



**DEBATES**

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

**HANSARD**

18 February 1993

## Thursday, 18 February 1993

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

**MEMBER'S COMMENTS**  
**Statement by Speaker**

**MADAM SPEAKER:** Mr Stevenson, my attention has been drawn to comments made outside the chamber in relation to the Speaker's rulings. Traditionally, reflections on the character or actions of the Speaker inside or outside the chamber are considered to be a breach of privilege. I do consider that this statement contains an accusation of partiality in the discharge of my duty as Speaker. Accordingly, Mr Stevenson, I would like you to withdraw that reflection.

**Mr Stevenson:** Yes, indeed, I do so unreservedly, Madam Speaker. It was certainly not my intention to breach privilege.

**PETITION**

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

By **Mr Moore**, from 180 residents, requesting that the Assembly create landlord-tenant legislation that addresses fair rent, lease agreements and security of tenure.

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

**Landlord and Tenant Legislation**

*The petition read as follows:*

To the Speaker and Members of the Legislative Assembly for the Australian Capital Territory.

The petition of residents and the lessees of Campbell Shopping Centre draw to the attention of the Assembly the following concerns:

- . That the livelihood of the lessees of the Campbell Shopping Centre and the continuation of this local shopping centre, including Pharmacy, Supermarket and Restaurant, is being threatened by the actions of the landlord.
- . The petitioners draw your attention to the fact that the pharmacy services the St. Vincent de Paul Aged Home and the general ageing population in Campbell.

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Your petitioners therefore request the Assembly to:

Create Landlord/Tenant legislation that addresses fair rent, lease agreements and security of tenure.

Petition received.

**PLANNING, DEVELOPMENT AND INFRASTRUCTURE -  
STANDING COMMITTEE  
Report on Casino Premium**

Debate resumed from 10 December 1992, on motion by **Mr Lamont**:

That the report be noted.

**MR HUMPHRIES** (10.32): In making some brief comments about this report I should probably congratulate the Planning, Development and Infrastructure Committee for having waded through the many submissions made to it on the use of that casino premium. With \$19m to distribute and a total of nearly \$178m on ask, I think that the committee would have formed many more enemies than friends by deciding which of those particular requests were to be met and which were to be refused. In meeting the requests of some groups, I suppose, some would consider themselves to be more eligible than others. That would be based on the history of this issue and, in particular, on the concept of a cultural precinct around section 19 which was, of course, the original community object of the casino. I think it goes back to the days of Mr Brown, the then Federal Minister for the Territories, who at that very early stage linked the idea of a casino with the establishment of a cultural precinct that should be in the city area, if not on section 19 itself.

Governments subsequent to the Federal Government have reaffirmed the connection between the casino premium and the construction of community or cultural facilities. Back in May 1991 the then Chief Minister, Mr Kaine, stated that the casino premium "will, consistent with previous undertakings, be used for the construction of community facilities". The following comment was subsequently made by Ms Follett when she became Chief Minister. In December of the same year she said, "I can confirm that it will be spent on community facilities". She then went on to observe that the commitment to cultural facilities on section 19 was "given in the context of a casino on section 19 and ... does not necessarily apply in the current circumstances"; that is, the commitment does not apply to the current circumstances.

Nonetheless, this report focuses very heavily on cultural facilities and, by extension, community facilities. For that reason I think it would win the broad support of those who are anxious to see a number of much needed, even urgent, cultural needs in this community met from that money. Even though it was a previous government some time ago that made this connection, I think it is incumbent on us to maintain that link and that commitment to the community that this controversially generated money - in many respects - should be put to the very best use of the community. I think enhancing its cultural dimensions is one very good way of doing that.

The recommendations have picked out a number of key facilities. I think it is true to say that they have focused on the Civic area of Canberra and have in particular given acknowledgment of the original concept of a cultural precinct in the city. That concept has rather dissipated since it was originally put forward. Rather than have a centre based around the present Canberra Theatre on section 19, it is a little bit more diverse than that. I still think that that idea of a section 19 cultural precinct was a very good one, but the present format, with some facilities on section 19 and some in Childers Street, both near the courts at the other end of the street - that sort of diversified, dispersed arrangement of cultural facilities - is not actually a bad one. We are still seeing Civic as the hub of our cultural activities and that, I think, is basically a good thing.

I notice that the single largest amount recommended by the committee is \$5m to be allocated to upgrading the Playhouse theatre to a 600- to 650-seat theatre with an upgrade of the Link at the same time. It naturally falls on the committee to consider the question of the Playhouse. It is a facility which is old, which is showing its age and which is in need of some considerable expenditure to keep it useable for some time to come. I hope that the plans developed separately by the Canberra Theatre Trust, which I think we have all seen, will dovetail in with this proposal, and that we will see a great revival of the capacity of that centre to offer a focus to cultural activity, at least as far as the performing arts and theatre in the ACT are concerned. I think the integration of some kind of exhibition space within that area is also quite important. Where that will finally end up, I cannot say, but I certainly support that as part of the cultural facilities to be offered and I think that that is also what the committee was talking about.

I note that there is a reference in the report to the establishment of a trust of \$2.75m for the development of what are called here "appropriate plans for regional facilities". Discussion is made there of integrating school sites, be they continuing schools or discontinued schools, and a further recommendation is that there be a reappraisal of existing policies relating to the community use of schools. I believe that that is also essential. I, for one, am greatly in favour of taking a much more flexible view of school sites, be they functioning or no longer functioning schools. We tend to have a very rigid approach to these sorts of uses and think of schools as being only places for education and the occasional public meeting and not much else. I think we devalue those valuable resources in that way and we also make it very much harder for us to change the use of those sites when they become no longer of optimum use for that particular purpose. A particular example has been referred to in this place in the last few days.

A development of a more flexible approach towards such sites would be very valuable and I applaud that sentiment. I hope that the Government will pick that up and exploit the opportunity to consider our school sites to be more total community facilities than just places for education. Bonython Primary School, which opened last year, pays more than lip-service to that concept. It is a facility which is designed to assume a new life, a new existence, after a time at some point in the future when it will no longer be useful as a school, or perhaps useful only partially as a school. I think we all applaud that kind of use. That kind of flexibility can be incorporated, I believe, even in existing school sites which are not designed in the same foresighted way as Bonython Primary School.

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So, Madam Speaker, I endorse the report. I believe that it takes a positive approach towards the use of facilities and it is realistic in its desire to achieve an upgrade of cultural facilities without going to the extent of the very ambitious plans which were announced some years ago when section 19 was first touted as the great saviour of the ACT's economic activity, and construction activity in particular. I hope that the Government acts swiftly on the recommendations and that we are in a position to see some of these important matters, particularly the Aboriginal keeping place, put into reality at the first opportunity.

**MR CORNWELL (10.41):** Madam Speaker, I rise to address this matter before the Assembly on the possible use of the \$19m casino premium. I am very conscious that I could not have done any better than the committee that examined this matter and I think we would all share that view. Decisions have to be made and, although one may quibble about aspects of them, when it finally comes down to the recommendations I think we would all agree that the decisions that this committee have made are no worse or no better than any other committee would have come down with. I do, however, share some of the concerns of the Cultural Council on the question of recurrent or ongoing costs for some of these recommendations. These would include the \$2.5m to go to the keeping place for the Aboriginals, although I note that there is possibly some Commonwealth assistance forthcoming. Mr Lamont may wish to comment on that when he closes the debate.

I would also like some sort of confirmation or perhaps just clarification on this question of Childers Street, where there is \$250,000 going to the Childers Street theatre. I would have imagined that this should have been included in the Government's original estimate and allocation. Mr Wood shakes his head.

**Mr Wood:** We did not have enough for that.

**MR CORNWELL:** I see; we did not have enough for that, so we are going to dip into the casino premium, are we? That is an interesting approach. I am also concerned even further about Childers Street, Mr Wood, because I note that paragraph 3.35 of the committee's report states:

... the Committee is concerned to learn that the new theatre's size (250 seats) renders it "not commercially viable".

This was the evidence of the director of the Gorman House Arts Centre, Mr Ferguson. The report goes on to state:

In addition, the Committee was told that "if the theatre is to start on the right foot" it is essential to provide \$250 000 -

which indeed has been recommended by the committee. The report states:

Further, the Committee was told that the theatre is likely to show "an operating deficit of half a million dollars for the first five years".



That is a substantial amount of money and it appears to me that it is at odds with an answer I received from the Minister for the Arts to question No. 18. In that answer he gave the estimated annual ongoing cost. He stated:

... a likely budget for a full year's operation of the Theatre will be \$150,000. This may not be attainable in the first year, when staff costs would be kept low to compensate for lower income.

I put it to you that \$150,000 in a full year's operation is substantially different from an operating deficit of half a million dollars for the first five years. Perhaps we will get some confirmation of this when Mr Lamont responds. The \$7m allocated to cultural and heritage facilities, which I would hope would be located in the North Building, really is a little too vague for me to comment upon further, save to express concern for the recurrent costs that I mentioned in relation to other projects.

There is also the Government's obvious intention, Madam Speaker, to distort the committee's recommendations as to the use of these facilities. I have spoken outside this place in relation to this matter, but it is worth repeating it for *Hansard*. The committee, at paragraph 3.42, indicated that this city based cultural and heritage facility would be used with rehearsal and administrative space for a number of groups such as a writers centre, the Australian Garden History Society and the National Trust. The report states:

As well, the Committee considers a city-based cultural and heritage facility should encompass the types of uses envisaged by the Cultural Council -

that is something set up by this Labor Government -

namely:

within that facility we would envisage exhibition spaces and here it would pick up on a regional gallery concept, exhibition functions and so on, but defined in a way that reflects a genuine local and regional cultural flavour, space for collection, display of community histories, the documentation, education and interpretive functions, which would present the full range of artistic and cultural diversity of Canberra to ourselves ... and to our visitors.

This is interpreted by the Chief Minister in her tabling statement on the Government's response to the Assembly report as:

The establishment of a regional art gallery and heritage centre in section 19 will provide a further exciting and readily accessible focus for this city.

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In the Government's tabled response she is even more definite about this. It states:

The extent to which such varied functions can be incorporated within the centre will depend on the detailed work yet to be done, particularly the costings. The centre would serve primarily -

primarily, I emphasise -

as a regional art gallery and heritage centre, and other functions will be accommodated to the extent possible within the total dollar allocation.

Madam Speaker, I submit that that is not the intention of the committee's response and recommendations. I am aware that Senator Bob McMullan wanted a regional art gallery. I am also aware that it is part of the Labor Party's policy for the arts. But that is not the recommendation of this bipartisan committee and I would therefore like some sort of explanation from Mr Lamont as to just what is intended.

**Mr Wood:** He will give you one. I will give you one too.

**MR CORNWELL:** Thank you. I would welcome a comment on that because it is not up to this Government to distort the recommendations of this committee in relation to this funding.

Apart from this distortion and my concerns about the recurrent costs, I also support the reservations expressed by my colleague and leader, Mr Kaine, about Natex. At the very best, this \$1.5m essential maintenance and refurbishment program should have been funded by Public Works or, alternatively, from a commercial loan raised in what I have always understood Natex to be, a commercial operation. One wonders what the position of Natex would have been without this windfall casino premium. Would the Government have abandoned Natex? If it would not, then the Government has got away with a lucky \$1.5m budget saving. I notice that the Chief Minister is nodding her head there.

**Ms Follett:** Not at you.

**MR CORNWELL:** I would suggest that you should be very careful when you do nod your head - or shake it, for that matter.

However, it is about the \$2.75m trust that I have the greatest reservations, and again, Mr Lamont, you may wish to comment. It is not clear to me whether it is only the interest on this \$2.75m that will be paid out for regional facilities, and who will decide where the money will go, either as interest or as the principal. It is rather interesting that the Government's own response supports my concern, because the Chief Minister stated in her response only that "the Government accepts this recommendation in principle". Perhaps Mr Lamont could enlighten me when he does respond, because I certainly do not fancy another community development fund being established. Those of us in this chamber who remember that no doubt would have some reservations themselves. At the same time, I do not accept that the disbursement of this trust should necessarily be undertaken by the ACT Cultural Council because I do not see that that is necessarily the council's role.

Finally, I certainly support - and I suppose that this is the only recommendation that I support unqualifiedly - the upgrading of the Playhouse, because it involves no recurrent funding. I have said all along that I would have preferred to see this entire premium put into activities that did not require ongoing funding. I certainly welcome the \$5m allocation to the Playhouse and I look forward to at least that aspect - - -

**Mr Lamont:** Do you think it should have been more?

**MR CORNWELL:** To respond to Mr Lamont's interjection, if more than \$5m was needed for a 600- to 650-seat new or upgraded theatre on the Playhouse site, I would not have been averse to that. I believe that the Playhouse serves a very important role here in the ACT and I also believe that, unlike some other theatres, it has a chance of being viable.

**MR WOOD** (Minister for Education and Training, Minister for the Arts and Minister for the Environment, Land and Planning) (10.51): Madam Speaker, like other members, I congratulate the committee on its report. With them, I welcomed the report, its recommendations and the consideration that went into it. This report has been part of a long process and I draw the attention of members once again to the work of the select committee to which Mr Lamont's committee needed to pay attention. That was a long process and I think it had a significant role in the flowthrough of the recommendations. I think the whole process has obviously been a long one but it has been a good one with a good result.

I am not sure that Mr Cornwell understands that process. The first comment that I am going to respond to is his reference to evidence to the committee that the operation of the community theatre in Childers Street, as distinct from the Playhouse and the Canberra Theatre, was going to cost some \$500,000 a year, whereas an answer I had provided to a question of Mr Cornwell's was \$150,000. I do not know what he should find so strange about that. We have evidence given to a committee; we have a proponent for that theatre arguing a case for the theatre, and he argued effectively because the committee recommended some funds for that community theatre. It was a project, I should point out, that was a quick initiative of this Government. Evidence to a committee is just that. It is evidence and it is not to be taken as more than that. It may be regarded as absolutely accurate or it may be regarded as someone else's point of view.

Mr Cornwell wants an explanation of the difference. The Government has looked at the costings for running this place and we have come up with a figure and I do not think we will be very far out at the end of the day. Time will tell. It certainly is a great advantage to that theatre that we can put some of the casino premium into lighting and equipment. In the first instance, that theatre was going to be fairly sparsely furnished in that respect. Now it will kick off, I think, with perhaps a full complement of the necessary equipment and that will be a very distinct advantage.

There was another point that Mr Cornwell made that rather surprised me. He said, and I will put two comments together, but it is very much the intent of what he said, "It is not up to the Government to distort the committee's recommendation".

**Mr Cornwell:** That is right.

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**MR WOOD:** He says, "That is right". I do not know where he has been for the year of this parliament and the three years of the previous parliament. Where has he been? Any committee makes recommendations; Mr Moore's committee, Mr Kaine's committee, committees I have chaired make recommendations. The Government looks at those recommendations and makes its decision. I do not know that I have seen any report that has been accepted without some sort of qualification or variation.

If you want to use the word "distort" do so, but it is a matter of practice in this Assembly that the Government considers a report and then makes its recommendations about that. Mr Cornwell does not seem to know that procedure. He has learnt something today. So the Government put its mark on this report. It is the case, and I am very pleased that it is the case and I willingly acknowledge my role in the process. The Labor Party policy does call for a regional art gallery and the like, and there is nothing particularly inconsistent with Mr Lamont's committee's report because it also mentioned quite clearly that it desired such a facility.

It may be the case that the Government has given a higher priority to this than to other things, but there is nothing unusual about that. It is certainly consistent with the thrust of the select committee I mentioned and with government policy. Indeed, one of the terms of reference of Mr Lamont's committee was that it should attend to each of those. Just to make a further comment on that, it was the committee's preference that this \$7m facility be located in North Building, so obviously that has to be very comprehensively explored. The Government also responded that we should at the same time explore the possibilities of a freestanding building in that area - a stand-alone building - for that purpose, and whichever is the more suitable for the purpose will be the one that will emerge in the future. I congratulate Mr Lamont for his report, and I congratulate the members of the committee. The Government, I think, has made an excellent response to it.

**Mr Kaine:** He did not do it all on his own. In fact, he was just the clerk.

**MR LAMONT (10.57),** in reply: Mr Kaine's latest interjection, amongst many this morning, is that I did not do it on my own, and Mr Kaine is absolutely correct; I did not. Mr Kaine was intimately involved, as were Ms Szuty and Mr De Domenico and our colleague Ms Ellis. They were intimately involved in the recommendations of this report.

The stupidity of what has been said by the Opposition this morning is borne out by two things. First of all, it was this Assembly that referred the question of the \$19m casino premium to the PDI Committee. It was a motion put forward by Ms Szuty and supported by a majority of members of this Assembly - a democratic process that even you, used to the strange counting mechanisms of the Liberal Party - would have to agree with, Mr Kaine.

So what happens is this: We have a committee process that I believe is second to none in relation to the presentation and preparation of this report - not because I chaired it, but because the committee took into account a body of work previously undertaken by the Assembly and also received additional material from the players within this arts and cultural grouping, as well as a range of other areas. It came up with a report after extensive debate in that committee, and all of the recommendations were unanimous.

**Mr Kaine:** But not primarily an art gallery.

**MR LAMONT:** All of the recommendations were unanimous.

**Mr Kaine:** Do you want me to repeat it?

**MR LAMONT:** Only so long as you accept the proposition that something does not become the truth just because you repeat it so often. The simple fact is this: When the committee reported, all five members of the committee stood up in this Assembly and endorsed every one of the proposals. Every member of the committee stood up and said, "We hope that the Government endorses every one of these recommendations". As did people within the committee, people are tempted to accentuate those things that they find more attractive in the process than others. As an example, Mr Kaine turned around and said that, while supporting the recommendations and the body of the report, he had some concerns about Natex. But he supported the report, so he accentuated one particular issue in that report to make a point.

