



DEBATES

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

HANSARD

17 December 1992

Thursday, 17 December 1992

Drugs of Dependence (Amendment) Bill (No 4) 1992	4057
Poisons and Drugs (Amendment) Bill 1992	4058
Poisons (Amendment) Bill 1992	4059
Drugs of Dependence (Amendment) Bill (No 5) 1992	4060
Workers' Compensation (Amendment) Bill 1992	4060
Land (Planning and Environment) Act - variation to the Territory Plan	4062
Social Policy - standing committee	4075
Social Policy - standing committee	4086
Evidence (Closed-Circuit Television) (Amendment) Bill 1992	4087
Casino Control (Amendment) Bill 1992	4089
Questions without notice:	
Government Service - pay rise	4089
Fightback	4090
Aboriginal Advisory Council	4092
Condom vending machines	4093
Childers Street theatre	4093
Garbage bins	4094
Ambulance Service - Work Futures contract	4095
Grass cutting	4096
Emergency rescue services	4097
Auditor-General's Report No 6 of 1992	4098
Electoral Commissioner and members of the Electoral Commission	
(Ministerial statement)	4098
Fightback (Statement by member)	4099
Subordinate legislation and commencement provisions	4100
Papers	4100
Canberra Theatre Trust	4101
ACT Public Service - establishment (Ministerial statement)	4101
Board of Health - financial performance report	4104
Public Accounts - standing committee	4118
Adjournment:	
Valedictory: Retirement of Mr Jeff Brecht	4119
Mr Dennis Stevenson - report on study trip: Valedictory	4120
Valedictory: Retirement of Mr Jeff Brecht	4120
Valedictory	4121
Valedictory	4122
Valedictory	4123
Valedictory: Retirement of Mr Jeff Brecht	4124
Foster-children	4125
Valedictory	4127

Answers to questions:

Graduate nurse program (Question No 76)	4129
Consumer protection - real estate agents (Question No 271)	4134
Hospitals - infection rates (Question No 312)	4136
School vandalism (Question No 315)	4139
Economic Development Division (Question No 317)	4141
Attorney-General portfolio - committees boards and advisory groups (Question No 341)	4146
Housing and Community Services portfolio - committees boards and advisory groups (Question No 342)	4162
RSL retirement village (Question No 382)	4171
Housing Trust - fraud (Question No 406)	4173
Health portfolio - Communique Solutions contract (Question No 408)	4176
Health portfolio - Kizclip Pty Ltd contract (Question No 412)	4178
Health portfolio - Premier Services contract (Question No 413)	4180
Housing Trust properties - damage by tenants (Question No 420)	4182
Aborigines and Torres Strait Islanders (Question No 423)	4184
Legal Aid Office - inoperative staff (Question No 432)	4185
Criminal injuries compensation (Question No 439)	4186
Medium density dwellings (Question No 442)	4187
Housing Trust properties - average life (Question No 446)	4188
Housing Trust - 7000 series houses (Question No 447)	4189
Housing Trust properties - redevelopment (Question No 448)	4191
Housing Trust - aged persons units (Question No 451)	4192
Woden Valley Hospital - private patients (Question No 454)	4193
Woden Valley Hospital - private patients (Question No 455)	4194
Legislative Assembly members superannuation scheme (Question No 457)	4195
Sentence remissions (Question No 459)	4196
Housing Trust - loans for bond repayments (Question No 460)	4197
Housing Trust - rental assistance (Question No 461)	4198
Housing Trust - priority waiting list (Question No 462)	4199
Housing Trust - computer system (Question No 463)	4200
Housing Trust - rent relief (Question No 465)	4202
Housing Trust - validation and compliance procedures (Question No 466)	4203
Housing Trust - rent arrears (Question No 467)	4204
Housing Trust - rent arrears (Question No 468)	4206
Housing Trust - waiting lists (Question No 469)	4207
Housing Trust - vacant properties (Question No 470)	4208
Housing Trust - income and maintenance costs (Question No 474)	4209
Library Service - complaints (Question No 475)	4210
Library Service - books banned or restricted (Question No 476)	4211
Library Service - "American Psycho" (Question No 477)	4212
Asbestos removal program (Question No 480)	4213
Pink-tailed legless lizards (Question No 489)	4215
National Exhibition Centre - ACTION information caravan (Question No 490) .	4216
National Exhibition Centre - maintenance and minor works (Question No 491) .	4217
National Exhibition Centre Trust (Question No 492)	4218
National Exhibition Centre - water usage (Question No 493)	4219
Canberra Contemporary Art Space - Gallery 3 (Question No 501)	4220
Land tax -exemptions (Question No 502)	4222

Appendix 1: Fightback	4223
-----------------------------	------

Thursday, 17 December 1992

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

DRUGS OF DEPENDENCE (AMENDMENT) BILL (NO. 4) 1992

MR BERRY (Minister for Health, Minister for Industrial Relations and Minister for Sport) (10.30):
Madam Speaker, I present the Drugs of Dependence (Amendment) Bill (No. 4) 1992.

Title read by Clerk.

MR BERRY: I move:

That this Bill be agreed to in principle.

Madam Speaker, under the Drugs of Dependence Act 1989 a drug of dependence or a substance prohibited under the Act and seized by the Australian Federal Police is delivered to an analyst at the Government Analytical Laboratory of the Department of Health. The substance is then identified, certified for evidential purposes and retained by the Government Analyst pending an order for destruction or until all subsequent court action has been completed. Under the Act the Government Analyst has the responsibility for the storage and security of such substances.

Section 194 of the Act provides for the destruction of excess quantities of a seized substance in relation to which proceedings have been instituted. The intention is to avoid the prolonged storage of a bulk amount of the substance until the completion of those legal proceedings. The Director of Public Prosecutions considers that certain provisions of section 194 of the Act are unworkable, and because of this he has not made any applications to the court for a court order for the pre-trial destruction of any drugs or substances. This has led, Madam Speaker, to storage problems with the accumulation of seized cannabis.

There is also concern that the Act does not cater for special situations when a large plantation of cannabis is seized. Regardless of the size of the seizure, the police are required to harvest and deliver the entire crop to the Government Analyst for identification, certification and storage. This Bill amends the Act to permit preliminary on-site destruction. The amendments to the Act are based on the relevant provisions of the New South Wales Drug Misuse and Trafficking Act 1985.

This Bill amends the Drugs of Dependence Act so that, where no charges have been laid and where a quantity of cannabis is greater than the trafficable amount, the Government Analyst may, if he or she is of the opinion that the cannabis could not reasonably be securely stored pending an order of a magistrate for its destruction, order the destruction of an amount in excess of the trafficable quantity. This will be done only after ensuring that an analyst's certificate has

17 December 1992

been prepared under section 192 of the Act, that an amount in excess of a trafficable quantity has been retained and that the Chief Police Officer of the Australian Federal Police has notified the Government Analyst that all secondary evidence gathering procedures have been completed.

In the majority of cases and where the Government Analyst has not made an order for the destruction of seized cannabis, the Director of Public Prosecutions shall, on the first occasion that the charge is mentioned before a magistrate, make an application to the magistrate for the retention of a specified amount of cannabis. The magistrate will then make a determination whether to retain or destroy the quantity in excess of the specified amount, which would be no less than the trafficable quantity. The order for destruction of a specified amount of cannabis will be issued to the Government Analyst.

This Bill amends the Drugs of Dependence Act to provide a more workable procedure for the destruction of excess quantities of cannabis seized under the Act. Madam Speaker, I commend the Bill to the Assembly and present the explanatory memorandum for the Bill.

Debate (on motion by **Mrs Carnell**) adjourned.

POISONS AND DRUGS (AMENDMENT) BILL 1992

MR BERRY (Minister for Health, Minister for Industrial Relations and Minister for Sport) (10.35): Madam Speaker, I present the Poisons and Drugs (Amendment) Bill 1992.

Title read by Clerk.

MR BERRY: I move:

That this Bill be agreed to in principle.

Madam Speaker, this Bill amends the Poisons and Drugs Act 1978. It is the first of a package of three Bills which also includes the Poisons (Amendment) Bill 1992 and the Drugs of Dependence (Amendment) Bill (No. 5) 1992.

This package of Bills fulfils the Territory's commitment to the uniform scheduling of drugs and poisons throughout Australia given at the Australian Health Ministers Conference in June 1990. This is achieved by the Poisons and Drugs (Amendment) Bill 1992 adopting by reference schedules 1 to 8 of the standard for the uniform scheduling of drugs and poisons as recommended by the National Health and Medical Research Council. This will obviate the need to amend the Poisons and Drugs Act 1978 at frequent intervals as the standard is revised and updated twice a year by council. This approach to uniformity of drugs and poisons scheduling was adopted in New South Wales in August 1991.

The Bill also introduces controls over the most dangerous poisons, which are listed in schedule 7. Some of these controls were previously in the Poisons Act 1933, but it was considered more appropriate for them to be in the Poisons and Drugs Act 1978. At the same time the controls have been updated and enhanced.

Madam Speaker, this Bill requires manufacturers and sellers of schedule 7 poisons to be licensed and researchers using schedule 7 poisons to be authorised and provides for licence and authorisation fees to be set. There is provision for appeal to the Administrative Appeals Tribunal in relation to licences and authorisations. The Bill also provides for essential additional controls over the most dangerous schedule 7 poisons to be introduced by regulation. Such additional controls are in accordance with a National Health and Medical Research Council recommendation. For example, the poisons arsenic and strychnine will be available to authorised or licensed people only for research or industrial and manufacturing purposes.

The other Bills in the package are the Poisons (Amendment) Bill 1992, which contains amendments to the Poisons Act 1933 consequential upon the Poisons and Drugs (Amendment) Bill 1992, and the Drugs of Dependence (Amendment) Bill (No. 5) 1992, which contains amendments consequential upon the Poisons and Drugs (Amendment) Bill. I present the explanatory memorandum for the Poisons and Drugs (Amendment) Bill 1992.

Debate (on motion by **Mrs Carnell**) adjourned.

POISONS (AMENDMENT) BILL 1992

MR BERRY (Minister for Health, Minister for Industrial Relations and Minister for Sport) (10.39): I present the Poisons (Amendment) Bill 1992.

Title read by Clerk.

MR BERRY: Madam Speaker, I move:

That this Bill be agreed to in principle.

The Poisons (Amendment) Bill 1992 is the second in a package of three Bills which includes the Poisons and Drugs (Amendment) Bill 1992 and the Drugs of Dependence (Amendment) Bill (No. 5) 1992. It contains amendments to the Poisons Act 1933 consequential upon the Poisons and Drugs (Amendment) Bill 1992. For instance, licensing of vendors of schedule 7 poisons will be incorporated into the Poisons and Drugs Act 1978 by the Poisons and Drugs (Amendment) Bill 1992 and, therefore, the Poisons (Amendment) Bill contains consequential amendments to omit licensing of vendors of such poisons from the Poisons Act.

The Poisons Act retains licensing provisions for vendors of domestic chemicals and the less dangerous industrial and agricultural poisons. The Bill also removes sexist language from the Poisons Act in line with government policy. I present the explanatory memorandum for the Poisons (Amendment) Bill 1992.

Debate (on motion by **Mrs Carnell**) adjourned.

17 December 1992

DRUGS OF DEPENDENCE (AMENDMENT) BILL (NO. 5) 1992

MR BERRY (Minister for Health, Minister for Industrial Relations and Minister for Sport) (10.41): I present the Drugs of Dependence (Amendment) Bill (No. 5) 1992.

Title read by Clerk.

MR BERRY: I move:

That this Bill be agreed to in principle.

Madam Speaker, this Bill is the third in the package of three amending Bills. It amends the Drugs of Dependence Act 1989, which controls the manufacture and sale of drugs of dependence. Drugs of dependence, prohibited substances, and drugs of dependence the manufacture of which is controlled by provisions in the Act are listed in schedules 1, 2 and 3 respectively.

Schedule 1, in which are listed drugs of dependence for human therapeutic use, relates to schedule 8 of the National Health and Medical Research Council's standard for the uniform scheduling of drugs and poisons. Schedule 2 to the Act lists prohibited drugs of dependence for which there is no human therapeutic use. Schedule 3 to the Act lists those drugs of dependence the manufacture of which is controlled by provisions in the Act. These substances are also listed in schedule 1, but not all schedule 1 drugs are in schedule 3 because the manufacture of many of them is regulated by the Narcotic Drugs Act 1967.

The purpose of the Bill is to transfer these schedules from the Act to the Drugs of Dependence Regulations. This will facilitate the adoption of the recommendations of the National Health and Medical Research Council in regard to drugs of dependence listed in schedule 8 of the standard. The opportunity has also been taken to facilitate prosecutions in regard to offences against the Act by the introduction of evidentiary certificates. I present the explanatory memorandum for the Drugs of Dependence (Amendment) Bill (No. 5) 1992.

Debate (on motion by **Mrs Carnell**) adjourned.

WORKERS' COMPENSATION (AMENDMENT) BILL 1992

MR BERRY (Minister for Health, Minister for Industrial Relations and Minister for Sport) (10.43): I present the Workers' Compensation (Amendment) Bill 1992.

Title read by Clerk.

MR BERRY: I move:

That this Bill be agreed to in principle.

Madam Speaker, the Workers' Compensation Act provides for compensation of workers who suffer personal injuries arising out of, or in the course of, their employment. Coverage for compensation also includes claims where a worker contracts a disease or is disabled in any way by the environment of a job.

The type of disability specifically covered by this is loss of hearing. The current Act deems that where a worker suffers a loss of hearing or further loss of hearing in the course of employment the loss of hearing is a personal injury arising out of that employment.

The Act provides further that all former employers whose jobs contributed to the injury are liable for a proportion of the compensation that is payable. A contribution is settled by the parties concerned or is settled by arbitration. However, this process can be very time consuming, can involve considerable legal costs and usually delays payment to the disabled worker until contributions from relevant employers are agreed. Madam Speaker, it is unacceptable that delays should occur in the payment to an injured worker of compensation which is clearly established as a right under the Workers' Compensation Act. This Bill will correct the situation and reduce legal costs.

Liability to pay compensation for a loss of hearing or further loss of hearing will be the responsibility of the employer who last employed the injured worker in work of a kind which contributed to the disability. The loss of hearing is deemed to be an injury arising out of that employment. In addition, the Bill limits the period within which an employer can claim a contribution towards the compensation payout by other employers to a period commencing five years prior to the injury being reported.

Madam Speaker, the proposed amendment was unanimously recommended to the Government by the Workers Compensation Monitoring Committee, which comprises representatives of unions, the insurance industry and employer groups. Support for the Bill was also received from the Industrial Relations Advisory Council. Overall, this amendment is considered to be more satisfactory in terms of ensuring that both workers' rights are maintained and costs in handling claims are minimised.

A second amendment included in the Bill is to correct a drafting error which was made in the Workers' Compensation (Amendment) Act 1991. A formula included in schedule 1 to the Workers' Compensation Act was incorrectly referenced. The unintended change to the formula caused compensation entitlements to be calculated at a lower level than they would otherwise have been. The effect of this Bill will restore the formula to its previous form and enable those workers who had been adversely affected to recover the amount lost. I commend the Bill to the Assembly and present the explanatory memorandum for the Bill.

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

17 December 1992

**LAND (PLANNING AND ENVIRONMENT) ACT - VARIATION TO
THE TERRITORY PLAN
Motion for Disallowance**

MS SZUTY (10.47): I move:

That the proposed variation to the Territory Plan presented on 8 December 1992 relating to West Belconnen be disallowed.

Madam Speaker, I move disallowance to give the members of this chamber a final chance to listen to the views of people most affected by the proposed West Belconnen development. I know that planning for this development has been in train for several years, and I know that the area proposed to be developed has been reduced. However, these two facts do not in themselves mean that the development has to proceed, particularly in the form proposed. If we accept a proposal once an area has been targeted for a particular development, then we may as well give up examining the proposals asking for the best possible development and the most appropriate development.

The National Capital Planning Authority has been insistent that its plans for Acton Peninsula are just part of the brainstorming process for future development, but does this mean that by leaving the ideas generated in the public arena for the next few years development of West Basin should be seen as a *fait accompli*? It seems that defending a development, particularly one that has generated as much concern as West Belconnen, on the basis that it has been around for years means that we get development by erosion of opposition, not development that is appropriate and well planned.

Madam Speaker, the final environmental impact statement reads more like an assessment of how to enable development and not as an assessment on the environmental and heritage aspects of certain land in the ACT. In fact, the draft environmental impact statement actually held more data on these issues affecting the area proposed for development. However, while great slabs of data were reproduced from the draft report for the final report, it was not considered necessary in the final environmental impact statement to restate the data in light of the changed proposal following the deletion of sections A1, A2 and D. Madam Speaker, this has devalued the impact of development on the area's natural and historical features.

I wish now to turn to look at the issue of costs. Section 6.1 of the final environmental impact statement, which by the way is numbered both 5.1 and 6.1, deals with development costs, and at section 6.2 we discover a figure of a potential income of \$17m. Infrastructure works were expected to fall in the range of \$4m to \$6m, but what has been included in that amount? The capital works program for 1992-93 has already approved an amount of \$4.4m for West Belconnen infrastructure works - a figure that must have been available to the Department of the Environment, Land and Planning while this final environmental impact statement was being prepared.

And what of the extra costs that need to be included to make this a viable proposition? The removal of around 18,000 square metres of old sewage sludge from the former Belconnen sewage treatment works will not be inexpensive. The fitting of charcoal scrubbers to the air vents will also be an additional cost for this development, as will the monitoring of air quality, as recommended at page 65 of the final EIS.

Other impacts need to be monitored, according to the environmental impact statement - for example, the Belconnen landfill site, Parkwood Eggs, the flora and fauna communities identified in the EIS as being at risk from the development and the introduction of domestic pets, dust and noise pollution from the actual construction phase, and increased sediments and nutrients in the water system.

These costs do not include the cost of actual mitigating actions taken to prevent undesirable effects from the development. Table 7.1 sets out some of these and includes the aforementioned sewage treatment works remedial work. Areas identified as being waterlogged are to be left out of the development or, alternatively, remedial engineering works will be needed. The table shows that badly waterlogged areas are to be excluded from the development, which may or may not leave some people with waterlogging problems in areas adjacent to their new homes.

Stormwater systems need engineering works to ensure an acceptable velocity through the system, although I concede that those types of costs are inherent with removal of stormwater. No mention has been made in the environmental impact statement of possible other methods of reducing stormwater run-off, such as swale construction or other methods of return for its use in landscaping. I have already mentioned that the watercourses of the area are to be monitored, but there is also the issue of the possible pollution of the Murrumbidgee to consider.

I recognise the evaluation report's correction of the data used in the final environmental impact statement. However, there is no room to ignore the data presented in the EIS, as Australia and particularly inland areas are subject to periodic drought, and we should not set out protection levels at minimums which assume reasonable rainfall levels. So, the recommended gross pollution traps and ponds must be aimed at preventing pollution of the river at all times. What is the cost of these works? Is this figure included in the presumed \$4m to \$6m infrastructure works?

Another major concern, both from a financial point of view and for future residents, is the potential fire hazard. The final environmental impact statement makes much of this problem, citing the removal of the rural land between the ACT and New South Wales as having mitigated the severity of grassfires in the past. The strategy outlined in the final environmental impact statement will need vigilance and money to implement it in an appropriate fashion. The point is that the hazard is expected to increase after the development of West Belconnen and, although the development period is over five years, mitigation works must necessarily be part of the development. We cannot wait until people have bought their houses to address the issues raised.

In addition to the proposals contained in the environmental impact statement, the evaluation report contains some additional requirements for mitigation works, most of which are in the form of additional design considerations; but some requirements, such as the safety of horse riders during construction, have financial implications for the projected development. Again I ask: What is the real cost of developing West Belconnen?

In a bid to propose mitigation of the impact of domestic pets, the consultants have put forward the view that the standard to be achieved is "responsible behaviour by humans in relation to pets and their own activities". The environmental impact statement also states, as a mitigation of the threat posed to fauna by domestic pets, that the exclusion of pets should be recommended, if necessary, for conservation reasons. Madam Speaker, it would have been useful to consult with the RSPCA on this issue. I am sure that their representatives would say that there is no way that such recommendations are able to be implemented. I would like to see responsible pet ownership, but sadly a lot of people feel that their pets have just as much right to the natural environment and its resources as the native fauna.

Madam Speaker, I wish to turn now to the area of most concern - the insistence that the population living in the proposed 3,000 dwellings to be constructed can make use of existing services in Belconnen without major disruption or overcrowding. The immediate issue that I feel needs rethinking is the proposed lack of primary school facilities. While the Government is insistent that local primary schools have the capacity to take up the expected increase in young children in the area following the development of West Belconnen, it fails to identify the numbers of young children that it expects to fill these schools, and over what timeframe.

Charnwood Primary School is identified at page 108 as bringing area C into its priority enrolment area, and at table 5.1 the environmental impact statement outlines the level of excess capacity at each school. However, on page 78 of the report, Charnwood is identified as having the highest proportion of nought- to four-year-olds in the area adjacent to the proposed development and a high proportion of five- to nine-year-olds. The Charnwood area itself will be therefore generating a consistent demand for primary school places over the next five to 10 years, and children from West Belconnen area C may find themselves being bussed to more remote schools.

Similarly, Macgregor has a fair proportion of children in these age groups. Holt, Higgins and Latham would appear to be the suburbs where children are reaching high school age, which indicates to me that there will be more children bussed more than three kilometres to school. The environmental impact statement and the evaluation report both make a great deal of the fact that students will need to travel only 2.1 kilometres to school, which is only just over the recommended distance. However, on the figures provided in the existing socioeconomic profile, I cannot see how this aim can be realistically achieved for even a majority of students.

With students at high school and college, this is not such a major concern. However, children up to the age of eight could be vulnerable traversing larger distances. The environmental impact statement uses as part of its premise on the development that there will be a high proportion of first home buyers living in West Belconnen; I refer to page 100. These people will probably want to start families, if they do not already have children. What the environmental impact statement fails to recognise is the predominance in Canberra of two-income families, which means that children often have to travel to school unaccompanied or are dropped off by parents who are on their way to work. The most desirable option for the younger school community is for parents to drop their children at school, but this may become difficult when school is several suburbs away.

The profile of proposed new residents also includes older couples whose children have grown, who may be attracted to the courtyard developments that will be included. However, the only facilities outlined for people in the older age groups are the Belconnen Senior Citizens Centre, the Belconnen Community Service and possibly an allusion to licensed clubs in the area. The Community Service is currently running at capacity without West Belconnen and, although the evaluation report accepts the need for a community development officer to be allocated to West Belconnen, one person is not going to be able to take up the workload generated by 3,000 dwellings.

With the Chief Minister, in her speech on Canberra in the year 2020 on Tuesday, emphasising the ageing of our current population, and the number of people over 50 in Belconnen increasing according to the demographic tables provided, there will be a need for the provision of further aged services in the area. I hope that any consideration of future developments along the lines proposed for West Belconnen will take more notice of the actual demographics and make realistic projections, not simply outline the best case scenario.

But just who does the EIS propose will live in West Belconnen? The equestrians have been removed; their future is up in the air. The libraries may need to be augmented with transportable buildings in the short term. Teenagers in Belconnen are faced with a lack of social and recreational opportunity. How much more so when West Belconnen is developed? Young women have also been identified by the EIS as being particularly disadvantaged by the proposed development because of the removal of the equestrian facilities.

The Housing Trust is reputedly going to sell off some of its properties in Charnwood because of the stigma attached to low cost housing, with the idea of purchasing land in West Belconnen for public housing. I suggest that that is just spreading the problem identified, as many of the people housed in Housing Trust accommodation in West Belconnen will be using the same facilities but will be at the disadvantage of living in a new development, with all of the problems inherent in establishing a household in a new area. And just who would be buying the houses sold by the Trust in Charnwood? The tenants? What proportion of Trust properties are vacant at any given time? With Charnwood having a high percentage of five- to 19-year-olds, 30- to 39-year-olds, single parents and low income households - and I refer here to pages 75, 78 and 79 - would tenants be relocated to ensure vacancies?

Madam Speaker, the only facilities in Belconnen which can accommodate extra influx from development are performance space, retail centres and indoor sporting complexes. The residents are expected to gain a sense of community from Neighbourhood Watch and meetings at the proposed community house; I refer to page 109. Balance against this the need for many of the proposed residents to work long hours to pay mortgages, to do housework and preparation after work and get to know their children, as well as travel for almost all educational, health and recreational facilities, and I think what would develop is a disenfranchised West Belconnen gripe group, not a fostering of community spirit through watching each other's houses and discussing crime in the district. As well, neighbourhood trails are supposed to fill in, in the short term, for the lack of public transport for the disabled; I refer to page 96. I am not sure just how that idea works, but I am sure that many groups will be interested to find out for future reference.

17 December 1992

Madam Speaker, it is suggested that people will move into West Belconnen for the semirural atmosphere. I quote page 104:

A value is also placed on the visual qualities of the area and the contribution these qualities make to the aesthetic and recreation benefits of living in the area. The trade-off that many West Belconnen residents have made, choosing the lifestyle benefits that derive from their proximity to rural land over equitable access to town centre facilities and Lake Ginninderra, is placed in jeopardy by the development proposal.

If these were the things given up by the residents of Macgregor, Charnwood and other suburbs with rural access, how much more inequitable is the access to the Belconnen Town Centre for residents who will now be asked to live even further out? And all this is predicated on the capacity of Belconnen facilities and infrastructure to absorb the residents from an additional 3,000 dwellings. Also, until the future of the equestrian facilities is finalised, new residents will not be gambling that they will end up somewhere near their homes. And what have people currently living in Macgregor and Charnwood to look forward to? Loss of views and access to equestrian facilities, increased traffic, increased numbers of children in their schools and possibly increased pollution.

Madam Speaker, I wish to turn now to consideration of the climatic factors and the recommendations of the environmental impact statement for the solar orientation of dwellings. The stated objective is that 90 per cent of dwellings have solar orientation. The proposed development will occur in what is a known frost hollow, with air current problems and real potential for pollution. The only applicable energy efficiency measure outlined can easily be overridden by other considerations.

In the variation tabled by the Minister last week, solar orientation is mentioned, but well after considerations such as "strong urban statements", "pleasant attractive streetscapes", "adopt land use arrangements and built form development controls which are cost effective and represent sound returns to the Territory on all land that is leased", "a network of streets that is cost effective in servicing land use and which achieve a high level of amenity". (*Extension of time granted*) The last criterion for local roads is "Encourage a street layout to allow optimum solar orientation of built form". "Encourage" - not exactly a firm statement of intent to maximise energy efficiency, and this from a government that prides itself about energy efficient housing in Gungahlin.

Madam Speaker, the development as proposed should not be supported at this time by members of this Assembly. The process has been flawed and, in my view, has failed to take note of the major cost implications of development in the areas designated B and C in West Belconnen. I would like members to note that I have not objected to many development proposals since my election to the ACT Legislative Assembly. I have emphasised fairness of process and have suggested that the planning process needs to be more community user friendly, open, accountable and in the best interests of all concerned.

Without a transparent and fair system, we continue to generate distrust in politicians in this Assembly and are open to accusations that we do not serve the community interest. While the Government and public service officers may intend to be open, honest and fair in the planning process, it is not the way many in the community see things. If the process were more open and consultative, the Government would have a better chance of promoting its ideas within the community and gaining support for development proposals, while satisfying the critics of the planning process, who after all are electors, taxpayers, ratepayers and contributors to the ACT. Madam Speaker, I commend this motion of disallowance to the Assembly.

MR KAINÉ (Leader of the Opposition) (11.04): I do not support this disallowance motion. Ms Szuty has just taken about 17 minutes to present to the Assembly information on which she bases her motion of disallowance, all of which was available to members of the Planning, Development and Infrastructure Committee before their decision was made. There was no new information in anything that Ms Szuty said that would cause me to change my mind. In other words, Ms Szuty was the one person out of five on the committee who did not agree with the recommendation and, on the basis of her standing aside from the unanimous view of the other four members of the committee, she now seeks to disallow this variation to the Territory Plan.

Madam Speaker, as I said, all of the matters that Ms Szuty brought forward were fully considered by the committee. All of the documentation was available to the committee. All of the evidence was presented. The committee had ample time to consider all of the factors for and against the variation and, as I said, four out of five members of the committee were satisfied that the proposal was an acceptable proposal and that all of the reasons that had been advanced to show why it should not proceed had been properly aired, properly considered and given due weight in the decision making process.

Ms Szuty is not suggesting that there was anything defective in the process. What she is saying is that she places different weight on some of the evidence than the other four members of the committee do. Unfortunately, the committee process is a democratic process whereby in the end, like anything else in politics, the decision is made by the majority of the members present. I accept that Ms Szuty is exercising her prerogative as a member to dissent from the majority decision. I perhaps would have been persuaded had she been able to demonstrate that there was some defect in the process, that some evidence had not been heard or that there was some validity to her proposition that some evidence was not given due weight. I reject all of those things.

There was perhaps some suggestion in her comments that she is better informed than the other members of the committee on this matter. I refute that. I have been involved in planning matters for this Territory for many years, and I have been a member of committees of this Assembly for a lot longer than Ms Szuty. I believe that my knowledge of the planning issues, and specifically those in relation to West Belconnen, is at least equal to hers. I do not accept that my opinion is of less value than hers in coming to the decision to support this proposal.

17 December 1992

If there is one aspect of the variation that I did take exception to, it is the fact that areas A and D were not included in the variation. The area originally defined was much larger than that which we have now agreed should proceed under this variation. In fact, two-thirds of the area that was originally considered has essentially been removed from consideration for the time being - and I hope that it is only for the time being. I think that, in the long-term interests of the community and in the interests of the availability of land, access to facilities and the like areas A and D will be reconsidered in the near future.

Ms Szuty's disallowance motion really rests on the fact that she believes that the existing residents of West Belconnen are somehow going to be disadvantaged, that they are going to have taken away something to which they have an irrevocable and immutable right, by this land being developed nearby. That is an expression of something that I find disconcerting about Canberrans - a selfishness that says, "What I have should not be made available to others. I have an immutable right to enjoy what exists today. Nobody else is entitled to have any access to that and, if that means that people have to go and live at Yass instead of living in West Belconnen, so be it". There is an innate self-interest in that that I find difficult to accept. To assert that others should not enjoy the same facilities that people currently living in West Belconnen enjoy is a premise that I find difficult to accept.

You see this attitude throughout the length and breadth of the Territory. I suspect that the Minister, with his declared intention to provide 50 per cent of residential needs over the next few years from urban consolidation, urban infill, urban redevelopment - whatever you like to call it - is going to meet considerable resistance. I very much doubt that he is going to be able to achieve it, because every time the Minister identifies a piece of ground that he wants to use to increase the density of the population while using the infrastructure that exists already, rather than creating new infrastructure further out, a group will ring up and say, "No, you cannot do it here. By all means go and do it some place else, but not here".

That is a sad reflection on our community. It is one of the divisive elements in our community - and there are not many. People are not prepared to share with anybody else the amenity that they enjoy. As I said, I find that difficult to cope with. What Ms Szuty is putting forward now as the basis for her disallowance motion is just that.

People living on the outskirts of town have some green space that is nice to look at, but it cannot be left to sit there unused. In the community interest it cannot be left that way. The population continues to expand. We are told that the Government, whether Ms Follett's Government or mine or somebody else's, over the next 10 to 15 years will have to produce of the order of 3,000 new residential locations a year. I submit that that is the minimum. The number is going to increase over that period of time and, at the end of the time, we are probably going to be looking to produce 4,000 a year.

Where are we going to produce them? If we cannot use the land and resources that are available to us, are we going to build out further until we get to Yass, further until we get to Goulburn, further until we get to Cooma or Bungendore? There have to be some limitations on how far we are prepared to go in creating new infrastructure and opening up greenfield developments. To that extent,

I agree entirely with the Minister's proposition that we have to increase the density of the population in the areas that have already been developed. If we have to go through this fight every time we want to achieve that objective of increasing the population density and making the existing infrastructure and facilities available to others, it is going to be very difficult, and I do not envy the Minister who has to contend with it from time to time.

As a member of the Planning Committee, as a member of this Assembly, as a member of this community, I believe that the proposal to build further residential properties on the outskirts of West Belconnen is a longstanding matter. It has been well aired; it has been well debated. The matters are clearly understood. The committee has given the variation adequate, proper, comprehensive consideration. I reject any proposition that we have not. I see no reason to further delay what in fact should have begun already. I think we are already running too late in providing additional residential accommodation in West Belconnen, and I cannot in conscience support a proposition that will further delay that; so I will not support Ms Szuty's disallowance motion.

MR MOORE (11.12): In rising to speak to this motion, Madam Speaker, I would like to start by commenting on a number of the sensible things that Trevor Kaine had to say about the committee process. One person voting against a committee decision does not in any way invalidate that committee decision. That is correct and, of course, it is Ms Szuty's prerogative in this case to dissent from the outcome of that committee process. It is not only her right but also her responsibility. In this situation, where she still has an opportunity to change something that she considers inappropriate, it is her responsibility to draw the matter to the attention of this Assembly, whose members could of course overrule the committee if it so chose. The tone of the debate today suggests that that is unlikely to happen. Nevertheless, it is important that Ms Szuty raise in the Assembly the issues that arise from the development of West Belconnen. She has done that particularly well.

Of particular interest are the environmental concerns. The Minister recognised these environmental concerns himself when he suggested that the development area ought not to have wood-burning fires. Although natural gas heaters will have far less impact than wood-burning fires, what temperature inversion effect will they create? Do we know? That certainly has to be raised when we consider how to deal with the temperature inversion that is likely to occur with increasing motor car emissions. It is part of the same issue. Madam Speaker, I recognise that in a city we cannot go for a 100 per cent perfect environment such as you would find in the middle of the mountains. It would be inappropriate for us to try to do that, and compromises must be made.

There is one point that I would like to take up. Mr Kaine implied - and it has been said before in this Assembly, I think, if I recall correctly, by Mr Lamont - that it is Ms Szuty's intention to object to everything and - - -

Mr Kaine: I did not say that, nor did I imply it.

Mr Lamont: And neither did I.

17 December 1992

MR MOORE: No, not today. I said that it has been said before. I said that I think it was said by Mr Lamont. He indicates that he did not, so I withdraw any names, Madam Speaker; but certainly in a previous debate it was raised. I would like to draw members' attention to a very recent report of the Standing Committee on Conservation, Heritage and Environment. I was part of a unanimous report saying that a development ought to go ahead in an area, and in this morning's paper I wear some flak for that decision.

