particularly with New South Wales.

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

- (1) ACT Building Control administers the builders licensing provisions of the ACT Building Act and has prepared a Builders Licensing Application Form to process applications under the Mutual Recognition Act.

Senior State and Territory builders licensing representatives met in Melbourne on 23 November 1992 and agreed to prepare a common application form. This form will be used by licensed builders when applying for registration in another State or Territory under the Mutual Recognition Act.

The draft form prepared by ACT Building Control will be used as a model for the National form and its use will commence in the ACT in March 1993.

3566

MINISTER FOR URBAN SERVICES
LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO 433

Water Accounts - Rural Leaseholders

Mr Humphries - asked the Minister for Urban Services: In relation to water bills sent out by ACT Electricity and -Water (ACTEW)

- (1) Why are bills showing a zero balance sent every quarter to oral leaseholders which do not have water connected.
- (2) How many rural leaseholders, .which do not have water connected, receive. these bills.
- (3) " Has the cost of such a. billing process been estimated; if not, .why not.
- (4) Is it expected that the majority of leaseholders will soon have water connected; if so when.

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

- (1) All leases within the ACT are recorded on the ACTEW Water and Sewerage database. Zero bills were inadvertently sent to rural leaseholders as a result of computer system changes made to effect quarterly billing of water accounts. The error is now being rectified. Only those properties that have water supply available, or are actually connected to the water supply, should receive bills.
- (2) There are 238 leases in this category.
- (3) No, as the process was not intentional.
- (4) Irrelevant given the above explanation.

3567

26 November 1992

**ATTORNEY GENERAL FOR THE AUSTRALIAN CAPITAL TERRITORY
LEGISLATIVE ASSEMBLY QUESTION**

QUESTION NO 438

Integrated Crime Prevention Strategy

MR HUMPHRIES - Asked the Attorney General upon notice on 25 November 1992

In relation to an amount of \$50,000 in the 1992-93 financial year listed for an Integrated Crime Prevention Strategy relating to the Governments Safer Community election policy (Budget Paper No. 2, Program 11, "Legal Services to Government", page 107)

- (1) What are the elements of the Integrated Crime Prevention Strategy.
- (2) Who will be responsible for its administration.
- (3) How many staff will be required and how many are additional staff.
- (4) As there are no forward cost projections for 1993-94, 1994-95 or 1995-96, from which program will the project be funded once the strategy has been developed.

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

- (1) It is envisaged that the proposed Integrated Crime Prevention Strategy will foster the following elements:

Promote and implement a coordinated and cooperative approach between the Government and its agencies, the police and the community in minimising crime;

Encourage a community and not exclusively a police responsibility to fighting crime;

Identify and address underlying socio-economic causes leading to criminal activity;

Identify and eliminate, if appropriate, any duplication or overlap in existing crime prevention initiatives/programs; and

3568

Evaluate crime prevention programs regularly to ensure that the programs are effective in addressing the objectives for which the programs were established.

New programs and initiatives will be developed and facilitated under the Strategy taking into account the above broad principles.

- (2) The proposed Strategy will be oversighted by the Attorney Generals Department.
- (3) The development of the Strategy is currently being undertaken by one officer within the Attorney Generals Department.
- (4) Any funding issues would be considered in the Budget process most likely in the context of Program 14 - Maintenance of Law and Order.

3569

MINISTER FOR URBAN SERVICES
LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO. 450

**Toilet Blocks - Construction and
Maintenance Costs**

Mr Cornwell - asked the Minister for Urban Services:

- (1) What is the cost of construction and annual cost of maintenance of each toilet block of the log-cabin type found near the Fyshwick Day Care Centre and by the Molonglo River near the new Dairy Flat roundabout.

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

- (1) Both toilet blocks were constructed in 1989 at a cost of around \$65,000 each. More recently built toilet blocks of the conventional type cost in the order of \$90,000. The annual cost of maintenance of each of these log-cabin type toilet blocks is estimated to be \$8,300. This includes wages, consumables, security, cleaning, utilities (electricity and water), and minor repairs.

3570