The simple fact, Mr Kaine, is that the Government, when tabling its response to this committee, has endorsed every single recommendation contained within the report. There is no resiling from that. You can stand there and blabber on about, "What about the priority?". You can do it for as long as you like. The simple fact is that the Government and this Assembly have endorsed every single recommendation. So what has happened, Il Gatto Pardo, is very simple and even you should understand this; the Government has endorsed every recommendation, and so it should.

I do not believe that it is just coincidental that we have this diatribe here this morning about what the recommendations are and how they should be implemented. You have been fishing for an issue for the last three days. You have been fishing for something to get a headline or a run on.

**Mr Moore:** It is nearly too late.

**MR LAMONT:** It is not almost too late; it is in fact too late. The simple fact, Mr Kaine, is this: The Government has endorsed the recommendations. I do not believe that they will be allowed to resile from any of those recommendations.

There was debate, as has been pointed out, as to the appropriate positioning and use of the \$7m recommendation. It is the largest one - I would correct you on that point. The largest amount recommended was the \$7m for the cultural centre. There was great debate, both in the committee and when the report was presented here, as to where that should take place. We took into account the fact that the original casino was proposed for section 19, that the whole process was that the cultural facilities and the redevelopment of that site would be one. That is not the case; therefore it may not be appropriate to expend all the money in relation to the premium in this one centre on the section 19 site. So the committee was quite mindful of that, as indeed the Government has been, in making its response. There was a distinct preference for the North Building to be utilised, to cover  
- - -

**Mr Cornwell:** It would be rather difficult to use the South Building, Mr Lamont.

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**MR LAMONT:** Yes, some would suggest that, although what is being suggested for the South Building is consistent with this committee's recommendations for the North Building in trying to create a greater community focus on the Civic Square area. I believe that that was the driving force behind the recommendation - in terms of the priority order that the committee put them in - for the cultural centre and for the administrative centre for a range of the small bodies, such as the Garden History Society, the Chamber Music Society and the choirs.

**Mr Cornwell:** But not primarily a regional art gallery.

**MR LAMONT:** But that indeed is where you have a fixation about the use of a number of words which do not, in my view, attract the significance that you are attempting to put on them. The simple proposition is that the committee has recommended, as was recommended by a number of the witnesses who appeared before the committee, that, amongst other things, that be one of the uses for the cultural centre. Quite frankly, if you have a look at the North Building - and that is bound to be the place where this cultural centre is created - it provides a perfect opportunity on the ground floor square level to be opened up and used for public access into galleries, et cetera, and for the internal courtyard possibly to be covered over and used again as an exhibition space.

If everything the committee has recommended goes into the North Building, the primary thing that people will see will be that public access open space and gallery-type area and heritage-type centre. The committee believes that it should allow for public involvement and the public integration of this into that public open space. If that has been accentuated in a comment by the Chief Minister, so be it. It is not inconsistent at all with the recommendations of this committee, and for you to attempt to denigrate a report that this Assembly has regarded as being a significant one is nothing but crass political opportunism on your part, and I am quite disappointed to say that it appears to be the same in relation to the Leader of the Opposition, a member of the committee. I do not want to see anything detract from the recommendations that have been made with honesty and integrity by the members of this committee.

**Mr Cornwell:** Neither do we, Mr Lamont.

**MR LAMONT:** But you are attempting to do so. That is the simple fact. I would have presumed that there would have been congratulations to the Government for endorsing every one of the recommendations contained in this report. That is fairly unusual in relation to reports that have come out of the Assembly over the last four years. It has been unusual for any government - including yours, Mr Kaine - to endorse unanimously the recommendations contained in reports that are presented by committees of this Assembly. So the simple fact is that there is a crass political process being used by you, Mr Cornwell, in trying to saddle this report with the type of propaganda and bumptious bunkum which has been portrayed here this morning - and that is not unparliamentary. I have in fact checked that out, Mr De Domenico, and we can describe that later on. So I am in fact extremely pleased to have been able to respond to the nonsense across the chamber this morning, but I am even more pleased to have worked with Mr Kaine, Mr De Domenico, Ms Szuty and Ms Ellis in bringing this report before the Assembly. I commend the report and know that it will be adopted unanimously by the Assembly.

Question resolved in the affirmative.

**CONSERVATION, HERITAGE AND ENVIRONMENT -  
STANDING COMMITTEE  
Report on Tuggeranong Homestead and its Site**

Debate resumed from 15 December 1992, on motion by **Mr Moore**:

That the report be noted.

**MR KAINE** (Leader of the Opposition) (11.08): The debate, although a bit heated over the last few minutes, in fact does deal with a very good report of this Assembly. The point is not whether it is a good report; it is what the Government is going to do with it. That was the basis of that debate. I have to say that most reports that come to the Assembly from committees are very good reports; they have a lot of thought behind them and they propose some things to the Government that could be done and that have value.

But we now come to another report, and I have to say that I do not understand what the purpose of this inquiry was because there is no outcome from it. One has to conclude, I think, that Mr Moore dashed down to Tuggeranong to establish his name in an area where it had not previously been heard of. He discovered that he was in the middle of a thicket of black snakes - or maybe they were brown - and then he tried to find the quickest way out of the problem that he could. This report does not raise any new issues; it does not suggest any solutions; it does not even clarify any of the thinking. This report simply says to the Government, "At the end of the day, you have to do something about it".

Let us take a couple of the issues. The report itself, Mr Moore's report, says at the top of page 3, "The Issues". The first issue is the value of the site itself - its heritage value. He says that the homestead site is identified by the Australian Heritage Commission as an historic site and it is on the register of the National Estate, but neither Mr Moore nor anybody else has yet found out what the site consists of. For heaven's sake, if Mr Moore is going to go down there and do a serious inquiry about this homestead, at least he might have defined the area of land that he is talking about, but he has not. It is still just as wide open now as it was before his committee blundered into it.

**Mr Moore**: That is right.

**MR KAINE**: Your own conclusions, Mr Moore, say that you recommend that the Government should assess the heritage significance of the homestead building in its present state and determine what period of history it should represent, but you have not defined the area. You say that the Heritage Commission itself is still looking at that. Nobody has yet defined the site that we are talking about.

**Mr Moore**: It is on page 15, is it not?

**MR KAINE**: We will come to page 15 in a minute. So what was Mr Moore's purpose if he was not at least going to define the site and the facilities down there that this committee considered to be of some heritage value? When you read on, he is not even sure whether the buildings have any heritage value.

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Ms Ellis says that she went into this inquiry because she knew so much about community opinion, and then she says that really her only source of information was the report that was done previously which was one of the documents which Mr Moore's committee had a look at the basis of, so I do not know what community opinion she was aware of before she went in there. Even she says that she was surprised that this building looks like a 1950s model building. There is nothing down there when you drive up to it. I see that Mr Moore is starting to squirm a bit now and he wants to intrude into the debate. When Mr Moore delivered the report to the Assembly, he said that this building "is of a post-1950 type and there are questions over whether or not that should remain". Mr Moore does not even know whether the building is worth retaining after a so-called committee of inquiry.

**Mr Moore:** That is right; the post-1950 part of the building.

**MR KAINE:** You did not define the bit that is not post-1950s. In other words, your report did nothing whatsoever to clarify the issue. This enlightens me no further than I was enlightened before you conducted this so-called inquiry. As I said before, I think you got down there, you discovered that it was a bit hot and so you thought, "How fast can we get out of this mess? We will just write a quick report and throw it all back on the Government". That adds nothing to the debate.

I could go into this in some more detail, but then he gets down to the site. In section 3 he does eventually get down to the homestead and the buildings and starts talking about boundaries and the like. He makes this interesting comment:

Beyond the homestead, the site is an uninviting place for general recreation and community use such as bush walking.

Who on earth would go bushwalking down there, I do not know. He continues:

It is unmown and heavily infested with the noxious weed Patterson's curse as well as large clumps of feral plants including hawthorn.

You can fix that now; you have another thing going on feral plants, so you can have another go at that issue that you failed to address here. You do not mention the fact that there are some brown snakes down there either. I understand that you did a quick retreat when you discovered a brown snake on the property and that maybe that is why you did not look sufficiently closely at the rest of it.

In the end, the committee concludes - - -

**Mr Moore:** In the end, Bill Stefaniak has decided to make a run on it to get a few votes for this election.

**MR KAINE:** You have already had one say and I presume that you will get another one in a minute; you will try to defend yourself but in the end you do not even define what you believe is the area of land that should be preserved. You say that already it has been overborne by development around it and you are now saying that there should be more development on it, but in the end leave it to the Government to make up their minds. So we do not know what is heritage; we do not know how much ground should be retained around it. There is even some question about whether elements of the place have any heritage value at all.



So I come back to where I began, Madam Speaker; I do not know why the investigation was conducted. It gives no comfort to anybody. I imagine that the Minders of Tuggeranong Homestead, who held high hopes when Mr Moore said that he was going to go down there and fix this problem are now left high and dry. In fact, I suspect that they are now even more concerned about the homestead than they were before Mr Moore blundered down there. What good his inquiry did, whose interests it served other than his own and what the Government is now going to do on this issue, I have not the faintest idea. I do not think the Government knows either and I am positive that Mr Moore does not. So all I can say is that I hope that Mr Wood and members of the Government take note of the fact that all Mr Moore is saying is, "The Government had better do something about it and for heaven's sake do something about it quickly because there is real concern, particularly amongst people in the Tuggeranong Valley".

But the concern is not confined to people who live down there. There are people elsewhere in Canberra who are concerned about heritage aspects of our city and they are watching this exercise with great interest. They would have been much more satisfied, I think, if Mr Moore's report had generated something of value but I am afraid that for me it does not. I do not think there is anybody out there in the community who would say that that report adds anything to the debate. It does nothing for anybody's position in connection with what should be happening down there. So, Chief Minister and members of the Government, it is over to you.

Motion (by **Ms Szuty**) agreed to:

That the time for the discussion of Assembly business be extended by 30 minutes.

**MS SZUTY** (11.16): Madam Speaker, like Mr Kaine, I rise to issue a note of caution in totally accepting the recommendations of the Standing Committee on Conservation, Heritage and Environment with regard to the cultural and heritage significance of the Tuggeranong Homestead and its site. While I feel that there is a lot of sense in the recommendations which deal only with the buildings on the site, I believe that there must be a more measured approach to those recommendations which would result in the carving up of the totality of the present site.

I accept that the current site boundaries bear little resemblance to the original property configuration; however, we need to look at what functions the homestead fulfilled. Is it sufficient just to preserve buildings without any relationship to a surrounding area? What I am talking about is the integrity of an historic site. The functions that are represented by the buildings are only part of the overall picture that heritage preservation seeks to convey. I note that the National Trust was not listed as presenting a submission nor as appearing before the committee, although I understand that that had been the trust's intention. I would hope that, after recommending that the Government work with the Federal Government on the development of a memorial to Charles Bean, the National Trust would be invited to put forward its views on the site.

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Since this report was published, five groups have joined together to oppose residential development on the site. Individuals within these groups are working on alternative uses for the site which could generate income for the upkeep of the homestead. The Minders of Tuggeranong Homestead, the Tuggeranong Community Council, the Tuggeranong Community Arts Association, the National Trust and the Conservation Council of the South-East Region and Canberra all feel that the integrity of the site is an important issue. I have here a copy of a letter signed by members of those five groups which was addressed to the Chief Minister and dated 11 February 1993.

The committee noted in its own preamble that the task was set and undertaken in a short timeframe and now I feel that the chance must be taken to examine closely what impact residential development will have on the site. The committee has recommended that a study be undertaken of the Tuggeranong Homestead site flora and fauna "having regard to the changes in the land use since early European settlement, the desirable area of habitat and proposed land usage". The scope of such an inquiry is wide enough to allow all the aspects of the environmental impact of any increased residential use of the site to be considered. I call on the Government to accept this recommendation while keeping the other recommendations of section 4.20 of the report on hold until the study is finished and its recommendations are finalised. This must have been in the committee members' minds as this was the first recommendation, and it did include consideration of the desirable area of habitat for the fauna and flora on site.

I would also ask that the environmental impact statement start from a position not of seeing how best to accommodate a housing or residential development, but of considering what is needed for the protection of the bird, animal and plant life on site. I believe that the environmental impact statement must concentrate on the issue of the protection of the flora and fauna absolute, not for their protection from adverse impacts of development. I have mentioned before in the Assembly that I find it problematic that an environmental impact statement seems to be an enabling statement for development, not a statement which determines what is the best way to preserve flora and fauna. In this case we have a site that is currently discretely isolated and we have the opportunity to examine all aspects of preservation of species on site. We must therefore give the environmental impact statement the widest possible scope.

I also urge caution because of the need to assess carefully where we place new residential development. There is no social need for housing to be placed on the Tuggeranong Homestead site. What we have here is a development proposal for a site where, from the committee's report, it appears that current leaseholders have not fulfilled their responsibilities to keep the site in order. We must be careful to guard against leases which are allowed to run down and are then put forward as proposed residential developments. This is speculation by degradation and, while the homestead buildings appear from the committee's report to be in relatively good condition, the surrounding land could not be said to have been kept in serviceable order. When I went out to inspect the site I did try to gain entry to the homestead but was unable to get past the gate.

Madam Speaker, I can see no reason to rush this process. The current leaseholders have apparently been in no hurry until now to proceed with improvements to the property. I feel that if we are to change this area significantly we need to be very sure that we have not lost an opportunity for

other and more creative uses for the site. We also need to be sure that we do not send out messages to the community that development will be allowed whenever and wherever an existing parcel of land is allowed to deteriorate.

While the committee has given full consideration to the issues placed before it, I feel that its first recommendation mentioned earlier, with regard to the land parcel that is currently known as the Tuggeranong Homestead, is the way to proceed, and that process should be allowed to proceed with no prejudice of the issues. I also hope that the community and the interest groups which have demonstrated their commitment to the homestead will be kept fully informed of the intentions of the Government and its departments with regard to the future of the homestead.

**MR WOOD** (Minister for Education and Training, Minister for the Arts and Minister for the Environment, Land and Planning) (11.22): Madam Speaker, I wish only to indicate the process that is in place in the consideration of Tuggeranong Homestead. I think that by the time the process ends - and I do not know just when that will be; it has the potential to stop at any moment or to continue - it will certainly be a very carefully examined matter. Mr Moore's committee examined it. There has been a comprehensive heritage study. The ACT Heritage Council has passed comments. There is intense community debate on the issue, and that is good. Ahead we have an environmental statement and if we proceed beyond that - and I say "if" - we have a draft variation and all the communication that flows from that. If it proceeds beyond that it would come to Mr Moore's committee and then to the Assembly, and there could be some other things as well.

**Mr Moore:** Mr Lamont's committee, actually.

**MR WOOD:** I mean Mr Lamont's committee; thank you for that. So, whatever happens, the matter is going to be very comprehensively examined and I simply want to let that be known.

**MR MOORE** (11.24), in reply: In closing this debate, Madam Speaker, I rise, after Mr Kaine's comments in particular and Ms Szuty's, to defend the report of the committee. Mr Kaine does not seem to recognise that in fact it is a unanimous report of the committee and not my personal work at all. I do wonder with some curiosity whether Mr Kaine will be honest enough to let us know whether he has actually been out to the homestead as, indeed, Ms Szuty indicated that she has not; I also wonder with what authority he or she can speak, having not even been through the homestead itself.

Each member of that committee - Ms Ellis, Mr Westende and I - did take the trouble to do that and to follow the terms of reference that we had set ourselves. It seems that Mr Kaine either decided that he was not going to read the report or could not read the report. In fact, for people like Mr Kaine we actually put a picture in so that he could see what it is, and I am disappointed that he is not back here for a little rejoinder after his serve. Page 15 - and Mr Kaine can be referred to it - sets out quite clearly the area that the committee recommended should be preserved. So what he has been feeding to this Assembly is simply wrong. It is amazing how many times Mr Kaine does get things wrong.

For those who cannot read the recommendations on page 16 - they are not very long; it is not very difficult - they state:

- (b) establish the western boundary of the heritage area on the western side of the line of pine trees -

we even refer him to the picture -

identified on the plan in Figure 1 of this report;

- (c) in consultation with the Heritage Council establish the southern boundary of the site closer to the homestead area to allow for any future residential development along the present Ashley and Johnson Drive boundaries.

The reason we say "any future residential development" is that the responsibility for determining that lies with Mr Kaine, along with other members of the Planning Committee. So what he seems to be doing is trying to inflict on the Heritage Committee his own responsibilities because he seems frightened of them. The reality, of course, is that Mr Stefaniak happens to have come out during an election period, trying to gain a few more votes down in Tuggeranong, and he has said, "I have a whole new idea. This is terrible. We cannot have development somewhere". This is a great change of attitude because for a long time Mr Stefaniak has said, "Don't have development".

The role of our committee was to look at the cultural and heritage significance of the Tuggeranong Homestead. We took particular care to support the notion of the establishment of a recognition of the role of Charles Bean in that particular site because of the contribution that he made to Australian history and the fact that that World War I history was written there. That is significant, but to put that particular homestead in its heritage significance within the site is another question entirely.

Ms Szuty spoke about the integrity of the site, but not having been on the site she cannot possibly understand the significance of the integrity of the site or the fact that the integrity of the site has already long since been damaged. If you want to retain the Tuggeranong Homestead in the same way that Lanyon is retained and if you want to ensure that it has a rural atmosphere, then it should have been preserved before the surrounding suburbs went into place. That is the difficulty. The integrity of that rural setting has already been totally removed and cannot be restored. Therefore, the random assignment of the particular area by the construction of roads is irrelevant to that particular concept of the integrity of the site. That is why it is that the committee very carefully walked over the site in spite of the snakes - and I must say that I did not run from them because they do not worry me as greatly as they seem to worry Mr Kaine, but then he is used to having more snakes around him than I am.

I think the reality is that we have a report that says some quite important things about the cultural and heritage significance of the site, not about whether or not there should be a residential development there. That is after the process that Mr Wood referred to earlier. It seems to me that it is entirely unnecessary.