That draws me to Mr Kaine's point about selfishness every time an area comes up for consideration. No doubt, there will be objections to development, but we ought to understand those objections. People are interested in their amenity and their children's amenity. They are entitled to that interest. In fact, Mr Kaine, people have gone to war to protect their amenity, to protect what they think is right - democracy, their right to freedom. This matter does not go to that extent, but most historians would say that the vast majority of wars have occurred over people trying to protect ownership of land. I am not attempting to say that the same thing would apply in this case. I see Mr Connolly attempting to misinterpret me. I am saying that we can understand people's motivation and we can understand what it is that motivates people to feel very strongly about their amenity. I believe that the reason - and Mr Kaine, in his previous statements, may well agree with me - people are most upset with these things is that they have no idea how they fit into an overall strategy for the development of Canberra.

Thanks to a very good report tabled by the Chief Minister earlier this week - and a good start it is - we are starting to move towards getting an overall picture so that people can see how development fits into the overall picture of Canberra and its development in the future. But they do not understand that at the moment, and not understanding the whole picture makes it very difficult for them to understand why it is that their particular amenity is being tackled at the moment. That is important in understanding why it is that people feel that they are not being dealt with fairly.

I seem to recall that back in 1985 a trailer park proposed in Duffy was opposed by Mr Kaine on the ground that it would destroy the residential amenity of the area where he lived at the time. Some people at times are motivated - and Mr Kaine is not exempt from this - by what they consider is part and parcel of their amenity. It is one thing to stand up now and say that people are terribly selfish when they oppose a development that will affect their amenity, but that statement can be applied equally to Mr Kaine under the circumstances I have mentioned. It would be appropriate for him to recognise that that is the case. People are interested in their own amenity and are entitled to present their opinion.

There will be times - and this appears to be one of them - when this Assembly as a whole rightfully makes a decision, in the broad community interest, to override the interest of the small groups; but those groups still have the right to have their opinion presented. Some percentage of this Assembly will recognise that right at different times. At different times different people will recognise the different style of amenity. Although this Assembly was not in existence in 1985, that 1985 example fits into the same broad category. It is for that reason that Ms Szuty, who is much more concerned about the area around West Belconnen and much more familiar with the feelings of the people around West Belconnen than most of us, has moved this motion today and argued so effectively for the disallowance of this particular development.

MR WOOD (Minister for Education and Training, Minister for the Arts and Minister for the Environment, Land and Planning) (11.20): Madam Speaker, I thank the three members who have spoken for their contributions. I think they acknowledge the position. I agree that Ms Szuty has the right - indeed, I would say that she has the responsibility - to speak out for people in her region. I pick up the point that Mr Moore made just a moment ago - that we are elected representatives of the community and where we consider it appropriate it is our responsibility to raise issues on their behalf. On those grounds I welcome the contribution made here today by Ms Szuty.

It is also important to note that ultimately it is this Assembly that makes the decision. Mr Kaine quite correctly used the words that I would use - "community interest". Mr Moore did the same. Ultimately, sitting around our tables in this chamber, we have to decide what is best for the whole community, bearing in mind always the interests of particular groups and particular people, even one person. We must not override anybody in doing that. Mr Moore used the term "override". I would not use the expression "override small group interest". I think there are better ways of expressing that. We cannot accept everything that comes up. Community consultation does not mean that we have to say yes to every point of view expressed by those we talk to. Indeed, you simply could not, because you would have no coherent plan.

The speech of Ms Szuty was really an endorsement of the process. She raised the issues that were elaborated in the EIS and my evaluation of that. She queried certain aspects, but I do not believe that she revealed any particular holes. Wherever you go, whatever you do, you are going to change something and there will be an impact. One of our purposes is to reduce that impact to the barest minimum.

I will go through some of the points Ms Szuty raised. I think each point was basically a confirmation of the process. Nothing particularly new has emerged in this debate, and I do not think it could, after such an exhaustive survey over two years. The issues raised today have been raised before. For example, the waterlogging of lower lying ground was raised. Such areas will not be built on. That is what we say, and that is it. Ms Szuty acknowledged that my evaluation report, where necessary, corrected data that had been provided earlier. She referred to the fire hazard. We are proceeding on that front. I suppose that every time you move something the boundary, in this case the fire hazard, moves with it. The Planning Authority has already discussed this matter with the rural fire services. There will be adequate access and there will be firebreaks. The facility to check on potential fires has been provided for. So, that matter is covered.

The matter of mitigation works was well covered in my evaluation. It was raised again by Ms Szuty. Measures have been put into place to ensure that every possible avenue is covered. The question of primary schools was one of Ms Szuty's main points. I have two legs into this, I suppose, as Planning Minister and as Education Minister. There are three schools in that area - Charnwood, Fraser and Macgregor. We have looked at the existing populations and the age structure in those areas. On all the data we present, as this area develops we can

17 December 1992

fit into those schools those students who choose to go there, and I hope that it is the majority of them. In any case, as is the plan these days with any school where there is an overflow, we can put in demountables. That is an appropriate way of proceeding. So, those schools will benefit from new students and they will be well able to accommodate them.

I make one little criticism of Ms Szuty, because she went on to say that teenagers face a lack of social and recreational opportunity in Belconnen. I know that teenagers everywhere will say, "There's nothin' to do". But on this occasion I would rather that Ms Szuty had identified something. She criticised a report, presumably because it is inadequate; but I did not hear any evidence to back her assertion. I know that my colleague David Lamont is pursuing the question of cinemas in Belconnen. Of course, I am more interested in the facilities that governments have to provide.

Facilities that this Government and successive governments in the ACT over a long period have provided in excess of those provided to any other community anywhere in Australia are equestrian facilities. Of the 250 submissions made during this process, about half concerned horses. I think the greatest ado was about horses. It is like that boundary I was talking about before. We simply cannot say that because there are equestrian facilities in an area we cannot extend residential development into that area. If that had been the case, Canberra would be confined within about a three-mile radius of this building. We recognise and applaud the recreational value of horses. We give them every support. But I think ultimately we have to decide that people have a priority over horses.

We have long been looking for alternative places where horses can be agisted and people can have their recreation with horses. This has been a process over 50 years. Every time there has been some expansion of the urban area we have had to undergo this process of finding more space for horses. I suppose that as we reach the boundary of the Capital Territory it becomes a little more difficult. Horses, hard hoofed and fairly large and moveable as they are, have an impact on the ground. All of us who are concerned with environmental matters want to be sure that the horses do not damage areas that we would rather see preserved and protected. We look after the equestrian facilities in the ACT. That is why those concerned with horses can say that we have the best facilities. That has not happened accidentally. It has been a process of government decision making.

MADAM SPEAKER: Order! The debate is interrupted in accordance with standing order 77.

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

That so much of the standing and temporary orders be suspended as would prevent the debate being completed and the question being put on Assembly business notice No. 1 relating to a disallowance motion.

MR WOOD: Because of what governments have done - the Federal administration over the years and self-government since 1989 - and what the people themselves have done, we have outstanding equestrian facilities, and that will continue; but the equestrian people must realise that the horses cannot form a barrier beyond which nothing can move.

Ms Szuty also raised - again I take this as a confirmation of our process - the question of smoke haze, our response to the valley and the temperature inversion that may well occur there. We have acted. Would you not say that it is fairly dramatic action for a Minister to stand up and say, with a little bit of reserve, "We are not going to allow solid-fuel heating"? That is pretty strong action to undertake. It is a measure of how strong we are in our determination here. (*Extension of time granted*)

Ms Szuty concluded, and this hurt, by saying that if we had had a more open and consultative approach people would not be complaining. I will listen to any comments that anybody wants to make about how we may improve our processes, because we are interested in refining them. We are committed to consultation. If people can tell me how we can do it better, I will listen, and I will do it if I can see merit in it. That is an issue that hurts me with this, because I think there is no question that this has been a most open procedure. It has been there for two years and there have been six distinct points for public discussion.

Because of the time, I will not go into the detail of it all; but it began in mid-1990 when the Parliamentary Joint Committee on the ACT held public hearings on the National Capital Plan. That included debate on this, and that is where this was first raised. I guess that you know the other steps. In addition to that, we had an election and that has not always been the case. If there was anything that people did not know about, if there was any failure on our part to inform the community - and there had not been - you can be sure that at the time of the election everything was there for debate. It was all up there for grabs, if you like.

Mr Kaine: Except the "pink bits", Bill.

MR WOOD: That is precisely the point, Mr Kaine. The draft plan was perhaps the major issue of the election. Was there something more significant? There were a number of issues, but it was a major issue. So, in the whole process of consultation the issue of West Belconnen was right there at the top of the list. I know the letters I wrote, and the letterboxing that was done and the doorknocking that was done, and there were not too many people out there who did not know about it. I do not know how the process could have been more open. Then we had that further process of referral to the standing committee. This has been exhaustively debated. I have commented, I believe, that the approach taken by Ms Szuty has actually been an endorsement of our process because of the particular issues that she raised, but I will make a bit of a complaint about this claim that it was not open or was not consultative enough.

I think I will leave it there, Madam Speaker. I have commented on what Mr Moore and Mr Kaine said and this is a good point to close on. They said that ultimately the Assembly has to decide. It is for us to decide, and we must bear in mind the broad community interest while always having clearly in our minds the interests of every citizen in the ACT.

MS SZUTY (11.34), in reply: I take it that there are no further speakers on this disallowance motion. I would like to comment briefly on the issues that have been raised by other speakers in this debate. Firstly, Mr Kaine mentioned that committee members had time to consider the West Belconnen variation. I would take some issue with that. I think we could have had a bit more time, but I do not see that as the major issue. The major issue was that the community had not had time to look at the final environmental impact statement and the

17 December 1992

Planning Authority's response to the community submissions that many people had gone to the trouble of putting before the Planning Authority for consideration. I would also like to take issue with his description of the self-interest of Canberrans. If Mr Kaine felt that I was arguing from the point of view of the self-interest of Canberrans, he was quite wrong. I believe that it is more a question of equality of access by both people who live in existing areas and people who will be moving to new areas. I do not believe that any particular community in the ACT should be disadvantaged by the lack of provision of facilities.

Mr Moore was quite correct in saying that I have a responsibility to pursue a motion of disallowance where I have the opportunity to do so, and I have taken that opportunity following the tabling of my dissenting report in the Assembly last week. He also mentioned the strategic plan.

Mr Cornwell: There goes the neighbourhood.

MADAM SPEAKER: Order, members, please! It is Christmas cheer, Ms Szuty.

MS SZUTY: I realise. Mr Moore also mentioned the very important matter of the strategic plan. It is a question, I think, on which the residents who live in Belconnen at the moment would take particular issue. West Belconnen has been proposed without that strategic planning framework of the ACT being put in place.

Mr Wood, in his remarks, mentioned that it was my responsibility to raise the concerns expressed by my community, and I have done that. He went through a range of matters that I commented about, including environmental concerns, fire hazards, the provision of school facilities, the lack of social and recreational opportunities for young people, equestrian facilities and the Government's response to the environmental concerns that it recognised arose from the final environmental impact statement. He also said, at the end of his remarks, that he would be happy to hear where the consultation process could be improved. Madam Speaker, it is unfortunate that, in this particular instance, the consultation process could have been effectively improved, quite significantly improved, by giving the community the opportunity to comment on those two papers that I mentioned earlier - the final environmental impact statement, and indeed the Government's response to that via its evaluation report, and the Planning Authority's response to community submissions. I understand that consideration of West Belconnen has occurred over a long period. However, I think it is unfortunate that, towards the final stage of the process, community views have not been heard on those final matters.

Madam Speaker, I recognise, from members' views, that the disallowance motion today will not succeed. However, I intend to put the Government and the Planning Authority on notice that I will be taking a very keen interest in the development of West Belconnen and doing all I can for the future residents of that area.

Question put:

That the motion (**Ms Szuty's**) be agreed to.

The Assembly voted -

AYES, 3

Mr Moore
Mr Stevenson
Ms Szuty

NOES, 14

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

Question so resolved in the negative.

SOCIAL POLICY - STANDING COMMITTEE
Report on Aged Accommodation and Support Services

MS ELLIS (11.41): Madam Speaker, I present the Standing Committee on Social Policy Report No. 2 entitled "Aged Accommodation and Support Services in the ACT", together with extracts of the minutes of proceedings. I move:

That the report be noted.

Madam Speaker, it is with some pride that I present the report of the Standing Committee on Social Policy's inquiry into aged accommodation and support services in the ACT. At the beginning of our inquiry, Madam Speaker, I believe, we may not have fully understood the number of fundamental human issues that are involved with aged accommodation. I believe, however, that these issues have been fully examined through the process of the inquiry.

The inquiry was particularly useful, Madam Speaker, for many reasons. Firstly, it raised awareness within the Canberra community of the needs of the aged in our society. Canberra has always been regarded as a young city; but, in fact, we have a continually growing aged population in our community. Canberra, like any other city or town in the country, can sometimes display a certain bias against our older citizens, quite unwittingly. I believe that any inquiry of this nature, which incidentally works towards combating this bias and raising the profile of our older citizens, is a very good thing. This inquiry, Madam Speaker, was never intended to be an examination of purely bricks and mortar, or indeed an exercise in counting hospital, nursing home or hostel beds. It was aimed at far more than that, as is evidenced in our 26 recommendations.

17 December 1992

It is widely acknowledged, though not always accepted, that how and where an older person lives, in terms of security, safety, services and support, has a massive impact on their general health and attitude to life. An older person living in a secure, familiar environment can have a far more positive attitude than a person facing insecurity, threat or unfriendly surroundings. The type of accommodation provided for or offered to the elderly can make an enormous difference to their quality of life and health. Also, as the definition of the elderly actually spans 30 years or more, we are dealing with a tremendously diverse range of needs, expectations and abilities in terms of care and lifestyle.

The House of Representatives Standing Committee on Long Term Strategies recently released a report which said:

Because chronological age is not a reliable guide to functional capacity, the concept of biological age should be considered. This refers to what a person can do, not the number of years to which he or she can lay claim. In the sociological literature the aged are now commonly, if elegantly, divided into three groups. (1) the young old, ranging from 65-74 years; (2) the middle old, ranging from 75-80 years and (3) the old old, over 80 years.

Our committee decided that it was important to include the ages between 55 and 65 in our inquiry as this is a common retirement age range in Australia.

Madam Speaker, at this point I would like to emphasise the recommendations in the report concerning preventative health care. Given good, efficient support services and early intervention as people progressively age, and given appropriate programs run to promote good health, we can actively maintain and improve the health and well-being of the elderly and restrict the need for high cost intensive care accommodation in their later years. The committee has noted that, while the frail aged need the most support and care services, the younger and more active aged also need to be encouraged and supported as well. This should be in the form of enhancing their well-being so that they can enjoy an active quality life with minimal support for as long as possible. This will go towards ensuring that they do not necessarily become emotionally or physically dependent on so-called institutional care.

Madam Speaker, there is a widely held view that the aged will become an intolerable burden to Australian society in the coming years as Australia's aged population becomes proportionally larger. This is not necessarily so, and I refer members to chapter 10 in the report where we deal at more length with this ageing burden myth. There is little doubt, however, Madam Speaker, that these perceived costs will markedly decrease if the active and healthy elderly members of our society are supported and encouraged. The committee has therefore recommended that the Government give high priority to preventative health measures and active ageing policies. We have also examined the area of home and community care services - HACC services - and have made recommendations in an attempt to improve and rationalise spending in this important area of support service.

One of the major problems in aged accommodation that was constantly referred to the members of the committee was the gap in the provision of private market accommodation for the asset rich but cash poor home owner. Madam Speaker, the plight of the modest home owner who wishes to trade in the family home for

more appropriate purpose designed and built aged accommodation was brought to our attention time and time again. Their family home may become too large to maintain; a big garden, once a joy, can become a burden, and they need smaller, more appropriate surroundings. There are many elderly in our community who cannot afford to sell their homes and then buy that purpose built accommodation.

Madam Speaker, as the committee was informed by the ACT Council on the Ageing, the average home sells for between \$80,000 and \$150,000. Townhouses and, more particularly, retirement villages have purchase prices well above those amounts. People who are financially in this position do not qualify for government assisted housing, and nor should they; but, Madam Speaker, they are entitled to spend their elderly years enjoying the comforts of accommodation suited to their needs and abilities, and the committee concluded that they should have this option. I must make the point here that I do not wish in any way to infer that the purpose designed and built private aged accommodation currently on the private market is not meeting a need. It certainly is. The group that are catered for, however, are fortunate enough to afford the services and accommodation generally provided.

I cannot stress enough the yawning gap that exists in this area. The committee received, from across the board, expressions of concern and submissions relating specifically to the asset rich, cash poor elderly in the community, as we have chosen to refer to them, who simply must have their options catered for. To this end the committee has recommended that the Government investigate the merits and viability of joint venturing arrangements between community organisations and private enterprise with a view to providing affordable unit-type aged accommodation. Madam Speaker, another hurdle that does exist for the elderly home owner is the current law not allowing separate title. I, along with the committee, look forward to the passage of appropriate legislation which will assist in this area.

One of the most well-known but least understood conditions amongst the aged is dementia. Before this inquiry I was not aware of the degree to which dementia does exist in the community. Of course, I knew that it existed, but it is now evident just how many people in our community do suffer from dementia. Of these, many are cared for in the home by family carers. These family carers are carrying the majority of the burden of dementia caring. We found, through the course of the inquiry, that these carers have not been receiving adequate support, and I applaud the recent initiatives of the Commonwealth Government in addressing this issue. I encourage all governments to continue to recognise the role of carers in the community.

The committee has identified three major problems associated with the care of dementia sufferers in Canberra. First, there are insufficient residential facilities to care for people with dementia. Secondly, the Commonwealth funding formula is inadequate and inappropriate. Thirdly, respite and crisis care is inadequate. The only dementia specific facility in the ACT is Victoria Shakespeare Cottage, part of the Brindabella Gardens aged residential complex in Curtin. In early 1993 a second dementia specific facility currently under construction will be opened as part of the Mirinjani retirement complex at Weston. Shakespeare Cottage caters for 12 residents and Eabrai Lodge at Mirinjani will cater for 20. Even with the

17 December 1992

increase expected at Eabrai Lodge, until the financial arrangements for funding dementia units are drastically changed I doubt that we will see additional places become available. In the meantime many people who suffer from dementia are inappropriately housed in hostel and nursing homes, and organisations like Brindabella Gardens run dementia units at a heavy loss.

As I have said, one of the major barriers to the provision of adequate residential care for dementia sufferers is the way in which funding is provided from the Commonwealth Government. The Brindabella Gardens board of management has informed the committee that at least 25 staff hours per week are required to care for an aged person suffering from dementia. This is equivalent to the second highest level of care required for a nursing home resident. The cost per day is \$95, but the Commonwealth subsidy and resident contribution amount to only \$55 per day. Brindabella Gardens board of management has suggested a more cost-effective way of caring for dementia sufferers. This proposal will allow for respite care for dementia sufferers, which the committee believes is crucial for both the dementia sufferer and, in some cases more importantly, for the carers as well. I refer members to chapter 9 of our report. Therefore, the committee has included recommendations that the ACT Government pursue with the Commonwealth the need for changes to the current funding arrangements for dementia specific units to make them more cost effective, therefore allowing for more dementia beds in the ACT.

Madam Speaker, I now turn briefly to the subject of respite and crisis care accommodation in the ACT. There are currently 17 hostel respite care beds and five nursing home respite care beds made available. There are also three additional respite care beds available in ward 11A of Woden Valley Hospital. Madam Speaker, as I have already said, carers are in need of support, as well as the people they care for. For this reason respite care is essential. There are times when carers are temporarily unable to cope with the stress involved - they need a break, they need to care for other members of the family, or they may have to go away for a short period. There is no doubt, after receiving evidence from the Salvation Army, who operate the Crisis Care Centre, Burrangirri, in Rivett, that an increase in the availability of both crisis and respite care facilities is urgently required. As our recommendation suggests, a facility similar to Burrangirri, situated on the north side of Canberra, would go towards offering badly needed services in this area.

I must now turn to the question of nursing home beds. As I do this, it is very important to note that only a very small proportion of our aged population become our frail aged in need of nursing home care in their final years. This is, however, a subject of some concern within our community. The Aged Services Association of New South Wales and the ACT Incorporated advised the committee:

The ACT appears well served in hostel accommodation and will be extremely well served in this area come December 1993 when an additional 220 hostel beds come on stream. The real need is for additional nursing home accommodation to meet the demand.

Canberra is an attractive place in which to live and it was suggested to the committee on several occasions that a comparatively high number of elderly people come to Canberra to be near their families. However, this high inwards population migration pattern has not been recognised by the Commonwealth when it determines the ACT's allocation of nursing home beds. The ACT Council

on the Ageing argues, along with the Aged Services Association, that additional nursing home beds are required. Evidence to the committee, from both submissions and visits to facilities in the ACT, confirms this opinion. The committee felt strongly, Madam Speaker, that all possible pressure should be put on the Commonwealth Government to ensure that our bed quota formula adequately reflects these unique needs of the ACT.

In all, our committee has made 26 recommendations, covering a very broad range of subjects within our terms of reference. I cannot possibly refer to them all in this time, but I look forward to seeing the Government's response in due course. I have sought merely to highlight some of our findings. We on the committee believe the recommendations to be constructive and well based.

Madam Speaker, during the course of this inquiry many people, both individually and as representative groups, put a great deal of effort into both written submissions and appearances before the committee in public hearings. My sincere thanks go to all of them. Also, Madam Speaker, the committee visited a range of establishments that provide aged accommodation in the ACT. We visited Ridgecrest at Page, Calvary Hospital Nursing Home, Goodwin Villages at Ainslie and Farrer, Abbeyfield in Ainslie, Karingal Court in Narrabundah, Burrangirri in Rivett, Weston Creek Retirement Village in Fisher, The Grange at Deakin, Mirinjani Village, including the nursing home, at Weston, and Brindabella Gardens at Curtin. I name them all, Madam Speaker, as I wish to sincerely thank the management and staff in each case for the time and effort given to our committee during those visits.

Madam Speaker, this has been the first major inquiry of this Standing Committee on Social Policy. I have found it a pleasure working with my fellow committee members in a very bipartisan and constructive atmosphere. I would like my committee colleagues - Helen Szuty, Kate Carnell, Greg Cornwell and Ellnor Grassby - to accept my thanks for their approach to this inquiry. The committee secretary, Greg McIntosh, deserves special mention, particularly in regard to his assistance in drafting the report. His support staff, Vicki Salkin and Simon McGill, also played a valuable role, and my personal thanks go to each of them. Madam Speaker, I commend this report to the Assembly.

MRS CARNELL (11.55): I really do not know what I can say after that very comprehensive summing up of the report, but I would like to touch on one or two areas that I think were of particular importance. Ms Ellis indicated that a number of groups spoke about the problems of the asset rich but cash poor amongst our elderly people in our community. It is a phenomenon that I think we all see very regularly. It is certainly something that I see regularly, due to the area of Canberra that I live in. The houses there are not necessarily terribly palatial as there is a lot of government housing in the Narrabundah-Griffith-Red Hill area, but it is very difficult for elderly people in that area to sell their three-bedroom houses and be able to buy anything else even close to that area. I believe that a number of the recommendations that this committee has brought down will greatly help them to achieve that end, and I think that is a very important end.

I think the comments that are made in the report and the recommendation with regard to preventative health measures for those members of our elderly community who are not sick are very important. I am sure that everyone who has had anything to do with the elderly understands that we are not talking about just people in hostels or nursing homes. The vast percentage of our elderly are

17 December 1992

out there living in their own homes or in rented accommodation. Those are people who dramatically need support services to stay where they are. I think the review of HACC services and the number of recommendations that speak about that will be of great help in making sure that the services that are available to our elderly actually do target appropriately and achieve what they set out to achieve, and that is to keep our elderly in their own homes, in an environment that is supportive and in which they feel safe. Safety is exceptionally important.

The recommendation with regard to Jindalee Nursing Home is not a new one. It comes up time and time again, every time any committee or any body is looking at the nursing home situation in the ACT. I think that is the case under either government. I certainly urge the Government to relook at the Jindalee Nursing Home situation. The relocation of Jindalee is very necessary and long overdue. That, again, has had a certain amount of support under a number of governments.

The recommendation to establish an ACT information office for the aged is another particularly worthwhile recommendation. Lots and lots of organisations and services are available to our elderly, but there is very little capacity for our elderly to access that information if there is not a one-stop shop. We understand that the ACT Council on the Ageing is very keen to be part of the establishment of this information office. I confidently believe that that information office could quite dramatically help our elderly access the services that exist and that would help them to stay at home. Ms Ellis has very appropriately covered the problem for dementia sufferers and the crying need for a day care facility for those people.

Respite beds is a subject that comes up regularly in this place and in others. There is a desperate need for an increase in the number of respite beds. We are also, as a committee, acutely aware of the cost involved. The committee was aware that we should not come down with a report that was just a wish list. I hope that that is not what the report appears to be.

Last but not least, of course, I refer to the convalescent facility. Again, this is something that has support from both sides of this house, something that has been on the books for the ACT for just too long now. It really must go ahead - not in 10 years' time, but, I hope, very shortly. It was brought up by just about every group that we spoke to. It is something that I know this Government promised, as did the Alliance Government. I hope that this report in some way can facilitate this recommendation going forward.

I would also now like to thank, as Ms Ellis did very eloquently, Greg McIntosh for his help. He did a wonderful job and the report, I think, is a credit to him. I also thank Vicki and Simon for their research support for all members of the committee. It was a very non-partisan committee. We worked very well together and I am very proud of the report.

MRS GRASSBY (12.01): Madam Speaker, I rise to briefly make some comments on the report. First, let me say how pleasant it is to serve on a committee where the report has been unanimously endorsed by the committee members. Madam Speaker, the committee has made more than 25 recommendations. I do not intend to speak to every one of them. However, I would like to speak briefly to a recommendation regarding the ethnic aged. I am quite sure that the other members of the committee will mention other areas, as have the chairperson and Mrs Carnell.

Madam Speaker, recommendation No. 25 is that the ACT Government should consider the employment of multilingual staff in areas such as community nursing and home help. The ability of all our citizens to have equal access to the facilities provided for the aged is a social justice issue. The Government must ensure that there are no artificial barriers placed before any of our community. The lack of language skills is such a barrier. I have seen the problems that have resulted as our postwar immigrants have aged and lost the second language skills that they have acquired whilst in Australia.

The second recommendation I wish to address is that it is vital that ethnic bodies be consulted regarding the needs of their aged. In the report mention has been made of the different cultural aspects of some of the groups, and the differences between those groups and the traditional Australian way of thinking about our aged. We all think differently about how our aged should be treated, just as it happens in ethnic groups. One of the things that I have noted is that, if a married couple are aged and have difficulty, they will stay together no matter how the difficulty arises. They will not go into a home together. However, once one of the members of the family is lost you find that they are looking for help from us or from the community. We need to look at this. That brings in the language problem because they have been used to being at home and speaking the language of their home country that they were born in. If they go to a home where nobody speaks this language they are completely isolated from the people around them. Respite care is vital for all sectors of our community and the ethnic groups must be encouraged to make full use of the services that are available.

Madam Speaker, I would like to thank the other committee members and the committee secretary, Greg McIntosh, for the fine work that has gone into the report. I would also like to thank all those who sent in submissions and appeared before us in public hearings. I also thank the people in all the areas that we visited that Ms Ellis has mentioned. In closing, I would like to say that the Government can do only so much. We must all work to obtain a feeling within the community that our aged are an asset and a resource whose value cannot be underestimated.

MR CORNWELL (12.04): Madam Speaker, I rise as a member of the committee to support all the recommendations, obviously. I would like to limit my comments to chapter 7, which our chairman has already referred to. It is headed "'Gaps' in the current provision of aged accommodation". This reference began the inquiry and I do not believe that it is a problem that we have really solved, although that is not a criticism of the committee. The difficulties that we experienced in trying to address this were considerable. I would hope that, in time to come, people may be able to come up with some other alternatives to try to assist people who really do not quite fit into the category of asset rich, cash poor home owners or purchasers. In fact, they are somewhere in between.

Ms Ellis has identified the situation of people perhaps having a home that is worth \$150,000. Obviously, the return that they would get from the sale of that would not entitle them to move into a government aged persons unit. Equally, it would be too little for the upper section of the market of townhouses or that type of facility. Essentially, the problem is that it is what the market will bear. It is a question of supply and demand. The demand for higher-cost facilities certainly still exists in the ACT. In order that these people in the middle bracket can be accommodated, some government intervention will be required. Otherwise, they will continue to miss out because the laws of supply and demand will continue to operate.

17 December 1992

The only reasonable option that the committee identified was joint venturing. I would like at this point to express thanks to Ralph Cartwright, a member of the Working Group on Retirees and the Frail Aged set up by the South East Economic Development Council. He submitted this strategy of joint venturing. The details are set out at paragraphs 7.5 to 7.7; so I will not take up the Assembly's time by outlining them. I believe that we should thank Mr Cartwright for his efforts in identifying what I regard as the only way that we can help these people who are caught in the middle between the APUs and the potential buyers of higher accommodation.

Joint venturing, Madam Speaker, will enable the Government to maintain control and to make sure that its intentions towards this group in this community - it is a quite large group of people - are realised. The Government's involvement in joint venturing would avoid undertakings being broken and perhaps that could result in higher-quality construction taking place. Mr Wood knows what I mean, because we had that problem out at Palmerston with some trees, as I recall, where some unscrupulous developers were quite happy to break the terms of the agreement to what they thought was their advantage. I do not believe, Madam Speaker, that joint venturing is an ideal solution; but it certainly is the best that the committee could come up with. I repeat that this suggestion was the result of quite prolonged discussions and questioning of such expert witnesses as the Real Estate Institute and development and construction companies.

In conclusion, Madam Speaker, while the report's 26 recommendations present a comprehensive coverage of all services relating to aged accommodation and support services in the ACT, I think I should draw attention to the fact that no costings have been carried out. While I personally do not welcome what I call "wish list" reports - those which appear to be predicated upon unlimited funding - I think it is true in the case of this report that a number of the recommendations already have been recognised, even if no action has yet occurred. I would give as an example the case of the convalescent facility that everybody in this Assembly agrees needs to be established here in the ACT. I think that other recommendations are quite sensibly and responsibly qualified. The reference to HACC funding at recommendation 13 is an example.

The report, I believe, thus stands as a good one. It is sensible and I believe that its recommendations are practical. I further believe that those of its recommendations that cannot be implemented at the moment will certainly stand as a blueprint for the future in the provision of aged accommodation and support services in the ACT.

MS SZUTY (12.10): Madam Speaker, I endorse the comments made by the chair of the Social Policy Committee, Ms Ellis, and my fellow committee members, in her tabling of the committee's report and their speeches, and I wish to take the opportunity now to add my own comments. Members may remember that earlier this year I submitted a dissenting report to the Assembly calling for the Social Policy Committee to address the question of youth unemployment rather than the issue of aged accommodation and support services in the ACT. I believe that youth unemployment still remains to be adequately addressed. However, I have participated freely and willingly in the Social Policy Committee's current inquiry, the results of which have been tabled today by Ms Ellis.

Before turning to comments about this specific inquiry, I would like to relay to members my concern about the Social Policy Committee's broad terms of reference which enable us to conduct inquiries on some or all of the following: Health, hospitals, nursing homes, welfare, employment, housing, social security, the ageing, people with disabilities, the family, Aboriginal people, youth affairs, the status of women, multicultural affairs, industrial relations, occupational health and safety, education, the arts, sport and recreation. The Social Policy Committee has just completed its first inquiry in the life of this Assembly. With such a broad range of issues to consider, it is unlikely that the committee will be able to address many more of these issues before 1995, despite its best intentions. I believe that it is therefore imperative that the committee select its future inquiries with the utmost care and continue to strive to address the most significant social issues of our community.

Madam Speaker, I would like to talk briefly about the process of the inquiry. The Social Policy Committee approached its current inquiry thoughtfully, and initially it enlisted the expertise of the Council on the Ageing (ACT), the Real Estate Institute of the ACT, the ACT Council of Social Service, the ACT Planning Authority, the Housing and Community Services Bureau and the Social Policy Division of the Chief Minister's Department to assist us in developing our terms of reference and determining the scope of the inquiry. The committee members have also been able to visit a wide range of accommodation currently available for elderly people and have been assisted by the provision of numerous written submissions and appearances at public hearings prior to the finalisation of the report. I would personally like to thank all those people who have so ably assisted the committee in its task.

I now wish to address some of the recommendations. I will not take up the Assembly's time in addressing all of them, although I would like to. There are some 26 of them. I will make some comments on the major recommendations as I see them. Recommendation 1 is:

In future all Cabinet submissions be required to contain a statement of the effects and implications, if any, that proposed new policy initiatives will have on the provision of aged services and facilities in the ACT.

Madam Speaker, I believe that this is an important recommendation and it should really apply to all special needs groups of our community, including young people with disabilities, young people generally, families and people from non-English-speaking backgrounds. I think the Government has the opportunity to consider the effects of its policies on, in this case, the ageing of our community, and I urge them to do that on every occasion where it is appropriate.

The second recommendation is:

The Government give high priority to preventative health measures and "active" ageing when considering policies for the aged in the ACT.

Mrs Carnell mentioned in her remarks that not all aged people are frail and have disabilities, and that is a very important point for us to remember. This recommendation also recognises that, through the sensible provision of preventative health measures, less money could be spent on acute care for aged people later on.

17 December 1992

Recommendation 6 is:

The Government undertake a feasibility study of the viability and acceptability of introducing a scheme that would enable aged persons to rent or purchase mobile homes from the Government.

Madam Speaker, apparently this option works very well in Victoria. It is another option which could be available to elderly people and which could meet their accommodation needs, especially in the shorter term in the ACT, and it is one that I think warrants careful consideration and investigation by the Government.

Recommendation 7 is:

The Government bring all possible pressure to bear on the Commonwealth with a view to ensuring that the number of nursing home beds required in the ACT is calculated on a basis that recognises the ACT's unique needs.

The committee heard that evidence exists which suggests that the ACT is not having its needs met by the Commonwealth. This is unsatisfactory. The ACT is being seen by some individuals - I think committee members came to this conclusion - as being discriminated against, and we can do better in terms of our nursing home beds allocation from the Commonwealth.

Recommendation 8 is:

The Government proceed with the relocation of Jindalee to a more suitable site or sites as a matter of priority.

This is a recommendation that has been talked of previously. If the Government does decide to pursue the relocation of Jindalee, it will enable the needs of existing residents to be better met through increased standards of accommodation and service provision, and possibly better access by relatives and friends if more than one site is chosen for the relocation.

Recommendation 9 states:

The Government give consideration to a purpose built facility to cater for younger people with disabilities.

Madam Speaker, it is unacceptable that younger people with disabilities are being accommodated inappropriately to their needs in nursing home beds which are actually better suited to aged people than they are to younger people with disabilities.

Recommendation 12 is:

The ACT Government negotiate with the Commonwealth with a view to the funding arrangements for HACC being made realistic, including the deletion of the absolute requirement that the main grant of funds be matched on a dollar for dollar basis.

The origins of the home and community care program are based on more resources being allocated for community based care and less for hospital and nursing home care. Madam Speaker, it would seem to the committee that HACC funding arrangements for the ACT need urgent review.

Recommendation 13 is:

Residents of hostels be eligible for HACC funded services, should HACC funds be increased.

This recommendation acknowledges the needs of residents of hostels for HACC funded services. It also acknowledges that HACC funds really need to be increased overall to enable this to occur. We cannot have our existing services trying to do more and more with less funds, and it really is up to the ACT Government to get a better deal out of the Commonwealth as regards HACC services.

Recommendation 14 is:

A review of all HACC Program services be undertaken with a view to these services being delivered in a more efficient manner.

This is especially relevant to the ACT, where the Commonwealth has insisted on previous occasions that new HACC services be established rather than that existing services be extended to meet a wider range of needs.

Recommendation 15 reads:

The Government investigate the feasibility of more appropriately locating the administrative sections of HACC funded services and, in some cases, HACC funded services themselves that operate in the ACT.

This recommendation follows on from the previous one and it does suggest that a major overhaul in this area is necessary. Some services could be better located with the Council on the Ageing, with appropriate funding, and other services could well be effectively located with the existing community services in the regions of Canberra.

Recommendation 17 is:

That an ACT Information Office for the Aged be established to act as a "one stop shop", drawing together all relevant information, both government and non-government, on ageing issues into one location. This Information Office, given appropriate funding, could be formed as an adjunct to the Council on the Ageing in the ACT.

It is important for coordination and dissemination of information, and for publicity and promotion purposes, for this information to be available from the one location. The Council on the Ageing was considered to be the most appropriate location for that information office.

Recommendation 20 reads:

Additional respite beds be made available in the ACT and that, where possible, these additional beds should be co-located with nursing home beds.

17 December 1992

Madam Speaker, this acknowledges that some 90 per cent of carers are currently caring for their elderly relatives at home, with very little support.

Recommendation 21 says:

Consideration be given to the provision of a crisis care facility for the aged in the northern part of Canberra.

Such a facility would complement Burrangirri's role on the south side of Canberra in providing respite care facilities.

Recommendation 22 says:

The Government undertake to construct a convalescent facility in the ACT as a matter of urgency.

This recommendation was actually first put forward in 1989 by the previous Assembly's Social Policy Committee, which looked into services and the needs of the ageing. This recommendation would be cost effective in the longer term by reducing the need for longer stays for people in hospital.

Madam Speaker, in conclusion, I believe that this report is a significant one which comprehensively addresses the needs of aged people in our community for high-quality accommodation and support services. I, too, would like to thank the inquiry staff, most especially Mr Greg McIntosh for his contribution, and to thank both Greg and my fellow committee members for their work in producing this report. I believe that the Legislative Assembly has a report to be proud of. I commend it and its recommendations to this Assembly.

Question resolved in the affirmative.

SOCIAL POLICY - STANDING COMMITTEE **Reference - Community and Cultural Use of Schools**

MR WOOD (Minister for Education and Training, Minister for the Arts and Minister for the Environment, Land and Planning) (12.20): Madam Speaker, I seek leave to move a motion referring a matter to the Social Policy Committee.

Leave granted.

MR WOOD: Madam Speaker, under standing order 214, I move:

That:

- (1) Noting the Government's response to the Standing Committee on Planning, Development and Infrastructure's Report on the Possible Use of the \$19m Casino Premium, namely "... a review of school use policies prior to committing the funds for regional based facilities for cultural activities".

- (2) And noting also the valuable assets of Government school buildings, including those not presently used for school purposes, the Standing Committee on Social Policy examine and report on:
- (a) the best use of these buildings for community and cultural use other than schooling;
 - (b) ways by which after hours use of the buildings may be maximised and facilitated; and
 - (c) ways of attributing the costs of providing these facilities.

Madam Speaker, I table the document. Copies have been circulated.

Question resolved in the affirmative.

EVIDENCE (CLOSED-CIRCUIT TELEVISION) (AMENDMENT) BILL 1992

Debate resumed from 16 December 1992, on motion by **Mr Connolly**:

That this Bill be agreed to in principle.

MR HUMPHRIES (12.21): This is a relatively simple piece of legislation. By removing a sunset clause in the Evidence (Closed-Circuit Television) Act, which was passed by this Assembly last year, it provides for the facilitation of a continuing experiment, I think it is best described as, to allow children - especially children - to give evidence otherwise than in person in court. Madam Speaker, it is obvious that court appearances can be quite traumatic, even for adults. For a child, the experience sometimes can be terrifying. If one adds to this problem the difficulty of a child having to face in court a person who may be an accused molester or abuser of that child, we can see that there are very real problems, or have been very real problems in the past, with the standard court system of a person in those circumstances giving evidence face to face in a formal courtroom setting.

This Bill extends the provision in the existing Act for the innovative way of giving evidence which allows a person to give evidence otherwise than by being in the courtroom. In another room, another place, in a less threatening environment, that person can give the evidence he or she wants to give without feeling the same pressures that exist in a courtroom. The debate about closed-circuit television is not over, and certainly will not be over with the passage of this Bill. There are a number of issues surrounding it and they deserve to be thoroughly examined; but it is incumbent on us, I think, to acknowledge that there appears to be some very positive feedback about the use of closed-circuit television so far in this Territory. It is an experiment that is being watched very closely, I understand, by other States, and I believe that it is incumbent on us to make sure that that experiment does not stop now.

17 December 1992

For that reason, Madam Speaker, I support the passage of the Bill, which was tabled yesterday, for the continuation of this provision in the Evidence (Closed-Circuit Television) Act. It could be that we could come back and examine and debate this question in the future. Perhaps when the Assembly debates the Evidence Bill, which is also before us at the moment, we can have a broad-ranging discussion about the question of children giving evidence in court, and other methods to allow people other than children, particularly women, for example, to give evidence in certain difficult situations. Madam Speaker, this is a worthwhile Bill which takes a very important step towards continuing that valuable experiment.

MR CONNOLLY (Attorney-General, Minister for Housing and Community Services and Minister for Urban Services) (12.24), in reply: I thank Mr Humphries for his comments. Hopefully, that flattery will mean that I will get a favourable mention in his Christmas address which, no doubt, will be forthcoming in the adjournment debate this evening. Madam Speaker, this Bill was introduced very quickly yesterday. It excises a key part of the broad-ranging Evidence Bill and will allow this experiment of closed-circuit television to continue in the Magistrates Court in the ACT for child witnesses. Mr Moore has indicated to me that he also would support the Bill. He has been called away, and he asked me to mention that.

The Australian Law Reform Commission has looked at the operation of closed-circuit TV evidence in the ACT. Its discussion paper, which was issued some months ago, was very favourable and indicated that none of the fears that had been raised about this making the trial of an accused somehow unfair were seen to be true. It seemed that the evidence was untainted although it went through the video. Clearly, there was a less traumatic effect on the children giving that evidence and it is appropriate for us to make that a permanent feature of the criminal justice system here. As I have previously indicated, the Government will be looking at ways of extending this. That is a substantial issue and I think it would require extensive consultation, probably through the forum of the Community Law Reform Committee. This simple measure today makes the use of closed-circuit television permanent, and I am pleased that it is supported generally.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

CASINO CONTROL (AMENDMENT) BILL 1992

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

That this Bill be agreed to in principle.

MR KAINE (Leader of the Opposition) (12.26): Madam Speaker, I support this Bill. It is clearly a simple matter of correcting an unforeseen circumstance that arose from the original Bill. It grants a right to some employees of the casino that is shared by similar employees in other casinos. We see no reason to do anything but support the Bill.

MS SZUTY (12.26): I, too, support this Casino Control (Amendment) Bill. I appreciate the Chief Minister's comments earlier today which clarified for me that food and beverage staff at the casino are completely different people from gaming staff. I agree with Mr Kaine that it is appropriate that the casino workers in our casino in Canberra have the same rights as others working in casinos elsewhere in Australia. I appreciate that the food and beverage staff also have the opportunity to receive tips, as do their counterparts in other hotels and hospitality institutions in the ACT.

I was also pleased to hear the Chief Minister say that this Bill is expected to be gazetted before Christmas. I think that is appropriate, as it will enable the food and beverage staff to receive tips over the Christmas period.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Sitting suspended from 12.28 to 2.30 pm

QUESTIONS WITHOUT NOTICE

MADAM SPEAKER: Are there any questions? Mr Berry, you are on your feet.

Mr Berry: I am just waiting for the first question.

MADAM SPEAKER: I think it is a little early for Christmas gifts, Mr Berry.

Government Service - Pay Rise

MR KAINE: I am sorry to disappoint the Minister, but I am not going to direct my question to him. I would like to direct one to the Treasurer. Treasurer, a 2 per cent pay rise has been announced for public servants, and I presume that that includes ACT public servants. Can you tell us the net effect of that pay rise on the ACT Government Service payroll? Secondly, who will negotiate the performance agreements on which the pay rise rests? By that I mean: Who is going to negotiate the pay rise for the administrative grades?

17 December 1992

MS FOLLETT: I thank Mr Kaine for the question. At the outset, I was very pleased that we have been able to negotiate this position for our ACT public servants. I do not have a precise figure on the net effect of that 2 per cent pay rise, but I am aware that our budget papers included a substantial figure as a provision for pay rises. From memory, that figure was some \$12m, but I could be wrong about that. I will check it, Madam Speaker.

The Industrial Relations Commission confirmed yesterday that the enterprise agreement that we had sought had been certified. In many ways it is something of a landmark because it does reflect very well, I think, on the management of the service and their cooperation with the unions. It has been a quite considerable time since there was the last general pay rise. In fact, there has been no pay increase for the vast majority of our staff, I am advised, since August 1991. Madam Speaker, as I say, I will look up for Mr Kaine the amount that that will involve in the ACT budget.

Mr Kaine has also asked how the agreement will be negotiated. It will be negotiated in the normal way. I think the immediate benefits of the productivity and the range of efficiency measures that have to be established within the ACT will be negotiated between our management and our unions within the formal consultative framework that we have already in place in the ACT Government Service.

MR KAINE: I have a supplementary question, Madam Speaker. Can the Treasurer confirm that this pay rise will be accommodated within provisions already in the budget, and that the pay rise will not affect the delivery of services in any way by taking money from elsewhere?

MS FOLLETT: Madam Speaker, yes, that is my information; the budget documents do make provision for pay rises during the year. I would not tolerate a situation where that pay rise would result in a loss of service to the ACT community. But, as I say, I will get the precise figure for Mr Kaine as soon as I can and also give him an assurance that in fact we have budgeted for that kind of a rise.

Fightback

MR LAMONT: My question is also directed to the Chief Minister. Chief Minister, I refer you to a range of media releases and events by Dr Hewson in relation to his Fightback proposals. Has the ACT Government undertaken any analysis of the impact of Dr Hewson's proposals on the ACT?

MS FOLLETT: Madam Speaker, of course the Government has undertaken an analysis of Dr Hewson's proposals for the ACT. I believe that we have an obligation to undertake such analysis as Dr Hewson heads the alternative Federal Government. Quite clearly, Dr Hewson's proposals have enormous impact on the ACT - in the unlikely event that they are ever to be implemented.

Madam Speaker, the analysis that I have had conducted concludes that the negative impacts of Fightback would be greater in the ACT than elsewhere in Australia. In other words, there is a quite disproportionate effect on the ACT of Dr Hewson's proposals. That should, of course, be no surprise to members. Dr Hewson and, indeed, Liberals in general totally reject the role of government in the economy. They have quite consciously written off Canberra and the Commonwealth Public Service. They have done that, I believe, in a headlong rush to emulate some of the failed practices of people like Margaret Thatcher and Ronald Reagan. They seem to be the heroes of the current Liberals.

The Treasury analysis that I have had done shows that the spending cuts proposed by Dr Hewson would total \$340m in Canberra in the first three years. They would result in a loss of 3,200 Commonwealth public sector jobs, or 8.5 per cent of Commonwealth employment in the ACT. This massive job loss in the Commonwealth public sector would lead to a flow-on effect into other jobs in the ACT, and our analysis shows that it would lead to the loss of a further 1,900 jobs in other ACT industries. So, there would be a cut of a total of 5,000 jobs in Canberra, and a cut of that order would devastate our community. It would take us years to recover from that kind of a setback. We might, in fact, rename Fightback "setback" as far as the ACT goes.

The Liberals' cuts to spending in the ACT would also have other major impacts on our economy. For example, they have made threats about the future of Commonwealth construction projects like the new Foreign Affairs and Trade building at York Park. Dr Hewson has also said that he will cut 5 per cent from State and Territory funding - about \$52m for the ACT over the first three years. This means that we would face much larger budget problems than the adjustments that we are already facing in our transition to State-type funding. Madam Speaker, I regret to say that that kind of extra funding cut would inevitably lead to cuts in ACT government services and staffing levels or, of course, much increased rates and taxes.

Dr Hewson would apply his new tax to government services. Those services, he says, are in competition with the private sector. So, Canberra householders would undoubtedly find, every time they paid an electricity bill or a gas bill, that Dr Hewson's hand would also be in their pocket. The cost of electricity alone, Madam Speaker, is estimated to rise by some 11 per cent as a result. Of course, water, sewerage and garbage services are all expected to attract the GST, and that would, of course, have to be paid by local ratepayers.

Mr Cornwell: I raise a point of order, Madam Speaker. I draw your attention to standing order 118(a); answers shall be concise. This has gone on for five minutes, Madam Speaker. If she would like to debate it later, we would be happy to oblige her.

MADAM SPEAKER: Thank you for bringing it to my attention, Mr Cornwell. Ms Follett is in order. Ms Follett, please continue.

MS FOLLETT: Madam Speaker, I have outlined only some of the negative effects that Dr Hewson's proposals have for our own community. I now table the full ACT Treasury report, for members' information.

17 December 1992

Madam Speaker, no matter what changes to the GST Dr Hewson might make, we are faced with some basic facts here. We have also the experience of the GST in both Canada and New Zealand, where it has been a disaster. There is no doubt in my mind that Dr Hewson's proposals will hit Canberra the hardest. Indeed, they are designed to do so. Fightback, Madam Speaker, is the ultimate in Canberra bashing. As far as the Federal coalition is concerned, they have literally promised to turn Canberra into a ghost town. The Canberra community, I believe, has a right to this information. They have a right to this information in order to make an informed choice at the time of the next Federal election. It is my view that they will choose to vote for jobs rather than for the GST.

Aboriginal Advisory Council

MR HUMPHRIES: Madam Speaker, my question is to the Chief Minister. I refer the Chief Minister to her Government's response to the report of the Standing Committee on Planning, Development and Infrastructure into possible use of the casino premium - the one that she presented yesterday - and, in particular, her response to recommendation No. 1, in which \$2.5m of the premium is recommended to assist in the provision of an Aboriginal keeping place cultural centre. The Minister says:

The Aboriginal Advisory Council, once established, will be asked to provide detailed advice on the implementation of the proposal.

I ask the Minister why she intends to set up such an Aboriginal Advisory Council when there already exists the Bogong Council, the local representative body elected by the local Aboriginal community to represent their interests and one of the bodies which put up the proposal to the committee in the first place. Are they now to be excluded from the decision making process?

MS FOLLETT: Madam Speaker, of course the Bogong Council is not to be excluded from the decision making on the Aboriginal keeping place proposal. In establishing an Aboriginal Advisory Council for the ACT I have, in fact, consulted with the Bogong Council and with the Aboriginal Education Council, which is another representative body in the ACT. I have invited both of those bodies to be represented on the Aboriginal Advisory Council. As members might know, I have recently advertised places on that advisory council and called for people to put forward their names. Madam Speaker, it is my earnest hope that both of the organised Aboriginal groupings in the ACT will take a full part in that advisory council. So, there is no intention whatsoever to exclude the Bogong Council from that decision making. I hope that they will play an active role, as, indeed, they are entitled to do.

Madam Speaker, members must be aware that the Bogong Council's representation extends beyond the borders of the ACT and does, in fact, operate on a regional basis. I feel that in the case of the casino funds, which have been set aside for an ACT project, it is appropriate that we set up an ACT body to advise on that expenditure. It is my intention, as I say, to ensure that all appropriate groups are represented on that body, and I also intend that that body comprise entirely Aboriginal and Torres Strait Islander people, because it is up to them to tell not just the Government but the community of Canberra how they wish to see this money spent.

Condom Vending Machines

MS SZUTY: My question without notice is to the Minister for Education and Training, Mr Wood. Earlier this year secondary colleges were each given the option of installing condom vending machines should they choose to do so. How many secondary colleges have installed or intend to install condom vending machines?

MR WOOD: Madam Speaker, yes, that statement is correct. I referred the matter back to the colleges and said that, in accordance with the way we run the system here, they would have government support should they choose to install condom vending machines.

Mr Cornwell: School based management.

MR WOOD: Indeed. It is a matter that they are considering. I do not have the detail of that. There is no particular need for me to follow up on what they have said, but I will acquire the information. From talk around the place, I think the south side colleges will very likely do so. I have not heard about the north side colleges, but it is my expectation that they are more than likely to do so.

Childers Street Theatre

MR CORNWELL: Madam Speaker, my question is addressed to Mr Connolly. I am not sure whether it relates to his position as Minister for Urban Services or as Attorney-General. I refer to the old Fortune Theatre in Childers Street. Some months ago, you may be aware, there were some squatters occupying it. I am not sure what has happened in relation to those people. I am interested to know how people are allowed to occupy such a building in the first place. Is there no procedure to render uninhabitable buildings that have been declared as unsafe for human occupancy?

MR CONNOLLY: Yes, the Urban Services portfolio administers surplus government assets in a caretaking role, and that is what we have been doing with the Childers Street theatre. About two months ago we became aware that squatters had moved in. That does happen from time to time in government properties. We obviously want those squatters out. The fire authorities inspected the premises and advised me that it was most unsafe. The premises were a fire risk, and people squatting in there and using campfires made that risk doubly so. We have been endeavouring to persuade the people who were squatting to vacate the premises and to secure the premises. I was concerned, though, that it would be counterproductive to have a confrontation to the point of using physical violence to evict those young people who were squatting there.

Mr Cornwell: Are they still there, Minister?

17 December 1992

MR CONNOLLY: My understanding is that there are some still there, although we have been persuading people to go. One of the most effective methods of persuading people to go, we found, was for the parking patrols to pay particular attention to some of the interstate registered vehicles that seem to be associated with the squat and which were parked illegally. They have been accumulating an interesting collection of parking tickets.

MR CORNWELL: I have a supplementary question, Madam Speaker. Minister, I do not think you addressed my final question. Are you examining any procedures to render uninhabitable buildings that may be under your control and that have been declared unsafe?

MR CONNOLLY: What we do, in the first instance, is render them secure, and then any decision about - - -

Mrs Carnell: Lock people in.

MR CONNOLLY: No, lock them out. Then any decision about eventual demolition would be made.

Garbage Bins

MRS GRASSBY: My question is to the Minister for Urban Services. I am sure that everybody in the house would like to know of the progress in the experiment with the big bins in Kaleen that has been taking place. How far has that experiment got and what are the results?

MR CONNOLLY: You loosely refer to them as big bins. They are sort of medium bins. They are not the Bill Stefaniak-style big bin which was widely photographed; they are more a Tony De Domenico-style of bin. The trial in Kaleen has been extremely successful in the couple of months that it has been running. We are delighted that, whereas our previous surveys had estimated that we would be collecting about 10 tonnes of recyclables a week over the period of the trial, that is now averaging 14 tonnes. In effect, the amount of recyclables collected is above expectations to the tune of about 50 per cent. About 74 per cent of it is paper, 20 per cent is glass, with 2 per cent of steel, high density plastic, PET and aluminium cans.

It is clear that the Kaleen community is responding to the bin trial very enthusiastically. The worry was that with the two-bin method, with the medium bins or the dipper bin, perhaps, we had - - -

Mr De Domenico: Did you say, "dipper bin"?

MR CONNOLLY: Yes, as opposed to the Stefaniak bin, which was the very large one. There was a worry that people would not properly differentiate their refuse and would put a lot of recyclables in the general rubbish bin. It is clear that people are being very careful and are putting recyclables in the bin that goes to the West Belconnen recycling facility, which is well worth members having a look at, and they are being very careful to put only disposable material in the disposable bins. So, Madam Speaker, the trial is going extremely well. Urban Services will be releasing quarterly reports to keep the public and members aware of how the trial is going.

Ambulance Service - Work Futures Contract

MRS CARNELL: My question is to the Minister for Health, Mr Berry. I ask the Minister whether it is normal to employ an external consultant, in this case Work Futures, at a cost to ACT taxpayers of \$14,732, to "facilitate processes and mechanisms to further the working relationships" between the ACT Ambulance Service and the Transport Workers Union and to enhance "union consultation and involvement in matters affecting the Ambulance Service".

MR BERRY: Madam Speaker, it is not an everyday occurrence, but it is not uncommon for consultants to be brought in - - -

Mr Kaine: Cannot management talk to trade unions any more?

MR BERRY: Mr Kaine asks, "Cannot management deal with the trade union any more?". Of course they can. It is not normal, but it is not unusual either. In the normal course of events, management deals with trade unions on the industrial relations issues that crop up from day to day.

Mrs Carnell: Is it a particularly difficult union?

MR BERRY: Mrs Carnell says it is a particularly difficult union. There are always two sides to conflict in the industrial sense and sometimes an outsider is needed to reorganise the way that industrial relations occur in the workplace. The involvement of outside consultants to do these sorts of things occurs from time to time. It is about encouraging cooperation between management and unions with a view to continuing with the restructuring and the evolution of a better service for the people of the ACT. I met with the principal of Work Futures as a result of his involvement with the Ambulance Service, and I must say that he impressed me as somebody who could provide the sort of input that was required to deal with some industrial sensitivities which had been identified in the Ambulance Service. My answer, in summary, is no, it is not normal, but it is not uncommon either.

MRS CARNELL: I have a supplementary question, Madam Speaker. I wondered why none of the, I think, three industrial relations areas within ACT Government already could not do the job, and why the consultancy was not put out to tender.

MR BERRY: I think that, when it comes down to these sorts of consultancies, first, it is a low cost one. It is \$13,000 - - -

Mr Kaine: Close to \$15,000. It is not much, I know.

MR BERRY: Okay, \$15,000. Management have a look around to see who can best do the job and what price options are available.

Mr Kaine: They are supposed to get three quotes.

MR BERRY: The real issue is whether you get the job done or not and whether you get the - - -

Mr De Domenico: No, the process is important too.

17 December 1992

MR BERRY: If there is a question about the process, I will have that further examined and report back to the Assembly. This issue started about whether it is normal. It is not normal, but - - -

Mr Kaine: You are answering a supplementary question, Minister, remember.

MR BERRY: The supplementary question is probably out of order, but I am prepared to answer it. I think the outcome justifies the cost. The \$15,000 for extra assistance to be brought in for special circumstances can be justified, in my view, bearing in mind the outcome. Without any criticism at all of the Industrial Relations Branch, it is not always open to them to provide the time that is required for these particular exercises. I do not know whether any of you have ever been involved in these sorts of processes, but they are of a specialist nature. It is about encouraging a new culture, if you like, in the way that unions and management and workers live with each other in the development and evolution of work practice in particular places. Time will test it, of course; but, in my view, it was a justifiable exercise and - - -

Mrs Carnell: This was September last year. It is 12 months ago.

MR BERRY: You do not do these things for 12 months.

Mr Humphries: You do not do these things overnight; that is right.

MR BERRY: No, you do not - - -

Mr Cornwell: About as speedy as your legislative program, yes.

MR BERRY: You saw us moving on legislation with the speed of a startled gazelle this morning. You do not do these things for 12 months' worth. This is about getting long-term outcomes and a change in culture which in some cases is necessary because of the development stages of particular operations. I think it was justified and there is a worthwhile outcome. In future, where there is a specialist need for special industrial relations people to be involved, I expect that the same thing will happen again.

Grass Cutting

MS ELLIS: Madam Speaker, my question is directed to the Minister for the Environment, Land and Planning. I believe that it is very relevant, given the recent weather that we have had and the massive growth of grass around the town. What action in respect of grass cutting is the Government taking to reduce the threat of bushfires that we can expect this summer?

Mr De Domenico: He is going to cut it.

MS ELLIS: It is not that simple, Mr De Domenico.

Mr Cornwell: He has taken Charlie Russell's cattle off Red Hill, for a start.

MR WOOD: Madam Speaker, it may be out of order, but I will respond to an interjection. I am not taking Mr Russell's cattle off Red Hill. It is a matter entirely for Mr Russell. I would be delighted if he kept them there. I want him to keep them there. I have done nothing to take them off the hill. That is a misperception that has been spread around the place. I do wish, however, that Mr Russell would utilise the generosity we have given to him to pay his bills.

On the matter of grass cutting, all members would know from their own backyards that it has been a pretty good growing season. The Parks and Conservation Service have been active in mowing. They have been giving priority to areas which people use or where they concentrate. That, obviously, is the starting point. As the weather gets warmer - if it ever gets warmer, and I do not know what the outcome of that might be - the grass will obviously start to dry out. I guess that eventually that will happen. At that stage Parks and Conservation will direct their efforts towards grass cutting as a bushfire prevention measure. That will happen as soon as it needs to. Many areas not yet cut will be cut ahead of the Christmas period.

Emergency Rescue Services

MADAM SPEAKER: I call Mr Westende.

Mr Stevenson: I raise a point of order, Madam Speaker. I believe that the standing orders require that the person first on their feet be given the nod.

MADAM SPEAKER: Thank you for pointing out that standing order to me, Mr Stevenson. Given that I was nearly dying of a cough, Mr Westende has the floor.

MR WESTENDE: Madam Speaker, my question is directed to the Minister for Urban Services. Considering the difficulties that have arisen with the delivery of emergency rescue services in the ACT, has the Minister given consideration to establishing a rescue and emergency service board along the line that exists in New South Wales? Its membership comprises senior representation from the police, the fire brigade, the ambulance, the bushfire service and the emergency services. There are normally more requests or more need for emergency services over the period of Christmas and the New Year. Can the Minister assure us that we will not have any problems between the two competing forces?

MR CONNOLLY: Madam Speaker, I thank Mr Westende for his question. There was a period some months ago when we were going through a bad patch. Cooperation between the police and the Fire Brigade, at the operational level, seemed to be in some jeopardy. I am pleased to report that the position since then has improved markedly. On the ground cooperation at accident scenes has improved. We changed the arrangements to ensure that there was always a first response to an accident by the first available vehicle. Previously, we had a strict north-south divide. Potentially, that meant that, if there was an accident outside the fire station in Tuggeranong, the fire crew would have to stand by and watch until the police truck, which may have been doing something on the other side of Canberra, arrived. That was the arrangement that was originally entered into under the Alliance Government. We modified that, and working arrangements have been going well since then.

17 December 1992

It was announced last week that we have appointed a new Fire Commissioner to replace Mr Kerr - Mr Jim Dance. He comes from Victoria and has recently had experience at the Mount Macedon Emergency Services Training Centre. He is working to a brief to further amalgamate the fire-style emergency service - that is, the urban and bush fire services - and the ACT Emergency Service, and is building on the good relations that we now seem to have between the police and the fire service.

There is something of a peculiarity in the ACT, of course, because of the policing arrangements. The AFP is not an ACT agency, so the sort of amalgamation that is possible in New South Wales is a little more complex for the ACT to do, structurally. I am confident that there are good relations between both the senior managers in the AFP and the fire service and, more importantly, on the ground between the police rescue service and the fire service. So, I can assure the community that things should go smoothly over Christmas.

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

AUDITOR-GENERAL'S REPORT NO. 6 OF 1992
Financial Audits with Years ending 30 June 1992

MADAM SPEAKER: I present, for the information of members, Auditor-General's Report No. 6 of 1992, Financial Audits with Years ending 30 June 1992.

MR BERRY (Deputy Chief Minister) (3.03), by leave: I move:

That the Assembly authorises the publication of the Auditor-General's Report No. 6 of 1992.

Madam Speaker, this is merely a routine motion to allow the publication of the report. There is nothing for me to say in relation to it.

Question resolved in the affirmative.

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

That the Assembly takes note of the paper.

ELECTORAL COMMISSIONER AND MEMBERS OF THE
ELECTORAL COMMISSION
Papers and Ministerial Statement

MS FOLLETT (Chief Minister and Treasurer): Madam Speaker, pursuant to the Subordinate Laws Act 1989, I present the instruments of appointment of the Electoral Commissioner and the chairperson and member of the Electoral Commission. I seek leave to make a brief statement.

Leave granted.

MS FOLLETT: Madam Speaker, it gives me considerable pleasure to announce to the Legislative Assembly today the appointments to the ACT Electoral Commission. Following a process of consultation with Mr Kaine, Mr Moore, Ms Szuty and Mr Stevenson, as required by the Electoral Act, the Executive has

appointed three persons who I am sure will discharge the duties of the commission with distinction. I am particularly gratified that the three appointees have the overwhelming support of Assembly members.

Madam Speaker, Mr Graham Glenn has been appointed chairperson of the Electoral Commission. Mr Glenn brings to the position a wealth of experience in public administration, including periods as commissioner of the Public Service Board, Secretary of the Department of Administrative Services and, most recently, Secretary of the Department of Industrial Relations. Madam Speaker, Mr Gary Whitley has been appointed Electoral Commissioner. Mr Whitley is a former head of the Chief Minister's Division and is perhaps best known for heading the self-government unit which was responsible for the implementation of self-government for the ACT in the late 1980s. The third member of the commission is Dr Christabel Young, who is a fellow in the Department of Demography, Research School of Social Sciences at the Australian National University. Dr Young has had a distinguished academic career and her expertise in demographic matters will be of particular relevance to the commission in its initial task of determining the ACT's electoral boundaries.

Madam Speaker, the appointments will be for an initial period of 12 months, pending the enactment of the substantive electoral legislation and a reassessment of the role and functions of the commission under that legislation. I am sure that members will join with me in wishing the members of the commission well in their important work. In accordance with the provisions of the Electoral Act, I table the instruments of appointment. Madam Speaker, could I also thank those members with whom I consulted on this matter for the time that they put into it and for their bipartisan approach to the issue.

FIGHTBACK **Statement by Member**

MR KAINE (Leader of the Opposition): Madam Speaker, I seek leave to make a short statement in connection with a matter raised by the Chief Minister in an answer at question time.

Leave granted.

MR KAINE: I will be quite brief. The Chief Minister, in answer to a question during question time, dealt with what she claimed would be the consequences of the introduction by the Hewson Government next year of the Fightback program. I have a document, Madam Speaker, that indicates that the Labor Party itself, at the Federal level, has claimed that 4,400 public servants will lose their jobs under a coalition government - not the numbers quoted by the Chief Minister. The Department of Finance itself estimates only 3,300. I would also like to note in that connection that the Labor Party is claiming that they themselves have retrenched 7,259 jobs in the Public Service in the last year. Madam Speaker, I seek leave to table the document in connection with that matter and I seek its incorporation in *Hansard*.

Leave granted.

Document incorporated at Appendix 1.

17 December 1992

SUBORDINATE LEGISLATION AND COMMENCEMENT PROVISIONS Papers

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

The schedule read as follows:

Building Act -

Building Regulations (Amendment) - No. 33 of 1992 (S230, dated 11 December 1992).

Determination - No. 175 of 1992 (S230, dated 11 December 1992).

Notice of commencement of uncommenced provisions (S230, dated 11 December 1992).

Buildings (Design and Siting) Act - Buildings (Design and Siting) Regulations (Amendment) - No. 32 of 1992 (S230, dated 11 December 1992).

Gas Act - Notice of preparation of Gas Manual - No. 181 of 1992, (S238, dated 17 December 1992), together with Gas Manual.

Occupational Health and Safety Act - Determinations -

No. 164 of 1992 - Australian Capital Territory Manual Handling Standard and Code of Practice (second edition) (G50, dated 16 December 1992).

No. 174 of 1992 - Australian Capital Territory Demolition Code of Practice (G50, dated 16 December 1992).

PAPERS

MR BERRY (Deputy Chief Minister): Madam Speaker, for the information of members, I present the following papers:

ACTTAB Ltd - Annual Report 1991-92, including financial statements and the Auditor General's report;

ACTTAB Ltd - Statement of Corporate Intent 1992-95;

Chief Minister's Department - Annual Report 1991-92, including financial statements and the Auditor-General's report, together with the Annual Reports 1991-92 from the Agents Board and the Casino Surveillance Authority; and

ACT Tourism Commission Financial Statements 1991-92 and the Auditor-General's report.

CANBERRA THEATRE TRUST
Annual Report for 1991-92

MR WOOD (Minister for Education and Training, Minister for the Arts and Minister for the Environment, Land and Planning): Madam Speaker, for the information of members, I present, pursuant to the Audit Act 1989, the Canberra Theatre Trust annual report for 1991-92, including financial statements and Auditor-General's report. I move:

That the Assembly takes note of the paper.

I want to make a quick comment. I point out to members a significant change reflected in this report, and that is that for the first time in many years there has been an upturn in the number of attendances at the theatre. I want to commend those responsible for that turnaround. The theatre has had some difficult times recently. The Playhouse was closed for a while, they lost the restaurant next door because of the expectation of some other facility going there, and many other venues have provided strong competition. Additionally, the present configuration of the theatre is not ideal. The Government's commitment now to spend \$5m on the Playhouse will make it easier for the Theatre Trust to keep this upward movement in terms of attendances. I want to congratulate them for that change.

Question resolved in the affirmative.

A.C.T. PUBLIC SERVICE - ESTABLISHMENT
Ministerial Statement

MS FOLLETT (Chief Minister and Treasurer): Madam Speaker, I ask for leave of the Assembly to make a ministerial statement on the establishment of a separate ACT Public Service.