The approach that we have had from Mr Kaine to this report reflects more than anything, firstly, that he either cannot or did not read the report, but we have put a picture in for him so that he can understand it. Secondly, for some odd reason he has decided to make some political mileage. I would like to comment a little on the political mileage, because his initial attempt said, "Michael Moore went out there and decided that what he wanted to do was establish his name out in Tuggeranong and he came up with no solutions".

Mr Kaine, I understand the Hare-Clark system a little better than that. There is absolutely no advantage whatsoever in my establishing my name out in Tuggeranong. It makes absolutely no difference to me, as far as re-election prospects go - not the slightest little bit. It is very different from Mr Kaine, who I presume is listening in his office upstairs. Since he cannot read he might as well try to listen, although there have been some indications that he cannot listen either. What is clear is that a little better understanding of the Hare-Clark system would help Mr Kaine as well, although there have been some indications that he is getting a general concept of what it is about because he did move out to Tuggeranong. The most cynical of observers would be likely to say that perhaps he had a political motive in doing that. I would not say that, Madam Speaker, but I can imagine that some cynical observers might well do so.

On that little note I would like to take this opportunity to thank the other members of the committee: Ms Ellis, who is not here with us now, but may pick this up in *Hansard*; and Mr Westende for his approach. I point out to the Assembly that it is an unanimous report of the committee. I would particularly like to thank the secretary, Mr Bill Symington, for his very good work in supporting the committee and in assisting us with research.

Question resolved in the affirmative.

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

Debate resumed from 17 December 1992, on motion by **Mr Berry**:

That this Bill be agreed to in principle.

**MRS CARNELL** (11.31): Madam Speaker, this Bill seeks to make workable section 194 of the Drugs of Dependence Act 1989. This section allowed for the destruction of a drug of dependence by the Government Analyst under certain circumstances. Unfortunately, section 194 was regarded as unworkable by the Director of Public Prosecutions and as a result no applications for destruction have been placed. These amendments to the Drugs of Dependence Act are based upon similar provisions in New South Wales law, provisions that I understand are working quite well.

The amendments provide for a detailed and hopefully workable procedure for the destruction of excess quantities of cannabis seized under the Act, and set out procedures by which appropriate analyst's certificates are obtained and kept for subsequent evidentiary purposes. Obviously, to protect both the police and the accused, it will be essential that these procedures are followed exactly. The Liberal Party supports this Bill, but recommends that a close check be kept on the workings to ensure that appropriate procedures are followed and that justice is both done and seen to be done. The Liberal Party supports this Bill.

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**MR BERRY** (Minister for Health, Minister for Industrial Relations and Minister for Sport) (11.33), in reply: As has been said by Mrs Carnell, this Bill goes to the disposal of cannabis. I am advised that we have a quite large amount of cannabis in storage at this point. I know that it would not be safe under the Liberals; they would sell it.

**Mr De Domenico:** Privatisise.

**MR BERRY:** You can get an idea on how they figure things out. They would sell the stuff. That is right; they would privatise the drugs that are in storage. I am pleased to see that they have shown their colours. They are quite proud of their great traditions of privatisation, even in relation to the drug industry.

Madam Speaker, the Bill therefore amends the Drugs of Dependence Act 1989 to provide for the magistrate or the Government Analyst to order the pre-trial destruction of cannabis in excess of that required for evidentiary purposes. As has been said, the amendments are based on the relevant provisions of the New South Wales Drug Misuse and Trafficking Act 1985. 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 evidentiary purposes and retained by the Government Analyst pending an order for destruction or until all subsequent court action has been finalised. The Government Analyst has responsibility for the storage and security of such substances.

Section 194 of the current 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, no applications to the court for a court order for the pre-trial destruction of any drugs or substances have been made. As I have said, the present storage facilities are filled with a large amount of cannabis in relation to which proceedings are incomplete.

The cannabis stored is an accumulation of seizures since the introduction of the original Act in 1989. May I say to this Assembly and to the people of Canberra that under Labor it will not be sold, but the Liberals have made clear their intentions. There is also concern - - -

**Mr De Domenico:** We are still on the high moral ground, Mr Berry.

**MR BERRY:** Some are. 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. So that puts a great deal of pressure on the storage facilities that one has to provide. The Bill amends the Act to permit preliminary on-site destruction. It provides for the Government Analyst to order the on-site destruction of the excess amount of cannabis in special circumstances where no charges have been laid and when he

or she is of the opinion that a security problem exists with transportation and storage. This will be done only after ensuring that an analyst's certificate has been prepared under section 192 and that an amount in excess of the trafficable quantity of 100 grams has been retained.

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 special amount which would be above the trafficable quantity. The order for destruction of the specified amount of cannabis will be issued to the Government Analyst.

Madam Speaker, I commend this Bill to the Assembly because it amends the Drugs of Dependence Act to provide a more workable procedure for the destruction of excess quantities of cannabis seized under the Act. Our responsible action in relation to this is in stark contrast to that which is proposed by the Liberals, and that is the sale of the product.

**Mrs Carnell:** I thought we were supporting it.

**MR BERRY:** You said that you were going to sell it.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

## **POISONS AND DRUGS (AMENDMENT) BILL 1992**

[COGNATE BILLS:

POISONS (AMENDMENT) BILL 1992

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

Debate resumed from 17 December 1992, on motion by **Mr Berry:**

That this Bill be agreed to in principle.

**MADAM SPEAKER:** Is it the wish of the Assembly to debate this order of the day concurrently with the Poisons (Amendment) Bill 1992 and the Drugs of Dependence (Amendment) Bill (No. 5) 1992? There being no objection, that course will be followed. I remind members that in debating order of the day No. 2 they may also address their remarks to orders of the day Nos 3 and 4.

**MRS CARNELL (11.39):** Madam Speaker, in June 1990 at the Australian Health Ministers Conference all attending Ministers gave a commitment to uniform scheduling of drugs and poisons throughout Australia based upon the recommendations of the National Health and Medical Research Council.

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This followed a previous commitment in 1985 of all States to adopt a uniform approach to the scheduling of drugs of dependence. In the ACT, changes to the three Acts in front of us today are required to achieve this end. The Poisons and Drugs (Amendment) Bill 1992 also introduces much needed controls over the most dangerous poisons, those in Schedule 7.

In October last year the Assembly debated a motion I had brought forward in August which urged the immediate introduction of the scheduling by reference Bills. I argued at the time that the Bills were urgent. Because of the Government's tardiness in bringing forward the legislation, it was costing hayfever sufferers in the ACT substantial amounts of money. Unfortunately, some sufferers went through the whole hayfever season continuing to pay much more than their New South Wales counterparts for their medication. My estimate is that the Government's bloody-mindedness cost the average hayfever sufferer who takes hismanal - a 24-hour acting, non-sedating antihistamine - in excess of \$100 more than necessary during spring last year.

During the debate on the motion I tabled in August last year both Mr Berry and Mr Lamont berated me for not understanding the system of legislation and for not understanding the complexity of drafting such difficult legislation. As recorded on page 2591 of the Assembly *Hansard* of 14 October, Mr Lamont said:

This is the simple reason why we have Mrs Carnell carping about the delay which has allegedly occurred in fulfilling the undertaking given by Mr Berry last year. The fact is that the world is not quite as simplistic as Mrs Carnell believes it is, looking through her rose-tinted pharmaceutical glasses.

A great deal of additional work has been necessary to ensure that the legislation is appropriately dealt with.

Mr Berry said:

Of course, if she had a better understanding of the legislation process she would understand that this sort of legislation often does not rate as first priority.

On the same day, as recorded on page 2593, he said:

This is a complex parcel of legislation which requires the allocation of considerable drafting resources in both time and personnel.

I said earlier that it was the Government's bloody-mindedness that cost hayfever sufferers in excess of \$100 last spring - and I mean bloody-mindedness. In June last year, that is four months before that debate, Mr Berry wrote to the chairman of the ACT sub-branch of the Pharmaceutical Society of Australia. The letter said:

I am able to advise you that draft bills have been prepared ...

I will quote again - "have been prepared".



**Mr De Domenico:** When was that?

**MRS CARNELL:** It was four months before all the other stuff. The letter continued:

to adopt, by reference, Schedules to the National Health and Medical Research Council's Standard for the Uniform Scheduling of Drugs and Poisons and to control exceptionally dangerous Schedule 7 poisons.

In other words, it is the legislation we have in front of us today. I can actually table that letter if anybody is overly interested.

**Mr De Domenico:** Is it prefaced with the words, "I had a dream"?

**MRS CARNELL:** No, he said in the letter in June that the draft Bills had been prepared. This letter said categorically, and that was in June 1992, that the Bills had already been drafted. In fact, when I left the Board of Health in the previous year the drafting was in the final stages according to information given to the board. In fact, the board was told that the drafting of these Bills was an exceedingly simple task.

So what were Mr Berry and Mr Lamont talking about in their speeches in October? I would hate to think that they were deliberately trying to mislead the house, so all I can assume is that it was sheer bloody-mindedness. It was bloody-mindedness that meant that they would rather cost hayfever sufferers in the ACT in excess of \$100 than agree with the Liberals on anything. I do not think that is good enough, Madam Speaker, and I do not think the people of the ACT should believe that it is good enough either. They have a right to expect more. Now at least we do have the pieces of legislation in front of us - that is, legislation that was ready last June. It is still very hard to see where the dreadful complexity mentioned by Mr Berry came from, a complexity that meant that these pieces of legislation took over two years to draft - that is, over two years from the time the Minister first promised that the legislation would be dealt with as a priority.

This delay became even harder to accept when, on Tuesday this week, the Minister tabled the Health Bill and the Health (Consequential Provisions) Bill. Somehow these Bills were drafted in only a few weeks and during January, a month in which we all know it is very hard to get anything drafted. This is tremendously surprising. The Health Bill is complex in nature. It has many flowthrough effects and has a very definite financial implication, yet these Bills could be drafted within weeks. Could it be because in the eye of the Government they are politically correct, ideologically sound and therefore must be pushed through? This is at the same time as Bills like the ones in front of us today, which only have as their aim achieving a more efficient health system for the benefit of Canberrans, take two years. It is two years for Bills that make our health system better and two weeks for Bills that enshrine Medicare in legislation and get rid of the Board of Health. I find this absolutely amazing.

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It again shows that the motivation of this Government has little to do with the health of Canberrans and lots to do with the bidding of their political masters - those who are temporarily on the hill and those of the left wing of the ACT Labor Party. However, I suppose that I should be happy for small mercies, and I am pleased finally to have these pieces of legislation in front of us. Again, I should say "finally in front of us".

As I previously mentioned, the Poisons and Drugs (Amendment) Bill 1992 includes provisions for controls over Schedule 7 poisons. These are particularly dangerous poisons which require specific controls over the various stages of production, sales and storage. These controls have important public health implications. It is interesting that Mr Berry, in response to my motion back in October, said that I had to understand that this sort of legislation was not a first priority for this Government. Is Mr Berry saying that it is not a first priority for this Government that dangerous poisons are properly controlled and administered? I find it amazing if this is the case.

The Liberal Party totally supports these changed provisions for the improved control over these very dangerous substances. It would also come as no surprise to the Government that we support the scheduling by reference legislation. This legislation will ensure that as soon as recommendations are made by the NHMRC they are taken on board in the ACT. This will ensure that ACT residents are no longer disadvantaged as they have been in the past by not being able to get certain drugs and other preparations without a prescription. These are items which are available just across the border and, as I have said, for substantially less money in some circumstances. It will also ensure that drugs that the NHMRC may perceive to be more dangerous than originally thought are rescheduled into a more restrictive schedule as soon as that information comes to light.

It is pleasing that we are passing this legislation today, as the NHMRC has just brought down a new set of recommendations which will come into effect on 1 March. Hopefully, this will mean that for the first time the ACT will be able to adopt the amendments to the schedule in these recommendations immediately. Again I say that it has been a long time in coming but the Government has got it right and the Liberal Party will be supporting these pieces of legislation.

**MR BERRY** (Minister for Health, Minister for Industrial Relations and Minister for Sport) (11.48), in reply: Madam Speaker, I recall the campaign that Mrs Carnell ran about this issue - another fear campaign about the availability of certain products for people who were suffering a particular illness. I noticed a great deal of concern from her about the cost of a particular product in the ACT, but I do not think that that concern went so far as to prick her conscience enough to give it away at the same price as that applying in New South Wales.

**Mrs Carnell:** We could not, under the legislation.

**MR BERRY:** You could pay for it on their behalf if you were really that concerned about it. Where was your conscience?

Madam Speaker, this legislation has been a while coming. It certainly has not been a top priority for the Government because on its legislative program it took other issues of social interest as being in need of earlier attention.

**Mrs Carnell:** Like getting rid of the Board of Health.

**MR BERRY:** I am glad that Mrs Carnell raised the Board of Health because she has never been able to get over being on that Board of Health and it would have been a good thing if she had stayed there. I have to say that we always get a fair bit of enthusiasm from Mrs Carnell on the issue of pharmacy because it is so dear to her heart. Obviously, as she spends a little bit of her time here and a lot of her time in the pharmacy, we can expect that she would, as she has said, know something about it, and I bow to her superior knowledge in relation to pharmacy. Running a government, of course, is not the same as running a suburban pharmacy. There are other issues which are important. Mrs Carnell seems to think - - -

**Mr Lamont:** They want health to run at a profit - to put up charges.

**MR BERRY:** Yes, that is right. We should sell the dope that we have in storage. Madam Speaker, the very serious collapse of the board was principally because of her own actions. She harassed the Board of Health and the health system, and the public health system in particular, day after day, bringing about a situation where the Board of Health could not practically continue. The chairman of the Board of Health - a notable person in this town, somebody who is well respected in this town - made it very clear that because of this harassment he had to give it away. There was no point in continuing. The deputy chair of the Board of Health similarly and regrettably resigned her position and one other important member of the board resigned as well. It was made clear to me that the process could not continue while they were subjected to that harassment.

Mrs Carnell thinks that this sort of legislation should take priority over legislation which controls the entire management of the public hospital system. She laughs about the Government's moves to repair the damage that she has done, and we have repaired it quickly. She raised this issue in the course of this debate; I therefore need to make those issues very clear. The priority for this Government has always been the public health system in the ACT. She can rush out there and attack it at any time she likes because she never has to deliver. All she has to do is create fear and concern, unnecessary fear and concern amongst the community, just to draw attention to herself.

**Mr Kaine:** On a point of order, Madam Speaker: Could we have a little bit of relevance to the Bills that we are discussing? I do not think any of these Bills say anything about the Board of Health.

**MADAM SPEAKER:** Thank you for your advice, Mr Kaine. Please proceed, Mr Berry.

**Mr Kaine:** Address yourself to the Bills.

**MR BERRY:** You should have rushed down here when you heard her on the subject earlier, Mr Kaine, and stopped her. You are the leader of the group. More discipline is required over there, I tell you.

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Madam Speaker, our priorities are for the smooth running of the public hospital system; that is why we have moved to introduce the legislation to provide that, despite the best efforts of Mrs Carnell to bring the public health system down. Obviously, Mrs Carnell is not too aware of the complexities of law-smithing. The law-smiths over there have been busy putting this together, but it has not had the same priority as other matters of law that the ACT Government, the Labor Government, has dealt with.

It is my intention, and I am sure many of the Assembly members share my view, that we should fulfil our obligations and commitment to the harmonisation of schedules of drugs and poisons throughout Australia which, as has been said, was given at the Australian Health Ministers Conference in June 1990. As members may know, differences in the scheduling of drugs and poisons between, for example, New South Wales and the ACT have caused some difficulties, and that point has been raised by Mrs Carnell.

One recent example has been drawn to my attention. The National Health and Medical Research Council recommended in March 1990 that terfenadine, a non-sedating antihistamine, be available from pharmacists without a doctor's prescription. This was, of course, desirable so that an antihistamine with minimal effects on motor skills was more readily available to drivers. New South Wales amended its poisons legislation in August 1990 to enable terfenadine in a specified pack size to be purchased from pharmacists without prescriptions. Changes to Territory legislation which included terfenadine among other amendments were introduced on 15 March 1991. Other States introduced similar legislative changes at different times. It was this ongoing problem - ongoing because the National Health and Medical Research Council revises and updates its standard for the uniform scheduling of drugs and poisons twice a year - that prompted all the States and Territories to endorse the principle of harmonisation of schedules of drugs and poisons throughout Australia.

The Bill we are debating today is the first of a package of three which includes the Poisons (Amendment) Bill and the Drugs of Dependence (Amendment) Bill (No. 5). The package of Bills assists in fulfilling the Territory's commitment to the uniform scheduling of drugs and poisons throughout Australia. The Poisons and Drugs (Amendment) Bill adopts by reference Schedules 1 to 8 of the council's standard for the uniform scheduling of drugs and poisons. This approach - adoption by reference - to uniformity of drugs and poisons was adopted in New South Wales in August 1991. Adoption by reference will obviate the need to amend the Poisons and Drugs Act 1978 at frequent intervals because, as I have already mentioned, the standard is revised and updated twice a year by the council. It is this need to amend legislation regularly that has in the past caused delays to the implementation of the council's recommendations in the Territory.

As Mrs Carnell mentioned, the Bill also introduces controls over the most dangerous poisons which are listed in Schedule 7 of the council's standard. It provides for additional controls to be introduced by regulation over the most dangerous of the Schedule 7 poisons - for example, arsenic and strychnine - which the council recommends be available to authorised or licensed persons only for research or industrial and manufacturing purposes. The Bill is an important and essential piece of ACT legislation, and I commend it to you for your adoption.

The Poisons (Amendment) Bill 1992 is the second of a package of three Bills which includes the Poisons and Drugs (Amendment) Bill 1992 and the Drugs of Dependence (Amendment) Bill (No. 5) 1992. The Bill contains amendments to the Poisons Act 1933 consequential upon the Poisons and Drugs (Amendment) Bill 1992. For example, 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; therefore the Poisons (Amendment) Bill 1992 contains consequential amendments to omit the licensing of vendors of such poisons from the Act. The Bill also removes sexist language from the Poisons Act, in line with government policy. I also commend the Poisons (Amendment) Bill to you for adoption.