Leave granted.

MS FOLLETT: I thank members. Madam Speaker, in April this year the Prime Minister, Mr Keating, wrote to me proposing that the Commonwealth and the Territory commence moves towards establishing a separate ACT Public Service. Mr Keating proposed a target of 1 July 1993, although he recognised at the outset that this was an ambitious target and that some slippage might occur. In my reply to the Prime Minister's letter I said that we would be prepared to commence the action suggested by Mr Keating provided that this could be done under what I called mutually acceptable arrangements.

I went on to outline three threshold issues that were of concern to us. First, I stated that the transition to a separate service could occur only with full union involvement. In other words, our Government is committed to a tripartite process involving, from the outset, unions, the Territory and the Commonwealth.

17 December 1992

In fact, subsection 21(7) of the Australian Capital Territory Self-Government (Consequential Provisions) Act 1988, an Act of the Commonwealth Parliament, requires the Commonwealth and the Territory to consult with the Australian Council of Trade Unions, the Council of Professional Associations and any other organisation that the relevant Commonwealth Minister wishes to include in the consultations.

Secondly, I sought a one-off establishment grant from the Commonwealth to cover the cost of establishing a small task force to manage the transition to a separate Public Service. In subsequent correspondence at officer level, we sought an amount of \$460,000 for this purpose.

Finally, Madam Speaker, the Commonwealth was asked to guarantee that the rights and entitlements of ACT Government employees would be protected. I did this to allay any concerns that our staff might have that moving to a separate Public Service might in some way diminish their terms and conditions. In particular, the Government was concerned to protect the existing right of our Public Service Act staff to advance their careers in the Australian Public Service by seeking transfer or promotion to Commonwealth departments in the normal way. While a separate ACT Public Service will, like the Australian Public Service, be a career service, Public Service Act staff working for the ACT make up less than 10 per cent of employees in the Australian Public Service, and to remove from these employees the right to apply for jobs in over 90 per cent of the Australian Public Service would reduce their career opportunities very substantially.

I might add at this point that mobility between public services is now on the national agenda. At last week's meeting of the Council of Australian Governments in Perth heads of government agreed to form a working party of officials to examine the possibility of allowing mobility between all the public services of Australia. This is a significant development in Australian public administration and one that is consistent with the approach we have taken in this area.

Since my response to the Commonwealth in late May there have been discussions and correspondence at both officer and ministerial level. Progress has not been rapid, but throughout the year I have kept in mind that we already have an excellent Government Service and that we should hasten slowly in seeking to improve it further.

Madam Speaker, I am pleased to report that our patience has paid off. The Prime Minister and I met earlier this month and have reached agreement on the issues that I raised last May. The Commonwealth agrees with the Territory that there should be full union involvement in moving to a separate ACT Public Service. Accordingly, Mr Berry will be writing to peak union bodies shortly to convene a meeting. The Commonwealth will be represented at ministerial level, probably by Senator Cook, who, in addition to his responsibilities for industrial relations, is the Minister Assisting the Prime Minister for Public Service Matters. The Commonwealth has agreed to our request for an establishment grant of \$460,000 in full. This will fund the establishment of a task force within the Office of Public Sector Management in my department to establish a separate ACT Public Service.

Finally, the Commonwealth has agreed to mobility between the two public services. The details of this mobility arrangement have yet to be negotiated with the Commonwealth and with the unions, but the principle is clear: The Prime Minister and I agreed that the two services should be porous in the sense of allowing free movement between them. The model which we will put on the table will provide for total mobility based on merit. This would preserve the current right of public servants to seek promotion or transfer between the Commonwealth and ACT departments, while recognising that employees will belong to either the Australian Public Service or the ACT Government Service, but not both.

Mobility between the two public services offers benefits to the ACT Government Service as a whole as well as to its individual members. The larger employment pool of some 150,000 Commonwealth public servants, many of whom live in Canberra, will enable us to continue to recruit employees with a diversity of backgrounds without compromising the concept of a career service. Along with mobility, other terms and conditions of employment will be the subject of negotiation with the Commonwealth and unions. The principle we will follow is that the rights and entitlements of affected staff will not be reduced as a result of the creation of a separate service.

With the threshold issues resolved, the Government will be focusing on its vision for the ACT public sector. We have a once in a lifetime opportunity to create an excellent framework for public sector management in a single exercise. This opportunity is all the more favourable because of the implementation at the same time of enterprise bargaining. The flexibility available is substantial.

Madam Speaker, we have in mind, and will be tabling with unions, a unified ACT Government Service, the kind of service where the courier can climb the ladder to department head; where there is nothing to stop the office assistant from making it to the general manager of a government enterprise. It will be a service where that office assistant can become the general manager because she or he was given the skills needed through employer-sponsored training, and where she or he received equal employment opportunity in every respect.

I do not think there would be any disagreement about the prime characteristics of our public sector. It needs to be a career service with entry and advancement on merit. It needs to be equitable, and the legislation should set out the values and principles we expect our public servants to apply in the discharge of their duties. It needs to be accountable to the Government and through it to the Assembly and the community. Management needs to be proactive, responsible and responsive. Its staff should all be well trained and we need to provide them with the working conditions that allow them to contribute fully to the level of their ability. The structures and procedures of our Public Service should allow it to operate efficiently and effectively. In short, Madam Speaker, we have the vision; we recognise the excellence of our existing ACT Government Service; and our employees can rest assured that we will not be seeking in any way to detract from their rights and entitlements as a result of this move.

I turn now to the timing of the move to our own service. The 1st of July next year was always an ambitious target. There is no magic about that date, and indeed there is no magic about any date. While I would expect at this stage that a separate service will be achieved by 1994, we should take as long as needed to develop an excellent framework within which to manage an excellent service.

17 December 1992

Unions will no doubt have many issues to raise. There is much negotiation to be done and many provisions to be drafted, by both the Commonwealth and the Territory, and when the job is done I want to be able to say that we have the best system of public sector management in Australia.

In speaking of our vision and in looking forward to our new separate service, it would be remiss of me if I did not recognise what has been achieved in public administration in the Territory since the Commonwealth first announced, a short six years ago, the final form that self-government in the Territory would take. Employees from 10 Commonwealth departments, five major statutory authorities and numerous smaller agencies, totalling 140 in all, were moved into one administration which subsequently became a Government Service devoted solely to serving the residents of the ACT.

An Office of Public Sector Management was established in 1990, both to advise the Chief Minister in relation to her ministerial responsibilities for managing the public sector and to assist the Head of Administration in the management of the public sector. The Corporate Services Bureau and the Corporate Services Management Board were established in 1991 to streamline the management and delivery of corporate services to the public sector. The Corporate Services Management Board evolved in October of this year into the ACT Government Service Board. The board consists of agency heads and has a charter to advise on and manage not only corporate services but all matters of public administration in the Territory.

Madam Speaker, in a few short years we have moved in public administration in this Territory from a collection of units attached to a large number of Commonwealth departments to an excellent Government Service managed collegiately and with ever increasing efficiency. The time has now arrived for us to take that final step by severing our remaining dependence on the Commonwealth and on the Australian Public Service. We will do it carefully; we will do it in a consultative fashion; and above all, Madam Speaker, we will do it well.

BOARD OF HEALTH - FINANCIAL PERFORMANCE REPORT

MRS CARNELL (3.21): I seek leave to move a motion regarding the availability of the September quarter Health figures.

Leave granted.

MRS CARNELL: I have copies of this motion, which is quite long. Could they be circulated?

MADAM SPEAKER: Yes.

MRS CARNELL: I move:

That:

- (1) The Government present a full financial performance report for ACT Health for the recent September quarter within 24 hours and forward it to each Member.
- (2) The report contain:
 - (a) Expenditure and revenue categories, as in previous monthly financial performance reports.
 - (b) Actual year to date figures in each category.
 - (c) Budgeted year to date figures in each category.
 - (d) Level of approved supplementation.
 - (e) Full year projections.
- (3) Future quarterly reports are presented in the same format, and contain at least the same level of information.

This motion is to call on the Government to produce a detailed quarterly financial report for ACT Health, and in particular for the past September quarter. Mr Berry agreed, at a meeting with Mr Moore and me on 18 November, to provide quarterly information, and he reiterated this yesterday. The Assembly needs financial information which has the same depth as previous monthly financial performance reports. Specifically, financial reports should present figures for the following expenditure and revenue categories: Wages and salaries, superannuation, accommodation, grants, operating expenditure, repairs and maintenance, other expenditure, in-patient fees, non-in-patient fees, revenue from meals and accommodation and, of course, other receipts. Furthermore, financial information about each of these categories should be itemised according to actual year to date revenue and expenditure, the original budget estimate for where revenue and expenditure would be at this date, supplementation occurring in each of the various categories, and, of course, other relevant information.

It should be noted that asking the Government to provide this information on a quarterly basis is a significant concession on what occurred previously. In the last Assembly monthly reports were provided; but a minimum standard of financial reporting must be met, and in-depth and intelligible information must be presented, particularly while the finances of ACT Health are such a concern to the community. In this respect the September quarter activity report was absolutely abysmal. It was a total disaster. Mr Berry said on 10 December, in his answer to a question from Mr De Domenico, that I was "supplied with the most up-to-date figures for the recent quarter". That statement is simply not true. For members' information, I can table a copy of the information that I was provided with.

MADAM SPEAKER: You will need leave to do that, Mrs Carnell.

17 December 1992

MRS CARNELL: I seek leave to table the Budget Overview, September Quarter.

Leave granted.

MRS CARNELL: I am sure that everyone has a copy. It is just for everyone's information. The recent financial information I have is page one, which I have just tabled, of the September quarter report. Contrary to the Minister's statement, page one contains no figures whatsoever, except an incorrect figure on the vertical axis of the graph. The financial data presented on that page of the activity report amounted to one small graph which attempted to show changes in net expenditure. It is impossible to make any accurate measurements using this graph.

From the information presented, ACT Health may have been anywhere from 5 to 10 per cent over budget at this stage of the year, but then again it is fairly hard to tell. You would need a very good millimetre ruler just to have any vague idea. No definite facts or figures were presented. One might conclude that the Minister's real motivation was to disguise the extent to which Health was over budget. In relation to this matter the Minister also said last week, in his answer to Mr De Domenico, that he had told us, "For this time of year expenditure in Health is predictably higher than at other times". But this is categorically not the case and, whether inadvertently or deliberately, Mr Berry is providing misleading information to this Assembly.

In this matter I can only draw attention to the facts and let the members of the Assembly draw their own conclusions about the veracity of Mr Berry's statements. I have already tabled financial information for November 1991 before this Assembly. It shows, in contrast to what Mr Berry said, that year to date expenditure was 2 per cent below predicted expenditure at this time last year. I point out to the Assembly that last year was the first time that we actually had information on a quarterly or monthly basis to compare information with.

It is just not appropriate for Mr Berry to say that it is unusual for expenditure at this time of the year to be higher than normal, because certainly, from last year's data, this is not the case. In any case, Mr Berry has certainly made it hard to know the extent of the current budget situation. Of course, it is simply not appropriate for governments to stop providing information just because it may not look good. What Mr Berry should understand is that activity reports were never intended to be just pretty pieces of public relations. It was never intended that information be presented only when it is favourable, and withheld when it does not paint such a pretty picture. These reports were meant to be an honest appraisal and to stimulate honest and informed debate.

Mr Berry: How would you know? They were my idea. How would you know?

MRS CARNELL: I assume that if they were your idea you would agree that they were supposed to stimulate honest, informed debate. The information they contain is supposed to be useful, to help us to develop attitudes and policies, to help us to know which areas of ACT Health are performing well and those areas in which more has to be achieved. Instead, in September we got a report that most people regard as an affront. The media and all people with an interest in the health system regard the financial information provided in the September quarter report as an insult to their intelligence. The financial information in the report was of a "put up or shut up" type. It was a good example of the bureaucratic and ministerial superiority complex that we see in action in this Assembly.

Madam Speaker, as I indicated, the Opposition is making a significant concession. We are willing to accept for the Government to present financial information quarterly instead of on a monthly basis as in the previous Assembly. I am glad that the Minister has indicated that he will provide accurate and detailed information on a quarterly basis in the future. But he must make another concession to accountability and provide the same information for the recent September quarter.

There are a lot of good reasons for wanting this information. It is not just a political stunt, as I have heard the Minister say. We know, everyone who knows anything about Health knows, that there are some disturbing trends in place in ACT Health. For instance, when the budget was presented this year the percentage of private patients entering the system was 32.7 per cent. The figure in the September quarter activity reports was 29.5 per cent. It appears that many of the people who are going into our public hospitals as public patients are people who may well hold private insurance but have chosen not to declare their private insurance status. Others may be people who a few years ago did have such insurance but have abandoned it because they feel that the benefit of keeping such insurance is marginal at best.

We discussed this at length earlier this week. These changes in patient mix, forced by the counterproductive policies of Federal and local Labor governments, obviously have an impact on hospital finances. It means less revenue for the hospital system, and that in turn means less money available to spend on public patients. The financial black hole left by a declining number of private patients also means that Treasury has had to provide supplementation under the business rules - over \$4m last year.

The financial statistics presented by the Minister must be of a standard which can reflect these kinds of developments. During the Estimates Committee hearing the Minister indicated that he had not planned for any changes in the level of activity in the hospital system. In his words, he expected activity to be about the same, but he hoped, as he said yesterday, to do better. Since then, of course, we have seen activity levels rise, and no doubt the Minister again will be seeking Treasury supplementation for this, or possibly ACT Health will be able, as he said yesterday, to see more patients for the same money. Again, financial information presented by ACT Health must bear this out. Instead, the financial data which was provided in the September quarter was almost non-existent and one had no hope of being able to trace such developments.

Madam Speaker, Health is an extremely important area. It amounts to some 25 per cent of the local budget. It is an area where, at the very least, some minimum standards of financial accountability must be met. In September the Minister completely failed to do this. That is what this motion calls for - detailed information on a quarterly basis; the information which was presented to the last Assembly and which must be presented again. I commend this motion to the house.

17 December 1992

MR BERRY (Minister for Health, Minister for Industrial Relations and Minister for Sport) (3.33): Well, I have heard it before. I suppose that it is a repeat of all the doublespeak and invective that we get from Mrs Carnell when it comes to the board. One of the interesting things that need to be placed on the record in relation to this matter is that this is the only area of government enterprise where such interest has been focused.

Mr Moore: It is the only area that loses so much bloody money.

MR BERRY: You will have your chance to speak in a minute, Mr Moore. I would like you to pay attention to all of the facts in relation to it. First of all, this Minister failed to do nothing. I provided up-to-date quarterly figures; more than any other health service throughout Australia has provided. None of them provides those figures, and I did it voluntarily. Nobody asked me to, and in the last Assembly - - -

Mr Moore: You argued in this house against it.

Mr Humphries: You were forced to.

MR BERRY: No, wait a minute. In the last Assembly I continued to provide monthly figures. I provided monthly figures in the early part of this year, voluntarily. In consultation with the board, I suggested to the board that they provide a quarterly report. The board, in its wisdom, because they are, after all, the ones that are bound by law to manage the health system - Mr Humphries would know about that because he was responsible for the introduction of the laws - decided to produce an activity report. They produced it in the way that they decided upon and - - -

Mrs Carnell: I produced the first activity report. I know exactly what happened.

MR BERRY: The quarterly activity report. Did you produce that one?

Mrs Carnell: No, the first monthly one.

MR BERRY: The quarterly activity report. You see, Mrs Carnell now tells us that she wants to still run the board. She has forgotten that she is now a member of this Assembly and not a member of the old Board of Health. Why do you insult the Board of Health?

Mr Moore: I raise a point of order, Madam Speaker. I believe that the Minister is not addressing his remarks through the Chair.

MR BERRY: Why does Mrs Carnell insult the Board of Health? Is she not prepared to let them get on with the job, or does she want to run the hospital system from this chamber? If you want to get rid of the Board of Health there are ways and means of doing that. Then you could ask me across the floor and say, "Give me this; give me that". You are running the health system; go for your life. I have a Board of Health which is required to run the hospital system by law. Please give them the credibility of being able to do it.

I want to deal also with the approach that was taken in the Estimates Committee. Not one request was made for this sort of information in the hours upon hours that Health bureaucrats were before the Estimates Committee.

Mrs Carnell: But you told us that you were going to provide quarterly reports.

MR BERRY: Wait a minute. There was not one question about the detail, not one speck of interest in it. Now, the board decides on a particular course of action. Mrs Carnell does not like it, so the world falls in. Mr Moore and Mrs Carnell came up to my office. Mrs Carnell waved her proposed motion under my nose and Mr Moore said, "What do you think of this?". I said, "On the face of it, it looks all right to me. I will get it examined". I did that. I said, on the same day - - -

Mr Moore: That is correct.

Mrs Carnell: That is not quite what he said.

MR BERRY: No, no. I said, "On the face of it, it looks all right".

Mr Moore: Yes, but you would need to have your senior bureaucrats look at it.

MR BERRY: And I would need to have it examined. I said, "It seems all right to me", and I said roughly the same thing in the house immediately following.

I have had the thing examined and I have taken a whole lot of issues into account. The first and most important one is that it was the board's report and they produced it, in consultation with me too
- - -

Mrs Carnell: The board knew exactly what was in it prior to it being printed?

MR BERRY: It is the board's report.

Mrs Carnell: It is lucky it is the last day of sitting.

MR BERRY: Do not threaten me. It is the board's report. Of course, I agreed to provide the extra information that was requested, or I asked the board to do it. They have not said that they will not do it, so I expect that it will be supplied. I think that is fair enough. Ask them to do it; let them. I am not going to write a direction to the board on every issue that is around the place. I have asked the board and there is no indication that they will not supply it. Now, what do you want to find out? You want to find out how Health is going. Well, there has been much fuss. As members of this Assembly you are entitled to, but I would like to see the same sort of interest in some of the other areas, or would you not have time to do that? Perhaps not. Not enough staff perhaps? This matter, of course, is one of considerable concern because of the disruption of a statutory board.

Mrs Carnell: The blow-outs.

MR BERRY: I said that you want to know how Health is going. I have never ever said anything else but that the Board of Health is spending at such a rate that, if it continues to the end of the year, it will end up spending more money than was provided for in the budget. We all know that. I have said that there are some management things that have to be examined to try to rein in that expenditure. It is a serious issue for all health systems. It is a serious one for us. I do not want a budget overrun of unapproved expenditure. They have to justify every dollar they spend. That is fine. But it makes it very difficult for the board to be dragged out in the open on these issues all the time. They are more or less volunteers, if you like, and they have some serious responsibilities.

17 December 1992

I got some information on the cost of producing the last report. On the information that was in front of me it was \$3,512. I was not prepared to write to the board on the basis of your motion and direct them to redo the report.

Mrs Carnell: That one page?

MR BERRY: I was not prepared to write to the board and direct them to redo the report. It would cover old ground. It was the board's idea. It is like writing to the board and saying, "You were wrong. Kate Carnell says that you are wrong. Redo it". I am not going to direct the board to do those sorts of things on the basis of a request by one Liberal. I am just not going to do it. If this Assembly wants to direct me to direct the board to do certain things, fair enough; and I will direct them.

Mrs Carnell puts forward a motion that the Government present a full financial performance report for ACT Health for the recent September quarter within 24 hours and forward it to each member. I suggested to Mr Moore that he put this motion up yesterday, that the board was meeting today, and that I would be prepared to put it forward to them. I can tell you now that if you carry this motion in its current form I will direct the board to meet again - I do not know how much that will cost - and I will direct them to approve of the - - -

Mrs Carnell: Don't you have the quarterly figures?

MR BERRY: I will direct the board to provide those sorts of figures.

Mr Humphries: That is a good question. You should have the information already, on your desk.

MR BERRY: The board is responsible for this and the board has to take responsibility for it. If this motion is passed I will direct the board to convene another meeting, whether they can do it in 24 hours or not, and then I will direct them to provide the information requested by this Assembly - if it so requests me to do so - and that is fair enough. You are entitled to direct me to do that and I am prepared to listen to you, but the board will know who made the direction.

Mr Moore: Wayne, you have had plenty of opportunities to provide it and it is a pity that it has to come to this, but there we are.

MR BERRY: No, no; no, no. I said that I was prepared to ask the board to do things and I was not prepared to direct the board on the basis of two people coming up and asking me to go over old ground.

Mrs Carnell: Wayne, if you do not have the information, then, quite honestly - - -

MADAM SPEAKER: Order, please!

MR BERRY: This is an issue of the board running the health system and producing an activity report - - -

Mr Kaine: And the Minister totally abdicating from all responsibility.

MR BERRY: No, no.

Mr Humphries: Talk about blame the board.

MR BERRY: No, no; it is not blaming the board. The board is required under the law that you introduced into this Assembly, Mr Humphries, to run the health system. Of course, I can direct the board; and I will, if I am directed by the Assembly in this case.

Mr Kaine: Why do you have to be directed by the Assembly? Why don't you take an initiative yourself?

MR BERRY: I have said that I will do it, Mr Kaine; I have said that I agree. Yes, you have asked me to do it. I will ask - - -

Mr Kaine: You said that three months ago.

MR BERRY: No, no. I said that I will do it. I have asked the board to do it in their next report. They have not said that they will not, so I expect that they will. What all of this demonstrates is that Mrs Carnell has this passion for running the health system. There is no other health system in Australia that does anything more than issue an annual performance report - and I am happy for it to produce a quarterly report. I did. The board issued their report and, as I have said, they issued it in a form that they are happy with.

Mr Kaine: I am sure they are, because it makes them unaccountable, and makes you unaccountable too.

MR BERRY: Fine. Mr Kaine says that the board is unaccountable. The board is accountable under the legislation which your Government supported. I am opposed to the principle of this motion, but I can count. I think it is a scandalous approach. It is just another vote of no confidence in the board. They have produced the report. Mrs Carnell says, "I do not like your report; do it again". So, I will direct the board to go and do it again. Mrs Carnell does not like it; Mr Moore does not like it.

Mr Kaine: And, for the record, I do not like it either.

Mr Moore: The Assembly as a whole, if the motion is passed.

Mrs Carnell: The Assembly does not like it.

MADAM SPEAKER: Order, please!

MR BERRY: Well, that is fine. They will know where it is coming from. They will know where it has come from. Mr Moore will bear the responsibility, No. 9.

Mr Moore: And be very proud of it.

MR BERRY: That is right. That is fine, and I am quite happy for you to do that. So, there we have it. This is nothing more than a politically motivated attempt to interfere with the management of the health system, and it has as a basis some passion in this Assembly to run the hospital system. As I have said in the past, we have a board by law; why not let them run the thing?

17 December 1992

I have asked them to provide this extra information and I am sure that they will; but you have to understand that these sorts of things are dealt with by direction, as I am entitled to do, and there is a cost to it. Let us not forget that there is a whole host of bureaucrats who are in the process of lining up for an examination by the Public Accounts Committee. So, we will divert them from all of that. The board will divert them from all of that just to attend to this little matter. That will be just another burden on them. Do not worry about that; we will pay for it.

Mrs Carnell: Do you mean that they do not have the first quarter figures? Is that what you are saying?

MR BERRY: No, no. You want an activity report that suits you.

Mrs Carnell: What did they draw the graph from?

MR BERRY: Are there any other problems with the activity report?

Mrs Carnell: What did they draw the graph from, Mr Berry?

MADAM SPEAKER: Order, please!

MR BERRY: I do not know. I did not do it. The board are the ones who are responsible for these sorts of things - and the bureaucrats who work for them.

Mrs Carnell: But you have to have figures to start with.

MADAM SPEAKER: Order, please! Members will desist from interjecting, please.

MR BERRY: They drew it on paper, I suppose. What a silly question!

Ms Follett: Or maybe a whiteboard.

MR BERRY: Yes, maybe a whiteboard first. This is political nonsense. There is a report coming at the end of the year. It is a quarterly financial report. They have all the information and it will show how the activity levels are moving upwards because we have higher activity than predicted.

Mr Kaine: Especially over Christmas when they are moving down.

MR BERRY: No, no; they will go down there because there is a closure period over Christmas, the same as there has been in the past.

Mr Humphries: Which you attacked when you were in opposition.

MR BERRY: There is a closure period over the Christmas period and it will be well managed. We are spending at a rate that will cause us some difficulty if it continues. Towards the end of the year we will go over the amount of money which is allocated, if it continues. The board has to work hard to rein them in and it is going to be a bit painful, I think.

Mr Humphries: It is a change of tune by you, isn't it?

MR BERRY: No, no; no change of tune. I know what is going on, Gary; that is the difference.

Mrs Carnell: Then you can give me the figures because it is not a problem.

Mr Humphries: Give her the figures if you know what is going on.

MR BERRY: Well, you did not, and you would not divert the resources to have a look. That is the difference. So, there it is, members. I am quite happy to direct the board if so directed by this Assembly. I think your time is a bit too tight. I think the motion should read that the board be directed to reproduce the September performance report, or whatever it is called, including the figures along the lines which Mrs Carnell has requested. (*Extension of time granted*)

The difficulty I have with the motion is the way that it is structured. I intend, while ever the board is part of the process, to let them take responsibility for these things. I intend to make sure that the board bears the responsibility of these things. I think the opening paragraph should read that the board be directed to provide the full figures. I think they are roughly the ones that you requested in the first place, are they? Are they no different?

Mrs Carnell: No different at all.

MR BERRY: Right. It should read that they be directed to provide a full performance report for September, including the figures along the lines that you have set out there. I think it is the wrong thing to do; but, if the Assembly desires that it be done, then I will direct them accordingly. But I do not think I can do that within 24 hours, reasonably.

Mr Moore: I will move an amendment to say "seven days".

MADAM SPEAKER: That will have to be moved and circulated, Mr Moore.

MR BERRY: Can you move that the board be directed? I will move an amendment; there you are.

Mrs Carnell: No, not that the board be directed.

MR BERRY: Well, it is the board - - -

Mrs Carnell: It is up to you to make a decision.

MADAM SPEAKER: Mr Berry, once you have spoken you cannot move an amendment - unless you have leave, of course.

MR BERRY: I will do it by leave.

MADAM SPEAKER: You will seek leave then? All right.

17 December 1992

MR MOORE (3.49): Madam Speaker, I will now move an amendment which will be circulated in my name. I hand it over. I move:

Paragraph (1), omit "24 hours", substitute "7 days".

The amendment recognises the difficulty that Mr Berry indicates that he has. Politically, he wants to say that to direct the Board of Health is not necessary because it is appropriate that this Assembly direct the Government. How Mr Berry goes about that is his business. If he wants to do it by directing the Board of Health, that is his business. He can certainly, and no doubt will, put the blame, as he calls it, directly on Mrs Carnell and me. He indicated that he would do that. I am quite proud to say that this is not the first time that I have chosen to give a similar direction, because I believe that the Assembly has the right to find out what is going on in Health and to find out the figures, as it did at this time last year. He is in the business, Madam Speaker, of saying, "If it were not for Mr Moore's vote, this would not have gone through". That is fine.

I am quite happy to say to the board that we gave Mr Berry opportunity after opportunity to give us the figures, right up to yesterday when I asked a question without notice saying, "Will you give us the figures monthly?". My supplementary question was, "If you will not, will you at least give them to us for the September quarter?". You had opportunity after opportunity to do so and you have said that you are not going to give us those figures. The reality is, Madam Speaker, that members of the Assembly and members of the public are entitled to know what is going on in Health. We are entitled to know what those figures are, so that we can project; so that we can compare them with the December quarter figures and those for last year, do our own projections and make our own interpretations.

It is very refreshing that Mr Berry has said to us quite frankly that basically there is a problem and that the projections indicate that there will be a blow-out; that therefore the Board of Health is going to have to take appropriate action to ensure that that projection does not continue. I think that is a reasonable interpretation of what he said. The much more worrying thing, Madam Speaker, is that Mr Berry has indicated that the only way he can get these figures is to now go back and direct the Board of Health. That is an admission that Mr Berry does not have the figures. That is a great worry. It is appropriate that this motion be directed at the Government. Now that he has seven days, providing this amendment is passed, Madam Speaker, it may well be that Mr Berry finds out from his advisers that he will not have to recall the Board of Health at all; that in fact he does have these figures. I would hope that he has actually had a look at them and therefore will be able to deal with them.

Madam Speaker, this is a quite sensible motion. It is appropriate, as it was last year, that members, and, if necessary, the public, are made aware of the exact situation, because it is the biggest budget item and because we know that there are problems there. We want to monitor those problems and we want to monitor that they are being taken care of.

Mr Berry: You will know in December. You will know in the December figures.

MR MOORE: Mr Berry interjects that we will know in December about December. I would say thank you very much for that. Your volunteering of that information was not unacceptable; it was entirely appropriate. I congratulate you for your approach on that. It contrasts, because what we want is the September figures as well, so that we can do a comparison of the two. That is what we want, Mr Berry, and that is what I hope this Assembly will direct your Government to deliver.

MR HUMPHRIES (3.54): Madam Speaker, I want to support this motion. I indicate that the Liberal Party can support the amendment as well. This is clearly a fundamentally important issue about access to information which is necessary to us as members of the Assembly to discharge our duties as scrutineers of the performance of the Government. I do not need to go back over the ground that constitutes the concern that we have and that Mr Berry used to have about the state of health finances. We were all extremely concerned about it in 1989 when the first budget blow-out occurred; we were concerned about it again in early 1990-91 when a second blow-out occurred; and we were equally concerned with the subsequent two blow-outs that have occurred since the Alliance Government.

I think, Madam Speaker, that all of us need to take on board very seriously the responsibility, as members of the Assembly - whether government, opposition or crossbenchers - to ensure that the maximum possible scrutiny is given to the process of managing the health budget not only so that the Minister feels accountable but also so that we have the best possible opportunity of providing the community with a chance to know what is going on and letting them have the satisfaction of seeing a system, which, frankly, has been arcane and difficult to discern, opened up to public scrutiny. That must be a positive process. Obviously, we are not going to find everybody liking that process. Obviously, the Minister is a bit uncomfortable, and I have no doubt at all that some members of the health administration are also uncomfortable. But, Madam Speaker, we have an obligation, a fundamental obligation, to know what is happening. How difficult, up until now, has it been to know what is happening?

Mr Wood: You never knew.

MR HUMPHRIES: I will come to that point made by Mr Wood - that I did not know. It is true that I did not seek information on a monthly basis from the Board of Health, because when I got into government there was an identified problem with the health budget. There was a report commissioned, which Mr Berry will well recall. It was commissioned by his Government, in fact. A series of recommendations were brought down by that report into what should be done to strengthen the process of health budgeting and health accounting.

Despite the suggestion made quite frequently by the Minister that nothing happened to that report in the life of the Alliance Government, the record clearly shows that every recommendation bar one was implemented by the Alliance Government, such as to render the position with health accounting considerably more strong and more open than it had been up until that point. That is a fact.

17 December 1992

If Mr Berry believes otherwise, he should table the respects in which those particular recommendations were not implemented. He knows that they were all put into place. The evidence of that, Madam Speaker, is the fact that in the entire life of the Alliance Government never once did Mr Berry, as shadow Minister for Health, ask a question about the implementation of those recommendations arising from his own report.

Since the Alliance Government left office we have had a Minister who has promised - he certainly promised it when he was in the process of coming into government - considerably greater access to information about what is going on in the health budget. He said, with more than a grain of truth, "We have here a situation which obviously is lacking sufficient control and is of a standard which is unacceptable to the people of Canberra, and it must be lifted. We must get better access to information and I, as Minister, will make the position with health financing and health budgeting far more open and far more accountable than it was under the previous Government". He won some brownie points on that basis.

In fact, it has been disturbingly difficult to actually get information from this Government on what has been going on with that health budget. I put to one side the question of what has happened in this chamber, where we have found again and again a ministerial response rate which has been quite markedly different from those of his colleagues around him.

Mr Kaine: Close to zero.

MR HUMPHRIES: Close to zero. I defy him to get any independent person, any arbiter, to sit down and look at the questions that have been asked, simple factual questions, and prise apart the rhetoric and invective which invariably meet every question that we ask in this place, to find the facts that are put before the Assembly by the Minister in response to those questions. We see clearly that we have nothing of any value before the Assembly day after day on which it can assess the state of health financing.

On the other hand, we have had, for a period, monthly reports on the state of health finances. That has been a great help to us, with some qualifications. But let us bear in mind that they were originally obtained by the Minister being dragged, kicking and screaming, to the point of having to provide them to the Assembly, declaring that the Board of Health would crumble before our eyes if we actually dared to have this information made available, desperately anxious not to provide the information to the public and having ultimately to provide it, and then saying, "I gave the information voluntarily", with his arm almost dropping off from having been twisted behind his back.

Then, when the information became available, it was, first of all, in a format which was extremely difficult to understand, in a format which changed every month it came out - it was never the same any two months in succession - and which always arrived, invariably, after about 4 o'clock on a Friday night when every journalist in town had gone home, when almost everybody else had gone home, when the minimum media impact would be made from those kinds of stories. It also had the back-up benefit that there was a very flexible set of business rules available. It did not matter what really was happening in the health budget; you could always sort of top it up. The basic rule was that if the board asked for more money they would get it. That is a slight exaggeration, but that is essentially what was going on.

Madam Speaker, it is obviously quite true that the Board of Health was uncomfortable with the regime of having to put those figures on the table; but that regime was one initiated by Mr Berry's own comments, by the tone he himself set when he came into office, because he said clearly to this Assembly that the level of accountability in Health was not good enough and it had to rise. He himself said that he would find out on a monthly basis, unlike his predecessor, what was going on in the health budget. With that level of information coming to the Minister, the question has to be asked: Why cannot the rest of the Assembly know as well? Why should the financing of Health be a secret? Why should it not be available to people in the ACT? The answer is that there is no reason.

I do not believe that it is necessary for the Minister to direct the board to make the information available. I am quite certain that, if the Minister has been as good as his word on this question, the information, in exactly the form that we wanted, will already be sitting on his desk - right there in the middle of his desk. It will be there. If he wants to grandstand and pretend that he has to get the board to deliver the information, I think that is unfortunate. I think we all know that, in fact, the board has already provided the information in a form which the Minister must have. If he is a Minister who is worth his salt, he must have the information on his desk. Does the Minister not know what the expansion revenue categories have been in the preceding quarter or preceding month? Does he not know what the actual year-to-date figures have been in each category? Does he know that? He does not say anything, but we assume that he knows. Does he know what the full year projections are? Do you know that, Minister?

Mr Berry: The board runs the health system.

MR HUMPHRIES: But do you know?

Mr Berry: The board runs the health system under Gary Humphries's law.

MR HUMPHRIES: He says that the board knows. The point he made, Madam Speaker - - -

Mr Berry: My parliamentary accountability will require me to go to the board and say, "Parliament wants you to do x, y and z".

MR HUMPHRIES: I will need an extension if you keep carrying on, Mr Berry. The point he made in opposition, Madam Speaker, was that it was not enough for the board to know; the Minister had to know as well. That was the point Mr Berry kept making - that the Minister ought to know. Remember the point you kept making in the early part of 1991 - "You could not even be bothered to find out", you kept saying. In other words, "You, Minister", that was me, "do not know". Well, now I am asking you: Do you know? If you do know, if the information is there in this form, why can you not tell us?

Mr Berry: The board will tell you, because that is their responsibility. I will make it their responsibility.

17 December 1992

MR HUMPHRIES: This is it; the old "Brick wall" Berry comes back again - "No, nothing is going to come out of me. You have to drag it out of me with buckshot". No, Madam Speaker, I think everybody can see through that kind of facade. We realise that there is enormous value in getting access to that information. The community deserves it, and I think we are entitled to ask for it and to seek it in the form of this motion. With 15 seconds remaining, I will sit down.

Amendment (**Mr Moore's**) agreed to.

Motion (**Mrs Carnell's**), as amended, agreed to.

PUBLIC ACCOUNTS - STANDING COMMITTEE
Discharge of Member

MR MOORE (4.05): Madam Speaker, pursuant to standing order 223, I move:

That Mr Kaine be discharged from attending the Standing Committee on Public Accounts for that committee's consideration of the Auditor-General's Report No. 6 of 1992.

Mr Kaine: Why?

MR MOORE: The interjection from Mr Kaine is, "Why?". On reading through report No. 6 of the Auditor-General I saw on pages 27 and 28 a comment by the Auditor-General about salaries of staff members. The comment there is about severance pay for what I determined by the process of deduction to be Mr Kaine's staff.

Mr Kaine: I think that you are making an assumption that is unwarranted.

Mr Connolly: Nobody else had a staff member who was elected to this Assembly.

MR MOORE: Madam Speaker, it could be nobody else. Under those circumstances, because the Assembly committee is looking into action taken by Mr Kaine that the Auditor-General has drawn attention to, which raises some important questions, I think it is appropriate that a normal process that is followed quite often in matters of privilege in the House of Representatives be followed here. In no way am I reflecting on Mr Kaine's ability in the Public Accounts Committee. We all admire a number of the reports that he has brought down. On this specific report - I am talking about only this specific report - I think that he should be discharged from duty.

Question resolved in the affirmative.

ADJOURNMENT

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

That the Assembly do now adjourn.

MADAM SPEAKER: Mr Kaine, I will let you go first. I might take the next opportunity.

Valedictory : Retirement of Mr Jeff Brecht

MR KAINE (Leader of the Opposition) (4.06): Madam Speaker, there are two or three comments that I would like to make at this stage of the year. It is the last sitting day of this Assembly in 1992. First, I would like to wish all members and staff, as well as the Secretariat staff, a very merry Christmas and a happy and prosperous New Year.

Secondly, Madam Speaker, I think it is fitting to remember those many Australians who are victims of the tough economic times in which we live. Without wishing to make a political point, the reality is that more people are hurting in this Christmas season than we have seen for many years, and I think that the spirit of goodwill that many Canberrans show at this time of year must be acknowledged. I refer to the many charity and community support groups that operate within our community and which consist of people who are always willing to make the lives of others in our community happier. This year their gift of giving is perhaps more significant than ever before, and we should especially recognise those who so unstintingly ensure that all Canberrans are able to share the joy of the Christmas season.

Finally, Madam Speaker, as I look back on this year of 1992 and look forward to what 1993 might be, there is one thing that strikes me immediately. Today during the proceedings I looked around the chamber and there I found the always smiling face of one of the Assembly's attendants, Mr Jeff Brecht. Madam Speaker, as you know, Jeff will leave the Assembly early next year to enjoy retirement after a hardworking stint, more recently serving this institution. He joined the Legislative Assembly in April 1989. Many of the features of today's chamber that we are sitting in which make life easier for us are a result of his initiatives.

Jeff spent 20 years as an attendant at Parliament House, including eight-and-a-half years as an attendant in the House of Representatives, before "retiring" in February 1989. His face is well remembered by members of the house for the same reason that we remember him - that is, he is always smiling and laughing; yet he is the consummate professional in the performance of his duties. Before his service to the Federal Parliament and the ACT Assembly Jeff served in the armed forces. He joined the Army and served with the occupation force in Japan during the 1940s. He left the Army to join the Royal Australian Air Force. As a former officer in the regular Air Force, I can only commend him for that move, even if he did not quite get it right the first time.

Madam Speaker, Jeff is one of those who have been with the Assembly since its beginning, and there are not many of us left. He started in April 1989, bringing a wealth of experience. The sound system that we have here is a result of Jeff's initiative, as is the call system for members to summon attendants.

17 December 1992

All of this was done on a very lean budget, with only Jeff's experience and background to work from. Jeff also provided the training for our attendants. The professional manner in which all of our attendants in this chamber perform their duties, as well as their good-humoured approach to their job, is, I believe, a credit to Jeff. Madam Speaker, it is often easy to forget that being an attendant does not consist of just sitting and waiting for one of us to press our call button. There are many other duties, such as handling the correspondence that flows into and out of the building, telephones, the distribution of notices and legislation - so many of the things that we in this chamber take for granted.

It is with mixed feelings that I wish Jeff all the very best for his retirement. On the one hand, he will be sadly missed by everyone in this place; yet, on the other, he served this place and his country with distinction over many years, and it is his turn to have a break. I wish him and his wife Lorraine all the happiest times during their retirement. Jeff will be around for a couple of months yet, but today is the last sitting day that we will have him here with us as an attendant. Madam Speaker, I hope that all members will make Jeff very welcome back in this place during his retirement. My hope is that we will see him back here often when he has nothing else to do.

Mr Dennis Stevenson - Report on Study Trip : Valedictory

MADAM SPEAKER: Thank you, Mr Kaine; you took the words right out of my mouth. I am using this opportunity, firstly, to table a report which Mr Stevenson has given me. It is a report of study undertaken under his study travel bid. I table that, for members' information.

I will also very briefly use this opportunity to say thank you, first of all, to all of you members for your tolerance and professionalism. I would like to thank the library staff, the Australian Protective Service, the Wormald Security staff, officers of the ACT Government Service who have assisted the Assembly, Parliamentary Counsel's staff, the Secretariat staff and, of course, most particularly, Jeff. I and many other members of this Assembly will be joining together today to wish him well.

Valedictory : Retirement of Mr Jeff Brecht

MS FOLLETT (Chief Minister and Treasurer) (4.11): Madam Speaker, I would like to speak very briefly in this adjournment debate, the last for 1992. First, could I wish all members a very happy Christmas and New Year. I extend those wishes to all of our staff, to the Secretariat and to the members of the Government Service who have assisted so much with the conduct of the Assembly, particularly with the conduct of government business in the Assembly.

I would like, Madam Speaker, to echo Mr Kaine's wishes to Jeff Brecht on his imminent retirement. Like Mr Kaine, I have been in this Assembly since the start and I can say that it has been a very great pleasure to have known Jeff in his working capacity. I have found him invariably helpful, not just to me but also to visitors that I have on occasion had in the gallery, particularly my mother. Jeff Brecht has been unfailingly courteous and helpful towards those people.

Madam Speaker, I have also discovered a little bit of an insider's secret in relation to our Assembly personnel, and that is a quite lengthy and large document located in the anteroom behind Madam Speaker's chair. That document is entitled "Brecht's Practice". I was intrigued by the title and I perused the document at some length. It details the enormous number of tasks that are the responsibility of the senior staff in the chamber, responsibility for tasks which may not always be totally apparent to us because we take them for granted. I can assure members that it is a very lengthy document and on the basis of the duties in that document rests the whole operation of this Assembly.

I would like to congratulate Jeff very warmly on the discharge of his duties in this chamber and wish him all the very best in his retirement. Like Mr Kaine, I hope that I might have the pleasure of seeing Jeff around even though he has retired. I know, of course, that this kind of work does get into your blood. It is very difficult indeed to tear yourself away, even though your formal duties might have concluded. So, a happy retirement to Jeff, and I do look forward to seeing him around from time to time, not every day perhaps, in the course of that happy retirement.

Valedictory

MR MOORE (4.14): Madam Speaker, in the adjournment debate today, apart from wishing people a merry Christmas and a happy New Year, I thought I would issue some awards. I went through and found the appropriate awards.

Mr Connolly: That is Gary's job.

MR MOORE: Mr Humphries is going to do it in a different way; I checked that. I thought I would start with the Chief Minister, Ms Follett, who ought to get the Margaret Thatcher award for radicalism. Mr Berry should get the Joh Bjelke-Petersen award for evasion tactics. Mr Connolly, I think appropriately, should get the Red Adair award for fire fighting, and Mr Wood, the Winnie the Pooh award for the protection of furry animals.

For you, Madam Speaker, there is the Henry Kissinger award for mediation; for Ms Ellis, the Edna Everidge award for the Tuggeranong possums; for Mr Lamont, the Gaddafi award for negotiation; for Mrs Grassby, the Russ Hinze award for tact and diplomacy; for Mr Kaine, the Arnold Schwarzenegger award for subtlety; for Mr De Domenico, the Wizard of Id award for democracy; for Mr Cornwell, the Richard Nixon award for access and equity; for Mr Humphries, the Michelangelo award for sculpting prominent figures; for Mrs Carnell, the Coco Chanel award for slumming it; for Mr Westende, the Christopher Skase award for business development; for Ms Szuty, the Pixie-Anne Wheatley award for in-depth research; and for Mr Stevenson, the Fred Nile award for existentialism. I thought it would be inappropriate to give all these awards without taking one for myself, Madam Speaker. Having moved around a little in today's Assembly meeting, I thought it would be appropriate that I take the Marx Brothers award for fancy footwork.

17 December 1992

Madam Speaker, I would hope that I could present a Bill that compels everyone in the house to have a wonderful Christmas break. I hope that the sanity clause comes to you bearing gifts - and do not tell me that there is no sanity clause - and that the sunset clauses are full of pleasant and relaxing times. Madam Speaker, I think it is appropriate that we also present an award this evening for Jeff Brecht, and I think he should get the Job award for patience.

Valedictory

MRS GRASSBY (4.17): Madam Speaker, 1992 has been an interesting and at times entertaining year. This year once again has been one of firsts. We elected the Assembly's first woman Speaker in Ms McRae, and we are the only parliament in Australia to have women as the head of government and the Speaker at the same time. Madam Speaker, another first this year was the engagement of one of our members. One of life's unclaimed treasures, Mr Humphries, has shown us that he is no longer eligible for the bachelor's button in the Christmas pudding.

Madam Speaker, at the beginning of the year we were all involved in an election campaign and that saw the entry of many new faces to the Assembly. The hectic pace has continued for us all and as the year draws to a close some of us are looking more tired than others. Mr Connolly probably looks back to the beginning of the year and considers it to have been quite restful compared to now. Mr Connolly was blessed with his first child, Lara, this year - another first for the Assembly - and I am sure that both he and his wife Helen are looking forward to a well-deserved rest.

My Christmas wish to the Assembly members is that all members get what they deserve but not necessarily what they ask for. I must say that Mr Stevenson does not deserve to have the Assembly abolished, and I do not think that Santa will be putting a local council in his stocking next week. Mr Humphries, likewise, has already got his present. He deserves this, yes, so I am sure that Santa will not be giving him the leadership of the Opposition.

Madam Speaker, I would like to thank all the attendants and other members of the Secretariat for their hard work and assistance this year. I would also like to take this opportunity to say goodbye and good luck to Jeff and to wish him well in the future. As we all will not be returning early in 1993, we will miss Jeff. I wish him all the best and all the things he wishes himself.

Valedictory

MR HUMPHRIES (4.19): Mrs Grassby reminds me that - - -

Mr Connolly: You can have an extension, Gary, if you want it.

MR HUMPHRIES: I can? Thank you. You are in for a special mention, so do not worry, Terry. Madam Speaker, members will have noticed that with spring in the air - at least spring is supposed to be in the air, according to the calendar - some people's thoughts have been turning to romance. At least mine have. The good thing about getting married, Madam Speaker, is that, after fraternising all day with the incurably cynical people in this place, one can go home at night, talk to one's beloved and be heard without demur or a point of order being taken.

Mrs Grassby: You wait until you are married, mate. You just wait. You are having yourself on. Wait until she has the ring on her finger.

MR HUMPHRIES: That is what it says in the book I have read.

Mr Lamont: You will be quickly disabused of that misconception.

MR HUMPHRIES: Madam Speaker, the ideal mate is, I will concede, hard to find. My male colleagues will be crushed to learn that the perfect woman does exist but will be off the market as of next April. I have recently been giving some thought as to how others in this place might find true happiness, notwithstanding my own good fortune, and I have assembled a list of those personalities who I think would make perfect partners for my colleagues in this Assembly. Some of my suggestions are, regrettably, dead, but the other qualities of my putative spouses will outweigh this disadvantage.

I think, for example, that Ms Follett would make an excellent wife for Wolfgang Amadeus Mozart because he, too, liked to call the tune and he was very fond of casinos. For Mr Kaine I would recommend Queen Boadicea. With a woman like that around, Mr Kaine would never need to watch his back. For Mr Wood I suggest the girl that used to appear in the old Coppertone ads - the one on the beach with her panties being pulled down by the dog from behind. With her, for most of the time, the pink bits are covered up. The perfect match for Mr De Domenico, I think, is Margaret Whitlam, who would always keep him on his toes.

For Mr Moore I recommend the singer, Janis Joplin. That way he would never be short of sex, drugs or rock'n'roll. I think Queen Anne would be a great partner for Mr Connolly. Queen Anne had 14 children, which is just what the right wing of the ACT branch of the Labor Party could do with at the moment. Mr Cornwell and Mr Westende could fight it out for Marilyn Monroe, who of course would be a perfect partner for them since she also was rather blonde on top. Ms Ellis, I think, would be best suited by some kind of open marriage arrangement. I had in mind a sort of Indian ashram, a sort of communal marriage, with people coming in and going out, and it would be open to all members of the Tuggeranong community to take part in that open marriage.

17 December 1992

For you, Madam Speaker, I would recommend Governor William Bligh. He, too, was a strict disciplinarian who had to put down a mutiny or two in his time. I hope that you have a taste for long sea cruises. For Mrs Carnell I would suggest Mowgli, of *Jungle Book* fame. Members will recall from their childhoods that Mowgli, too, liked to roam through the jungle hunting for berries. Mr Stevenson might like to marry Mrs Claus, Santa's widow. That way he could give the Labor Government a Christmas present like the one he is, I think, thinking of giving them this year every year. Ms Szuty's ideal husband, I think, would be Oliver Twist. That way, when she asks, "Please, sir, can I have some more?", the answer will always be yes. Mr Ed, the talking horse, would be well suited to Mrs Grassby. He talks a lot, but he cannot be ridden or raced. To Mr Berry I would like to offer Senator Bronwyn Bishop. I do not particularly have a reason for that. It just has a certain appeal, Madam Speaker; I do not know why.

Finally, Madam Speaker, Mr Lamont. I think a very functional spouse for Mr Lamont would be appropriate here, and I would suggest Tinkerbell, of *Peter Pan* fame. To explain why I suggest this I need to go back to an incident a few weeks ago when Mr Connolly witnessed a mugging in Garema Place late one night. As members will know, Tinkerbell glowed in the dark. With the luminescent Tinkerbell at his side, Mr Lamont and his friends from the Transport Workers Union would not mistake one person for another in the Civic gloom, and Mr Lamont would be sure to recognise ministerial colleagues when he wanted to seek them out in the gloom of our Civic places.

Madam Speaker, I ask my colleagues to forgive me my enthusiasm for their welfare and not to let thoughts of what might have been in their personal lives spoil their enjoyment of a very merry and peaceful Christmas.

Valedictory : Retirement of Mr Jeff Brecht

MR LAMONT (4.25): It was not too bad; seven out of 25, Gary. I find it rather strange that you talked about - - -

Mr Moore: Bronwyn Bishop.

MR LAMONT: Yes, that was one problem. I would have thought that Bronwyn would have some matches other than Mr Berry. It is only appropriate that we place on the public record a number of things at the conclusion of the first year of this Assembly. First of all, I refer to Mr Kaine's achievement in winning, by absolutely resounding acclamation this morning, the inaugural ABC Pollywaffle award. He received that for that daring statement, "I'm human". That cannot be correct, Mr Kaine. Anybody with so many knives in their back who is still alive has to have something else going. That is a bit of a jibe across the chamber.

Madam Speaker, it is appropriate at the end of the year, particularly this year, that we pay due regard to a person who has served the Australian people for over 25 years in one occupation, and that is Jeff Brecht. It should be understood by members of the Assembly that Jeff, in his parliamentary role, in his attendant's role, served for 20 years in the Federal Parliament, in the House of Representatives. It was there that I first was introduced to Jeff when I was the secretary of the Australian Public Service Association.

It is the mark of Jeff that all people who know him speak only in glowing terms of his humility, his sincerity, and that basic characteristic which I think all of us aspire to, and that is to be a true Australian. Jeff has that capacity to overcome adversity which is presented to attendants and people servicing this chamber. It is not an easy place in which to work. Tensions build up across the chamber on particular political issues; yet the staff of the Secretariat, and in particular the attendants, are required to continue their normal business and to serve each of the members of the Assembly and in turn the ACT people. It is fitting, on the occasion of Jeff's retirement, which I understand will be on 5 February next year, that we pay the proper regard, through our comments on Jeff, to all of the attendants and all of the staff that work here. Jeff certainly will be missed. Very rarely can you say that a person's shoes will not be able to be filled, but I believe that that is the case in relation to Jeff. He brings something which is unique to this chamber and a service which is unique to the people of Canberra.

Foster-Children

MR DE DOMENICO (4.28): Madam Speaker, 13-year-old Sarah's Christmas wish is to visit her father's grave in South Australia for the first time. That is a sad kind of Christmas wish, even sadder when you know that it may not be possible. Sarah is one of about 40 teenagers living with foster families in Canberra. For many of these families the joy of Christmas is overshadowed by financial and emotional burdens. At this time of year, when Santas and Christmas ads appear everywhere, foster families like Sarah's know that it is time to brace themselves for the "joy" of Christmas.

Sarah was placed through one of Canberra's main foster care services, Extend-A-Family Foster Scheme. The scheme places disadvantaged and often difficult teenagers who have been abused or abandoned and who are living in squats or refuges or with friends or on the streets. Caring for these kids is a tough job and the extra strain of Christmas is sometimes overwhelming, as this extract from a report written by foster care coordinator Bert Huber last Christmas Eve illustrates:

The weeks leading up to Christmas were extremely stressful and busy. While sitting in the office listening to the so-called "joy of Christmas" by way of carols, the noise of parties and just the rush of those trying to complete Christmas shopping, I worked hard at trying to make Christmas arrangements for those children in care.

This is probably the most stressful task of my job. It destroyed any feeling I had about the so-called "joy of Christmas" last year and it was successful in doing so again this year. Again I was faced with the task of dealing with either children who wanted to go home but were not allowed; those whose parents wanted them home but would not go; and those whose parents would only allow them home for the day, leaving us with the problem of what to do with them if their foster-parents had gone away. We as a society have a lot to answer for in this regard as we set up false expectations that Christmas is a happy time for all.

17 December 1992

In Sarah's case, Madam Speaker, her mother's whereabouts is not known, and her father died eight months ago. The Christmas break will be her first opportunity to visit her father's grave and really begin the grieving process. Bert Huber said:

Sarah could stay with her grandmother for a couple of days, and there is an aunt as well in South Australia, but there's the question of who will pay for her to get there. We have another family with two foster kids and two of their own. They're going away for a fortnight at Christmas and it is going to cost them an extra \$400 each for their foster kids to go too.

Co-worker Roger Foster added:

There's another foster-child who is intellectually disabled and wants to spend Christmas with her grandfather but we know it will be too much for him after a few days. And another one will be going home to visit her mother in Dubbo, but we will be waiting for the call because every time they see each other, it breaks down. Several of the kids have parents in gaol as far away as Bathurst, and that means someone has to make a day trip so they can visit for a few hours. We will be wearing our pagers on Christmas Day.

There is also the problem of what to do if the natural parents want to see the foster-child for a day, or even just a few hours, but the foster family is going away and there is no money for return bus or plane fare on Christmas Day. Then there are presents. Bert Huber says, Madam Speaker:

If a family's natural children want bikes, do they give them bikes and not their foster children? And if they do give "evenly" grandparents are still likely to flood the natural kids with presents. Lots of our kids have never had anything nice given to them.

It is difficult, too, for children in foster care to give presents. Some will be able to make gifts; few can afford to buy them. Bert has been working with disadvantaged young people for 13 years and each year he approaches Christmas with a heavy heart, knowing the stress it will cause the foster families, natural parents and kids. I am happy to say that a donation has been made for Sarah's travel arrangements, but more is needed.

Open Family also operates satellite housing, Madam Speaker - semi-independent living for teenagers who have been homeless or disadvantaged and are now developing living skills. Some can go home for Christmas, but others do not have that option. If two of three residents in one satellite house do go home, one young person is left on their own. Mr Huber says:

The joy of Christmas is bought, not taught and we can say, "Oh, that's not true" all we like but if we're going to let kids sit at home alone eating baked beans, that's wrong - there is no equity.

There is pressure, too, to keep the agency's refuge CANA - Caring for Adolescents in Need of Assistance - House open during the holiday period. To do that, staff and volunteers have to give up their own Christmas because most of the chronically homeless young people at CANA House do not have the

option of going home. There are some young people who will not even have somewhere safe to sleep on Christmas night; but their main concern is day-to-day survival, and Christmas will pass mostly unnoticed, except for feeling more alone than usual.

After writing his report last Christmas Eve, Bert Huber left the office and found a young person walking around alone, peering into shop windows. He said that the loneliness these people feel is more acute at Christmas. The money that full congregations will donate to churches during Christmas Day services will come too late. He says:

People who've never been to church before will put \$100 in the plate, but the damage is already done. Many of our kids see Christmas as a hassle or worse. Others who have come from families that did celebrate Christmas are still searching for the magic. And now that they're out of home, it is even more devastating because the magic definitely isn't going to happen.

In the past year Open Family's Extend-A-Family Foster Scheme has placed more than 70 disadvantaged or homeless young people into caring homes in Canberra. They have helped more than 20 of them move into semi-independent living and 18 returned home to their families. This year CANA House provided shelter for about 100 young people and staff to continue to support more than the 40 who have moved on. Currently, Open Family also offers support and assistance for six young people living in two satellite houses.

Madam Speaker, Open Family is financed through government and private funding on about a fifty-fifty basis. The emergency accommodation is funded through the generosity of the community, while the foster care program is funded through the ACT Government family services branch. However, at Christmas there is always a gap of about \$10,000 or more to meet the extra demands Christmas generates. For this reason I would invite members and anybody else in this place who is interested to join me and the CANA coordinators from Open Family in a few minutes, after the close of business. Feel free to slip in your donation. Madam Speaker, I thank the Assembly for giving me the extra time. I wish everybody a merry Christmas and a happy New Year.

Valedictory

MS ELLIS (4.35): Madam Speaker, I will be very brief, given the time. As a new member of this Assembly, I would like to take the opportunity of Christmas, more than the opportunity of my 12-month anniversary here, to make a few comments. As a new member, there is an awful lot of growing and learning to be done in this place, as I am sure we are all aware, and I would like to place on record my personal thanks in particular to the staff in the Committee Office and the staff in the Assembly Secretariat for the help and dedication that they have shown to me, and I know to everybody else in this Assembly through the year. Without their help I would not have been able to have survived this long. I wish to thank them very much and to wish them and their families the very best for Christmas, a safe and happy time, and the very best for 1993.

17 December 1992

I would also like to pay tribute to all of my colleagues on all sides of the house for their assistance and encouragement in what, as far as I am concerned, and I am sure for other new members as well, has been a very exciting but very trying time in learning the procedure, getting to know each other, and getting to understand the rules of debate and the protocols of this place. It has been a very interesting few months for me and I am looking forward to 1993. In the meantime I want to take this opportunity of wishing everybody in this chamber, the attendants and my colleagues, all the very best for 1993. Do have a very safe and happy Christmas.

Question put:

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

The Assembly voted -

AYES, 16

NOES, 1

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

Mr Stevenson

Question so resolved in the affirmative.

Assembly adjourned at 4.37 pm until Tuesday, 16 February 1993, at 2.30 pm

ANSWERS TO QUESTIONS

MINISTER FOR HEALTH

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO. 76

Graduate Nurse Program

Mr Moore - asked the Minister for Health:

- (1) Concerning the planned schedule of intake of graduate students into the 1992 Graduate Programme (a) how many intakes were there to be; (b) how many graduate students were to be included in each of the intakes; (c) what were the planned dates of intake; (d) were intakes to be restricted to graduates of the University of Canberra; and (e) what was to be the basis of selection of graduate students to each of the intakes.
- (2) What funding had been provided for in the forward Health Estimates for the 1992 Graduate Programme. .

Within the ACT Board of Health or its agents (defined as ACT public hospitals) or employees (a) which person or persons took the decision to cancel the 1992 Graduate Programme; and (b) what was the date of that decision.

- (4) If the ACT Board of Health or its agents or employees did not take the decision to cancel the 1992 Graduate Programme (a) who did; (b) on what date was that decision conveyed to the ACT Board of Health or its agents or employees; (c) what specific advice did the ACT Board of Health or its agents or employees provide to the Minister for Health concerning the cancellation or otherwise of the 1992 Graduate Programme; (d) what was the date of that advice; (e) did that advice contain a recommendation; (f) what was that recommendation; and (g) upon what basis was that recommendation made.
- (5) The ACT Minister for Health has asserted that there will be a graduate programme in 1993 (Canberra Times, 21 January) concerning the establishment or otherwise of the 1993 Graduate Programme (a) has the ACT Board of Health or its agents or employees provided advice to the Minister for Health; (b) what was the date of that advice; (c) what specific advice was provided to the Minister, (d) did that advice contain a recommendation; (e) what was that recommendation; (f) what level of funding has been provided in forward Health Estimates; and (g) what is the estimated cost to the Health Budget per graduate student anticipated to be admitted to the 1993 Graduate Programme.

For each of the calendar years 1989, 1990 and 1991 graduate programmes (a) how many graduate nurses were admitted into graduate programmes in ACT public hospitals; (b) how many were graduates of the University of Canberra; and (c) how many applications for admission to graduate programmes in ACT public hospitals were received from graduates of the University of Canberra.

- (7) Concerning the cancelled 1992 Graduate Programme (a) how many applications were received by ACT public hospitals; (b) how many applications were received from graduates of the University of Canberra; and (c) of applications received from graduates of the University of Canberra, how many were received from persons graduating in years prior to 1991.
- (8) What are the employment criteria for the recruitment of Registered Nurses into ACT public hospitals.
- (9) For each of the calendar years 1989, 1990 and 1991 (a) excluding those persons recruited into graduate programmes, how many registered nurses lacking graduate programme experience or its equivalent have been recruited by ACT public hospitals; (b) of those persons contained in the answer to 9(a), how many of those were not Enrolled Nurses; (c) how many persons admitted into graduate programmes in ACT public hospitals continued in employment in ACT public hospitals following completion of their graduate programme; and (d) how many persons completing their graduate programme in ACT public hospitals sought continuing employment in ACT public hospitals.
- (10) What administrative arrangements exist between the ACT Board of Health or its agents or employees for the determination and administration of graduate programmes
- (11) Prior to the cancellation of the 1992 Graduate Programme, what discussions were held between the ACT Board of Health or its agents or employees concerning (a) cancellation of the 1992 Graduate Programme; and (b) re-establishment of the Graduate programme in 1993.
- (12) If discussions were held relevant to question (11); (a) who participated in those discussions; (b) what were the dates of those discussions; and (c) what recommendations, if any, arose out of those discussions.
- (13) What administrative arrangements exist between the ACT Board of Health or its agents or employees and the University of Canberra for the purposes of coordinating education and training planning for nurses with ACT public hospital employment planning.
- (14) What administrative arrangements exist between the ACT Board of Health or its agents or employees and the University of Canberra, for the purposes of coordinating education planning at the University with graduate programme planning within ACT public hospitals.

Mr Berry - the answer to Mr Moores question is:

- (1)
 - (a) Intakes of graduate nurses are determined by the nursing staff establishment and vacancies at the time. Woden Valley Hospital had contemplated three intakes in 1992.
 - (b) The number of graduates to be employed would depend on vacancies. It was anticipated that approximately 12 may have been in each intake at Woden Valley Hospital.
 - (c) The tentative dates for intakes at Woden Valley Hospital were 9 March, 18 May and 20 July.
 - (d) There were to be no restrictions based on residency.
 - (e) Selection of graduates was to be based on merit.

- (2) No specific funding was provided for the conduct of a 1992 Graduate Nurse Program. The employment of newly graduated nurses is managed within the general budget allocation for nursing services.
 - (a) The Acting Executive Director Nursing Services, Woden Valley Hospital and the Director of Nursing and Chief Executive Officer, Calvary Hospital took the decision to delay employment of graduate nurses.

 - (b) This decision was taken in December 1991.

 - (4) (a) See 3(a).
 - (b) See 3(b).

 - (c) The Minister for Health was advised that due to Hospital redevelopment and amalgamation, the nursing budget and bed management strategy, the nursing establishment had reached its capacity at that time and that the intake of new graduates tentatively planned for March 1992 would not go ahead.

 - (d) 31 December 1991.

 - (e) Yes.

 - (f) That the Minister for Health note the advice.

 - (g) See 4(c).

4131

17 December 1992

(5) (a) Yes.

(b) Informally at regular meetings between the Department and Minister through December.

That future graduate programs would be flexible and tailored towards smaller, more frequent intakes of staff. It was unlikely that larger groups would be taken on.

(d) As above.

(e) As above.

(f) No funding was provided in forward health estimates specifically for the employment of newly graduated nurses, who form part of the nursing establishment.

(g) The cost to the health budget per new graduate employed is equal to the salary of a first year base grade nurse, ie \$24 600 pa plus penalty rates.

(6) VP;H/RCH

(a) 1989 Data not available 4

1990 36 5

1991 39 1

(b) 1989 Data not available 4

1990 15 3

1991 24 Nil

(c) There are no specific records kept of the number of applications

received specifically from University of Canberra sty y
of the years 1989/90/91.

(7) H X

(a) 124 160

(b) 49 41

(c) Nil Nil

(8) 1. Eligibility to register as a nurse with the ACT Nurses Board.

2. Satisfactory professional refers reports.

3. Recent relevant clinical experience.

4132

(9) (a) In 1989/90/91 one person only in this category was recruited as far as can be ascertained and this occurred due to recruitment error.

(b) One.

(c) There are no records kept at Woden Valley Hospital of the number of this particular category of employee continuing in employment; the graduate program simply constitutes the first year of employment. Two employees continued in employment at Calvary Hospital on completion of their graduate program.

See 9(c).

(10) New graduates are employed as the nursing staff establishment requires and skills mix allows. Graduates are placed onto an appropriate ward for six months. Each graduate is preceptors for an initial period (two months at Woden Valley Hospital; one to two months as necessary at Calvary Hospital). Staff appraisals are carried out at regular intervals (at three and six months at Woden Valley Hospital and at one, three and six months at Calvary Hospital). At the end of the six month placement, the graduate may elect to remain on their current ward or request a move.

(11) The decision not to recruit over establishment is a basic management function. Nursing Management took this decision at the end of 1991. Calvary Hospital had also given an undertaking to place registered nurses whose positions were affected by the amalgamation within the ACT Public Hospital Redevelopment Program:

(12) (a) The Nursing Executives of Woden Valley and Calvary Hospitals.

(b) December 1991.

(c) Due to the hospital amalgamation and redevelopment the bed strategy and the nursing budget, the intakes tentatively planned for 1992 would not go ahead.

(13) Representatives of ACT Health, Calvary Hospital and the University of Canberra are part of the membership of the ACT Board of Health Research and Education Committee where all health education issues are addressed. A working party is currently examining the feasibility of a joint preceptor program for third year undergraduate nurses. In addition a Nursing Education Subcommittee has recently been established with representation from the Department, University and Calvary Hospital.

(14) See (13).

4133

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

Question No. 271

Consumer Protection - Real Estate Agents

Mr De Domenico - Asked the Chief Minister upon notice on 12 August 1992:

- (1) Did the Chief Minister see a large advertisement placed by Realty World Pty Ltd in the Canberra Times on Saturday 8 August 1992 buying and selling real estate especially in New South Wales.
 - (2) Is the view of Realty World that "Canberra is years behind in consumer protection" acceptable.
 - (3) Is the assertion by Realty World that buyers deposits are "not protected in a Canberra Bank" correct.
 - (4) Can she confirm that Real Estate agents trust accounts in the ACT are in fact subject to the same controls of spot audit and fidelity fund as in New South Wales and Real Estate Agents are subject to the same police checks as in -New South Wales.
- Can the Chief Minister advise the Assembly of the number of agents in the ACT who have lost their licence or otherwise been disciplined for improper practices.
- (6) Does this not indicate that the claims of Realty World are misleading and that in fact Canberra buyers and sellers have the full protection of the law and can deal in full confidence with Real Estate agents in ACT.
 - (7) Given that this. advertisement may have been misleading and caused unnecessary anxiety to buyers and sellers in Canberra and will she repudiate it.

Chief Minister - The answer to the members question is as follows:

- (1) I have been made aware of the advertisement placed by Rzdty Lad:
- (2) The claim made by Realty World that "Canberra is years behind in consumer protection" is clearly not acceptable.

The Agents Act 1968 covers the registration and licensing of real estate agents, the regulation of their conduct, particularly in terms of responsibilities to principals, and the requirement to maintain a trust account. Companies are also held accountable under the rules of conduct for the actions of directors and employees. Consumers can therefore deal with licensed agents in the ACT in the knowledge that they are dealing with qualified and experienced professionals and are also afforded the protection of the Fidelity Guarantee Fund.

(3) The assertion that buyers deposits are "not protected in a Canberra Bank" is not correct as I have indicated in my answer to Question (2).