The Drugs of Dependence (Amendment) Bill is the third in this package. The purpose of the Bill is to transfer the three schedules which consist of drugs of dependence, prohibited drugs of dependence and drugs of dependence whose manufacture is controlled by provisions in the Drugs of Dependence Act 1989 from the Drugs of Dependence Act Regulations. This will facilitate the adoption of the recommendations of the National Health and Medical Research Council in regard to drugs of dependence which are listed in Schedule 8 of the standard for the uniform scheduling of drugs and poisons, and so will assist in fulfilling the Territory's commitment to the harmonisation of drugs and poisons scheduling throughout Australia. The opportunity has also been taken to facilitate prosecutions in regard to offences against the Act by the introduction of evidentiary certificates. The Bill is an essential part of the package of three Bills. I commend the Bills to the Assembly.

Madam Speaker, I think the carriage of these Bills will demonstrate to the community that the Government has got its priorities right. Too often we hear from the Opposition - and I suppose that this is the Opposition's job - that it is too fast or too slow; we are spending too little or too much; we are too much of the right or too much of the left, and so on. It is farcical, though, for a member of the Opposition to draw comparisons between this piece of legislation and the Health Bill which has been placed before this Assembly. That is a piece of legislation which covers the entire management of our public hospital system. To be critical of the introduction of that at an early stage is absolute lunacy; you cannot compare the two. The two pieces of legislation are to do with entirely different matters, but I know that the Liberals do not care about the public health system. In fact, ever since the Liberals were elected to this Assembly, Mrs Carnell in particular has been intent on attacking it.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

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### **POISONS (AMENDMENT) BILL 1992**

Debate resumed from 17 December 1992, on motion by **Mr Berry**:

That this Bill be agreed to in principle.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

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

Debate resumed from 17 December 1992, on motion by **Mr Berry**:

That this Bill be agreed to in principle.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

**Sitting suspended from 12.02 to 2.30 pm**

### **QUESTIONS WITHOUT NOTICE**

#### **Police Budget**

**MR KAINE:** I direct a question to Mr Connolly as the Minister for police. I note from the media that the blow-out in the police budget is alleged to be around \$800,000 and that the Commonwealth has agreed to pick up about half of that on the basis that it relates to the visit of a Turkish Minister and to the Winchester inquiry. Can the Minister tell me what the cause of the other \$400,000 overrun in his budget is?

**MR CONNOLLY:** The question is premised on some inaccurate information, so I had better clear that up first. The situation is that the police, on projections, were looking at overexpending their budget by a sum of some \$800,000. About half of that was as a result of two very clearly identifiable factors which, in our view, no manager could have predicted. They were the fact that the Winchester inquiry, at some time in November, became a ledger item charged to ACT region policing whereas it had previously been charged to Commonwealth policing. In the couple of years since we assumed responsibility for the police, the expenditure on that inquiry, which would have amounted to some millions of dollars, has not been charged to the ACT.

The other item was the visit of a Turkish VIP which resulted in a very high level of police attendance. I had assumed that that would have been paid for by the Commonwealth, as we had established with the George Bush visit compared to the Queen's visit. We established that when a VIP visited Canberra as a community we paid. If a VIP visited the Commonwealth, visited the national Parliament, and the visit had no connection with the ACT, we would expect the Commonwealth to pay. We have argued that the Commonwealth should pay that amount of roughly \$400,000. To date the Commonwealth has not accepted that.

What has happened, though, is that Senator Tate has said that the Commonwealth would be prepared, on an ongoing basis in future years, to pick up responsibility for about \$2m worth of what is currently ACT policing. As members would be aware, the ACT contingent of the AFP is about 700 officers, and about 80 of them are paid for by the Commonwealth. They are available for general duties but they are paid for by the Commonwealth to recognise the fact that we are the national capital and that there are these VIP visits. The Tate offer basically amounts to picking up an additional seven officers, with salaries and oncosts, and also about \$1.5m worth of additional costs - head office costs, computer costs, forensic costs. That will apply for future years.

Of the \$800,000 overrun, roughly half is explainable by those two unusual circumstances - the Winchester inquiry and the Turkish VIP visit. The remainder is made up of motor vehicle costs. The cost which the AFP are charged by DAS per motor vehicle kilometre went up. It would appear that the AFP budgeted to use the same amount of dollars as they had last year for the same amount of car kilometres, even though the cost per car kilometre was going up. That is hardly an item that can be regarded as an extraordinary item of expenditure for supplementation. It is an item for which managers should have budgeted correctly. Other items included forensic and other oncosts. There has been an overexpenditure of about \$800,000 - or there would have been had action not been taken to rein in costs. The kerfuffle that is going on at the moment is essentially senior managers saying that if we had kept spending the way we were we would be over budget by \$800,000. We have reined costs in with the aim, at the end of the accounting period, of bringing costs in on the line, which I presume is the approach to government budgeting that generally the former Chief Minister and former Treasurer would have expected this Government to take.

**MR KAINE:** I ask a supplementary question, Madam Speaker. The answer to that question is yes. I am glad that somebody asked me a question. I appreciate the long and informative answer that the Minister has given but, just to summarise, I take it that there is not in fact an \$800,000 overrun and, secondly, that there is still doubt as to whether all of the \$400,000 will be compensated for by the Commonwealth.

**MR CONNOLLY:** Yes. With the expenditure changes that occurred in recent weeks, which have been widely publicised as the result of some meetings that one of your party colleagues is beating up on, we are now planning to come in on budget at the end of the budget period. Had we not taken remedial action we were heading for an \$800,000 overexpenditure. The sum of \$400,000 in relation to the Winchester inquiry and the Turkish VIP visit is a matter which we are still pursuing with the Commonwealth authorities. As I have previously said publicly, because it was unforeseen and unforeseeable, it is a matter that can legitimately be looked at within ACT government as a supplementation item. In any event, with our expenditure changes we are heading to come in on budget.

### **Goods and Services Tax - Tourism Industry**

**MR LAMONT:** Madam Speaker - - -

**Mr Kaine:** Dorothy Lamont has the next question.

**MR LAMONT:** You keep my family out of this, Mr Kaine. My sister should be in here. She would probably contribute better than the Opposition does.

My question is directed to the Chief Minister. Noting the continuing growth in the tourism industry as a contributor to the ACT economy, has the Chief Minister been advised of the industry's view about the impact of the "frightpack" package and the GST on the tourism industry?

**MS FOLLETT:** I thank Mr Lamont for the question. It is a fact that tourism is a very important part of the ACT's economy. In fact, it is contributing about a million dollars a week to the ACT's economy. About 7,500 people are employed in this industry, and many of them are young people. So it is an important part of our economy, and it is becoming a much more important part of our economic base. I believe that it is fair to say that any adverse national impact would be felt even harder in the ACT. Madam Speaker, I think it would be a severe blow - in fact, an act of economic vandalism - to put an impost on the tourism industry in the ACT when it is now emerging as such a significant part of our economy.

Mr Lamont's question, of course, related to what the tourism industry believes about the goods and services tax proposal. I think we can take it that the tourism industry would not be a party political body; that they have only the interests of their industry at heart, and in a non-partisan way. Madam Speaker, in a recent statement on Fightback mark 2 the Australian Tourism Industry Association has pointed out that the experience in New Zealand, after a goods and services tax was put in place, was that outbound tourism exploded by 112 per cent over a few years. In fact, Madam Speaker, many agents in New Zealand were promoting GST-free packages. By contrast, New Zealand's inbound tourism fell dramatically, and it will take many years to recover. If those events were to be replicated in Australia they would have a dramatic effect on our trade, on our foreign earnings, on employment and on investment and development in tourism in Australia and in the ACT.

The chairman of the Australian Tourism Industry Association was quoted as saying that tourism must be given the opportunity to achieve its full potential. I think members would agree that it has not yet achieved its full potential. He said that the only possible approach is to treat the industry as other exporters are treated and to have zero rate packages pre-sold to foreigners overseas. Madam Speaker, as we know, the Federal Opposition has consistently failed to do this. They prefer, it appears, to disadvantage the tourism industry in Australia by reducing their competitiveness in overseas countries. Madam Speaker, I believe that Fightback is very bad news for tourism generally. In the ACT, where tourism is becoming a more and more important part of our economic base, that unfortunate effect will be felt quite disproportionately.



## Police Budget

**MR HUMPHRIES:** My question is addressed to the Minister for police, Mr Connolly. I refer the Minister to newspaper reports of cuts to the operational areas of ACT policing. Can the Minister confirm that approximately one in three staff employed under the AFP Act in the ACT are classified as staff members - that is, not trained police who are identified as police members under the Act? Given that all of the announced cuts that have been reported in the media so far affect police operations - that is, the work that police members rather than staff members do - can the Minister tell the Assembly what cuts have been effected to support areas and AFP administration in the Government's desire to rein in the budget overrun?

**MR CONNOLLY:** Madam Speaker, perhaps I can quote from Mr Dawson's press conference on Friday. He was asked, "Where are the cuts occurring?" and he said, "The areas targeted in the main are support areas". Of course, politicians seeking to capitalise on this are trying to whip up fear in the community, suggesting that these are cuts to the sharp end of policing. There is a telephone campaign going on at the moment. I have had repeated calls to my office from people claiming that when you ring the police at night and say that there is a burglar in the house the police are saying, "Well, that is bad luck. We cannot attend". That is an absolute lie. I hope, Madam Speaker, that the lie is the lie from a person ringing my office but, if police are saying that to people who ring, that is a very serious matter which will be dealt with very seriously. Of course, all calls to the police emergency line are taped, and we are having inquiries made to see whether police are in fact so misinforming the public. It would be a very serious matter if police were taking this political campaign to the point of putting out such misleading information.

Madam Speaker, as I explained in answer to Mr Kaine's question, we are looking at reining in expenditure so as to bring the police budget in on budget. Most of the changes are in support, non-operational, non-front-line areas. We are looking at reducing penalties and overtime where possible. We are abandoning some services. The property office was open for extended hours. That was perhaps convenient to the public but hardly front-line operational policing. We are cutting back on some of the public relations activities. There were some hysterical press releases from Mr Humphries saying that Kenny Koala was about to die, or words to a similar effect. We could have faced an overexpenditure, so for the remainder of this budgetary period we are cutting back on some of those purely public relations, non-sharp-end policing functions; but, as the police commissioner repeatedly reminds the community and assures the community, community safety is not being prejudiced.

Mr Humphries asked whether a third of the staff are support staff. That is correct. It is about the same as the ratio of other police forces. Support staff versus uniform staff is about the same as in other forces. It is sensible to have a component of the police numbers in that support role. They are less fully trained than an operational police officer, and it makes sense to free up the operational police officer for sharp end policing and have some of the paperwork and back-up done by a non-uniformed, non-fully-trained police officer. That is a sensible process of administration, and I can assure Mr Humphries that savings are being looked at in that area. As Mr Dawson said, most of the areas where savings are being achieved are support areas but, of course, politicians seeking to use this as a Federal election issue, as your former colleague in this place is doing, would have us believe otherwise.

### Traffic and Parking Fines

**MR STEVENSON:** Madam Speaker, my question is also addressed to Mr Connolly. How much revenue was collected by police, parking and the courts in traffic and parking fines for offences committed in the ACT in the last 12 months?

**MR CONNOLLY:** Madam Speaker, just off the top of my head, I will answer Mr Stevenson's question, but he did have the courtesy, as he often does, to advise the office that he was interested in this matter. With regard to revenue from traffic infringement notices, revenue collection changed from the AFP to the transport regulation section in May of 1992 in order to stop people being dealt with as criminal offenders and serving out time, as we debated yesterday. Revenue collected by the section from May to June 1992 was \$217,157; from July to September 1992, \$823,491; and from October to December 1992, \$553,431; a total from May 1992 to the end of December of \$1,574,079.

Figures for revenue collected by the courts as traffic fines are available only on an annual basis, and in the calendar year 1992 the total figure was \$1,758,850.18. Revenue collected by the transport regulation section in relation to parking infringement notices during 1992 totalled \$2,927,953. I will break that up into the two-monthly periods for you, Mr Stevenson, and hand that to you. During 1992 the courts collected total parking fines of \$44,529. That was as the matter started to tail out from the courts as we moved to the new collection system.

### Belconnen Remand Centre

**MR CORNWELL:** Madam Speaker, my question is directed to the Attorney-General. The *Canberra Times* of 23 December 1992 report on the distribution of condoms at the Belconnen Remand Centre mentions that the AIDS kit contains bleach for cleaning needles. I ask: What are needles doing in the Belconnen Remand Centre? Why do officers not search for and confiscate these dangerous implements? Are the Government and the officers of the remand centre indirectly condoning the use of an illegal substance by allowing needles in the centre? The *Canberra Times* article states:

We will show the rest of the country that you can have a well-ordered custodial facility ...

How can the Government make that statement if such implements for use in administering an illegal substance are tolerated there?

**MR CONNOLLY:** Madam Speaker, I thank Mr Cornwell for the question. The short answer is that needles are not tolerated in the remand centre. The presence of a needle in the remand centre is a serious breach of discipline and would be dealt with seriously. There have been such matters detected and charges have been brought. I do not have figures but I can get them and perhaps recite them at a future question time.

Bleach is available in the prison. You can get bleach in any event because it is a cleaning solution. Prisoners can get bleach to clean their cells if they foul the walls, if blood is spilt or if people thump the wall. For the sorts of things that happen in a prison, bleach is available. Bleach is included in the kit because it is important for intravenous drug users, who mostly commit offences when they are out - not in the remand centre but when they return to the community. Many of these people will continue with their intravenous drug habit. We would wish otherwise, but the reality is that they will continue to use drugs. Providing them with bleach kits is a helpful method of educating - - -

**Mr Cornwell:** So the needles still could be there, Mr Connolly?

**MR CONNOLLY:** If the needles are in the remand centre, it is a serious breach of order. They are searched for. If we have any reason to believe that prisoner A has a needle, prisoner A may be bodily searched or his or her cell may be stripped down. The presence of a needle in a prison context, a remand centre context, is a serious breach of discipline and is treated that way. The fact that the bleach is in the AIDS kit, as well as a lot of literature in relation to safely dealing with the HIV virus, is, in the Government's view, a sensible precaution in order to allow the persons, when they leave the remand centre context, if they pursue their illegal intravenous drug habit, at least to do it safely.

Condoms, on the other hand, present no risk to good order and we have set a trend in Australia by introducing them. I did make a firm commitment to the relevant union, which was concerned that the release of condoms may lead to a release of needles, that needles would not be introduced into the remand centre, very much for the reasons Mr Cornwell recited.

**MR CORNWELL:** I ask a supplementary question, Madam Speaker. I am interested in Mr Connolly's remarks because the article went on to say:

The condoms were part of a kit to prevent the spread of AIDS -

I accept the argument on condoms -

and also contained water-based lubricant, educational materials and bleach for cleaning needles.

What steps has the Government taken to safeguard workers and detainees from needle-stick injury? Secondly, what liabilities does the Government accept if such injuries occur in the centre?

**MR CONNOLLY:** There are extensive education programs for both remandees and remand centre staff. One of the reasons we were able to achieve a significant breakthrough in Australian prisons and get the agreement of the custodial officers, through their union, to the introduction of condoms was the fact that we had gone patiently about an AIDS education course. They are well aware of the risks of HIV and needles generally, as are workers throughout the ACT service, as a result of occupational health and safety.

Needles are not tolerated in the remand centre. They are searched for, if we have any reason to believe that they are there. It is a serious breach of the remand centre regulations to have a needle in a cell. They will be confiscated and the persons will be charged. If a prison officer in the ACT or in any prison in Australia were assaulted by a prisoner with a needle, it is likely that that prison officer's employer, whether the ACT corrective service, the New South Wales service, or the Victorian service, could find themselves legally liable. I accept that. We have to accept that throughout Australia. Sometimes needles find their way into prisons, but in the ACT, as everywhere, it is a serious offence.

### **Police Rescue Squad**

**MRS GRASSBY:** I would not like to stop the run. My question is also to the Attorney-General and it is also about policing. Can the Attorney-General refute the claim that members of the police rescue squad, whilst on duty, attended a public meeting called by the Liberal candidate for the seat of Canberra, Bill Stefaniak, to attack the government policy in relation to policing?

**MR CONNOLLY:** I am not able to refute that claim. It does, indeed, cause me concern. I have had reports that one of the police rescue vehicles, with police officers in uniform, was at a party political rally last night, that is, the rally called by Mr Stefaniak. Not many other people were there, I am pleased to report, but a police vehicle with serving police was there.

Mr De Domenico was seen to be foaming at the mouth in excitement a couple of months ago, and saying that we must prosecute ACT workers who, he alleged, were, on ACT government time and with ACT government vehicles, at a lunchtime rally out here. We took that on board. Apart from making the point that it was a lunchtime rally, so most workers were there at lunchtime, we said very clearly that the use of government vehicles for that sort of purpose was inappropriate. I was able to report that we had had inquiries made, in exactly the same way that Mr Kaine had some inquiries made when there was an anti-Kaine Government rally when he was Chief Minister and some government vehicles turned up.

We conducted appropriate disciplinary procedures by way of counselling the staff who had misused the government vehicle. I was able to report that to the Assembly - a similar process to the one Mr Kaine undertook. I can assure you that we will pursue the police officers who used that vehicle with the same vigour, and I would hope that our - - -

**Mr Cornwell:** Why don't you get on with combating crime, instead of chasing them?

**MR CONNOLLY:** Mr Cornwell, members of the public may well wonder what police were doing with police vehicles at a public rally when they should have been combating crime, as you put it. I would hope, Madam Speaker, that those Liberals who were so vocal in condemning the use of ACT taxpayer funded vehicles at an anti-Liberal rally will also join me in condemning the use of police vehicles at an anti-Labor rally, and I hope that they are prepared to say that.