The fact is that purchasers of real estate in the Territory, dealing with a licensed ACT agent can do so, confident in the knowledge that they have the full protection of the ACT Fidelity Guarantee Fund which my government introduced this year.

(4) I can confirm that real estate agents trust accounts are subject to the same controls of spot audit and fidelity fund as in NSW and indeed registered and licensed real estate agents are subject to the same police checks as in NSW.

The Agents Act has been in place since 1968. During this time the Agents Board has investigated alleged breaches of the rules of conduct for agents. There has been a number of cases where agents have been disciplined for improper practices. Since I have been the responsible Minister, no agent has had a license revoked for improper practices.

Yes, see my responses to (2), (3) and (4).

I believe that my answers to the above questions have provided an appropriate response to any questions that the ACT public may have about the issues raised in Realty World advertisement.

4135

17 December 1992

**MINISTER FOR HEALTH
LEGISLATIVE ASSEMBLY QUESTION
QUESTION 312**

Hospitals - Infection Rates

Mrs Carnell - asked the Minister for Health:

- (1) What is the infection rate at Woden Valley Hospital.
- (2) What is the infection rate in the renal unit at Woden Valley Hospital, and into what categories do these infections fall.
- (3) How do these infection rates compare with rates (a) in 1989/90, (b) in 1990/91, and (c) in the first six months of 1991/92.
- (4) How do these rates compare with rates at Calvary Hospital.

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

- (1) Woden Valley Hospital tracks two categories of Hospital acquired infections:

(a) Cross Infections - result from a variety of micro organisms communicated either directly or indirectly, patient to patient, patient to staff, staff to patient. These include:

- Multiple Resistant Staphylococcus Aureus (MRS.)
- Rotaries

Surgical Infections - result from surgical intervention or the presence of devices required for diagnosis or therapy. These are grouped into two categories:

- Clean Wounds. These include wounds where there is no back infection encountered, no hollow organs opened and no break in aseptic technique.
- Contaminated and Dirty Wounds. These include wounds where a hollow organ is opened with spillage of contents, acute bacterial indication, contaminated traumatic wound, break in aseptic technique, pus encountered and perforated vs;cus.

The infection rate at Woden Valley Hospital for the six month period May to October 1992 is as follows:

4136

Cross Infection Rates: Woden Valley Hospital
May/October 1992

Table included.

*Exclude Drug and Alcohol Unit

These numbers include readmissions of individual patients or multiple infections in the same patients.

Surgical Infection Rates: Woden Valley Hospital
May/October 1992

Table included.

*Excluding endoscopic procedures and minor theatre

(2) The Renal Unit at Woden Valley Hospital comprises Ward 7B/C and Haemodialysis. The Unit began keeping data on infection rates in May 1992.

From May to October 1992 there have been 2100 admissions to Ward 7B/C and the Haemodialysis Unit. There has been one cross infection of MESA in this period. Two other MESA infected patients became colonised outside Woden Valley Hospital. There have been no incidences of Rotaries during this same period of time.

(3) We are unable to compare rates with previous years as comparable data was not collected prior to May 1992; uniform collection systems were not in place throughout the Hospital, different collection methodologies were used and a different casemix existed.

(4) Infection rates for the period May to October 1992 at Calvary Hospital were:

Cross Infections

None reported.

4137

17 December 1992

Surgical Infections

Surgical Infection Rates: Calvary Hospital
May/October 1992

Table included.

4138

ATTORNEY GENERAL FOR THE AUSTRALIAN CAPITAL TERRITORY

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO. 315

School Vandalism

MR CORNWELL - Asked the Attorney General upon notice on 30 September 1992:

In relation to school vandalism arising from break-ins in (a)1991 and (b)1992 to date
How many such break-ins took place, by school, in each year.

What was the damage, by school, in financial terms in each year.

How many prosecutions were made and how many convictions achieved for each year in respect to
(1).

How much financial restitution, by school, was sought from those convicted or, if juveniles, from
their parents in each year.

(5) How much financial restitution, by school, has so far been made for each

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

(1) & (2) There is no offence of vandalism contained in the Crimes Act 1900 and data is not
collected in a manner that enables a full answer to the questions posed. It has been possible,
however, to extract the following information (recorded by AFP investigating officers at the time
of the complaint/inquiry) from the data held by the Acres Information and Statistical Services
Branch. Unfortunately, the information is only available by school type, financial year.

1 July 1990 - 30 June 1991

School Type	BuqAary	Property	Damage	Arson	Total Value
Secondary	77	67	1	\$95187	
Primary	167	192	9	\$122 958	
Pre-School/Creche	42	55	2	\$24 723	
Other Educational	50	31	0	\$88 392	
				4139	

17 December 1992

1 July 1991- 30 June 1992

School Type	Burglary	Property Damage	Arson	Total Value
Secondary	61	92	8	\$57229
Primary	220	261	8	\$137897
Pre-School /Crèche	37	38	3	\$18 208
Other Educational	90	62	1	\$53 547

Reported incidents of vandalism are recorded under criminal damage by the AFP. The criminal damage, however, may not necessarily have been caused at the same time as a "break-in". For example, criminal damage caused to equipment in a schools grounds would not be included in the burglary figures if no burglary offence had been committed. Further, the value of the damage is not always known or stated.

The AFB has advised that it would be a lengthy and resource intensive exercise to recall each incident with a criminal damage offence within a school to see whether or not it was related to a burglary.

Nil.

(4) Information to answer these questions is not readily available.

Advice from the Magistrates Court indicates that due to the relatively recent introduction of the computer system at the Magistrates Court, it would be an extremely time-consuming and almost impossible task to check the "card" records held by the Court. I am not prepared to divert scarce resources to such a task.

No schools have taken legal action against students or, if juveniles, their parents for the financial restitution of damages to schools caused by students or children. In some cases, voluntary arrangements have been made with students/parents for the full or partial financial resduttion of the damn". No central record of these voluntary arranges its has been kept by the Department of Education and Training.

4140

CHIEF MINISTER FOR THE AUSTRALIAN CAPITAL TERRITORY

LEGISLATIVE ASSEMBLY QUESTION

Question No 317

Economic Development Division

Mr De Domenico - Asked the Chief Minister upon notice on 15 September 1992:

- (1) What are the wages in total of the Economic Development Division of the Chief Ministers Department. . .
- (2) How many staff are employed and at what level. .
- (3) Has a cost/benefit analysis been done and if so what are the benefits.
- (4) In this analysis what was the cost of running the Division.
- (5) What were the benefits.
- (6) What projects is the Economic Development Division currently examining.
- (7) What are the expected benefits over the next two years and are these expected to . . AMU costs.

The answer to the members question is as follows:

- (1) , Economic Development Division salary payments for 1991-92 are:

Program 3 (excluding ACT Tourism Total Economic
Tourism Commission) Commission Development Div
\$000 \$000 . \$000

2,655 1,648 4,303

- (2) Profile of. Economic Development Division Staff as at 30 June 1992:

Program 3 (excluding ACT Tourism Total Economic Commission) Commission Development Div

Table included

4141

17 December 1992

(3) Cost/benefit analysis of public sector agencies generally has not been undertaken in Australia. Consistent with A.C.T. Government Service (and Commonwealth) requirements as well as recognised good practice, the Economic Development Division reports on performance through annual report, corporate planning and Estimates Committee processes. In the case of particular projects such as the Casino and the Business Licence Information Service, specific benefits and costs are more readily identified and are provided in advice to government.

However, as I have said in previous replies to Mr De Domenico, the Economic Development Division is but one of a number of ACT agencies involved in creating the right environment for business development and improved employment opportunities, and even if a cost/benefit analysis of the Division was possible, it would not be very meaningful.

(4) The cost of running the Economic Development Division, excluding the ACT Tourism Commission, for 1991-92 was as follows:

. Item \$

Salaries 2,655,000

Admin/Operational 1,194,000.

Total Running Cost 3,849,000

Note: This figure does not include grants to the ACT Tourism Commission and the National Industry Extension Service totalling \$4.418m shown at page 11 of the 1992-93 Explanatory Notes, as these are not running costs.

The cost of running the ACT Tourism Commission in 1991-92 was as follows

Item

Item . . s

salaries s 1,648,000

Admin/Operational . _ . 439,000 .

Accommodation 847,

Sub-Total (not

including marketing) 2,954,000

Marketing 1,678,000

Total Running Cost 4,632,000

Note: This figure does not include Industry Payments of \$1.797m shown at page 50 of the 1992-93 Explanatory Notes as these are offset by income from these services of \$3.299m shown at page 49 of the Explanatory . Notes..

4142

(5) The Economic Development Division is responsible for the promotion of

sustainable economic development, new investment, job growth and the equitable access to opportunity, within the ACT and region. The Divisions responsibilities are reflected in an array of activities, spanning policy development, research, programs and promotional activities, and in 1991/92 for instance, included:

provision of secretariat functions for the Economic Priorities Advisory Committee involving among other things, the preparation of reports on the youth labour market and accommodation of Canberras next 100,000 . people;

facilitating liaison with the business community through the Government Business Forum;

regulatory reform initiatives such as the establishment of the Business Licence Information Service and the enactment of legislation to regulate gas distribution in the ACT, including future price increases;

research on demographic indicators and performance of particular market sectors, such as tourism, to assist in future planning in the private and public sectors; the development of a number of direct business services including:

- the Business Services Centre, a shopfront- facility providing in a single setting a range of services and programs to support business;

the National Industry Extension Service, offering information, referral and business planning and diagnostic services;

facilitating the development of the interim Casino and actively seeking the location of key industries including the communications and computing industry;

continuing support for the work of the South East Economic Development Council, one of the major projects of which was the South Coast Road Study administration and support for a variety of employment and training programs including: .

- financial assistance to community based organisations which deliver services to the unemployed;
- enhancing the Tradeswomen on the Move program;
- the New Enterprise Incentive Scheme aimed at creating self employment opportunities for the unemployed; and
- the Job Skills Program providing work experience and training; promotion activities such as Canberra Business Week.

4143

17 December 1992

The Tourism Commission also undertook a wide variety of activities including:

- releasing a number of new and revised publications such as the Destination Canberra Book, the Canberra Travellers Guide and the Official Canberra Visitors Map;
- specialised marketing activities aimed at senior citizens, ethnic groups and schools;
- advertising and public relations activities, such as for Floriade, the ACT Tourism Awards and the Visiting Media Program;
- sales, promotional and product development activities targeted at specific regional and overseas markets and significant interstate travel shows;
- financial support for the Canberra Visitor and Convention Bureau.

I think it is obvious just from this selective summary that the Economic Development Divisions activities have a major impact on a wide variety of individuals and businesses. I have at various times advised the Assembly of the benefits that have accrued to the Canberra community from many of those activities. However, just to illustrate this point, I will outline some of the direct benefits for the community and the ACT economy:

- the Canberra Casino has paid an upfront premium of \$19m which will be used for community facilities; some \$11m in tax revenue per year is expected after five years as well as additional revenue. from payroll tax and liquor licensing fees; around-280 new jobs will be available during construction of the new premises with eventually some 500 new jobs in the permanent casino; .
- tourists to the 1991 Floriade spat about \$21m in Canberra while the more aggressive marketing approach used this year by the Tourism Commission resulted in a significant increase in visitors with over \$31m being injected in the local economy; last year, the tourism industry was estimated to be worth about \$400m per annum to the ACT, supporting 7,000 jobs; the New Enterprise Incentive Scheme provided final support for 36 . . people for self-employment ventures including an exclusive fashion consultancy, a titanium jeweller, a specialty woodcarver and a mobile car detailing business; .we have provided a single point of contact for such companies as OPTUS . and AOTC, to facilitate their development in the ACT. For example

OPTUS Communications recently located a switching facility at Mitchell. which was assisted by the Economic Development Division, and provides . the ACT with a significant foothold in the new generation of communications technology. _

The wide range of benefits resulting from the ACT Governments business: development and employment activities are listed in a paper on the "Business Development Initiatives, ACT Labor Government" released on 16 September 1992.

4144

(6) As part of its function and role the Division is currently involved in a wide range of projects; most notably:

establishment of a Development Unit in the Tourism Commission comprising a New Events Cell to attract and develop events which will contribute to ACT Tourism and an Infrastructure Development Cell to identify gaps in existing tourism infrastructure; follow up to the launch of a campaign aimed at attracting the advanced technology industry and incorporating the booklet Canberra - Australia's Communications and Computing Capital. Specific projects are being subsequently pursued with a variety of clients including both telecommunications carriers; assisting the FAC in the proposed development of Canberra airport as a centre for regional and national freight distribution and warehousing; co-ordinating "Canberra in the Year 2020" project; a business development strategy being developed by EPACT; developing a code of practice for retail tenancies; working with business to review specific areas of regulation; compilation of labour market statistics and the preparation of population forecasts for the ACT as a whole and for individual suburbs, for use in forward planning and analysis by government and public interest groups.

(7) During 1992-93 it is intended to build on the initiatives put in place in 1991-92, principally by bringing a number of major initiatives (as listed in (6)) to fruition while continuing to provide quality economic development advice and support to me and the Government. While significant benefits in terms of employment generation, a more conducive business environment and increased investment will accrue through these projects, they are difficult to measure in ample test and benefit terms, because in most cases the costs fall on the Government, but the benefits accrue to the community as a whole, including the business community. .

The outcomes from these projects will be assessed through the normal reporting processes. As I have illustrated in my answer to question (5), there is no question that the benefits of the activities of the Economic Development Division will continue to far outweigh the costs.

4145

17 December 1992

**ATTORNEY GENERAL
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO. 341**

**Attorney-General Portfolio -
Committees, Boards and Advisory Groups**

MR KAINÉ: Asked the Attorney General upon Notice on 17 September 1992:

For all Government Committees, Boards and Advisory groups within the Attorney-General 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 in 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 CONNOLLY: The answers to the Members questions are provided in the attached document.
In summary, the relevant bodies are:

1. ACT Administrative Appeals Tribunal
2. ACT Community Law Reform Committee
3. ACT Consumer Affairs Advisory Committee
4. AC17 Credit Tribunal
5. ACT Liquor Licensing Board
6. Disciplinary Committee of the Law Society
7. Guardianship and Management of Property Tribunal
8. Legal Aid Commission and Legal Aid Committees
9. Legal Aid Review Committees
10. Parole Board of the ACT
11. Product Safety Committee
12. Public Trustee Investment Board
13. Weapons Control Advisory Committee

4146

2. A.C.T. ADMINISTRATIVE APPEALS TRIBUNAL

(1) Present members

Mr R K Todd (President) 4 July 1989 Mr N J Attwood Part-time member 5 March 1990
Mr P J Corkery Part-time member 5 March 1990 Mr J D Horrigan Part-time member 5 March 1990
Mr K L Beddoe Part-time Senior Member 11 February 1991 Mr C A Woodley Part-time member
11 February 1991

The above members, other than Mr Corkery, are also members of the Commonwealth
Administrative Appeals Tribunal.

(2) Terms of reference

Section 24 of the Administrative Appeals Tribunal Act 1989 provides that the Tribunal may review decisions as specified in various enactments which may provide that applications may be made to the Tribunal(a) for review of decisions made in the exercise of powers conferred by that enactment, or (b) for the review of decisions made in the exercise of powers conferred, or that may be conferred, by another enactment having effect under that tent. Under subsection 24(4), the Tribunal has power to review any decision in respect of which application is made to it under any enactment. Unless third rights are specifically excluded, an application may be made to the Tribunal for a review of a decision, by or on behalf of any person (including the Commonwealth, a Territory authority or a Commonwealth authority) whose interests are affected by the decision.

(3) Period of appointment

To age 70 if a person is a judge. A full-time presidential member may be appointed to age 70 or for a term of up to 7 years, but not beyond 70 years. A full-time senior member may be appointed to age 65 or for a term of up to 7 years, but not beyond 65 years. Other members are appointed for terms up to 7 years (maximum), to age 65, but not beyond 65 years.

(4) Gender breakdown

6 males - 0 females

(5) Cost

The A.C.T. Tribunal is operated under an agency agreement by the Commonwealth Administrative Appeals Tribunal. The cost of that arrangement is \$257,400 for 1992/93. In addition, the Territory pays the sitting fees of Mr Corkery who is not a member of the Commonwealth Tribunal.

(6) Involvement of public servants

The A.C.T. Tribunal is conducted on an agency basis by the Commonwealth. It is staffed by 3 Commonwealth public servants.

(7) Publications

Copies of the decisions of the Tribunal are provided gratis to parties. They are available for inspection by the public and may be purchased at 50 cents per page, subject to a maximum charge of \$20.

17 December 1992

A.C.T. LAW REFORM COMMITTEE

1. Present Members

The Hon J A Kelly Chairperson 23/7/90
Ms Jenny Kitchin Deputy Chairperson 23/7/90
Mr Ron Cahill Deputy Chairperson 23/7/90
Ms Robin Burnett 23/7/90 (on leave) Prof Roman Tosmasic 23/7/90
Prof. Duncan Chappell 23/7/90 Mr Nick Seddon 23/7/90
Mrs Bettie Mc Nee 23/7/90 Mr Graeme Lunney 23/7/90
Mr Rainer Frisch 23/7/90 Mr Ross Gengos 23/7/90
Mr Rod Campbell 23/7/90 Mr Peter Sutherland 23/7/90
Mr Peter Hohnen 1/9/90 Ms Annemarie Lumsden 28/11/91
Ms Veronica Laletin 28/11/91 Ms Vivienne Joice 28/11/91

2. Terms of Reference

To provide expert advice to the Government on law reform issues and references. To assist in identifying law reform issues, in establishing reform priorities, and to act as a sounding board for community views on law reform proposals and initiatives.

3. Term and Power of Appointment

Ministerial appointments - 3 years from date of appointment (except in the case of Mr Hohnen whose appointment is for the duration of the defamation reference).

4. Gender Breakdown

11 Males - 6 Females

5. Remuneration Mechanism

None, but this is under consideration..

6. Public Servants

The Committee is serviced by the Law Reform unit in Constitutional and Law Reform Branch of the Attorney-Generals Department. The Unit currently has a staff of five:

STAFF SALARY HOURS OF TIME PER WEEK

Legal 2 56888 18.20, Legal 1 49360 21.50 Legal 1 49360 36.45 Legal 1 39589 29.20
AS05 32800 18.20

7. Publications The Law Reform Unit, on behalf of the Committee, produce discussion papers and for each of the references considered by the Committee. These are distributed by mail and by hand to interested parties. In the financial year 1990/91, \$4800 was spent on the production of these publications.

4148

A.C.T. CONSUMER AFFAIRS ADVISORY COMMITTEE

1. Present Members

Ms Judy Power Chairperson 22/6/92 to 30/6/93
Mr Cec Hayduk 22/6/92 to 30/6/93
Mr Bill Howitt 22/6/92 to 30/6/93
Mr Bruce Livingstone 22/6/92 to 30/6/93,
Ms Fiona MacDonald 22/6/92 to 30/6/93
Mr Gary Dellar 22/6/92 to 30/6/93
Ms Sue Doobov 22/6/92 to 30/6/93
Ms Karen Fryer 22/6/92 to 30/6/93
Ms Pamela Marsh 22/6/92 to 30/6/93
Ms Tracey Reid 22/6/92 to 30/6/93
Mr Stelios Sofoulis 22/6/92 to 30/6/93
Ms Maureen Valent 22/6/92 to 30/6/93
Mr Graham Walker 22/6/92 to 30/6/93
Mr Tony Charge 22/6/92 to 30/6/93 Ex officio

2 Terms of Reference

In Committee advises the Minister and the Director of Consumer Affairs ,as Required or on its own initiative, on matters affecting the interest of consumers. It also acts as a link between the Government and the community.

3. Terms and Powers of Appointment

Appointed by Minister pursuant to section 4 of the Consumer Affairs Act 1973 for the period 22 June 1992 to 30 June 1993.

4. Gender Breakdown

7 Males - 7 Females

5. Remuneration Mechanism

Expenses only reimbursed - payment of fees has been considered previously but was not approved.

6. Public Servants

One ASO 5 services the Committee providing 20% of the officers time. The officers annual salary is \$34778.

7. Publications

No reports.

4149

17 December 1992

4. A.C.T. CREDIT TRIBUNAL

1. Present Members

Mr A C C Menzies Chairperson 10/5/88 to 9/5/94 Mr B D Pentony 10/5/88 to 9/5/94 Mr J H Fielden 10/5/88 to 9/5/94 Ms J B McSpedden A/g Member 19/2/88 No fixed term Ms Elizabeth Symons A/g Chairperson 23/8/91

2 Terms of Reference

The Tribunal adjudicates between credit users and credit providers in matters arising under the Act and decides on applications by credit providers and finance brokers for licensing under the Act.

Deals with

Contracts of Sale . Credit Sale Contracts
Loan Contracts . Continuing Credit Contracts
Goods Mortgages . Home Finance Contracts
Contracts of Guarantee . Contracts of Insurance

3. Term and Power of Appointment

Appointed for up to five years by the Minister and eligible for re-appointment.

4. Gender Breakdown

3 Males - 2 Females

5. Remuneration Mechanism

Chairperson - Specified Office - Rate per diem - \$366 (from 15.8.91) - Remuneration Tribunal det No 26 of 1991 refers Member - Non-Specified Office - Category 2 (Remuneration (Repeal) Ordinance 1989 \$194 per diem (from 15.8.91) - Remuneration Tribunal det No 22 of 1991 refs

Travel Allowance (for Chairperson and Members) -Sydney - \$230; Capital Cities \$190; Other than Capital Cities - \$145

6. Public Servants

When this Tribunal was transferred to the ACT Magistrates Court it was on the basis that the functions would be absorbed by existing staff and there is no one person who is responsible for this Tribunal. The administration for this Tribunal is undertaken by various staff on an ad hoc basis and would take approximately 1 day per month, however it is intended to incorporate this with the Guardianship and Management Property Tribunal.

7. Publications

Nil

4150

5 A.C.T. Liquor Licensing Board

1 Present Members

Mrs Robin Gibson Chairperson 9/9/91 to 8/9/94 Mr Anthony Brown Registrar Ex officio
Mr Ken Helm 9/1/91 to 8/1/94,

2 Terms of Reference

To consider and determine matters referred to it under the Liquor Act. Conduct hearings and inquiries in relation to applications. Provide policy advice to Minister on liquor related issues.

3. Term and Power of Appointment

A member other than the Registrar holds office for such a period not exceeding 5 years as specified in the instrument of appointment. Members are eligible for reappointment.

4. Gender Breakdown

2

Males _ 1 Female

Table.

(in accordance with the Remuneration Tribunal non-specified office Category 2 rate)

Travel Allowance Sydney \$230; \$190 other capital cities; \$145 other than capital cities

6. Public Servants

The Board is serviced by the Liquor Licensing Section in Administrative Law and justice Branch

Table included.

7. Publications

The Board does not produce an annual report. The Boards activities are reported in the liquor Licensing Section of the Attorney-Generals Department annual report. No costs involved. F

4151

17 December 1992

(1) Present members

Mr J A Nutt (Chair) 1 October 1990*
Mr D J Crossin OBE 1 October 1991*
Mr R B Topfer 1 October 1990*
Ms M Reid 1 October 1991*
Mr L J Daniels CB OBE 23 March 1991+
Ms D A Wentworth 30 March 1992+

Note: * denotes appointment of a legal practitioner made by the Law Society

+ denotes appointment of lay person made by the Attorney General under paragraph 25(2)(b) of the Legal Practitioners Act 1970.

The position of one member has been vacant since 30 September 1992 - an appointment will be made by the Law Society.

(2) Terms of reference

Section 29 of the Legal Practitioners Act 1970 empowers the Council of the Law Society to make a complaint in writing to the Disciplinary Committee regarding the professional behaviour of a barrister and solicitor or an employee or such a person

Under section 36 where, after an inquiry with respect to the professional behaviour of- a barrister and solicitor, the Disciplinary Committee finds -that the professional behaviour of the barrister and solicitor has been such as to justify it in so doing, the Disciplinary Committee may, by order

- (a) reprimand the barrister and solicitor; or
- (b) impose on the barrister and solicitor a fine not exceeding \$2,000.

Under subsection 36(IA) where, after an inquiry held as the result of a complaint made under subsection 29 (1A) in respect of an employee of a solicitor, the Disciplinary Committee finds that the actions of the person have been such as to justify it so doing, the Disciplinary Committee may make an order that, on and from a date specified in the order, no barrister and solicitor shall, in connection with his or her practice as a barrister and solicitor, employ or otherwise remunerate the person with respect to whom the inquiry was held, except in accordance with a permission granted under section 129.

The Disciplinary Committee may, on the application of the Law Society or the person with respect to whom an order under subsection 29(1A) is in force, revoke the order and may make such order as to the costs of the application as it thinks just.

(3) Period of appointment
3 years (maximum)

Gender breakdown
4 males - 2 females

(5) Cost

None to Territory - remuneration is met from Statutory Interest Account which is funded from the interest paid in respect of moneys paid into solicitors trust funds on behalf of clients. The remuneration of the members

4152

of the Committee is fixed by the (Commonwealth) Remuneration Tribunal by determination No. 14 of 1992, with effect from 24 December 1991, at \$411 per day for Chair and \$366 per day for members. Travelling allowances are \$300 (capital city) and \$155 elsewhere for either category.

(6) Involvement of public servants

None. The Secretary to the Disciplinary Committee engages temporary assistance as required to serve the Committees needs as occasion requires.

Publications

The Committee does not produce any publications. The Chairman of the Committee prepares minutes of the Committees findings.

4153

17 December 1992

7. GUARDIANSHIP AND MANAGEMENT (r)1F PROPERTY TRIBUNAL

1. Present Members

Mr Karen Fryar A/g President 1/12/92 - 30/11/93
Mr Harry Geddes A/g President 1/12/92 - 30/11/93
Ms Patricia Georgee 1/12/92-30/11/93 ,
Ms Margo Hodge Member 1/12/92- 30/11/93
Ms Jane Greagg A/g Member 1 /12/92 - 30/11 /93
Ms Jennifer Marshall A/g Member 1/12/92 - 30/11/93
Mr Brenda Hull A/g Member 1/12/92- 30/11/93
Ms Ann Hull A/g Member 1/12/92 - 30/11/93
Mr Robert Wedgwood A/g Member 1/12/92 - 30/11 /93
Mr Norman Napper A/g Member 1/12/92 - 30/11/93
Ms Rosemary Townsend A/g Member 1/12/92 - 30/11/93
Ms Elizabeth Hurley A/g Member 1/12/92 - 30/11/93
Mr Phillip Thompson A/g Member 1/12/92 - 30/11 /93

Z Terms of Reference

The Guardianship and Management of Property Tribunal is established-under the Guardianship and Management of Property Act 1991. The Tribunal is empowered to sue orders to appoint a guardian or a manages for a person who has a physical, intellectual, psychological or mental condition

The powers and responsibilities performed under the Act are governed by a set of principles which include an express statement that the paramount consideration is the persons express and wishes, so far as they can be ascertained.

3. Term and Power of Appointment

The president and the members are appointed by the executive. The president holds -office for a period not exceeding five years but is eligible for re-appointment. A member holds office for a period not exceeding three years but is also eligible for re-appointment. The acting presidents and acting members presently are appointed for a period of twelve months but again, are eligible for re-appointment.

4. Gender Breakdown

5 Males - 8 Females

5. Remuneration Mechanism

Reasonable Expenses - as allowed, for under section 61 of the Act.

6. Public Servants

The Tribunal is administered by a Deputy Registrar of the Magistrates Court. The officer is at AS05 level and is assisted by an ASO 2 on full time basis. The salaries are \$34778 and \$25687 respectively.

7. Publications

The Tribunal has not produced any publication as yet, but intends to publish a report relating to its first 6 months of operation. Quotes have not yet been sought.

4154

L LEGAL AID COMMISSION AND LEGAL AID COMMITTEES

1. Present Members

Mr R M Bannerman AO President 19/12/90 to 18/2/93 Mrs H C Crisp 3/5/91 to 2/5/94 Mr David Harper 12/5/92 to 11/5/95 Mr Ken Page 23/3/92 to 22/3/95 Ms P M Burton 8/2/90 to 7/2/93 Ms Kathleen Hancock 23/3/92 to 22/3/95 Mr Robert Crowe 3/9/90 to 2/9/93 Mr Chris Staniforth Chief Executive Officer Ms Maureen Lewis Commonwealth Attorney-Generals Department

2 Terms of Reference

Commission: To provide legal assistance in accordance with the Act.

Committees: To decide applications for legal assistance coming before the Committee: and to decide any other matters coming before the Committee under this Act.

3. Term and Power of Appointment

Commission - The President and the other commissioners other than the Chief

Executive Officer shall be appointed by the Minister and shall hold office on a part time basis, for such period, not exceeding 5 years in the case of the President, or 3 years in the case of a Commissioner; eligible for re-appointment.

Committees - A non lawyer and persons nominated by the Law Society or Bar Association shall be members of the Committees. The members shall be appointed by the Minister; for a period not exceeding 3 years; eligible for re-appointment.

4. Gender Breakdown

5 Males - 4 Females

5. Remuneration Mechanism

A Commissioner other than the Chief Executive Officer shall be paid such remuneration as is prescribed or, if a determination of the Remuneration Tribunal is in force in relation to the office of that Commissioner such remuneration as is determined by that Tribunal. If a person who is a Judge is the President of the Commission, he is not, while he receives remuneration or allowances as a judge, entitled to remuneration or allowances under the Act.

President - Specified Office - \$19,585 (from 15.8.91) - Rate of fee per annum Remuneration Tribunal det No 26 of 1991 refers

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

Chief Executive Officer - Specified Office - \$74,837 (from 15.8.91) - Rate per annum of Salary - Remuneration Tribunal det No 26 of 1991 refers

Assistant Executive Officer - Specified Office - \$59,121 (from 15.8.91) - Rate per annum of Salary - Remuneration Tribunal det No 26 of 1991 refers

Travel Allowance (President, Commissioners, Chief Executive Officer and Assistant y

Executive Officer) - Capital Cities - \$300; Other than Capital Cities - \$155

4155

17 December 1992

6. Public Servants

SES Level 2: \$72,837 15 %

SES Level I: 59,121 1 day per month

1 x SOGB 53,403 1 week per month

AS06 x 2 40,693 2 days per week

AS03 27,070 1 day per month

7. Publications

Annual Report \$2,000 (approx)

4156

LEGAL AID REVIEW COMMITTEES

1. Present Members

Mr H M Selby 11 / 11 /91 to 10/ 11 / 94 First Review Committee
Ms A M Proctor 11/11/91 to 10/11/94 First Review Committee
Ms D M Kennedy 11 / 11 / 91 to 10 / 11 / 94 Deputy First Review Committee
Ms S A Kovacs 11 / 11 / 91 to 10 / 11 / 94 First Review Committee
Ms t Robertson 11 / 11 / 91 to 10 / 11 / 94 First Review Committee
Mr C P McKeown 11 / 11 / 91 to 10 / 11 / 94 Second Review Committee
Mr C Whitelaw 11 / 11 / 91 to 10 / 11 / 94 Deputy Second Review Committee
Mr G K Burnett 11 / 11 / 91 to 10 / 11 / 94 Second Review Committee
Ms D E Parker 11/11/91 to 10/11/94 Deputy Second Review Committee
Ms J Pearce 11/11/91 to 10/11/94 Deputy Second Review Committee
Mr R F Livingston 11 / 11 / 91 to 10 / 11 / 94 Third Review Committee
Mr M J Higgins 11 / 11 / 91 to 10 / 11 / 94 Third Review Committee
Mr G P Walker 11/11/91 to 10/11/94 Deputy Third Review Committee
Ms Penny Joy 11 / 11 / 91 to 10 / 11 / 94 Deputy Third Review Committee

2. Terms of Reference

To review decisions referred to the Committee under subsection 36(3).

3. Term and Power of Appointment

Members are appointed by the Minister; hold office for a specified period not exceeding 3 years; eligible for re-appointment.

4. Gender Breakdown

7 Males - 7 Females

5. Remuneration Mechanism

Members of a Review Committee shall be paid such allowances for expenses in respect of the performance of their duties as prescribed. No monies have been paid to date.

6. Public Servants

One ASO 6 (\$40693) services the Committee providing 3-4 days of the Officers time

17 December 1992

n(r). PAROLE BOARD OF THE ACT

1. Present Members

Professor A D Hambly Chairperson 11 /12/91 to 10/12/94 Ms P Burton 11/12/91 to 10/12/94
Commander W J Stoll 13/11/91 to 12/11/94 Ms E Harris 12/11/90 to 11/11/93 Ms A Kleber
3/12/90 to 2/12/93 Mr Justice J J A Kelly holds and appointment to act in the Chairs absence

2 Terms of Reference

Matters relating to the release of prisoners on parole and to the discipline of parolees. By invitation, the Board provides advisory recommendations on applications made by ACT prisoners for release on licence.

3. Term and Power of Appointment

Members appointed by the Minister on a part time basis; for a period not exceeding 3 years; and are eligible for re-appointment.

4. Gender Breakdown

3 Males - 3 Females

5. Remuneration Mechanism

Members are paid such fees and allowances as are prescribed, subject to any determination under the Remuneration Tribunal Act 1973. Category 2 daily rates are currently paid.

6. Public Servants

The Board is serviced by an AS06 (\$40693) as Secretary who devotes about 75-80% of his/her time to that task Keyboard work as required is performed by the AS06 officer as secretary.

7. Publications

The Board produces an annual report, which is annexed to the Attorney-Generals Departments Annual Management Report. Copies are distributed to interested parties by mail.

11 PRODUCT SAFETY COMMITTEE

1. Present Members

Mr Mike Vernon Chairperson

Ms Karen Gosling

Mr Gerry Ingarfield

Ms Lindy Wellsmore

2 Terms of Reference

To advise the Attorney General and Director of Consumer Affairs in relation to Product Safety Orders and Bans and on the adoption of Product Information Standards; and

Hear appeals from traders and manufacturers affected by Product Safety Orders or Bans.

3. Term and Power of Appointment

4. Gender Breakdown

2 Males - 2 Females

5. Remuneration Mechanism

Nil

6. Public Servants

7. Publications

17 December 1992

112, PUBLIC TRUSTEE INVESTMENT BOARD

1. Present Members

Mr D C Dunckley A/g Public Trustee

Ms Tu Pham 16/11 /92 - 31 /10/95

Mr N B Page 5/2/90 to 4/2/93

2 Terms of Reference

To control the investment of money that is from time to time in the common fund or otherwise in the hands of the Public Trustee and available for investment (see section 46 of the Public Trustee Act 1985).

3. Term and Power of Appointment

Not exceeding 3 years but eligible for re-appointment.

4. Gender Breakdown\

2 Males - 1 Female

5. Remuneration Mechanism

As prescribed. Two present members are public servants and are not remunerated

separately for serving on the Board.

6. Public Servants

STAFF SALARY HOURS OF TIME PA

SES BAND 1 59121 12

ASO 6 37300 12

Mr N B Page has left employment and is now an honorary member.

7. Publications

Nil

III. WEAPONS CONTROL ADVISORY ACOMMITTEE

1. Present Members

Magistrate Michael Somes (Chair) 2/9/91 to 1/9/94

Mr Jim McGregor 2/9/91 to 1/9/94

Ms Heather McGregor 9/9/91 to 8/9/94

Dr Jo Herlihy 16/9/92 to 15/9/95

Prof Phillip Alston 13/5/92 to 12/5/95

Supt Chris Lathbury Registrar of Weapons

2 Terms of Reference

The role of the Committee is to provide advice to the Government with regard to the issue of weapons control.

The functions of the Committee are to:

(a) monitor the administration and the effectiveness of the Weapons Act 1991 and any related legislation;

(b) consider developments in weapons control in other jurisdictions within

Australia and, where appropriate, elsewhere; _

(c) seek, to the extent it thinks necessary, and consider the views of individuals and organisations on weapons control; and

(d) make recommendations to the Government concerning weapons control including the need for new or amending legislation.

3. Term and Power of Appointment

Appointments to commence on a date, prior to 3 October 1991, to be determined by the Attorney General, for a period of three years.

4. Gender Breakdown

4 Males - 2 Females

5. Remuneration Mechanism

No remuneration will be provided.

6. Public Servants

17 December 1992

**MINISTER FOR HOUSING AND COMMUNITY SERVICES
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO. 342**

**Housing and Community Services Portfolio -
Committees, Boards and Advisory Groups**

MR KAINÉ: Asked the Minister for Housing and Community Services upon Notice on 17 September 1992:

For all Government Committees, Boards and Advisory groups within the Housing and Community Services 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 CONNOLLY: The answers to the Members questions are provided in the attached document. In summary, the relevant bodies are:

1. ACT Disability Services Advisory Committee
2. Childrens Services Council
3. Co-ordinating Committee for the ACT Taxi Scheme for People with Disabilities
4. Home and Community Care Advisory Committee

1. A.C.T. DISABILITY SERVICES

1. Present Members

Ms Margo Hodge Chairperson June 1991. to June 1993

Ms Anne Proctor June 1991 to June 1993

Mr Wayne Harvey June 1991 to June 1993

Mr Tob Westcott June 1991 to June 1993

Mr Brian IAnson June 1991 to June 1993

Ms Susan Bates June 1991 to June 1993

Ms Ngairé Whitehead June 1991 to June 1993

Mr Dermot Casey Ex officio

Ms Sherly Horabin Ex officio

2 Terms of Reference

Joint Ministerial appointment with the Commonwealth. To ensure the development of a national perspective in key issues, tasks that have been agreed in consultation between the Commonwealth and Territory Ministers, ACT Disability Services Advisory Committee (DSAC) and Disability Advisory Council of Australia (DACA) annual work program. The ACT DSAC will also include issues specific to the ACT that they have identified, as well as issues referred for consideration by the State Manager, Commonwealth Department or the General Manager, ACT Housing and Community Services Bureau, in pursuit of common objectives to improve outcomes for people with disabilities.

3. Term and Power of Appointment

2 years from June 1991

4. Gender Breakdown

4 Males - 5 Females

5. Remuneration Mechanism

Sitting fees paid by Commonwealth Department of Health, Housing and Community Services. Chairperson awarded part time honorarium pay through Commonwealth Tribunal, approximately \$10,000 pa

6. Public Servants

One ASO b officer services the Committee providing 30% of the officers time on a weekly basis. The officers annual salary is \$37,180. The Committee meets eight

17 December 1992

CHILDRENS SERVICES COUNCIL

1. Present Members

Ms Dianne Proctor Chairperson 6/4/92 to 5/4/95
Ms Christine Healy Ex officio
Mr Ron Cahill Ex officio
Ms Heather McGregor Ex officio
Dr Sue Packer Ex officio
Supt Chris Lathbury Ex officio
Ms Nancy Miller Ex officio
Ms Rosemary Walsh Ex officio
Ms Anne Burns 19/1/91 (indetermined period)
Ms Helene Cronin (indetermined period)
Ms Jenny Kitchin 19/1/91 (indetermined period) .
Ms Julie West-Hayes 16/7/91 (indetermined period)

2. Terms of Reference

The Functions of the Council are:

- (a) to consider matters related to childrens welfare referred to it by the Minister;
- (b) to consider any other matter related to childrens welfare;
- (c) to make recommendations concerning childrens welfare to a Minister, body, authority or agency concerned with the welfare of children;
- (d) to make recommendations to the Minister with respect to the granting of money, or the furnishing of other assistance, to a body, authority or agency concerned with childrens welfare;
- (e) to inform itself concerning matters related to childrens welfare;
- (f) to arrange meetings for the discussion of matters related to childrens welfare;
- (g) to prepare and issue papers related to childrens welfare; and
- (h) to arrange for the preparation of statistics with respect to any matter dealt with under the Act or otherwise with respect to childrens welfare.

3. Term and Power of Appointment

Ex officio members appointed by enactment of the Childrens Services Act 1986. Dates of personnel appointed to ex officio positions are dated according to their appointment to office. Non ex officio members are appointed by the Minister.

4. Gender Breakdown

2 Males - 10 Females

5. Remuneration Mechanism

Nil

6. Public Servants

The Council is services by an ASO 6 (\$40693) providing 15% of the officers time.

7. Publications

The Councils Annual Report which is annexed to the Attorney-Generals Annual Management Report. No costs involved.

4164

CO-ORDINATING COMMITTEE FOR THE ACT TAXI SCHEME FOR PEOPLE WITH
DISABILITIES

1. Present Members

Mr D Casey 30/9/91
Ms D Kellam 5/2/91
Dr R Fambach 25/2/89
Dr C English 20/3/87
Mr L Buttsworth 19/9/89
Ms S Leppert 15/5/88
Ms M Norris 2/11/90
Mr J Hemer 21/6/90
Ms M Trezise 20/4/88

2 Terms of Reference

To advise the Minister on the ACT Taxi Subsidy Scheme and oversight the implementation and operations of the scheme.

3. Term and Power of Appointment

No fixed term of appointment

4. Gender Breakdown

6 Males - 4 Females

5. Remuneration. Mechanism

Nil

6. Public Servants

One ASO 2 officer services the Committee. The Committee meets twice a year and the officer provides six hours of time per meeting with the preparation of minutes and relevant background material. The officers annual salary is \$25687.

7. Publications

An activity report is prepared by the Administrator of the Committee for committee members. No costs involved.

17 December 1992

HOMEAND COMMUNITY CARE ADVISORY

1. Present Members

Dr R A Day from 2/4/90 to 31/3/93
Ms K Peisley from 2/4/90 to 31/3/93
Ms F Grafen from 2/4/90 to 31/3/93
Ms B Gallagher from 2/4/90 to 31/3/93
Ms L Condon from 2/4/90 to 31/3/93
Mr R Walker from 2/4/90 to 31/3/93
Ms R Leighton from 2/4/90 to 31/3/93
Ms A McGowan from 3/4/92 to 31/3/93
Ms B CYKeefe from 3/4/92 to 31/3/93
Ms C Middleton from 3/4/92 to 31/3/93
Mr B Coney Ex officio
Ms M Crawford ex officio

1 vacant position soon to be filled.

2 Terms of Reference

Provide Territory and Federal Ministers with policy advice on the administration of the Home and Community Care Program which provides services aimed at preventing premature residential care for frail aged and younger disabled people. The Committee will also recommend program priorities.

3. Term and Power of Appointment

2 years from date of appointment - extended for 1 year until end of March 1993.

4. Gender Breakdown

3 Male - 10 Females

5. Remuneration Mechanism

Reimbursement of expenses.

6. Public Servants

Approximately 25% of a full time ASO 5 (\$32800) currently services the Committee. Time spent on servicing the Committee varies depending on when meetings are scheduled, the number of papers required for each meeting and distribution of papers for each meeting. Some supervision is required but this is estimated as being minimal.

A SOG B (\$53403) also attends meetings which are currently scheduled once every six weeks.

7. Publications

The HACCAC produces an annual report which is produced on Departmental photocopier at a minimal cost. The distribution is to HACCAC members, and

3e HOUSING ADVISORY COMMITTEE

1. Present Members

Mr Ken Horsham Chairperson Ex officio

Ms Rhonda Fuzzard 30/3/92 to 30/3/94 Mr John Mason 30/3/92 to 30/3/94

Mrs Sue Doobov 30/3/92 to 30/3/94 Ms Julie Whitmore 30/3/92 to 30/3/94

Ms Uyen Loewald 30/3/92 to 30/3/94 Mr Mike Crowe 30/3/92 to 30/3/94

Mr Bruno Yvanovich 30/3/92 to 30/3/94 Mr Bernie Bryant 30/3/92 to 30/3/94

Ms Rosalie Woodruff 30/3/92 to 30/3/94 Mr Brian Hickey 30/3/92 to 30/3/94

Mr Ken Johnson 30/3/92 to 30/3/94 Ms Mango Hodge 30/3/92 to 30/3/94

Ms Margot Hughes 30/3/92 to 30/3/94

Terms of Reference

Advise the Minister responsible for Housing on the Housing Trusts strategic direction and priorities based on an evaluation of its performance, in particular: the extent to which the Housing Trusts programs meet its corporate goals, ie:

- accessibility of Housing Trust services;
- responsiveness and appropriateness of Trust services to community needs.
- priorities for housing assistance;
- areas and levels of unmet need;
- other matters referred by the Minister or the Commissioner for Housing.

HACs major focus is to develop advice on the strategic direction and priorities of the Housing Trust and evaluating its performance against corporate goals.

3. Term and Power of Appointment

In order to maintain a continuity of the HAC, there should be a balance between continuing members and new members through staggered terms of appointment. Members are appointed to HAC for a term of up to two years. After two consecutive years there should have a break of no less than one year before a member can be reappointed to the HAC. Subject to Ministerial approval, a consecutive two year term may be exceeded for those members representing peak groups.

14 Non Government members representing peak industry and community groups or with relevant expertise.

4. Gender Breakdown

7 Males - 7 Females

5. Remuneration Mechanism

Nil

6. Public Servants

Secretariat services for this Committee represent a minor time commitment by a SOG B, salary \$53403, with other support services including research, provided from within the Policy and Executive Services Section. It is not possible to determine the time devoted by these officers to the various requirements of servicing this Committee.

7. Publications

17 December 1992

L HOUSING REVIEW COMMITTEE

1. Present Members

Ms T MacDonald (Chair) 3/12/90 indefinite
Mr V Hooten (Deputy Chair) 3/12/90 indefinite
Mr J Hinchey (Deputy Chair) 3/12/90 indefinite
Ms P Gajardo 3/12/90 indefinite
Ms S Martinez 3/12/90 indefinite
Mr R Parker 3/12/90 indefinite
Ms N Home 3/12/90 indefinite
Ms R Paz 3/12/90 indefinite

2 Terms of Reference

Review on appeal, decisions of the Commissioner for Housing, or his/her delegate.

3. Term and Power of Appointment

Current committee appointed 3 December 1990.

4. Gender Breakdown

3 Males - 5 Females

5. Remuneration Mechanism

Chair: \$240 per sitting day Member: \$194 per sitting day

6. Public Servants

This Committee is serviced by an ASO 6 and an ASO 3, on a full time basis. Their respective salaries are \$40693 and \$28475. As well as a direct service role to this Committee, these officers manage the Housing Trusts appeals system and provide an advisory service to appellants.

7. Publications

N/A

4168

7. SUBSTITUTE TE CARE & FAMILY -Mzx SERVICES COMMITTEE

1 Present Members

. Family Services Branch:

- Christine Healy, Executive Director
- Barbara Spence, Director, Policy and Coordination

- Marcia Vannithone, Director, Adoption and Foster Care . Anne Burns, Marymead Childrens Centre . Marek Jantos Richmond Fellowship . Jenny Kitchin, Barnardos . Bert Huber, Open Family Foundation . Craig Webber, Galilee

2 Terms of Reference

The Substitute Care and Family Support Services Committee provides an ongoing forum which aims to facilitate the co-ordination and development of a single united welfare system and to provide advice on planning and delivery of ACT childrens welfare services.

3. Term and Power of Appointment

The Committee is non-statutory, therefore members are not "appointed".

4. Gender Breakdown

5 females 3 males

5. Remuneration Mechanism

No costs for fees or salaries to members apply.

6. Public Servants

The Committee is serviced by an ASO 6 (\$40693) requiring approximately 30% of that officers time.

7. Publications

N/A

4169

17 December 1992

SUPPORTED ACCOMMODATION ASSISTANCE PROGRAM

MINISTERIAL ADVISORY COMMITTEE

1 Present Members

Ms R Porter Chairperson 30/12/91 to 31/12/92

Ms A Quadroy 9/10/91 to 31/12/92

Ms J Healy North 9/10/91 to 8/4/93

Ms R Fuzzard 9/10/91 to 8/4/93

Mr M Barlow 9/10/91 to 31/12/92

Ms P Sorely 9/10/91 to 31/12/92

Ms D MacGilvray 9/10/91 to 8/4/93

Ms C Athanasos 9/10/91 to 31/12/92

Ms M Darbela 9/10/91 to 8/4/93

Ms G Malcolm Ex officio

Ms J ODwyer Ex officio

Ms E Mann Ex officio

2 Terms of Reference

To provide advice to Territory/Commonwealth Ministers and to the joint Officers Group on:

- (a) priorities for consideration in the development of the Commonwealth/Territory Plan;
- (b) levels of unmet need;
- (c) program level accountability processes, service standards and performance indicators, data needs and evaluation measures; and
- (d) other program matters referred by Commonwealth and Territory Ministers or the joint Officers Group for advice.

3. Term and Power of Appointment

Under the Committee guidelines there are staggered terms of appointment of Committee Members. Five members terms of appointment will cease on 8 October 1992, and the remaining members will cease on 8 April 1993.

4. Gender Breakdown

1 Male - 11 Females

5. Remuneration Mechanism ,

Sitting Fees Remuneration Tribunal rates - Chair \$137, Members \$114 (Non specified Office - Category 1)

6. Public Servants

This Committee is serviced by an ASO 6 salary \$40693 requiring approximately 300 of that officers time.

7. Publications

N/A

4170

MINISTER FOR THE ENVIRONMENT, LAND AND PLANNING

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO 382

RSL RETIREMENT VILLAGE

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

In relation to negotiations between the ACT Government and the Returned Services League (RSL) regarding access to a particular site adjacent to Lake Ginninderra for the purpose of establishing a retirement village

- (1) When will the Minister invite community comment on the proposal.
- (2) Can the Minister give the block and-section number of the land that is being considered as the site for an RSL retirement village.
- (3) If the block is not part of an investigation area, can the Minister explain why the Government is discussing the location of a retirement village on open space.
- (4) When is the Government planning to make public its discussions with the RSL.
- (5) The Minister has stated that "The future use of vacant land around Lake Ginninderra will be subject to a comprehensive review as part of the Draft Territory Plan consultation process." Has the Minister now resiled from that commitment.

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

- (1) Discussions are continuing with the RSL about their proposal for a retirement village near Lake Ginninderra but details are not firm enough to constitute a basis for seeking community comment. If a proposal from the RSL is acceptable to the ACT Planning Authority, the next step would be to seek a variation the Territory Plan following the procedures set out in the Land Planning and Environment Act. This requires a formal process of public consultation.
- (2) The proposal affects part of Sections 154 and 155 Belconnen. The notional boundary of the site is set back a minimum of 150 metres from the edge of the lake. -

4171

17 December 1992

- (3). The current Plan which applies to this area is the Belconnen Town Centre Policy Plan of December 1986. This shows the area as open space but with the proviso that this is to be reviewed. It therefore has the status of an Investigation Area.

In the draft Territory Plan the site was shown as an investigation Area.. In accordance with the Governments decision to delete the Investigation Areas from the draft Territory Plan, the land use policy for the area has reverted to open space. The Governments policy provides that any future proposal for a land use change in a former Investigation Area will be subject to a detailed and specific proposal for the particular site.

The revised Territory Plan shows the site as urban open space, but with an area-specific policy as follows:

"Area 9B Belconnen Section 154 Part Block 2, Section 155
Part Block 2, Section 159 Part Block 1

Objective

To review the land use policy after monitoring the recreation use of the land and considering the needs of the future Belconnen population and the impacts on the existing parklands."

- (4) If the RSL proposal goes ahead details will be made public in the context of public consultation on a draft variation to the Territory Plan.- This will follow the submission of a formal proposal from the RSL, including an undertaking to pay an appropriate premium for the land.
- (5) I have not resiled from my commitment -to review the use of vacant land around Lake Ginninderra. The revised Territory Plan-confirms the intention to review the land, use-of the blocks in question. As indicated above any proposal to develop the land .would involve public consultation as part of- the process for varying the Territory Plan. .

4172

**MINISTER FOR HOUSING AND COMMUNITY SERVICES
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO. 406**

Housing Trust - Fraud

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

- (1) What (a) steps are being taken to recover the \$82,358.33 owed by the 13 people convicted in 1991-92 of defrauding the ACT Housing Trust and (b) was the nature of the fraud in the case of each conviction.
- (2) How much does each of these people individually owe.
- (3) What are the terms and conditions governing the repayments.
- (4) Are any of these people still occupying Housing Trust premises or obtaining rental rebate and; if so, why.

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

- (1) (a) In handing down its decisions against the people convicted, the Magistrates Court directs that compensation be paid to the Court. The Housing Trust creates a separate account for each offender and notifies the Court of the details. The Housing Trust monitors each account and notifies the Court in writing when an offender is defaulting in payments. The Court is responsible for any action resulting from a failure to pay.
- (b) details included in attachment A.
- (2) Details included in Attachment A.
- (3) Details included in Attachment A.
- (4) Two are presently occupying Housing Trust properties and receiving rent rebates. Both tenants are eligible for government housing rent rebate and they have been punished by the judicial system for the fraud they committed.

4173

17 December 1992

ATTACHMENT A

AMOUNT NATURE OF FRAUD REPAYMENT TERMS AND CONDITIONS

- 6,930.80 Failure to include spouses income on rental rebate To pay compensation within 7 days.
applications.
- 7,728.78 Failure to disclose that spouse resided in the property To pay \$50 per week commencing
1-7-92.
and was in receipt of an income, on rental rebate
applications.
- 5,473.26 Failure to disclose that spouse resided in property To pay \$40 per week commencing 9-7-
92.
and was in receipt of an income, on rental rebate
applications.
- 5,418.70 Failure to disclose that spouse resided with To pay \$100 per week commencing 15-8-91.
her and was in receipt of an income, on rental rebate
application.
- 1,781.96 Failure to disclose all assets and sources of income on To pay compensation within 28
days
rental rebate form.
- 1,800.00 Untrue representations in applications for rent relief To pay compensation within 2 years.
under Rental Assistance Scheme.
- 12,766.40 Failure to disclose compensation income on- rental rebate To pay \$60 per fortnight
commencing 2-4-92.
applications.
- 4,471.10 Failure to disclose that defacto partner resided with her To pay \$100 per month after
satisfying
and was in receipt of an income, on rental rebate rent compensation to Commonwealth that
applications. pre-dated self government.
- 1,260.00 Failure to disclose ail income on rental rebate To pay full compensation within 18
months.
applications.

AMOUNT NATURE OF FRAUD REPAYMENT TERMS
AND CONDITIONS

1,260.00 Failure to disclose ail of husbands income on rental To pay compensation within 18 months.
rebate applications.

8,288.50 Failure to disclose that husband resided with her and that To pay compensation of \$50 per month
he wens in receipt of an income, on rental rebate and commencing 9-7-91.
rent relief applications.

13,222.98 Failure to disclose all income on rental rebate applications. The Housing Trust to institute recovery action for compensation.

11,955.85 Failure to disclose all income on rental rebate form. Paid in full on day of hearing.

17 December 1992

**MINISTER FOR HEALTH
LEGISLATIVE ASSEMBLY QUESTION
QUESTION 408**

Health Portfolio - Communique Solutions Contract

Mrs Carnell - asked the Minister for Health:

In relation to the Public Relations/Communications Service provided by Communique Solutions for a fee of \$72 946

- (1) What was the brief given to these consultants.
- (2) When were the consultants commissioned, and when was work completed.
- (3) Has this particular service been approved by the Consultancy Review Committee of the Chief Ministers Department.
- (4) What steps were followed in putting this consultancy opportunity out to tender.

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

In the public sector external consultants are usually regarded as specialists engaged to undertake short-term projects which assist the development or refinement of a Departments activities. In contrast external contractors are usually regarded as tradespeople or professionals engaged on a temporary basis to undertake more routine work, or to help the Department carry out its already defined activities.

Communique Solutions was considered to be an external contractor rather than a consultant.

- (1) Communique Solutions was contracted to perform public relations functions in relation to the Hospital Redevelopment Project. These functions included:

Membership of the Public Information Working Group providing advice on Hospital Redevelopment public information issues to the Consolidation Committee and involving coordination and organisation of public information events at Royal Canberra and Woden Valley Hospitals.

Liaison and coordination of media inquiries, events and appearances for Royal Canberra and Woden Valley Hospitals, including writing media releases and feature articles.

Organisation of regular information seminars for staff and associated Hospital groups on the redevelopment.

4176

Coordination of external displays and exhibitions featuring the Hospital and the Redevelopment Project.

Speech writing and special events management and coordination for internal and external Hospital events other than those related to the redevelopment.

Provision of Ministerial briefs relating to media functions and events at the Hospital.

Media monitoring and advice to Hospital Executive on media issues.

(2) The contract with Communique Solutions was initiated in May 1991 and was terminated in April 1992. The amount of \$72 946 was for services provided from July 1991 to April 1992.

(3) As this was a contract service rather than a consultancy, approval was not sought from the Consultancy Review Committee of the Chief Ministers Department.

(4) As stated above, this was not a consultancy and the position was not put out for tender.

4177

17 December 1992

**MINISTER FOR HEALTH
LEGISLATIVE ASSEMBLY QUESTION
QUESTION 412**

Health Portfolio - Kizclip Pty Ltd Contract

Mrs Carnell - asked the Minister for Health:

In relation to the Public Relations/Communications Service provided by Kizclip PAL at a cost of \$41618.82

- (1) What was the nature of the service offered and outcomes generated.
- (2) Was this particular consultancy approved by the Chief Ministers Consultancy Review Committee.
- (3) Who are the principals of Kizclip P/L
- (4) How has the advice offered by Kizclip PAL been utilised by ACT Health.
- (5) What steps were followed in putting this consultancy opportunity out w tender.

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

In the public sector external consultants are usually regarded as specialists engaged to undertake short-term projects which assist the development or refinement of a Departments activities. In contrast external contractors are usually regarded as tradespeople or professionals engaged on a temporary basis to undertake more routine work, or to help the Department carry out its already defined activities.

Kizclip PAL was an external contractor rather than a consultant.

- (1) Kizclip P/L was contracted by the previous Acting General Manager of Woden Valley Hospital to provide services associated with the "managing organisational change" process which was a part of the Principal Hospital Redevelopment Project.

In November 1991 Kizclip P/L was requested by the current Executive to develop a system for processing and responding to complaints from patients and the public regarding the services provided by Woden Valley Hospital

- (2) As this was a contract service rather than a consultancy, approval was not sought

from the Consultancy Review Committee of the Chief Ministers Department.

4178

- (3) The known principal of Kizclip PAL who provided services to Woden Valley Hospital was Maree Briedis Rieksts.
- (4) Kizclip P/L developed a system for documenting, processing and responding to complaints from patients and the public regarding the services provided by Woden Valley Hospital .
- (5) The contract for this service was discontinued in July 1992 and the Hospital now employs a full time Public Service officer in this capacity.
- (6) As stated above, this was not a consultancy and the position was not put out for tender.

4179

17 December 1992

**MINISTER FOR HEALTH
LEGISLATIVE ASSEMBLY QUESTION
QUESTION 413**

Health Portfolio - Premier Services Contract

Mrs Carnell - asked the Minister for Health:

In relation to the Public Relations/Communications Service provided by Premier Services at a cost of \$38 150:

- (1) What was the nature of the service offer.
- (2) Was this particular consultancy approved by the Chief Ministers Consultancy Review Committee.
- (3) Who are the principals of Premier Services.
- (4) How has the advice offered by Premier Services been utilised by ACT Health.
- (5) What steps were followed in putting this consultancy opportunity out to tender.

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

In the public sector external consultants are usually regarded as specialists engaged to undertake short-term projects which assist the development or refinement of a Departments activities. In contrast external contractors are usually regarded as tradespeople or professionals engaged on a temporary basis to undertake more routine work, or to help the Department carry out its already defined activities.

Premier Services was an external contractor rather than a consultant.

- (1) Premier Services was initially contracted by the previous Acting General Manager of Woden Valley Hospital to assist with day to day public relations functions of the Hospital These functions included publication of the Hospitals weekly internal newsletter, production of publications and brochures for internal and external readership, media liaison not associated with the redevelopment and coordination of community relations projects. This service is now provided by a full time permanent Public Service officer.
- (2) As this was a contract service rather than a consultancy, approval was not sought from the Consultancy Review Committee of the Chief Ministers Department.
- (3) The known principal of Premier Services who provided services to Woden Valley Hospital was Trevor Sharkie.

4180

(4) Advice was not sought from Premier Services; specific services were performed as described above.

(5) As stated above, this was not a consultancy and the position was not put out to tender.

4181

17 December 1992

**MINISTER FOR HOUSING AND COMMUNITY SERVICES
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO. 420**

Housing Trust Properties - Damage by Tenants

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

In relation to the Housing Trust and information provided during Estimates hearings (Proof Estimates Hearings pp 1380-81)-

- (1) When a tenant moves into Trust premises (a) is that tenant provided with guidelines or a set of minimum standards for care of that property; (b) does that tenant make any contractual agreement that he/she will maintain that property at a reasonable standard; (c) does that tenant make any contractual agreement that he/she will be responsible for the cost of repairs to damage other than that caused by normal wear and tear.
- (2) When repairs are performed on Trust premises, are records kept to show a distinction between "wear and tear" type work and actual damage, either accidental or wilful. .
- (3) In cases of wilful damage to Trust property, what procedures are used by the Trust to reprimand that tenant, gain restitution for the cost of repairs and to safeguard that property in the future.

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

- (1) (a) Yes. Housing Trust tenants sign a tenancy agreement when accepting a house or flat. Clauses in the Tenancy Agreement state that tenants will maintain the house/flat in good clean tenantable and serviceable condition to the satisfaction of the Commissioner having regard to its condition at the beginning of the tenancy.
- (b) Yes.
- (c) Yes.
- (2) Since the introduction of the new maintenance system records are kept on all maintenance. A distinction is made between items considered to be "fair wear and tear" and those assessed as wilful or accidental damage.

4182

- (3) When the damage is identified as "beyond fair wear and tear" a letter of advice is forwarded to the tenant with an invoice for the cost of repair.

4183

17 December 1992

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

Question No 423

Aborigines and Torres Strait Islanders

MR CORNWELL - Asked the Chief Minister upon notice on 17 November 1992:

- (1) How many people of Aboriginal or Torres Strait Islander descent were resident in the self-governing ACT at 30 June 1991?

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

- (1) The only information available refers to the number of persons enumerated in the ACT (excluding Jervis Bay) on 6 August 1991. This was the reference date for the 1991 Population Census. There were 1556 persons of Aboriginal or Torres Strait Islander descent enumerated in the selfgoverning ACT.

4184

**ATTORNEY GENERAL FOR THE AUSTRALIAN CAPITAL TERRITORY
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO 432**

Legal Aid Office - Inoperative Staff

Mr HUMPHRIES: Asked the Attorney General upon notice on 25 November 1992 - In relation to an increase in salaries in 1992-93 reflecting an unusually high level of inoperative staff (Budget Paper No. 3, page 13) -

- (1) What are inoperative staff.
- (2) How many such staff are there.

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

- (1) Inoperative staff as classified by the Legal Aid Office are staff who need to be replaced for duty for a period greater than one month. These mold include extended sick, long service or maternity leave.
- (2) For the financial year 1992/93, seven were considered in the salaries budget to fall into one of the above groups. We have now two more staff who will be on maternity leave from early April making a total of nine for the financial year.

4185

17 December 1992

**ATTORNEY GENERAL FOR THE AUSTRALIAN CAPITAL TERRITORY
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NUMBER 439**

Criminal Injuries Compensation

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

(1) Why was expenditure, based on the 1992-93 Budget, on awards for damages and sums under the Criminal Injuries Compensation Act \$0.55m greater than provided for in the 1991-92 Budget (Program 11, Legal Services to Government).

(2) Does it reflect a higher incidence, or a higher than expected incidence of crime in the ACT; if not, what does it reflect

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

(1) & (2) Neither the Budget for 1991-92 nor that for 1992-93 included any specific provision for payment of awards under the Criminal Injuries Compensation Act. These are paid out of the Legal Expenses Item within Program 11. Other items covered under this category include civil damages and settlements, weapons compensation and legal expenses. The accurate forecasting of expenditure for items included under this heading is very difficult because actual expenditure may vary significantly from year to year and is affected by contingencies over which the Government has no control. The Legal Expenses Item budget forecast is a figure agreed with Treasury as a suitable base for inclusion in the Budget, but in recognition of the fact that expenditure under the Item is non-discretionary, expenditure over this amount is met on an emerging basis.

Actual awards made under the Criminal Injuries Compensation Act in 1991-92 amounted to \$1,205,444. for 103 matters. A total of \$704,770. was paid in 1990-91 for 74 matters. More details about the operation of the scheme is available from the Annual Report on the Criminal Injuries Compensation Act tabled on 18 November 1992. I believe the amount of money paid under the Act each year is of limited worth as a measurement of crime rates as adjustments would need to be made for the recent increase in the maximum award from \$20,000 to \$50,000, the changing money values over time and the varying dates on which the original offence occurred.

4186

MINISTER FOR THE ENVIRONMENT, LAND AND PLANNING

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO. 442

Medium Density Dwellings.

Mr Cornwell - asked the Minister for the Environment, Land and Planning ...,
In relation to the term "medium density".

(a) how is it. measured

(b) what are its upper and lower limits. -

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

(a) .and (b) The .term medium density, as used by the ACT Planning Authority applies to a form of.
dwelling, rather than to a quantitative measure of housing density.

A "Medium ..Density Dwelling" - means a --building -designed,
constructed or adapted for use as a private dwelling for- a
single household. which forms part. of a group of two--or more,
dwellings and includes group houses, villa homes, cottage. ,
houses, courtyard houses, houses and the like..

The upper limits are controlled by -such criteria as height restrictions., mandatory setbacks and
open space and carparking requirements. The lower ..limits are- often specified in the release
documents, although ,in the case of redevelopment they are set by market viability.

4187

17 December 1992

**MINISTER FOR HOUSING AND COMMUNITY SERVICES
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO 446**

Housing Trust Properties - Average Life

MR CORNWELL asked the Minister for Housing and Community Services - What is the estimated average life of Housing Trust properties built during 1991-92 (houses, flats etc. separately if deemed necessary).

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

The Housing Trust does not estimate an average life for new housing stock since many factors will determine an optimum useful life at different times.

All new houses are built of brick, according to a set of standards based on low maintenance materials, fuel efficiency and a system of quality assurance. As such new houses can be expected to last 75 years, and upgrading an existing property will add a further 50 years service.

For accounting purposes, rental properties are depreciated on a straight line basis over 50 years. Upgrades to dwellings are deemed to increase their depreciation period by a maximum of 25 years. Depreciation on flats is 75 years.

4188

**MINISTER FOR HOUSING AND COMMUNITY SERVICES
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO 447**

Housing Trust - 7000 Series Houses

MR CORNWELL asked the Minister for Housing and Community Services - In regard to 7000 series houses, built during the 1970s

- (1) How many of these dwellings were constructed.
- (2) How many of these houses (a) are still under the ownership of the Housing Trust and currently occupied by Government tenants; (b) have been sold to their tenants; and (c) have been demolished and replaced by alternative Housing Trust accommodation.
- (3) To what degree are all in 2(a) unpopular with their tenants and what evidence has been obtained to validate this.
- (4) How many of the remaining 7000 series houses are earmarked for (a) sale to current tenants; (b) demolition and replacement by alternative Government housing; and (c) when will these sales or replacements occur.
- (5) What was the cost of construction of a 7000 series house.
- (6) What is the cost of replacement of a 7000 series house
- (7) What is the estimated life of a 7000 series house.

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

- (1) 457.
- (2) (a) 258.
- (b) 195.
- (c) 2.

1 house is currently awaiting demolition following fire damage, and 1 site is awaiting construction following demolition because of dampness and white ant infestation.

4189

- (3) Not all 7000 series are unpopular with their tenants. A study in 1987 of the two storey houses in the series, known as the 7011s and 7013s, showed that the houses were unpopular because of their general appearance, the problems of heating large open areas, wasted space under stairs and poor access for furniture upstairs. These houses were frequently rejected at the time of allocation, had high turnover of tenancies and long vacant periods.
- (4) Of the remaining 7000 series houses:
 - (a) Sale to current tenants will be considered under the sale to tenants program guidelines;
 - (b) Demolition and replacement by alternative Government housing will be considered whenever it is assessed that it is appropriate and affordable for the Housing Trust to do so. Wanniasa, Section 151 blocks 17-21 is to be redeveloped to provide eleven units, while Wanniasa, Section 139 blocks 3335 is due to be redeveloped as nine units.
 - (c) Sales to tenants are made when eligible tenants apply to purchase properties meeting the sales to tenant program guidelines. The replacement development at Wanniasa Section 151 blocks 17-21 will be constructed in 1993 and let as soon as it is completed. The redevelopment, at Wanniasa, Section 139, Blocks 33-35 will commence in 1993 with a completion date in early 1994.
- (5) The cost of construction of a 7000 series house depends on its size, block siting, and necessary associated works. In 1977, the cost of construction of a three bedroom 7000 series house was around \$25-26,000.
- (6) The current cost of replacing a 7000 series standard three bedroom house with a floor area of 107 square metres, is \$75,000-\$80,000.
- (7) The estimated life of a 7000 series house is between 50 and 75 years.