## Road Maintenance

**MR WESTENDE:** My question without notice is directed to the Minister for Urban Services. Is the Minister aware that some States and councils are experimenting in, and in some cases have changed, their methods of road maintenance, by having more but smaller road gangs to repair potholes, and in the process are saving something like 30 per cent? They have changed most of their crews from, say, six-man crews to in some cases four and in some cases only two. The savings occur to a large extent because the increased numbers of crews are able to fill in a hole when it is only 15 or 20 centimetres wide instead of waiting till it is half a yard wide. Will the Minister consider a similar program in the ACT, through either day labour or contracting out? Has the Minister noticed that there is a deterioration in the state of some of the roads in the ACT?

**MR CONNOLLY:** Madam Speaker, there is some deterioration in the state of the roads in the ACT. There is no question about that. This Government responded to overwhelming views in the ratepayer survey, and generally the prevailing view that one picks up, that we were spending too much on what was seen as unnecessary road maintenance. There was a strong public push about 18 months ago to reduce that road maintenance.

**Mr Kaine:** It was painting white lines that they objected to.

**MR CONNOLLY:** It was, Mr Kaine, and we know who was responsible for that, do we not?

**Mr Humphries:** DUBY lines, was it?

**MR CONNOLLY:** The DUBY lines. Madam Speaker, we conducted a very comprehensive survey on road maintenance, which was published some time ago and copies circulated to members. It shows that for the long-term protection of that asset we do need to increase our road maintenance expenditure, and I would expect some debate in this place in due course, probably in these sittings, about that. We are constantly looking at changing work practices within our day labour groups. We have done a lot in the building asset management area. Changes are occurring in roads and lines and signs as well. I will take on notice Mr Westende's specific question about the size of gangs and the respective efficiencies and get back to him, but I suspect that the answer will be that there has been some change there. Certainly the unions acknowledge that some of the work practices in those areas have not been as efficient as they can be, and we have unions working now with management changing work practices in those areas.

## Water Usage

**MS SZUTY:** Madam Speaker, my question without notice is also to the Minister for Urban Services. In January the ABC's local radio station 2CN held, in conjunction with ACTEW, a hints and tips line for people with hints on saving water. The results, as I understand it, are to be published in much the same fashion as the previous hints on saving electricity. There was some debate engendered as a result, with particular emphasis on the current system of a free water allowance and excess water rates as the basis for water charges. Will the Minister inform the Assembly whether he would consider introducing a user pays system of water usage based on the actual water use of each household, should ACTEW recommend it?

**MR CONNOLLY:** Madam Speaker, this is an issue that has been agitated for some time. I have some initial concerns about the equity of a straight user pays regime because the so-called free allowance does at least spread the burden. I can advise Ms Szuty that I am having some work done within ACTEW to prepare a paper looking at various options for methods of charging for water, with a focus not just on economic efficiency but very much on social justice and equity. Merely to move to a user pays regime may save water, because it could put an enormous economic incentive on people not to use water, but it may be inequitable because a family with a number of children may face a massive bill and they may be in straitened circumstances. So there is a balancing act there between equity and saving water. We are having some work done on it, and in due course that work will be published to facilitate community debate.

### **High-Tech Industries**

**MR DE DOMENICO:** Madam Speaker, my question without notice is to the Chief Minister. I note the Chief Minister's concern about high-tech industries in her statement in the house the other day. The Chief Minister should know that the Queensland Labor Government has been attempting to poach internationally recognised high-tech companies away from Canberra and the region with incentives such as - dare I say it again - reduced payroll tax or no payroll tax, cash and marketing support, and rental subsidies. What has she done or does she intend doing to ensure that these companies and jobs remain in Canberra and the region?

**MS FOLLETT:** It is a good point that Mr De Domenico has raised, Madam Speaker. It is indeed the case that in looking at getting new industries and new businesses into the ACT, and in some cases in trying to retain existing industries and businesses in the ACT, we do find ourselves sometimes in competition with other States or other municipalities who are very anxious to attract that kind of industry. As far as the ACT goes, we have a positive policy of promoting the ACT as the computing capital of Australia and we have put a lot of effort into marketing the ACT in that fashion.

To address the general question Mr De Domenico has raised, my advisory council, EPACT, is preparing a paper for me on this very subject at the moment and that work is well advanced. When that paper is completed it will be available for the whole community and this Assembly to look at and to consider. It is a serious matter for a government to give concessions, to give financial incentives, to a private business. When we do that, we have to be very certain that it is in the interests of the community generally that that occur.

There are a range of incentives, a range of attractions, that governments can offer. They range from things such as grants of land, relief from taxes, as Mr De Domenico has pointed out, and financial assistance, assistance with rent and establishment costs, and so on. That is the range of proposals EPACT is currently studying. As I said, I will be happy to put that paper before members in due course. One of the ways in which the Government does attempt to continue to attract and retain businesses here is to keep in touch with them.

My own Economic Development Division has a very good record of consultation with businesses, finding out what the issues are that are concerning those businesses, and getting a little ahead of the game in attracting new businesses as well.

It is a fairly delicate matter, Madam Speaker. I do not believe that the ACT is really in a position to compete with the Queensland Government. We are a much smaller enterprise and have much less available to us in financial incentive terms. That is about the state of play, Madam Speaker. I think the EPACT paper, when it comes, which should be very shortly now, will be a great deal of use in continuing this kind of debate about what the community would find acceptable.

**MR DE DOMENICO:** I ask a supplementary question, Madam Speaker. Chief Minister, would you consider, for example, the secondment of some of the 99 staff of the Economic Development Division? Instead of sitting in their tower in the city, perhaps they could be told to work within the high-tech industries in an exchange program so that they might be better aware of the way business works.

**MS FOLLETT:** I think there is at least one instance where that has actually occurred, although perhaps not with a private business but with the university or one of the CRCs. I think those kinds of exchanges of expertise, exchanges of staff, can be extremely valuable. Here in the ACT the Government and the public sector have to be in partnership with the private sector. They are about fifty-fifty in our economy and they must work together. I think those kinds of exchanges, whether they are through interchange programs, which currently occur, or through some other one-off arrangement, are extremely valuable.

### **North Watson Development**

**MR LAMONT:** Madam Speaker, my question is directed to the Minister for the Environment, Land and Planning. Has the Minister seen the article on page 3 of today's *Canberra Times* concerning the proposed development of North Watson and the use of better cities funding for this? Can the Minister tell the Assembly whether the article is correct in its assertions?

**MR WOOD:** Yes, I have seen that article, although I have not seen the submission. I might say that I welcome any submissions on the North Watson proposal or other proposals because they are all important. However, I hope that the submission, which I understand is very comprehensive, is a little more accurate than the media statement or whatever information they put out in shortened form. There are a number of processes going on with North Watson and this is but one group. I might mention in passing that I have had a couple of letters from people in the North Canberra area, from Watson, expressing some concern about this group claiming to represent the community when it is not a community body. It was stated to be, from a telephone conversation of one of my letter writers, a loose collection of people, but they have used the words "community group" for more punch.

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The article contains a number of incorrect statements. The better cities program is not intended to fix up grotty inner suburbs. It is a Commonwealth initiative to fund proposals which are strategic in nature, overcome threshold barriers, use existing infrastructure more effectively, and promote efficient and environmentally sustainable development, which could not have occurred sooner without that Commonwealth support. Contrary to the report in that newspaper, the Commonwealth subjected the ACT's proposal for better cities funding to very detailed scrutiny. Had it not met the criteria, I am sure the proposal would not have been accepted. It has not been crafted, as claimed, in a way to meet better cities guidelines but not its intentions. That is a spurious claim.

I add that the better cities money is not being syphoned off, as has been claimed, to fund greenfields development and it is not going to be used to fund development in Gungahlin. Apparently the attempt is made to link sewerage works with Gungahlin development. The North Canberra trunk sewer will eventually extend into part of Gungahlin, but that extension will not proceed until the area is to be developed. The North Canberra trunk sewer improvements will be partly funded by only a very small portion of the better cities funding; but the sewer there is already inadequate and does need that new work. The improvements to the sewer will assist with the development of North Watson, if that proceeds, and I still say "if".

The article also claims that the North Watson proposal will allow the ACT bureaucracy to push for Monash Drive. Our Government has said that we will not construct Monash Drive, and I reject any assertions that the bureaucracy is attempting to undermine that decision. It will not happen. Indeed, a great number of North Canberra residents have expressed appreciation of the statement by the Chief Minister that Monash Drive would not go ahead. If we went back a couple of years to the debate on what might happen in that area of North Canberra, Monash Drive might have proceeded very close to the backyards of all these people. On the other side of that, we would have had caravan parks and motels rather than the locked gates and fences that we have at the moment.

Again, I point out that North Watson is not intended to be simply a high density housing area. It is planned to provide a range of housing types so that people will have a real choice. North Watson has been identified by the Government as an area where it is possible - we have not made any decision on this; we are examining the process - to achieve our aim to have 50 per cent of new housing starts other than in greenfields areas. We want to break down the very considerable expense of greenfields developments such as Gungahlin. It is an urban renewal area because it is served by existing infrastructure. There is an economic decision to make, and that infrastructure will be helpful, should it proceed.

The planning process has commenced with the release of a preliminary assessment, and a draft variation to the Territory Plan may well follow - it will not necessarily follow - our assessment of that work. There is public consultation at every stage and I welcome all comments. Those people who may be opposed to the development have a legitimate right to say what they want, but they do not really help their case if their comments are inaccurate. I hope that the submission from this group, which I will look at, is a little more accurate than the information I have seen so far.



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

### **Hospital In-Patient Fees**

**MR BERRY:** Madam Speaker, yesterday I said that I would have considered some information which was raised by Mrs Carnell in a question that was put to me. She asked, in a rather accusing way, about financial matters relating to health, and she talked about the ACT Government budgeting for a Liberal coalition win - a silly notion. She also said that these figures were in some way fudged. Had she put this question on notice, there would not have been a headline in it, so I will put it on the record for her information and for those members who might have been misled in some way by the tone of her question.

The figures were not fudged. The number of privately insured patients using the public hospitals has continued to decline and, as a result, in-patient receipts are expected to be below budget this financial year. This is clearly reflected in the December quarterly report. That was made very clear.

**Mrs Carnell:** The second six months is budgeting for an increase.

**MR BERRY:** Just listen. Be patient, Mrs Carnell. There is not a headline in this, I can assure you; so relax. In-patient fees also include receipts from third-party and compensable cases. Had you asked the question, you would have been informed of that. The timing of these receipts is difficult to predict as revenue is recognised only at the time of receipt. The slight improvement in the rate of decline in receipts in the second six months is because, typically, the rate of receipts is higher towards the latter part of the financial year. This has been factored into the projections for in-patient receipts for 1992-93.

I would like to reaffirm, Madam Speaker, that my answer to the prospect of a Liberal coalition win is that there is no prospect of it. I return to my original assertion. Rather than try to create the impression that something is wrong, Mrs Carnell would be better served to find out all of the facts and to understand how these figures really work. I know that they are very complex and they require a lot of work by Health to work out. It is not possible for all of us to have in our minds what those finance experts have in their heads at the time they put these figures together. A more sensible way, I think, is to ask questions on notice rather than to create the impression that something is wrong when it clearly is not.

### **PERSONAL EXPLANATION**

**MR BERRY** (Minister for Health, Minister for Industrial Relations and Minister for Sport): Madam Speaker, I wish to make another short statement in relation to a matter that was raised this morning, pursuant to standing order 46.

**MADAM SPEAKER:** That is the one with my leave. Yes, Mr Berry.

**MR BERRY:** After this morning's debate on the Poisons and Drugs (Amendment) Bill, I was concerned, having done a little research into a letter which was mentioned in the course of debate. It was said that the Government or I had been spiteful - - -

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**Mrs Carnell:** Bloody-minded.

**MR BERRY:** And bloody-minded - in relation to the timing of the introduction of the Poisons and Drugs Bill. A letter of, I think, 12 June 1992 was mentioned in the course of debate. In that letter I said to a Mr Holder, who was the chairman of the ACT sub-branch of the Pharmaceutical Society of Australia, that it was hoped that the legislation would be introduced in the budget sitting, and this was achieved.

One of the main purposes of these amendments was to remove schedules from the Acts and regulations and, as has been pointed out, it was a complex piece of work. A substantial amount of work was required, and this is still ongoing, to prepare the new regulations needed to give effect to these changes. The delay was not caused by any deliberate delay in introducing the Bills, and I must say that my officers are a little agitated about this accusation.

**Mr Humphries:** Caught out.

**MR BERRY:** No. They are agitated about it, and rightly so, because the accusation is untrue. There is no spite or bloody-mindedness in this approach. It is a matter of the Government sticking to its priorities and dealing with matters appropriately. For somebody to come out and say, "Yes, we are - - -

**Mrs Carnell:** Are you saying that it was not drafted in June, when you said that it was?

**MR BERRY:** The statement goes on while I answer the interjections, Madam Speaker. If they want to keep ranging the questions at me I will keep answering them - with your acquiescence, of course. There was no deliberate delay in introducing the Bill. The Bill was introduced, as we said to Mr Holder we hoped we would. I said, "I am able to advise you that draft Bills have been prepared to adopt, by reference, the schedules".

**Mrs Carnell:** Yes; so it was drafted in June?

**MR BERRY:** What you should have done was place all the facts before the Assembly; that is, it was hoped to introduce these Bills in the budget sitting period of the Assembly, and we did. So I think we lived up to everybody's expectations except yours, Mrs Carnell.

### **MEDICARE AGREEMENT - FUNDING OF PUBLIC HOSPITALS Ministerial Statement**

**MR BERRY** (Minister for Health, Minister for Industrial Relations and Minister for Sport) (3.13):  
Madam Speaker, I seek leave to make a ministerial statement in relation to the funding of ACT public hospitals under the Medicare agreement.

Leave granted.

**MR BERRY:** Madam Speaker, on 29 January this year I signed the new Medicare agreement in my capacity as the then Acting Chief Minister. The new agreement covers the period from 1 July 1993 to 30 June 1998. It contains a complex set of funding arrangements, as well as agreeing to further work between the

Commonwealth and States on health policy areas. By signing the Medicare agreement, the ACT will gain at least an additional \$21m in the first year in a combination of direct Commonwealth funding of health and reimbursement from other States. The exact financial benefit to the ACT depends on activity levels in all States as a finite pool is to be shared. The funding arrangements are complex and involve the following:

Transfers from States' base health funding grant to the bonus pool; the ACT will contribute \$5m.

Establishment of new bonus pool arrangements for increased public provision and for lower than national average per capita use of medical benefits; the ACT will receive \$10m, of which \$2m is from the medical benefits bonus pool.

New incentives funding for a range of health system reforms based on an ACT-specific strategic plan; estimated ACT impact is \$1m per annum.

Reimbursement from other States for cross-border services; the final amount is expected to be in excess of \$15m net per annum, but will depend on the agreement negotiated and the number of cross-border patients treated.

I should add that part of the arrangements reached ensures that where there is difficulty in the parties reaching agreement on this particular matter the Commonwealth has agreed that it will intervene and arbitrate an outcome. That was something that the ACT felt was necessary to ensure the security of ACT funding. One can imagine that if we get involved in a donnybrook with one of the other States over funding, it could go on for some time.

**Mr Humphries:** It is not going to matter after 13 March. Don't worry about it. What a waste of time!

**MR BERRY:** Mr Humphries expresses the opinion that this might change after 13 March. Heaven help us, because we know from experience that there is likely to be a sneak attack after the election of any Liberals. One could never be surprised at what they might do to us. In the case of the honourable agreement that has been reached between us and the Federal Government, it is expected that throughout the life of the agreement the Commonwealth will honourably deal with the issue of negotiations between the States on this cross-border trading. Finally, the arrangements involve the following:

Adjustments to the distribution of financial assistance grants between States based on changes to Grants Commission methodology; no impact is expected on the ACT in relation to that matter.

The agreement also commits the ACT to further work with the Commonwealth and other States and Territories on policy issues during the period of the agreement and to implementing reforms resulting from the national health review. The principles and commitments of Medicare require complementary ACT legislation. Of course, Mr Deputy Speaker, the principles of Medicare have been incorporated in the recent Health Bill which has been put before the Assembly for consideration.

The principles and commitments of Medicare are that eligible persons must be given the choice to receive public hospital services free of charge as public patients; access to hospital services is to be on the basis of clinical need; to the maximum practicable extent, a State will ensure the provision of public hospital services equitably to all eligible persons, regardless of their geographic location; the Commonwealth and States and Territories must make available information on the public hospital services eligible persons can expect to receive as public patients; and the Commonwealth and the States and Territories are committed to making improvements in the efficiency, effectiveness and quality of hospital service delivery.

By including these principles and commitments in legislation, the ACT Labor Government will ensure that eligible persons in the ACT will be clear about their entitlements to public hospital services and will enjoy access to those services when their health requires it. This Government remains committed to continued improvements in access to high standard public hospitals for the Canberra community, despite the best efforts of the Liberals to undermine the management of the public hospital system and drag it down by constant criticism.

**Mr Cornwell:** Is this part of the ministerial statement?

**MR BERRY:** Indeed it is. This Government has already independently set in train some of the measures now sought by the Commonwealth, such as the establishment of an independent health complaints mechanism, which was announced in this year's budget. During the life of the present agreement some innovative projects such as early release of obstetrics cases and a move to day surgery have been funded by the Commonwealth as part of the Medicare incentives program. I have to say at this juncture that I am deeply concerned about claims by Mrs Carnell on public radio in the ACT that people are out on their ears as a result of the increase in day surgery in our public hospitals. That clearly is not the case. It is an outrageous claim and, again, is another attack on our public hospital system and the fantastic gains we are making in the reduction of length of stay within our public hospitals. To attack those sorts of gains shows how irresponsible the Liberals are and how much they are prepared to attack the public hospital system.