4190

**MINISTER FOR HOUSING AND COMMUNITY SERVICES
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO 448**

Housing Trust Properties - Redevelopment

MR CORNWELL asked the Minister for Housing and Community Services - In relation to the redevelopment of Wanniasa section 151; blocks 17-21, and the comment in the Variation to the Territory Plan that "The Housing Trust has advised that they have been unpopular with tenants due to their box-like appearance and flat roofs with no eaves, their poor grouping and their public housing identification"

- (1) Is it Housing Trust policy to demolish properties unpopular with tenants.
- (2) If yes, how many properties are scheduled for demolition in 1992-93 for this reason.
- (3) If not why is this procedure being adopted in relation to Wanniasa, Section 151 block 17-21.
- (4) Will the policy of demolition of "unpopular" accommodation be applied to high density bedsitter complexes, also unpopular with tenants for similar reasons to those quoted above.

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

- (1) No.
- (2) None.
- (3) The redevelopment of Wanniasa, Section 151 blocks 17-21 amalgamates five blocks to provide more appropriate housing to more people. The land use on these blocks allowed for medium density development and provided for a significant increase in accommodation yield. Tuggeranong has a scarcity of suitable medium density development sites and a high demand for small dwelling units. The Housing Trust took the opportunity to amalgamate the sites to build units and meet the local demand for this housing type.
- (4) No.

4191

17 December 1992

**MINISTER FOR HOUSING AND COMMUNITY SERVICES
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO 451**

Housing Trust - Aged Persons Units

MR CORNWELL- asked the Minister for Housing and Community Services - In relation to Aged Persons Units (APUs) -

- (1) How many are currently owned by the Housing Trust throughout Canberra.
- (2) How many are currently under construction and when is it expected that these will be occupied.
- (3) How many are planned for construction and occupation during 1993.
- (4) How many applications for APUs are currently held by the Housing Trust and how many of those applicants are (a) occupying other Housing Trust premises; or (b) receiving rent relief while occupying privately owned premises.

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

- (1) The Housing Trust currently owns 803 Aged Persons Units.
- (2) 16 are under construction. They will be occupied as soon as they are completed.
- (3) The construction program for 1992/3 has a commitment target of 51 Aged Persons Units. All will be occupied as soon as they are handed over to the Housing Trust.
- (4) 531
 - (a) 305 applicants are occupying other Housing Trust premises.
 - (b) The majority of the remaining 226 applicants are in receipt of rent relief. The exact numbers cannot be ascertained from present data banks.

4192

MINISTER FOR HEALTH

LEGISLATIVE ASSEMBLY QUESTION

QUESTION 454

Woden Valley Hospital - Private Patients

Mrs Carnell - asked the Minister for Health:

1. How many occupied bed days are attributable to private patients at Woden Valley Hospital in (a) 1990-91 and (b) 1991-92.
2. How much revenue was obtained from private patients at Woden Valley Hospital in (a) 1990-91 and (b) 1991-92.

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

- 1 . The number of occupied bed days attributable to private patients, where private patients includes all non public patients, at Woden Valley Hospital (including RCA) in (a) 1990-91 is 72,990 and (b) 1991-92 is 61,202.
2. Revenue obtained from private patients at Woden Valley Hospital (including RCA) in (a) 1990-91 was \$14,898.1M and (b) 1991-92 was \$13,959.1M.

4193

17 December 1992

**MINISTER FOR HEALTH
LEGISLATIVE ASSEMBLY QUESTION
QUESTION 455**

Woden Valley Hospital - Private Patients

Mrs Carnell - asked the Minister for Health

- (1) What is the average cost per patient at Woden Valley Hospital ?
- (2) What is the average financial loss per patient-when a privately insured patient is admitted to Woden Valley Hospital as a public patient ?

Mr Berry - the answer to Mrs Carnells question is

- (1) Based on 1991-92 expenditure the average cost of an in-patient admission at Woden Valley Hospital is \$3,170.
- (2) The average financial loss to Woden Valley Hospital of a private patient electing to be admitted as a public patient is approximately \$290 per occupied bed day.

4194

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

Question No 457

Legislative Assembly Members Superannuation Scheme

Mr Humphries - Asked the Chief Minister upon notice on 8 December 1992:

(1) Does the superannuation scheme, into which MLAs pay, comply with the requirements of the National Occupational Superannuation Standards.

(2) If not, why not.

Ms Follett - The answer to the members question is as follows:

(1) The provisions of the Superannuation (Legislative Assembly Members) Act 1991 are generally consistent with the requirements of the Occupational Superannuation Standards Act 1987.

2) In common with other unfunded superannuation schemes the arrangements established by the Superannuation (Legislative Assembly Members) Act 1991 have not required a determination by the Insurance and Superannuation Commission as to compliance with the Occupational Superannuation Standards Act 1987.

The introduction of the Superannuation Guarantee legislation may require minor amendments to the Superannuation (Legislative Assembly Members) Act 1991, depending on the guidelines to be developed by the Insurance and Superannuation Commission for assessing compliance by unfunded schemes.

4195

ACT LEGISLATIVE ASSEMBLY

Question on Notice 459

Sentence Remissions

MR CORNWELL: To ask the Attorney-General - In relation to the ACT Parole Board

- (1) How many remissions of sentences were sought in 1989-90, 1990-91, 1991-2.
- (2) How many were granted in each of those years.
- (3) For what offences were such remissions granted in each of the years at (2)

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

The Parole Board does not grant remissions of sentence *per se*. By virtue of subsection 5(3) of the Removal of Prisoners Act 1968. ACT prisoners removed to NSW are entitled to receive the same remissions of sentence or of non-parole period as their NSW counterparts are entitled to receive. Such remissions were removed for NSW prisoners (and therefore ACT prisoners) sentenced after 25 September 1989, with the passage and commencement of the Sentencing Act 1989, which established what is known as "truth in sentencing". Those remissions, which were not "sought" as such, but generally automatically granted, were the responsibility of and calculated by the NSW Corrective Services authorities who advised the Parole Board of the adjusted release date. Some ACT prisoners yet to be released will have their sentences reduced by these remissions because they were sentenced prior to the relevant date.

Such remissions were granted in respect of all offences, but were not applicable to any indeterminate sentences.

Subsection 20(3) of the Parole Act 1976, provides that where a prisoner has exhibited such excellence in his general behaviour, and has made such endeavours in relation to his rehabilitation or that there are special circumstances that justify the release of the person on parole before the expiration of the non-parole period the Board may state an earlier day of release not exceeding 4 days for every month, or part of a month, of imprisonment actually served. I am advised that this provision has very rarely been used and not in recent years.

4196

**MINISTER FOR HOUSING AND COMMUNITY SERVICES
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO. 460**

Housing Trust - Loans for Bond Payments

MR CORNWELL - asked the Minister for Housing and Community Services - In relation to an interest free loan to cover a bond payment being made to the recipient of rent relief:

- (1) What procedures are in place and what steps are taken to ensure repayment of that loan to the ACT Housing Trust.
- (2) If the recipient vacates without notice to the private landlord or causes damage to the house and -the interest free bond has not been fully or partially repaid to the Trust what steps are taken by the Trust to regain the bond monies from the recipient.

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

- (1) People approved for rent relief sign a contract with the Housing Trust before a loan is made. They are issued with a preprinted voucher book to facilitate repayments.

To assist in the recovery of loans a module is being developed for the Integrated Systems for Information Processing (ISIP) with recovery features similar to those for rent arrears. In addition the Housing Trust is examining the feasibility of directly transferring monies between itself and the Office of Rental Bonds.

- (2) The tenancy agreement is a contract between the tenant and the landlord. The Housing Trust is not a party to the contract. The contract concerning the bond is a separate agreement between the Housing Trust and the recipient and relates to the loan. Bond monies are deposited with the Office of Rental Bonds and repayment is negotiated between the landlord and the tenant.

4197

17 December 1992

**MINISTER FOR HOUSING AND COMMUNITY SERVICES
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO. 461**

Housing Trust - Rental Assistance

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

- (1) How many families currently wait-listed for Housing Trust properties are receiving rental assistance to rent in the private market.
- (2) How much money did this represent in (a) 1990-91 and (b) 1991-92.
- (3) If there is default in the payment of rent to a private landlord by a tenant in receipt of rental assistance is the ACT Housing Trust held liable in any way.

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

- (1) 2,357 as at 1 December 1992. .
- (2) (a) \$1.67m
- (b) \$3.85m
- (3) No

4198

**MINISTER FOR HOUSING AND COMMUNITY SERVICES
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO. 462**

Housing Trust - Priority Waiting List

MR CORNWELL - asked the Minister for Housing and Community Services - In relation to the ACT Housing Trust priority waiting list -

- (1) How many applications are currently on the ACT Housing Trust priority waiting list.
- (2) What is the expected waiting time for allocation of priority housing.

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

- (1) 249 as at 10 December 1992.
- (2) Unable to specify as it depends on the nature of the approval and the availability of the particular type of accommodation in the requested area.

4199

17 December 1992

**MINISTER FOR HOUSING AND COMMUNITY SERVICES
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO 463**

Housing Trust - Computer System

MR CORNWELL: Asked the Minister for Housing and Community Services - In relation to the computer system used by the ACT Housing Trust -

- (1) When was it installed.
- (2) What was the cost of the system.
- (3) What was the cost of its installation. .
- (4) What was the cost of staff training on the new system.
- (5) Has all information stored on the old system been transferred to the new system.
- (6) Can it produce a printout of all vacant Trust premises with detail of date of vacation.
- (7) Can it produce a printout of all accounts in arrears, including detail of the amount owed, whether vacant or current and whether arrears agreements have been entered into.

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

- (1) The ISIP computer system is being progressively installed:
 - the Client Management module was installed on 31 October 1991;
 - the Property Management module was installed on 3 August 1992;
 - the Loans Management module was installed on 8 December 1992;
 - other elements of the system are to be installed during 1993.
- (2) The cost of the ISIP software and its modification to suit ACT business practices was \$1.9 Million over the two years to 30 June 1992.
- (3) The cost of the computer equipment associated with ISIP was \$1.2 million over the two years to June 30 1992.
- (4) \$43,660

4200

(5) All information considered necessary to the effective operation of the new system was converted.

(6) Yes.

(7) Yes.

4201

17 December 1992

**MINISTER FOR HOUSING AND COMMUNITY SERVICES
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO. 465**

Housing Trust - Rent Relief

MR CORNWELL - asked the Minister for Housing and Community Services - In relation to rent relief paid by the ACT Housing Trust -

- (1) Is rent relief only paid to persons who are formally listed as waiting for Trust premises.
- (2) Is the subsidy paid to the individual tenants or is it paid to their landlord or agent.
- (3) What procedures are in place to ensure that the subsidy is passed on by the tenant to the landlord.
- (4) Is the subsidy paid in cash or by cheque, and if by cheque to whom is the cheque made out.
- (5) Is the subsidy paid in advance of the rent falling due or is it retrospective.

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

- (1) Yes.
- (2) Tenant.
- (3) Receipts for rent paid are required for continuation of payment of subsidy. These are reviewed every 3 months.
Currently, we are examining a system whereby cheques could in some circumstances be made payable to the landlord.
- (4) By cheque which is made payable to the applicant.
- (5) In advance.

4202

**MINISTER FOR HOUSING AND COMMUNITY SERVICES
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO. 466**

Housing Trust - Validation and Compliance Procedures

CORNWELL - asked the Minister for Housing and Community Services - What validation and/or compliance procedures are followed by the ACT Housing Trust in regard to

- (1) Applications and allocations of housing.
- (2) Eligibility for subsidised rent.
- (3) Level of subsidised rent.
- (4) Level of payments made in arrears agreements.

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

- (1) - (3) Applicants are required to provide proof of income and residency. Documents such as those relating to the sale of property or the custody of children may also be required and any other documentation that supports the information in the application. These we usually provided in the form of letters from employers, solicitors, real estate agents, doctors, counsellors and banks. The Department of Social Security provides documents concerning benefits being received by an applicant.

An integral part of each application form is an affidavit. This is in the form of a Declaration signed by the applicant that the information provided is true and correct and that the provision of false information may result in prosecution.

- (4) Tenants are required to provide current documentation from their employers regarding their income and the Department of Social Security regarding benefits they are receiving.

A realistic negotiated level of payments is agreed with the tenants. The accounts are then closely monitored to ensure the agreements are adhered to.

4203

17 December 1992

**MINISTER FOR HOUSING AND COMMUNITY SERVICES
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO. 467**

Housing Trust - Rent Arrears

MR CORNWELL - asked the Minister for Housing and Community Services - In relation to all cases of ACT Housing Trust tenants in rent arrears as at 8 December 1992 -

- (1) How many have been ordered to make court awarded payments and how many have entered into arrears agreements with the Trust.
- (2) How many have fallen further behind in their payments since the Trust first took action against them for arrears.
- (3) How many are still Trust tenants.
- (4) How many have vacated their Trust premises but still live in Canberra and still make payments as agreed or ordered.
- (5) How many have vacated their Trust premises without notice to the Trust.
- (6) Of those at (5) how many have been traced and are still making payments as per either their agreement or court order.
- (7) Of those at (5) who have not been traced what attempts are being made to trace and ensure that payments continue.

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

- (1) Only tenants suspected of committing fraud against the Housing Trust are prosecuted. Action is taken through civil courts to obtain repayment of vacated arrears.

The Housing Trust does not pursue current tenants for rental arrears through the courts.

1,553 people are currently adhering to arrears agreements with the Housing Trust.

4204

- (2) Information is not readily available.
- (3) 1,423.
- (4) 130: information on residence is not readily available.
- (5) Information is not readily available.
- (6) Information is not readily available.
- (7) The Housing Trust searches all available public records and writes to the former address in case the existing tenant or the post office have a forwarding address. When an applicant registers on the waiting list records are checked for previous arrears.

The Housing Trust negotiates a repayment agreement and monitors the repayments closely.

4205

17 December 1992

**MINISTER FOR HOUSING AND COMMUNITY SERVICES
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO. 468**

Housing Trust - Rent Arrears

MR CORNWELL - asked the Minister for Housing and Community Services - In relation to ACT Housing Trust tenants -

- (1) How many at 8 December 1992 are in rent arrears.
- (2) Of those at (1) how many were originally placed in Trust premises (a) off the regular waiting list; (b) as priority placements and (c) as emergency placements.

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

- (1) 5975 as at 22 December 1992.
- (2) Information is not readily available.

4206

**MINISTER FOR HOUSING AND COMMUNITY SERVICES
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO. 469**

Housing Trust - Waiting Lists

MR CORNWELL - asked the Minister for Housing and Community Services - In relation to the ACT Housing Trust waiting list (not transfer list) -

- (1) How many applications at 8 December 1992 are on the regular waiting list and how many people do these applications represent.
- (2) What is the current waiting period for allocation of Trust premises for those applications at (1) for (a) flats; (b) Aged Persons Units and (c) houses.

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

- (1) 7,662 applications; 17,623 people.
- (2) (a) The period varies from 22 months for a bedsitter to 46 months for a 1 bedroom flat.
(b) 49 months.
- (c) The period varies from 33 months for a 3 bedroom house to 45 months for a 2 bedroom house.

4207

17 December 1992

**MINISTER FOR HOUSING AND COMMUNITY SERVICES
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO. 470**

Housing Trust - Vacant Properties

MR CORNWELL - asked the Minister for Housing and Community Services - In relation to ACT Housing Trust premises

- (1) How many at 8 December 1992 are vacant.
- (2) How many of those at (1) have been vacant for (a) two weeks; (b) one month; (c) two months and (d) more than two months.

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

- (1) 132
- (2) (a) 49
- (b) 23
- (c) 17
- (d) 12. These are properties that have required extensive maintenance.

4208

**MINISTER FOR HOUSING AND COMMUNITY SERVICES
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO 474**

Housing Trust - Income and Maintenance Costs

MR CORNWELL: Asked the Minister for Housing and Community Services - What was the (a) cost of maintenance and (b) income received from ACT Housing Trust properties in (i) 1990-91 and 1991-92.

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

(a) \$16,477,000 in 1990-91;

\$20,553,000 in 1991-92.

(b) \$41,638,000 in 1990-91;

\$42,530,000 in 1991-92

4209

17 December 1992

**MINISTER FOR URBAN SERVICES
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO 475**

Library Service - Complaints

Mr Cornwell - asked the Minister for Urban Services:

- (1) How many complaints from the public concerning ACT Library Service books were received in (a) 1990-91 and (b) 1991-92.
- (2) How many books were involved in each of those years.
- (3) What were the general reasons for the complaints.
- (4) What action was taken as a result of these complaints.

Mr Connolly - the answer to the Members question is:

- (1) & (2) No formal complaints were received by the ACT Library Service on the quality or content of books during either 1990-91 or 1991-92.
- (3) Enquiries received by the ACT Library Service relate to the number of copies and the currency of books available on a particular subject.
- (4) Within the available book budget subject gaps in the collection have been rectified.

4210

**MINISTER FOR URBAN SERVICES
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO 476**

Library Service - Books Banned or Restricted

Mr Cornwell - asked the Minister for Urban Services - Since self-government in 1989:

- (1) How many books have been (a) banned and (b) restricted through the ACT Library Service.
- (2) What were the titles in each case.
- (3) Why were these publications banned or restricted in each case.
- (4) Did the action at (3) on any occasion arise from complaints from the public and, if so, from whom.

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

- (1) No books have either been banned or restricted by the ACT Library Service. The ACT Library Service is bound by the decisions of the Australian Film and Literature Board of Review.
- (2) Titles banned or restricted by the Film and Literature Board of Review are published in the Australian Government Gazette.
- (3) The reasons for the decision by the Film and Literature Board of Review are published in the Australian Government gazette .
- (4) No.

4211

17 December 1992

MINISTER FOR URBAN SERVICES
LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO 477

Library Service - "American Psycho"

Mr Cornwell - asked the Minister for Urban Services: In relation to the publication American Psycho placed upon the restricted list of the ACT Library Service

- (1) Is it a fact that the sole copy of this publication is now missing.
- (2) Why is this copy missing in view of the new procedures to monitor books borrowed.
- (3) Is it intended to replace this copy and, if not, why not.

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

- (1) Yes the sole copy of the publication American Psycho is now missing.
- (2) The book is missing because the last borrower claims to have lost it.
- (3) It is not intended to replace this book. When a book is reported as missing, the title is reviewed to see if it should be replaced in the same way as books that are outdated or worn out. In this case the title does not have sufficient literary merit or demand to warrant purchasing a further copy.

4212

**MINISTER FOR URBAN SERVICES
LEGISLATIVE ASSEMBLY QUESTION**

QUESTION NO. 480

Asbestos Removal Program

Mr Moore - asked the Minister for Urban Services - In relation to house asbestos removal

- (1) What is the cost to the taxpayer per house for the original contracts let to BUS Pty Ltd (HRS) and Gardner Parrott (GP).
- (2) Is that cost taking into account any out-of-court settlements or extra monies paid; if so, (a) what are those extra monies and (b) what were the circumstances leading to the payments. -
- (3) How many houses were let in the original contracts to BUS and GP.
- (4) How many houses were additional to those originally let.
- (5) Of the houses referred to in (4) how many have been let to BRS and GP and at what cost per house (including permit fees, repairs and maintenance and any other sundry costs.)
- (6) How many houses have been let to other contractors and what was the cost per house (including permit fees, repairs and maintenance and any other sundry costs).
- (7) Has the public tendering system been used for the letting of any contracts not arranged under the original BUS and GP contracts.
- (8) Are there any examples of contracts being let when the lowest tender was not chosen; if so, why was the decision made to spend more taxpayers money.
- (9) In 1994 the Minister for Finance and Urban Services stated "no private asbestos contractor would be aged". Is it true that to date no private contractor has been asked to submit a bid or been offered any house for asbestos removal: if so, why not.

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

- (1) The cost to the taxpayer under these contracts is approximately as follows:

BUS - \$55,500

GP - \$67,500

4213

17 December 1992

- (2) The costs in (1) include any extra movies paid.
- a) The extra movies to be paid cannot be divulged in public because they were "commercial in confidence" settlements and a clause in the settlement deeds prohibits disclosure by either party. However individual members can be briefed on settlement details if required.
- b) Management of the contracts was complicated by various disputes with major issues relating to levels of cleanliness and programming of the works. The GP dispute was resolved through mediation and the BUS settlement was agreed taking into account the opinion of the mediator in the GP mediation.

The payments were made as a result of independent legal advice and a commercial assessment of the order of costs involved in other forms of settlement.

- (3) The number of houses included in the contract were as follows:

Gardner Parrott original contract 750
BUS original contract 101, renegotiated on 14 December 1990 to 213
Total 963

- (4) A total of 1082 houses required asbestos removal. Houses not cleaned under the above contracts will have been cleaned by private removal contractors and the ACT Government Direct Labour team (Redeems only).
- (5) None of those in (4) were let to GP or BUS. Costs are as in (1) above.
- (6) None. There have been no contracts raised with exception of GP and BUS. The private removal contract exists between the homeowner and the contractor. The ACT Government is obligated to pay the lowest of three quotes or \$43,370 which is the current private removal cost limit, whichever is the lowest. Private contractors have completed 76 houses in this way to date.
- (7) No. There has been no need to call tenders other than at the time which resulted in the engagement of BUS and GP.
- (8) No other contracts have been let.
- (9) No private contractor has been asked to submit a price for asbestos removal by the Asbestos Program. The choice to use a private contractor and the decision of which private contractor to use are decisions for the homeowner. The ACT Government will pay the cheapest of three quotes obtained by the homeowner from the private contractors or \$43,370 whichever is the lowest.

4214

MINISTER FOR URBAN SERVICES.

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO 489

Pink-tailed Legless Lizards

Mr Moore - asked the Minister for Urban Services:

- (1) Has ACT Electricity and Water (ACTEW) undertaken any research on the significance of the population of pinktailed legless lizards, in the area surrounding the. existing Lower Molonglo Water Quality Control Centre. Plant (LMWQCC).
- (2) Is so (a) what is the research; (b) who carried out the research; (c) does the research show that a total population of less than 400 pink-tailed legless lizards. are known and that the area required by-ACTEW to expand its LXWQCC Plant contains more than 10 per center the total. known population of.this species.
- (3) What action does the Minister plan to take to ensure the survival of this large and important population of the endangered pink-tailed legless lizards.
- (4) Has ACTS investigated other locations for the siting of their effluent by--pass facility.
- (5) Will the Minister ensure a responsible approach by ACTEW. .

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

- (1) Yes
- (2) A copy of the Preliminary Environmental Assessment for the granting of a lease for LHWQCC will be made available to each Member of the Assembly.
- (3) This is being considered.
- (4) Yes
- (5) Yes.

4215

17 December 1992

MINISTER FOR URBAN SERVICES .

LEGISLATIVE ASSEMBLY QUESTION .

Question No. 490

National Exhibition Centre - ACTION Information Caravan .

Mr Cornwell - asked the Minister for Urban Services: .

In retortion to NATEX and its refurbishment of the old ACTION information caravan

- (1) For what purpose is the caravan being refurbished.
- (2) What tendering process was followed to select. the appropriate person or company to perform the refurbishment; and who was awarded the contract.
- (3) When was the refurbishment commenced. .
- (4) When will it be completed.
- (5) What has been the total cost to date.
- (6) What's the estimated total cost on completion and from what account will . the money be allocated.
- (7) What is the. cost of a new mobile office.

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

- (1) The caravan is for use as a mobile client office and mobile staff office daring events. Given the size and nature of the complex, the caravan performs a variety of useful functions.
- (2) The work was carried out by contracted Handyman M Griffin, under the terms set out in his 3 year contract.
- (3) The work on the caravan commenced in June 1992.
- (4) The work has been completed.
- (5) Cost of the work on the caravan has been approximately \$4,633.72. .
- (6) The cost of repairs will be deducted from the NATEX Maintenance
- (7) A new caravan of equivalent size would cost \$16 000.

4216.

**MINISTER FOR URBAN SERVICE
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO. 491**

**National Exhibition Centre - Maintenance and
Minor Works**

Mr Cornwell - asked the Minister for Urban Services:

In relation to maintenance work and minor improvements undertaken at NATEX

(1) Does NATEX employ its own staff for all such work and what types and

. magnitude of jobs are performed by this staff; if so (a) how many staff are

employed for these duties and at what salary cost and (b) are materials
purchased in small lots or be a tender process.

(2) If not, what tendering or concessions of interest presses are followed for such works.

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

. (1) No

(2) . All maintenance and minor works at NATEX are cried out by
contractors. The nature of the work carried out is for repairs, essential
maintenance and minor improvements. .Tenders are called in each
dory. At present-NATEX has contracts with a variety of companies in
different .trades including:

- General Lighting,
Plumbing, Drainage and Irrigation
- Horticulture . . . Earthworks .
- Carpentry/Joining and General Handyman
- Welding/Fitting
Tiling

All contractors are on three year amts from 1 May, 1990 to 30 April 1993.

Materials for the work carried out are supplied. by the contractor except for toilet supplies which
are purchased by NATEX on Government contract prices.

4217

17 December 1992

MINISTER FOR URBAN SERVICES
LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO 492

National Exhibition Centre Trust

Mr Cornwell - asked the Minister for Urban Services: In relation to NATEX

- (1) When does the current term of members of the Board. of the Trust expire.
- (2) By what process will appointees be decided for the next Board..
- (3) Has that process been commenced or even finalised.
- (4) What qualifications, in particular management skills and experience (bearing in mind that it is intended for NATEX to , be commercially viable), are being sought in proposed appointees.

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

- (1) .The following members wereappointed on 24 December 1992: Mr Bill Lawrence (Chair to 30 September 1993, Mr Murray Northrop (Deputy Chair to 24 December 1995), Ms Judy Waters (to 24 December 1995); Ms Margaret Coaldrake (24 December 1995), Mrs Joan Taggart (to 24 December 1994), Mr Barry Taylor (to 24 December 1994); Mr John Millers (to 24 December 1994), and Mr Ken Bone (to 30 June 1993).
- (2) Appointments are the prerogative of the Minister.
- (3) See (1)
- (4) I have appointed a Board which will manage NATEX on a sound commercial basis using the current statutory authority structure. The Government always seeks members of skill and integrity for such positions. Skills that would be sought include managerial, accounting, marketing, facilities management, communications as well as general community service.

4218

MINISTER FOR URBAN SERVICES
LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO. 493

National Exhibition Centre - Water Usage

Mr Cornwell - asked the Minister for Urban Services:

In relation to NATEX -

- (1) During the last 12 month billing period, did NATEX receive an excess water account; if so, what was the amount of that account,
- (2) Is there a water bore on the NATEX grounds; if so (a) what is the condition of the bore, casing, pump etc; and (b) what amount of water has been pumped from it during the same period mentioned in (1).
- (3) If the bore was not used, why not.

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

- (1) NATEX excess water account for the last 12 months was \$29, 010.24.
- (2) Yes there is a bore on the grounds (a) It is. now non-operational as the casing has collapsed. (b) It has not.been used in the last 12 months.
- (3) The bore was installed on the ground some years ago by an exhibitor.at the Royal Canberra Show. It was designed for demonstration purposes only and was near ialmded for use to water the grounds.

4219

17 December 1992

MINISTER FOR THE ARTS

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO. 501

Canberra Contemporary Art Space - Gallery 3

Mr Cornwall - asked- the Minister for the Arts -

- (1) Is this in addition to or in place of. accommodation at German House:
- (2) Where. exactly is.. Gallery 3 to be located in Manuka in 1993.
- (3) What is the annual rent of Gallery 3 being paid by
- (4) Will the funding for Gallery 3 be paid foray the 1993 Operational and Major Projects, ACT Arts Grants Program.

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

- (1) Canberra Contemporary Art Space.(CCAS) has . maintained three gallery spaces since its inception - - in 1989 Two -spaces are at Gorman House (Galleries ; . 1 and 2) and -the third is in a car. park Galleries

This was originally knows as Bitumen River Gallery ..Galleries of a development proposal at the. Capitol. Theatre at Manuka, a private.developer is building a multi-storey car park the corner. of Bougainville and Furneaux Streets., where: Gallery 3 was situated.

. . As part ..of: the agreement, I required the developer to build a replacement gallery for AS The two. spaces at.Gorman House primarily-show contemporary.art.from.art ists living. all over the country, including the.ACT. These -;entered, . either by, the. Director. of or .are .touring sows.,

Gallery 3 is a small space for showing the work of local emerging artists. The artists are.given the space-rent-free but must undertake every other aspect. of. their project. utilising- their own resources. The space iausedfor exhale (individuals and groups), ;installations and . . occasionally for development of works.

- (2) The gallery Recall located on the corner :of Bougainville-and Furneaux-Streets and its frontage will be in Furneaux.Street.

4220

(3) Rent has not yet been determined.

(4) As an integral part of the CAS program for 1993, all costs associated with Gallery 3 will be met from within MASI annual budget. The two major sources of income for the CAS are their Operational grants from the ACT Arts Program, and from the Australia Council (Commonwealth).

4221

17 December 1992

CHIEF MINISTER FOR THE AUSTRALIAN CAPITAL TERRITORY

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO. 502

Land Tax - Exemptions

MR CORNWELL: Asked the Chief Minister upon notice on 17 December 1992 - In relation to exemptions from ACT land tax for people who had been transferred from Canberra on account of employment

1: How many such exemptions were granted and how much land tax was foregone in 1991-92?

2. How many such exemptions were granted and how much land tax was foregone in the 1992-93 financial year to 30 November 1992?

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

1. For 1991-92, 1198 properties are recorded as having been exempted from land tax for employment related absences of owners. The cost to the Revenue of these exemptions was \$570,724.64.

2. For 1992-93, 1320 properties are recorded as exempt for employment related reasons with a cost to the Revenue of \$862,654.43.

There may be some cases where a property exempted from land tax because of employment related reasons has been sold or the owner has returned to reside in the property and the record of the exemption given for employment reasons removed from the computer system. Due to the change in status of these properties it has not been possible to include the original exemption in the above figures.

4222

APPENDIX 1:

(Incorporated in Hansard on 17 December 1992 at page 4099)

The Public Service under Labor

There are certain functions in our society that must always be in the hands of the Government. It is therefore important for Australia, and a firm goal of the Coalition, that Australia has a highly motivated, professional and well-paid Public Service. As the National Capital and the seat of the Federal Government, Canberra will always have a significant public sector.

The Labor Party has claimed that 4440 public servants will lose their jobs under a Coalition Government. (The Department of Finance estimates 3300).

This scaremongering is unbelievably hypocritical when you consider that, in the last four years, under a Federal Labor Government, there have been 7259 retrenchments in the Public Service- (Dept. of Finance Statistical Bulletin 1991-92 p.102)

The Labor Government has retrenched thousands of public servants, privatised Government functions and, transferred whole sections of Departments out of the ACT...

Look at the facts:

PUBLIC SERVICE CUTS UNDER LABOR

* Under Labor there have been 7259 retrenchments and redundancies in the public service in the last four years.

* Senator Nick Columbus boasted on the Matthew Abraham show (28.4.92) and again in Parliament (17.9.92) that "The staffing numbers in Department of Administrative Services have been decreased from 18,000 to 13,000". "It is a process that continues and will continue". In Parliament on 14 December 1992 he said "Over recent years DAB has been reduced from a department with some 18,000 staff to one with some 11,200 staff.

4223

17 December 1992

- * The Labor Government intends to retrench a further 2,300 people from DAB over the next two years (Canb. Times 17 September 1992)
- * Government Business Enterprises have reduced their staffing levels by a massive 34,000 people over the last two years. (EPAC Report quoted in Reserve Bank of Aust. Bulletin September 1992)
- * Under a Labor Government and in the last year alone:
 - The Dept of Administrative Services lost 1168 staff
 - The Department of Defence lost 697 staff
 - The Australian Tax Office lost 4711 staff(Dept. of Finance Statistical Bulletin 1991-92)

SOME SPECIFIC EXAMPLES OF LABOR HYPOCRISY:

The Department of Administrative Services

Senator Blokes boasts that the staffing numbers in Department of Administrative Services have been decreased, under a Labor Government, from 18,000 to 11,200 (that is by 6800 staff) and that a further 2300 retrenchments will take place over the next two years.

Yet the Department of Finance coatings quoted by Rod Kelly estimate that staff in DAB will be reduced by only 110 jobs under a Liberal Government.

Department of Defence

Over the last three years of Labor Government there have been 912 retrenchments and redundancies in the Department of Defence. Taking the Dept. of Finance coatings, staff in the Dept. of Defence would be reduced by 595 under a Liberal Government.

Department of Primary Industries and Energy

Staff numbers in the Department of Primary Industries have been reduced -by 446 in the last three years under Labor. Dept. of Finance coatings indicate that staff in the Dept. of Primary Industries and Energy will be reduced by 131 under a Coalition Government.

4224

TRANSFERS OUT OF CANBERRA
UNDER A LABOR GOVERNMENT

- * The Labor Government has transferred out of Canberra:
- * The Human Rights Commission to Sydney
- * The Administrative Appeals Tribunal to Brisbane
- * The Industry Commission to Melbourne
- * The Australian Defence Industries to Sydney
- * The location of the National Aviation College to Tasmania when it should have been located in Canberra
- * The removal of Australia Posts National Stamp Collection to Melbourne
- * In 1989 the Government threatened to relocate the Maritime Safety Authority to Newcastle and only backed down under pressure
- * The Federal Labor Government voted for the Australian National Training Authority to go to Brisbane rather than the ACT
- * CSIRO Headquarters moved to Melbourne (Dec/Jan 1992/93)
- * Suggested transfer of the Australian Broadcasting Authority to Sydney (1992/93)

The Labor scare campaign talks of the Liberal Party cutting Public Service staff, transferring whole sections of Departments out of Canberra and privatising Government functions

But that same scare campaign conveniently avoids mentioning that the Hawke and Keating Labor Governments made staff cuts to the Public Service of 7259 just in the last four years, plus a massive 34,000 job cuts from Government Business Enterprises. There is no mention that a Keating government intends to cut a further 2,300 jobs from DAB alone over the next two years. Nor do they talk about the whole sections of the Public Service which they have moved out of Canberra or the functions of the Public Service which they have privatised, commercialised and contracted out.

Written, Authorised and Printed by Senator Margaret Reid, Parliament House Canberra, ACT.

4225