**Mr Humphries:** The lists are getting longer, not shorter.

**Mrs Carnell:** You are not shoving them out quicker.

**MR BERRY:** You can always get a squawk out of the cockies on the fence over here. It is just like the foxes in the pen. The Medicare incentives program will continue during the life of this agreement, and this Government will continue to trial innovative and cost-effective ways of delivering high-quality services. The Commonwealth is proposing to fund a series of reforms arising from the national health strategy, including area health management, devolution of clinical management, quality assurance, mental health, case mix funding, and capital planning. The ACT is well placed in this respect as many aspects of this framework are already being developed here. Criticise as you might, Mrs Carnell, we are getting on with it.

On the issue of a patients charter, it is expected that this might involve broad circulation of a pamphlet or brochure which sets out the national policy and some specific features of accessing public hospital care in the ACT. The ACT is also in favour of the introduction of planning of health services to meet specific health goals and targets to ensure the most appropriate focusing of resources, thereby reducing inequalities in health status. Inequalities in health status are not something the Liberals would worry about because that is the basis of what they intend to do with our health system if they were ever to implement their policies. The Liberals opposite try to minimise the impact of the changes a Liberal government at Commonwealth level would make to health funding. As I have already pointed out in the Assembly, the \$8 billion of cuts planned under the Fightback package will mean that over \$70m will be slashed from ACT health grants.

**Mr De Domenico:** That is not right.

**MR BERRY:** I have it on good authority, Mr Deputy Speaker. Who would know more about health than the Minister, Brian Howe? While the Opposition may have pledged not to dismantle Medicare, some of their other policy changes may have a significant impact on the cost of health to individuals and to States and Territories - policies which will add \$22 per week to health costs for Australian families. They never said a word about that. They will cut out \$17m. They know that low income earners who go into private hospitals will pay as much as \$100 a day over their basic private hospital insurance - forced into that private hospital care by the Liberals opposite as they rip off the public hospital system.

**Mr De Domenico:** That is absolutely wrong and it is also a stupid thing to say.

**MR BERRY:** No, that is exactly what you are entitled to do.

**Mr De Domenico:** You are the only one who forces people to do things.

**MR DEPUTY SPEAKER:** Order! Are we having a ministerial statement here or are we debating the issue? Might I suggest, Minister, that you stop being provocative and go on with your ministerial statement. Might I suggest to the Liberals that they stop interjecting.

**MR BERRY:** I am shattered at the suggestion that this has been without provocation. One only has to drag oneself to one's feet to get a bit of provocation from the other side and warm the debate up, Mr Deputy Speaker. It is always a pleasure to hand out one or two to members opposite because they deserve it.

In the debate on 14 February 1993, Mr Keating, the Prime Minister, argued that a Hewson government would significantly reduce health funding to States. Another of their policy changes would involve applying the Australian Medical Association's fee schedule to general practitioners' fees, which would result in greater financial benefits to doctors at increased cost to consumers. There is no question about that. Again, every time you stick your hand in your pocket Mr Hewson's hand is going to be in there too. Every visit to the family GP would cost you another \$12, and low income earners would have to pay \$100 per day above basic private hospital insurance benefits. That is the only place they will have to go because there will be massive defunding of the public hospital system. They have declared it: \$8 billion across Australia.

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The proposed reduction in rebate for medical benefits from 85 per cent to 75 per cent for patients not eligible for bulkbilling would further increase health costs to consumers. The fact that the ACT was able to negotiate \$21m of extra funding is due to Commonwealth recognition of the ACT's commitment to Medicare. The ACT Labor Government remains committed to provide universal access based on clinical need to a high-quality public hospital service for eligible residents in Canberra and the surrounding region.

Mrs Carnell says that she will always applaud somebody for doing the right thing. She should be on her feet now with loud applause for this. While the Liberals have never taken much notice of the standing orders before, I am sure that if it was something that weighed heavily on their hearts they would do it now. See? Not one response. A good result for the ACT and no applause from the Liberals. I present the following paper:

Medicare Agreement - Funding of Public Hospitals 1993-94 to 1997-98 - Ministerial statement, 18 February 1993.

I move:

That the Assembly takes note of the paper.

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

### **ENERGY MANAGEMENT PROGRAM Ministerial Statement**

**MR CONNOLLY** (Attorney-General, Minister for Housing and Community Services and Minister for Urban Services) (3.26): Mr Deputy Speaker, I ask for leave of the Assembly to make a ministerial statement on the Government's energy management program.

Leave granted.

**MR CONNOLLY:** The Government is aware of increasing community concern with the need to take steps to conserve the environment. One important aspect is the need to reduce greenhouse gases, and probably the easiest way this can be achieved is through reducing energy consumption. Anyone embarking on a serious program to reduce energy consumption will gain an important side benefit in cost savings. In 1990 the Commonwealth Government adopted a target of stabilising greenhouse gases at 1988 levels by the year 2000 and achieving a 20 per cent reduction by the year 2005. The ACT Government is participating with other governments in developing a national greenhouse response strategy for publication by the end of this year and is finalising its own greenhouse strategy.

The total cost of energy used in the ACT - that is, electricity, gas and oil - is approximately \$200m per annum. The cost to the ACT Government for energy used in ACT government buildings is approximately \$12m per annum. The potential for considerable savings in energy costs in ACT buildings has been increasingly apparent in recent years. As a result of investigations undertaken by the Department of Urban Services, who are responsible for maintenance of ACT

government buildings, \$1m was provided in the 1990-91 ACT budget - that was yours, Mr Kaine - for energy management measures in buildings. A further \$2m was provided in 1991-92 - that was our first budget - with another \$1m in last year's budget. So you are entitled to a quarter of the credit for this, Mr Kaine.

The potential for savings varies enormously from building to building. To assess priorities, the costs for energy and other data were collected for buildings owned or rented by the ACT Government and assessed to determine where the best savings could be achieved. Factors determining the potential for savings include the size of the building, the total cost of energy, and the proportion of hours per annum the building should be empty. In general terms, the larger any of these factors are the more attractive they are for energy savings.

In Canberra buildings, approximately 40 per cent of energy is used for lighting, 40 per cent for heating, ventilation and air-conditioning, and the remainder for other uses. Typically, savings of up to 60 per cent can be achieved in lighting costs and 20 per cent in heating, ventilation and air-conditioning, and these can result in overall savings of up to 30 per cent in individual buildings. The buildings showing the greatest potential for savings are schools, and energy management projects have been concentrated on our schools. In addition to schools, buildings where energy management projects have been or are to be undertaken include the North Building, Civic Offices, the Belconnen bus depot, Tuggeranong swimming pool and the Callum Street Offices.

The simplest way to save energy is to turn off unnecessary lights and appliances. This was recognised many years ago, and education programs were formulated to encourage consumers to turn lights off. Unfortunately, human nature is such that not everyone has the commitment required to do the right thing and turn lights off. In simple terms, the basis of this program is to turn off energy using equipment when it is not required. A variety of equipment has been used to achieve savings, depending on the size and usage of the building. For lighting control, these include 50-minute clockwork timers in school classrooms - a very simple and cheap piece of technology; computerised lighting in larger buildings; movement detectors to control lighting; elimination of excessive lighting; provision of photoelectric cells to control lights; and installation of high efficiency lamps.

For the control of heating and air-conditioning, these include sophisticated time clocks on heating and air-conditioning to ensure that they do not run when not needed - for example, on public holidays; outside air temperature compensation on older buildings where there is no thermostatic control of heating; computerised building management systems; and provision of fresh air cycles on air-conditioning systems. A range of other energy and cost saving measures has been implemented, including changing to more economical electricity tariffs, provision of power factor correction, and switching off hot-water services at weekends and over holidays.

We estimate that we have achieved ongoing savings of \$600,000 per annum on the first \$1m spent and will receive ongoing total annual savings of \$1m on the \$2m spent in the first two years. In individual buildings, savings of up to 30 per cent of energy costs have been achieved. In the case of one large complex, the Erindale Centre, the cost of energy has been reduced by 42 per cent. This is the most dramatic single example of where the Government's investment in energy saving is delivering real savings. For an expenditure of \$320,000 on new

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technology at the Erindale Centre, we are achieving ongoing savings to the ACT budget every year of \$265,000. That is a dramatic saving occurring every year, meaning that the full cost of the energy technology investment has been repaid in about 15 months. On top of that, we are saving over a quarter of a million dollars per annum indefinitely.

Because priority has been given to those projects which achieve the best savings, savings from future work will be less dramatic but will still be very worth while. Hidden benefits of the program, which depend on the types of controls installed, include far more accurate temperature conditions in buildings, fresher air in buildings for occupational health and safety, and an ability to find long-term and costly pre-existing faults in buildings. New buildings being constructed and buildings undergoing major refurbishment are being fitted with the most appropriate energy controls. The South Building, which will be the future home of the Assembly, will benefit from the experience.

Our government program has shown the benefits of considerable savings in energy management. It has also highlighted the potential for even greater savings if energy conservations are designed into new buildings, such as better insulation, double glazing, airlocks at entrances, the avoidance of cathedral ceilings and glass atriums, and siting to gain maximum benefit from winter sun and minimise the effects of summer sun. In general, these features cannot be added to existing buildings. We consider that the savings of up to 30 per cent which can be achieved in existing buildings could be doubled by careful design in new buildings; that is, total savings of up to 60 per cent in energy costs in new buildings compared with existing buildings.

This program is demonstrating the considerable savings available in an energy management program. These savings can be achieved just as easily by the home and commercial building owner. I am pleased that the unit that has prepared this work within the ACT Government is in a position now where it is able to contract out its services to the private sector to provide this sort of expertise, which is simply not available on the private market. Examples of relatively easily achieved energy savings for existing buildings include switching off lights, additional roof insulation, improving curtains, and use of high efficiency lighting - all cheap measures. Examples of energy saving features which can be readily incorporated into new buildings include siting to achieve maximum winter heating and minimise summer heat, double glazing, wall insulation, and providing adequate mass for heat storage - for example, solid brick construction.

The Department of the Environment, Land and Planning has taken complementary action through the preparation of energy guidelines by the ACT Planning Authority. These guidelines will require the submission of energy audits for residential subdivisions of more than 50 blocks, measured against a five-star scheme. Mr Wood has explained that previously to the Assembly. Energy conservation plans will also be required for buildings of more than 2,000 square metres of gross floor area. This information will be considered by the Planning Authority as part of the approvals process. An energy efficient housing design competition has been initiated by the Department of the Environment, Land and Planning which will raise public awareness of the benefits to be obtained from energy efficient housing designs. Of course, ACTEW has produced an energy efficient house, and various members of the Assembly were photographed in the bathroom recently. The need for energy savings, for both environmental and budgetary reasons, is well known and documented.



We believe that the ACT Government is the only government in Australia which has adopted an omnibus approach to energy management by surveying the energy usage in all government buildings, identifying major projects which will achieve worthwhile payback periods, preparing an overall program for energy management, providing sufficient funding for the work to be undertaken, and delivering real dollar results at the end of the program. I present the following paper:

Energy Management Program - Ministerial statement, 18 February 1993.

I move:

That the Assembly takes note of the paper.

Debate (on motion by **Ms Szuty**) adjourned.

### **POLICING** **Discussion of Matter of Public Importance**

**MR DEPUTY SPEAKER:** Madam Speaker has received letters from Mrs Carnell, me, Mr De Domenico, Mr Humphries, Mr Kaine and Mr Westende proposing that matters of public importance be submitted to the Assembly. In accordance with standing order 79, Madam Speaker has determined that the matter proposed by Mr De Domenico be submitted to the Assembly, namely:

Cuts in ACT policing and the Government's failure to recognise and deal with growing crime rates in the ACT.

**MR DE DOMENICO (3.36):** Mr Deputy Speaker, notwithstanding the hilarity on the other side of the house, the Liberal Opposition's dispute with the Labor Government concerns the rate at which crime levels are increasing while at the same time the Government is reducing police services. Mr Deputy Speaker, we are often attacked for attempting, in the words of members opposite, to beat up crime statistics and policing issues. (*Quorum formed*)

Mr Deputy Speaker, I should start again. Our dispute with the Labor Government concerns the rate at which crime levels are increasing while at the same time the Government is reducing police services. We are often attacked by members opposite for attempting, in their words, to beat up crime statistics and policing issues. I am reminded that quite recently on radio Mr Connolly was heard saying that Neighbourhood Watch meetings were Machiavellian political Liberal apparatchiks getting together for political purposes, as were the people who met last night. It appears to me, Mr Deputy Speaker, that if you seem to disagree with the Attorney-General it happens to be a political meeting. I fail to see how these wonderful people in the community that have been involved in Neighbourhood Watch over a number of years could be called quasi-politicians. It seems that once one disagrees with the Minister it is political.

There is clear evidence that crime rates are increasing much faster than our population growth, and there is also clear evidence that police services are being reduced. One only has to look at the AFP's figures released yesterday in the annual report on policing in the ACT to see that crime rates in Canberra are a serious matter. Let us look at the statistics - not our statistics, but the statistics released yesterday in the report handed out by the Minister. Total crime in Canberra, Mr Deputy Speaker, including all offences, is up by 15 per cent, from 23,165 reported cases to 26,867. Property damage has jumped by 18.3 per cent, from 5,024 reported cases to 5,947. Total burglary and theft is up by 12.4 per cent, from 16,324 cases to 18,360.

Total offences against the person have risen by 43 per cent, from 857 cases to 1,233 in one year. Armed robbery has increased over the year by 47 per cent, and burglary by 13 per cent, from 4,448 reported cases last year to 5,030 cases this financial year. The use of firearms and weapons in criminal activities is up by 36.7 per cent, from 87 cases last year to 119 cases this year. Fraud and misappropriation has increased by a massive 100.2 per cent, up from 422 to 847. Motor vehicle theft is up again by 13.7 per cent. Shop stealing has jumped by 22.3 per cent. Arson is up by 9.1 per cent. Assault, excluding sexual assault, is up by 37.6 per cent. Assault causing grievous bodily harm or actual bodily harm is up by 28 per cent. Sexual assaults are up by an alarming 141 per cent, from 58 reported cases last year to 140 cases this year. Indecent exposure is up by 10.9 per cent, from 73 reported cases to 81.

Mr Deputy Speaker, some of these increases are statistically small and cannot be drawn upon to prove anything by themselves, but they are the exception. Most of these figures are large and are statistically significant. The trend is clearly revealed in the total figures for rises in property damage, offences against the person and total crime in Canberra. That last figure shows a rise of 15 per cent in one year. No other Australian community, Mr Deputy Speaker, is experiencing rises of that kind. We should be the last city to be cutting back on policing, not the first. Mr Deputy Speaker, these figures are very disturbing, even more so when you consider that not all crime is reported. Remember that the ACT's population grew by only 3 per cent over the last year. In other words, crime is rising at five times the rate of our population growth.

In Canberra there are, on average, 50 instances of burglary, fraud or theft every day. That is two cases every hour. How can the Government honestly state that there is nothing for the community to be worried about? We keep hearing all the time, "Don't you worry about that; we have it all under control". Well, the Minister's figures say something different. Mr Connolly claims that the situation is simply that more people are reporting crime. The Liberal Party does not accept such an excuse. The Liberal Party also does not accept the proposition that as Canberra grows larger it will inevitably have big city crime statistics. The fact is that crime rates are increasing in Canberra and police services are being reduced. Labor has always played down the crime problem in the Territory; that is no news. But the Federal Labor Government does realise that there is a problem. Otherwise why would it provide extra funding to the ACT police budget? We heard the question that Mr Connolly answered today about the ACT police budget.

More importantly, the community is realising that there is a problem. There have been quarter-page ads in the *Canberra Times* by the Police Association which Mr Connolly describes as just a political stunt. Community organised rallies have been held outside South Building. Once again Mr Connolly says that that is a political stunt. There have been letters to the editor in the local paper. Once again they are political stunts. Police and citizens have been calling our office saying, "Please, we are concerned". Are these political stunts? As I said before, Mr Deputy Speaker, Mr Connolly had the temerity to suggest that even meetings of groups of people under Neighbourhood Watch umbrellas were political stunts as well. Last night's AFPA meeting at the Tuggeranong Valley Rugby Union Club has been getting a lot of canvassing in this Assembly. About 80 people expressed their concern about being abandoned by the Government on the question of policing.

**Mr Connolly:** How many people live in Tuggeranong? Are there 40,000 people in Tuggeranong, or 60,000?

**MR DE DOMENICO:** In fact, with 80 people, there were about four times as many as Mr Connolly's faction in the ACT Labor Party. How can this Government possibly be attempting cuts to the police services at present? Let us look, Mr Deputy Speaker, at where the Government is making cuts.

The dog squad, which provides support to the region by conducting building searches, drug and explosive detection, rescues and locating people and property, is being cut so that basically it can operate only during the day. That is ridiculous when most of their work is done at night. Let us look at the statistics for the dog squad. In December 1992 they attended 36 incidents, and in January this year 58 incidents. There is an increase in the number of incidents they are attending, yet they are to be cut. Police rescue was mentioned before. They are involved, as we know, in fires, road accidents, rescues, industrial accidents and storm damage. They are being cut as well. There will be no police rostered for weekend or evening work; they will be on stand-by at home. Too bad for the person injured in a motor vehicle smash if the stand-by police rescue officer does not live near the police rescue base.

Rural policing is another area. The rural police help to protect rural properties and forest areas, and they are being cut. It is ridiculous when stock theft has more than doubled from last year to this year. The city beat patrol which is responsible for policing Civic at night has been slashed, leaving a force of only three officers present on the night shift. If you go into Civic, even on a Wednesday night, for example, you find it eerie sometimes with the types of people that you see hanging round. I am not saying that all those people - - -

**Mr Humphries:** Terry Connolly was there the other night.

**MR DE DOMENICO:** He was out there and we know what happened; there was an almighty fight. There was also the threatened closure of Tuggeranong Police Station at night. I note that the Minister accused us of a ferocious beat-up on this issue until his staff rang the station and were told the same thing we were told; namely, that the station would shut down from 11 pm till 7 am the following Thursday. Of course, we know about the Blue Light Discos as well, which provide a safe place for youth to meet and to socialise. They are being threatened

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with cutbacks and closure. Last but not least, Mr Connolly mentioned Kenny Koala. He is being cut back as well. We are told that that is also a political beat-up. Mr Connolly should realise at this time that Kenny Koala is not standing against Mrs Kelly; Mr Stefaniak is.

The report, Mr Deputy Speaker, is a slap in the face for the Labor Party. They have failed in their duty to protect the citizens of Canberra. There is no doubt about that. In contrast, Mr Deputy Speaker, the Liberals do have a positive policy on crime and policing, and we have made positive advances in the past. We introduced move-on powers and we introduced dry area laws. We are attempting to toughen the Bail Bill by allowing bail only in exceptional circumstances to those who have been charged with further offences while out on bail. We are committed to tackling the underlying causes of crime by tackling unemployment. We are committed to producing real and lasting jobs through lifting the tax burden on businesses and allowing business to expand and grow, generating increased employment.

Labor's recession has almost certainly helped to contribute to a high crime rate. There is no doubt about that. If you see any graph you will see that the crime rate goes up with the level of unemployment, and we all know who was responsible for the unemployment level in this country. It was the Federal Labor Government under the Grim Reaper, Mr Keating; not us, but Mr Keating. My colleague Mrs Carnell will comment further on the effect that crime has on women. There is no doubt that it does have an effect on them. Mr Deputy Speaker, Labor's policy on crime rates stands in stark contrast. They opposed move-on powers; they opposed dry area legislation; they have done nothing to step up the fight against armed robbery. They dragged their feet on the opening of the psychiatric wing at the Belconnen Remand Centre. They stripped \$1.2m from the police budget in 1991-92 and are stripping a further \$1m from the police budget this year.

Finally, Mr Deputy Speaker, let us examine whether this Government, which now makes a virtue of cutting back the police, really has a mandate to undertake this. At the last election the Chief Minister promised more police on the streets. That promise obviously has not been honoured. People expected more police and better resources from this Government because that is what they were promised. Precisely the opposite is happening. The people of Canberra have been taken in, hook, line and sinker. Mr Deputy Speaker, I also suggest that with all this increase, especially in the areas of theft, burglary, fraud and car theft, the whole of the community suffers.

**Ms Follett:** Not to mention furphies.

**MR DE DOMENICO:** No, they are not furphies. They are your own figures, Ms Follett. If you do not want to stand up to those figures, be that on your head. The fact is that everybody in the community pays for any increase in the crime rate. I have been told today of the increase in insurance industry claims for burglary, theft and the like. That means possible future increases in premiums. So it is the whole of the community that pays. Why is the whole of the community paying? Because this Government, for a start, will not even concede that there is a problem. The figures that we were given by Mr Connolly yesterday in this report show that there is a problem. We say that there is a problem, and it is about time that this Government did something about it.

**MR CONNOLLY** (Attorney-General, Minister for Housing and Community Services and Minister for Urban Services) (3.48): Mr Deputy Speaker, this debate is in very many ways a complete rehash of a debate that we had on 25 November 1992 because the figures which Mr De Domenico was getting himself worked up about are the figures that appeared in the AFP's annual report, in the chapter on ACT community policing, and they were debated extensively in this chamber on that day. All we did yesterday was take them from the AFP national report and table them in this place, as it is appropriate that those figures get tabled in this Assembly every year. The points that I made then are very much the points that I would make again today.

Firstly, it is quite incorrect to say that this Government says that crime is not a problem. This Government does say that we, like every city in Australia, like every State in Australia, have to deal with the issue of crime within our community. It is a clear Labor Government priority to have Canberra continue to be a safe place; a place where Canberra women, men and children can go about their business without fear of being attacked or set upon or assaulted. As a result we bring through a range of initiatives. Only yesterday we brought through an initiative which strengthens the ability of the police and prosecutors to bring sexual assault matters into the courts - an initiative which, it should be noted, was opposed in substantial measure by the Liberal Party. We introduced, just before Christmas, a new offence in relation to fighting in a public place in order to strengthen the arm of the police in dealing with what was then seen to be a spate of problems in relation to Civic. That hysteria about violence in Civic, which was getting everybody agitated just before Christmas, was responded to by way of a special upping of police numbers in Civic. That seemed to get on top of the problem and those police numbers, as we always said, were scaled back.

There is one fundamental problem that the Liberal Party have in trying to capitalise on this issue. I would have been very interested to know what they said last night when they were out seeking the votes of the 80 people who attended this massively publicised meeting. It was mentioned in every paper. We had the AFP Association running quarter-page ads; we had it editorialised everywhere. The fact that 80 people attended, out of 60,000 in the Tuggeranong Valley, indicates the extent to which people regard this as a political stunt.

The problem for the Liberal Party is that they will say, "Shock, horror; crime is on the rise and you are cutting back on the police". "Stripping the budget", I think, was the phrase that slipped off Mr De Domenico's tongue. But what does their leader say about the police budget? What does Mr Kaine say about the police budget? Mr Kaine says that you have to treat the police budget like any other budget. Mr Kaine, when he was Chief Minister, when he was actually running the show, or purporting to run the show, when speaking of the 1991 police budget, the budget we brought down, said:

The police force will be like any other element of the community and if we have to make cuts they will have to bear their share.

That is what Mr Kaine said in August 1990. On 25 November, last year, when we were debating this very same set of figures, Mr Kaine said, as recorded at page 3450 of *Hansard*:

In times of recession the budget for policing must be reduced along with all other budgets  
...

When the ACT budget faces difficulties, as we know it does, as this Government is achieving savings across the board, what does the Liberal Party say we should do about the police budget? I quote: "The budget for policing must be reduced along with all other budgets". What we have done with the police budget is achieve the 2 per cent savings that were required of all budgets.

Mr Deputy Speaker, for all the froth and bubble, for all the hysteria, for all the posturing and parading in front of public meetings, for all the whipping people into a frenzy and getting them to ring my office with tales of gloom and doom, the fact remains that the leader of the Liberal Party says, and says again, that the police budget needs to be treated like any other budget. I must, as I have done before, give Trevor Kaine credit for being honest and credible and consistent on this. It would be easy for Mr Kaine as leader of the Liberal Party to take the same sort of cheap and opportunistic political stance that some of his lesser Liberals have adopted and run around and promise that the Liberals would increase the police budget. When I made my comments in question time today he nodded his head vigorously; that is, that he expects budget savings to be achieved. The leader of the Liberal Party maintains the consistent line that the police budget should be treated like any other budget.

That really means that members of the community who are being whipped into a frenzy by the Liberal Party are being deceived, because the Liberal Party has made its position clear repeatedly at the level of the Liberal leader; that is, that the strategy that the Government is adopting of requiring the police to live within a budget cut that is the same as the budget cut of other agencies - - -

**Mr Humphries:** That was not what he said, no.

**MR CONNOLLY:** I will say it again. These words are etched on my heart, Mr Humphries. What Mr Kaine said is that the budget for policing must be reduced along with all other budgets, consistent with what this Government is doing. Madam Speaker, is that a responsible or irresponsible thing to do? Just because the Leader of the Opposition says that we should do it obviously does not mean that the Government thinks it is appropriate. In fact, in most cases it would be cause for the Government to think that there was something wrong with our strategy. Is it responsible for us to be looking at the 2 per cent savings in the ACT police budget? What do we spend on policing? We spend \$53m on policing in this community. That is this year's budget allocation. That will be reduced next year by 2 per cent. We may also achieve a transfer of that burden because some of it may go to the Commonwealth, along the lines I referred to today.

How does that compare with police expenditure in other States? The document that I rely on and that members or anyone interested in researching this issue would rely on is, of course, the latest update of the Commonwealth Grants Commission - this is last year's update - which shows at page 261 that the national per capita expenditure on policing is \$124 per head. At page 374 the ACT expenditure on policing is shown as \$169 per head. That figure is about the same; if anything, it has gone up a little when you divide the community of the ACT into \$53m. So \$124 is the national average; the figure is \$169 in the ACT. Other States clearly do not compare. We spend a third more for every man, woman and child on policing in this Territory than any other part of Australia.

Is it responsible to look for savings in the police budget? Perhaps if we were spending less than we should on policing, it would be irresponsible. Look at Tasmania. They spend \$118 per head on policing. Perhaps if the Tasmanian Government were saying, "We have to look for savings in the police budget as with all other areas of government expenditure", it would be possible for an opposition to say, "Look, we are a State which is not spending enough on policing. You cannot look for cuts in that area. It has to be quarantined". But we are the jurisdiction which has the most dramatic expenditure on policing, higher than any State. We are exceeded by the Northern Territory, but they have peculiar problems of distance, scattered population and diverse major centres, and a particularly massive violent crime rate.

What about the numbers of police? Do we have enough police? Are we being short-changed on the number of police out there protecting the community? We had some rhetoric from Mr De Domenico. The Government's strategy about putting more police on the street was essentially about getting police out of the vehicles and the patrol cars and back on beat policing duties, and we are seeing more police on foot patrols around the city and around the suburbs. Our community policing caravan has been on point duty at various small suburban shopping centres. Our strategy is to get the police back on the street, back closer to the people.

Are we short-changing the community on numbers of police? I went through these figures the other day, but they bear going through again. Canberra, with a population of just under 300,000, has 699 as our police complement. Some of those are police support, but that is the same position in other States when you have a look at police complements. The Gold Coast, with a population of 273,000, has 427 police. It has a slightly lower population than ours, but that is its base population. There is always a very high tourist complement there. It is a notorious area for problems with certain types of crime, particularly narcotics crime. There are 427 police protecting a community of 273,000; we have 700 police protecting our community of 300,000.

We look at the Illawarra district with a total population of some 360,000 people. There are 465 police protecting that community. We look at the Newcastle district with a population of 313,000. There are 442 police protecting that community. So on any test this Government is providing this community with a very high level, a generous level, of expenditure per citizen on police. We are not short-changing our police force. We are providing for our police force at a greater rate than any State in Australia. We have more police serving this community than you would find in any equivalent-sized community in Australia. This community is well and safely policed. Mr Dawson repeatedly reminds the community of that. At his press conference the other day Mr Dawson made points very similar to the points that I make, but perhaps as Chief Police Officer he may be more believable to members opposite than I am in reassuring the community that Canberra is, and remains, a safe community.

As I explained to Mr Kaine, the recent changes to police rostering and duty arrangements were made to ensure that we bring that projected overspend around and come in on budget. Mr Kaine nodded vigorously - in fact, he interjected and said, "Yes" - when I said that I assumed that that was what he would expect a responsible government to do, to look at expenditure, to bring it in on budget. As Mr Dawson said the other day, even with those cuts this community remains safe and there has been no noticeable change in crime or criminality.

**Mr Humphries:** What? What do these figures talk about?

**MR CONNOLLY:** We are talking, Mr Humphries, of the changes to police rostering arrangements in the last few weeks. They have not resulted in any change in Mr Dawson's views on the other Friday. In relation to the rhetoric of "crime is rampant in Canberra", I went through all of this last year, but I will just pick two figures to show how it can be misleading. Mr De Domenico, to his credit, did say that when you are citing statistics you always have to be careful, because they can say what you want them to say.

Clearly, the most dramatic increase is that in relation to sexual assault. There has been a 140 per cent increase. It is a matter of real concern, obviously. However, can I ask members to look back at the previous year's annual report because that will show trends. What in fact happened was that we had 140 offences reported in this year's annual report, and 58 offences the year before. So it is a 140 per cent increase. That is startling and staggering and a matter for concern. The year before it was 123. So we have fluctuations. We do not have a pattern of rapid escalation; we have fluctuations. We have 123 one year, down to 58 the next year, and up to 140 the next year. What that really shows is an increase of 17 over two years, which is around 10 per cent. That is still a worry, although I would say that the rate of reported sexual assault will continue to increase, and it must, because sexual assault is not reported often enough.

We know, in relation to incest in particular, that it is not widely reported. We know that many women have concerns about the way the criminal justice system addresses sexual assaults. We will implement some of the reforms that I am confident will come out of our Community Law Reform Committee's reference on the way we prosecute sexual assault. It is the only time that issue has been looked at by a law reform committee in Australia, and we are the only government that has looked at this issue of how the criminal justice system, in its procedural aspect, protects women. I would expect that reports of sexual assault will increase because women will be more confident that the system is able to protect them. So that is something that we should not shy away from.

As I have always said, the really viable set of figures to look at if you are worried about crime and criminality in a community is the trend series published by the Institute of Criminology. They show the rate of crimes per 100,000 of population. They consistently show that the ACT has the lowest or the second-lowest rate of crime or criminality in Australia. In some matters Tasmania is safer than we are, particularly in motor vehicle theft, which may have something to do with the difficulty of getting hot motor vehicles out of Tasmania. But generally we are either the safest, or the safest but Tasmania, jurisdiction in Australia, and that is not changing.

It is easy to whip up some hysteria. While I am not saying, "Everything is fine. We do not have to worry"; we are addressing strategies for crime prevention. Our crime prevention strategy for the ACT which we will further develop - although I think we will probably wait until after the election to bring it forward because otherwise cynical Liberal politicians will try to undermine it - is the way of the future. It is the way of ensuring that Canberra remains as we like it - a safe community - but we are a community in the last decade of the twentieth century in Australia and the sort of steady increase in crime that we see throughout



Australia and throughout the Western world does, unfortunately, rub off on this community. We do not dismiss that; we do not get hysterical about it; and we do not try to pretend that we are going to put more money back into the police budget when our leader says that we have not. Opposition members need to be very careful about that because Mr Kaine consistently says, "You treat the police budget the same way as you treat other budgets; if you are achieving across-the-board savings in government, the police cannot expect to be exempt".

**MR STEVENSON (4.02):** Perhaps the simple question in looking at the police force and whether or not it is adequately funded is whether or not it is safe to live in Canberra - whether or not crime is increasing. As Mr De Domenico presented the details - I do not need to go into them again - crime is increasing in Canberra. A suggestion that more crime is being reported is not necessarily valid. There are also studies that show that, as particular offences become more prevalent, fewer people report crime in those offences, for a couple of reasons. Basically they feel that it may not do any good; there are too many of those offences about. If we look at the basic role of government as being one to protect the life, liberty and property of citizens, from that viewpoint policing or security would be a priority above the vast majority of other things. That is a reasonable viewpoint. People in Canberra are overwhelmingly supportive of police and of not having police budget cuts. In a survey we took, 81 per cent did not agree with the police budget cuts; I believe that some 12 per cent did.

I certainly understand Mr Connolly's statements about the number of police per head of population, but the key question we must look at is: What is the crime situation? Are there problems? There are problems. If there are problems it must be handled. This has been going on since the advent of self-government, and I am not saying that crime has been increasing because of that.

**Mr Connolly:** It has been going on since 1900, Dennis.

**MR STEVENSON:** The stats have been increasing more rapidly in the last three years in the case of a lot of these offences. As I said, I am not indicating that self-government is the reason. I would like to, but that is not correct. We cannot say that. But there are some grave concerns around Canberra. In Garema Place at this very time business operators are considering employing private security. What sort of a situation is it where, in the heart of the city in Canberra, we have local shopkeepers so concerned about a lack of policing, or so concerned about the level of crime, or so concerned about the safety of their customers and also of themselves and their staff that some, of an evening, will not walk up to their vehicles by themselves? There is no doubt that we have a problem.

With increasing crime, one could raise a very good argument that the budget for police should be increased. I am as concerned as anybody about spending taxpayers' money, but if there is one area where they really want it spent it is on their security. They do not agree with budget cuts and they have not been consulted in these areas. I know that the cuts are not large; however they are having an impact. As New South Wales police officers we always looked to the ACT and we considered it to have the finest police force in Australia. One of the reasons, of course, is that it is well funded, but are the people of Canberra to expect anything less? When I talk about self-government, is this one of the consequences of having self-government? Will the police no longer be funded as was the case prior to that when the Federal Government accepted its constitutional responsibility for looking after health, education, and law and order in the Capital Territory?

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**MR HUMPHRIES** (4.06): I want to address some of the furphies which we have seen put up particularly by Mr Connolly in this debate so far.

**Mr Connolly:** A fine parliamentary word, Mr Humphries.

**MR HUMPHRIES:** It is a fine word and it suits very well a lot of the things that have been said by the Minister in the course of this debate. I will take them one at a time. I have identified at least six and I am sure that there are many others that my colleagues will identify as well in the course of what they have to say. First of all, there is this favourite argument of Mr Connolly's, frequently quoted both here and outside this place, that the relative overstaffing of the police force compared with other States, the relatively large amount of money we spend per capita on our police, justifies the present round of cuts.

I believe that there are major problems with that approach. First of all, the cuts that you make in response to a particular situation have to be intelligent; they have to be carefully targeted; they have to be carefully planned. They cannot be just like a person saying, "I weigh too much so I will cut off my leg". That, I would submit, is exactly what this Government has been doing. The cuts have been most demonstrably at the pointy end, so to speak, of our police budget. They have been in areas of extremely high profile. I really wonder how much control the Minister has had over the management of that budget. I wonder how much the police have told him, "Here is where we are cutting, Minister", and how much he himself has been able to say, "I want these areas, or these areas, or these areas, cut".

The second answer to that furphy is that timing is vitally important. When Mr Kaine made the comment that the police must not be exempt from the same budget constraints as other parts of the ACT's expenditure, crime was not rising at five times the rate of population growth this Territory is currently experiencing. We were not in the level of crisis.

**Mr Connolly:** We were.

**MR HUMPHRIES:** We were not, Mr Connolly. The fact of life is that the comments that he made, the ones that you are continually quoting, were made in a very different environment. I might also point out that we have to take account of the circumstances in which these cuts are made, lest we exacerbate the problem. Even Mr Berry, our illustrious Minister for Health, would not go cutting back hospital funding during a cholera epidemic or while the Territory was racked by bubonic plague or in the aftermath of a major earthquake, and that, I would submit, is exactly what is happening here. We have crime rising at five times the rate of our population growth. You accuse us of being hysterical about that but it is pretty serious. Why should the ACT's assault rate climb by nearly 38 per cent in the course of 12 months?

**Mr Connolly:** But, you see, you look at just one year's figures. Assault causing grievous bodily harm declined.

**MR HUMPHRIES:** They are one year's figures for one category. Let us look at another set of figures: Burglary of dwellings is up by more than 20 per cent in one year. The population rose by only 3 per cent in that one year; why should there be such a large rise? Shop stealing is up by 22.3 per cent. What is the explanation for that? This is a crisis, Mr Connolly. If you are not prepared to admit it, you obviously are choosing to ignore the facts staring you in the face.

The third point about relative staffing levels and the need to cut has to be made in conjunction with the observation that you need to compare like with like. Mr Connolly quoted at length the number of people who live in the Newcastle area and the Wollongong area and the Gold Coast area of Australia and compared the number of police that serve those areas and said that we have many more police in our area of equivalent population size and therefore we have too many. He did not mention that places like Newcastle, for example, do not have a forensic laboratory. Places like Wollongong do not have police training facilities. Places like the Gold Coast do not have special operations teams. None of those areas have bomb squads or dog squads or drug squads because those are State-wide responsibilities. Those things come from Sydney or Brisbane when they are needed. We do not have that luxury in the ACT. We have to supply our own because we are a separate jurisdiction. The comparisons Mr Connolly has made are stupid - in fact, rather less than I would have expected from him. For the same reason the per capita comparisons that he has made simply do not stack up.

The other really big furphy is that crime rates are not rising really; reporting is rising. Mr Connolly has supported that assertion by referring again and again to sexual assault and saying that the 141 per cent rise in sexual assault is attributable to the fact that people are reporting it more than they were in the past, for various reasons. He is absolutely right. That is a very good reason why we should see a rise in the reporting of sexual assault and a rise in its incidence. But it begs the question: What particular reason was there that people were not in the past reporting these other crimes and are now suddenly coming out of the closet to report them? Were people worried about reporting armed robbery because they would not have had a sympathetic ear from the police? Were they worried about fraud misappropriation because they might be victimised and ostracised in society? Why were people not prepared to report burglary in the past? Why were people not prepared to report motor vehicle theft in the past?

**Mr De Domenico:** Or arson.

**MR HUMPHRIES:** Or arson, or indecent exposure? It is the most ridiculous argument. The exception is sexual offences, and the citing of that exception proves the case. The fact of life is that these crimes really are rising. In fact, if anything the recent events would make one believe that the reporting of crime would start to decline in this community. When police do not go to the scenes of crimes perhaps for two days after the person reports, say, a break-in or a minor theft, as indeed they now do due to these cuts, then we could expect to see a decline in reporting rates. So in the circumstances it is a pretty serious outcome.

The next furphy is that Canberra is not as bad as Sydney or Melbourne. Madam Speaker, that assertion is an admission of failure on the part of this Government. Of course, we are not as bad as Sydney or Melbourne, nor should we ever be. The comparison between Sydney's or Melbourne's crime rates and Canberra's is utterly insulting. The fact of life is, however, that in some categories of crime at the present rates we will approach Sydney or Melbourne with great speed. The NRMA said not very long ago that if the rate of house burglary continues at its present level in the ACT we will soon be comparable with Sydney and Melbourne, because rates in Sydney and Newcastle are presently falling.

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They are not falling in the ACT, unfortunately; there has been a 20 per cent rise in the last 12 months. What is the next comparison the Minister is going to make? Canberra has lower crime rates than New York; Canberra has less crime than east Los Angeles? That is how stupid it gets.

The next furphy is that critics are running an hysterical campaign against this Government. It is a real sign of paranoia that all one's critics get branded as Liberal Party stooges. There is no thought that crosses this very absolutist Minister's mind that perhaps the police who are bringing these matters to the attention of the public and others in the Government and the Opposition are doing it because they are genuinely concerned about their capacity to deal safely with the citizens of this city. They might actually be worried that they cannot do their job. If Mr Connolly came to some of the public meetings, if he bothered to meet with the Australian Federal Police Association as he has declined to do, I understand, to date - - -

**Mr Connolly:** No, that is wrong.

**MR HUMPHRIES:** They certainly cannot meet with the Chief Minister and they have tried to do that. Then you would certainly find that he might run a very different line, that he might stop calling the critics of the Government "hysterical alarmists" and start to realise that they are basing their concerns on real figures and real concerns. I have to ask the question: If people are getting hysterical about crime rates, when are they entitled to be hysterical if not with a five times increase? I know what you are going to say, Mr Berry. You will say that when there is a Liberal government in power they are entitled to get hysterical. Crime is rising at five times the rate of population growth. When are they entitled to get hysterical, Mr Connolly? When it is 10 times the rate of population growth, 15 per cent, 20 per cent, when? We do not know.

The next furphy is that recent cuts have not caused any loss of amenity. The fact of life is that Mr Connolly is making a very brave statement. Those cuts have been in place for a few weeks and police are warning that it is only a matter of time before something serious happens which is directly related to the cuts. I suppose Mr Connolly will then say, "The police engineered that to happen". That is the sort of thing that is coming out of this Minister. I have never seen a government - and particularly a Minister - with worse relations with the ACT police force than I have seen under this Minister here. I have to say that I have never seen an ACT government in a worse relationship with the police than I have seen with this Government here. I do not have time for the next furphy; you will have to believe me that it is a furphy. Madam Speaker, we have big problems in this Territory. It gives us no joy to point these things out, but if the Minister and his Government do not pay attention we are all in deep trouble.

**MR MOORE (4.17):** Madam Speaker, I rise on this quite serious matter of public importance to take a slightly different angle. We have heard the Liberals explaining the terrible situation in the ACT and how very shortly everybody is going to be robbed or murdered. We hear it in their election campaign as well. We have heard the Government say in response, "No, everything is okay". The irony that I find is that the person who has the power to do something about it is Gary Humphries. He is the chair of a committee of this Assembly. Should Gary Humphries wish, he could call a meeting of his committee - that is probably not that difficult, if he can remember how to do it - and put to it the possibility of conducting an inquiry into police funding. That would be a perfectly logical thing to do; but he does not want to do that.

Madam Speaker, we have to decide why it is. We know that Gary Humphries, as chair of that committee, has had two meetings so far. That is my understanding. The first one was to elect the chair of the committee and the second one was to determine that the terms of reference that this Assembly had given them were inadequate. He brought that recommendation back to the Assembly and we accepted that. They are the two meetings he has had. For this, as chair of the committee, if my memory serves me aright, Gary Humphries picks up some \$2,000-odd. Indeed, each chair of a committee picks up that remuneration. In Mr Humphries's case that works out at about \$1,000 a meeting, which is not bad remuneration for somebody who can then come into this Assembly and say what a terrible - - -

**Mr Connolly:** Better than a queen's counsel rate.

**MR MOORE:** Better than a queen's counsel rate. That is a good interjection. He can then come into this Assembly and say, "Look, we have terrible problems with the police force and somebody should do something about it. We should do something about it. Somebody has to be able to do something about it. The Minister could do something about it". It is true that the Minister could do something about it and he probably will. But Mr Humphries says that the Liberals are really worried. I would not suggest for one minute that they should stop worrying. While harassing the Minister to try to solve the problems they are talking about they have it within their power to do something proactive. But the Liberals do not know how to do anything proactive, particularly Gary Humphries. All he has to do is call his committee together - he and Mr Lamont - and start an inquiry. That is not a difficult task, I would think. It is not a difficult task to organise the diaries and fit that in.

Having called the committee together and with the committee secretary there, he could then propose to his committee that it carry out an inquiry into police funding. You could have a series of public inquiries. You could even call Mr Stefaniak in and give him a little bit more media coverage. It may have some political advantage. Bring Mr Stefaniak in. Let him explain. Bring in the Australian Federal Police Association. Let them put on the table what their problems are. Give them a full - - -

**Mr Humphries:** And delay debate in this chamber for three months while the inquiry is going on.

**MR MOORE:** You do not have to delay the debate in the chamber. Your colleagues can continue the debate. If you wish to continue the debate you can, as chair of your committee and with your committee's agreement, hold public hearing after public hearing in committee room No. 1. If you are really worried about whether or not it stays on the agenda you can ask the Minister to come along and explain his position, and not just ask questions in question time. Minister, would you come along if you were asked by a committee?

**Mr Connolly:** Absolutely.

**MR MOORE:** Indeed. Under those circumstances you could ask him question after question. Mr Humphries has this totally within his power. The irony is that he does not want to take that on because he is afraid that he might find out that the police in the ACT are overfunded. He might not. He might find out something else. He is afraid that he might find that out. He is afraid that the

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statistics that were presented by this Minister about Newcastle and Wollongong in comparison with the ACT may have some reality. He may discover that in fact we have a duplication of rescue services, as I have argued in this house again and again over the last three years. He might decide that he is given no choice but to make a recommendation that goes against what he can do by thumping around and making noise, by trying to resolve the problems by a totally negative approach.

It is ironic that his leader, Mr Kaine, has said time and time again, very sensibly - I agree with this; it is very sensible - that we should have a much more committee orientated Assembly. We should be trying to work together for the sake of the community. We should be trying to take a positive approach to doing something. Well, Mr Humphries, you have the opportunity. You have the power. You have the way. You have the wherewithal to follow your leader's guidelines in terms of committees. If you do not like it you can always change leaders.

**Mr De Domenico:** We will just wait until the next election when you are not here and then take some action about it. How about that?

**MR MOORE:** Mr De Domenico interjects that they will wait until the next election when I am not here and then take some action. It may well be that I am not here after the next election, Mr De Domenico, but I doubt that there will ever be any action coming from you on anything. When I say "you" I mean the plural. The situation is that Mr Humphries has the opportunity to do something and it is time that he stopped gasbagging.

**Mr De Domenico:** You put him in as the Minister, Mr Moore, and he will do something about it. How about that for a deal?

**Mr Humphries:** That is a promise.

**Mr De Domenico:** We will do something about it if you - - -

**Mr Humphries:** Support a motion of no confidence in the Government.

**Mr De Domenico:** That is right. Let us put a motion of no confidence. We will do something about it.

**Mr Lamont:** Mr Moore, they would probably close the police stations like he wanted to close the schools.

**MADAM SPEAKER:** Order, please!

**MR MOORE:** Thank you for your protection, Madam Speaker.

**Mr De Domenico:** That is an interesting comment, Mr Lamont, which you will rue one day, I tell you.

**MADAM SPEAKER:** Order!

**MR MOORE:** Madam Speaker, we have had a series of offers and interjections that I support a change of government. If ever I am given the choice about the lesser of two evils, Madam Speaker, no real choice is left. No, Mr De Domenico, I will not give you the opportunity of becoming Chief Minister shortly.

Madam Speaker, I think that there are some serious issues raised by Mr De Domenico's matter of public importance, but I think that narrowing cuts in ACT finances to ACT policing only is a very narrow view to take of this situation. Before we look solely at cuts in policing, it would be very sensible for us to look at cuts in health, in education, and in things that are, in my opinion, of far greater importance than policing. I do not resile from the fact that policing is important but I suggest that the appropriate approach is the one suggested by Mr Kaine, and that is that all aspects of the budget should be equally open to cutting at budget-cutting time. It has always been my contention that when we look at our future we must also take into account the importance of the education of our children as something separate from that sort of notion. Therefore it is my contention that, whilst we may make cuts across the budget in most areas, we ought not do it in education.

**MR BERRY** (Minister for Health, Minister for Industrial Relations and Minister for Sport) (4.26): There are one or two things which were raised by Mr Humphries that I would like to address as they were inaccurate. Mr Humphries talked about services that are available in the Australian Federal Police but are not available in places like Wollongong and Newcastle, and I think he mentioned forensic services. The Australian Federal Police contract forensic services for the ACT from places as far away as Victoria, I am informed.

**Mr Humphries:** That is right; that is the point I am making. But they are here in the ACT, are they not?

**Mr Connolly:** No, they are not. Weston is not part of the 700. Weston is national.

**MADAM SPEAKER:** Order! Mr Berry has the floor.

**MR BERRY:** You had better get your facts straight before you come in and talk about these matters. Another thing that we have to address here is how the funding for the ACT has grown. I refer to the Australian Capital Territory 1988-89 budget, when police funding was \$34,644,000. It is now \$53m. There has been an explosion in police funding and that is the crux of the issue. What we have in front of us is an industrial political issue. There have been attempts by management to cope with an overspend and an industrial reaction to which politicians have attached themselves. That is the reality of it all.

There is no doubt that a policeman's job is a tough one. Police men and women work under some pretty arduous conditions and it is not a job that I would relish. Neither would many members of this Assembly. But they do have to perform in the real world and there are industrial circumstances which their union will deal with from time to time. It is not a union that has distanced itself from being involved in politics in the past, as we would all appreciate - usually on the conservative side of politics, and that is fair enough. What this is all about has to be identified clearly. This is all about management trying to manage an overspend, and an industrial reaction from an industrial organisation, from a union. Having reacted, a line-up of politicians have been attempting to be involved in it.

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One would expect that there would be a reaction from local politicians, a couple of headlines and so on. What has seemed to create a great deal more fervour is the mere coincidence of the Federal election campaign with Mr Stefaniak running. He has no qualities at all politically, except for his supporters within the police area who might be able to engender a bit of media interest in the issues around this funding matter. Then the local politicians got involved in the hysteria. One of the most disgraceful episodes was this report in the *Community Times*. I will hold up a bigger version so that people can see it. It says, "No Go Area - Terror Stalks Civic After Dark". There is a very unkind picture of Mrs Carnell there.

Debate interrupted.

### ADJOURNMENT

**MADAM SPEAKER:** Order! It being 4.30 pm, I propose the question:

That the Assembly do now adjourn.

**Ms Follett:** I require the question to be put forthwith without debate.

Question resolved in the negative.

### POLICING

#### Discussion of Matter of Public Importance

Debate resumed.

**MR BERRY:** There we have this hysterical headline, "No Go Area - Terror Stalks Civic After Dark", and an unkind picture of Kate Carnell.

**Mr Humphries:** Mrs Carnell wrote the headline, yes!

**MR BERRY:** Well, certainly she was behind it. My reaction to that is: Keep Mrs Carnell off the streets, and we would have no more trouble. Madam Speaker, we have seen a reaction from the police management. The acting assistant commissioner made it very clear in his report to me whilst Acting Minister. I quote:

Public figures and the Australian Federal Police Association have allegedly made statements not based on fact.

He goes on to say:

Inaccurate statements made by public figures -

referring to our politicians who have hitched their wagon to this -  
have the potential to cause unnecessary alarm and unwarranted fear of crime amongst groups such as the elderly and women.



He was specifically referring, I submit, to the comments made by Mrs Carnell. He went on to say later on in his report to me:

Crime statistics record that, proportionally, young males are the group most likely to be victims of violent crime.

So Mrs Carnell was out there whipping up hysteria amongst women, old and young, and this is the sort of reaction that we get from the media to those sorts of claims. Madam Speaker, this is clearly a matter of a bunch of greedy politicians trying to whip up mass hysteria over a matter which really does not exist. I would accept that the assistant commissioner and the high ranking police officers would know more about policing in the Territory than any of you lot, and I think you would accept that too. Would you accept that? I think they would accept that. Those officers say:

Inaccurate statements made by public figures have the potential to cause unnecessary alarm and unwarranted fear of crime amongst groups such as the elderly and women.

You must accept that they know what they are talking about. That is what Acting Assistant Commissioner Stoll said. Unfortunately there are elements within the community and the association who have another agenda and are more concerned about heightening feelings of uncertainty in the community, even to high hysteria, which I do not think is in the interests of the police or the people who are served, because it does not accord with reality.

There are the chief police officer's comments about all of this stuff. He goes on to say that since the reduction of service three weeks ago there has been nothing untoward occur as a consequence of that decision. In fact in the past three weeks the police and community have coped with the reductions quite well. That is what the assistant commissioner said. When asked the question, "The AFPA is saying you are not coping. Why are you at odds with the people?", the assistant commissioner said that one wonders at their motives. The facts are that they are coping and the advice from all officers is that the safety of the people in Canberra has not changed. So there you go, Madam Speaker. That is the truth of the matter. The assistant commissioner, the chief police officer, makes it very clear that there is no problem in the ACT. He is the person who says that public safety has not changed. Public safety has not changed, yet the Liberals say that it has. I believe the chief police officer, and I think most of the people of the ACT would.

The guilty parties in all of this are the Liberals opposite and some of Dennis Stevenson's mates, too, because they got on the political band wagon, trying to pinch a few votes off the Liberals on police issues with their stunt over here outside the North Building, which failed. The guilty parties are the people who have tried to milk political mileage out of this issue by creating unnecessary hysteria and fear out there in the community - fear in the community which they hope will last through the election. Fortunately the Canberra community are far

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too smart to cop that sort of stunt. They will not be sucked in by those sorts of tactics. You will not get away with that sort of stuff because the people out there know that the ACT police are working, very clearly, in the interests of the community. Mr Humphries also screeched about the rescue matter.

**Mr Humphries:** The rescue squad, I think, is their proper title.

**MR BERRY:** The rescue squad. The chief police officer has made it very clear that there will be no person at risk as a result of his decision. That is the chief police officer who knows all about police in the Territory, not the Liberal Party. I believe him.

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

**LAND (PLANNING AND ENVIRONMENT) (AMENDMENT)  
BILL (NO. 2) 1992**

Debate resumed from 15 December 1992, on motion by **Mr Wood:**

That this Bill be agreed to in principle.

**MR KAINE** (Leader of the Opposition) (4.36): When the new land Bill was introduced it included a number of provisions which were thought necessary to protect the public interest. One of those was a provision that, where the Government made decisions about leases, the facts of those decisions were to be announced publicly and the information disseminated. Since that Bill was largely drafted by the Alliance Government, it was something with which we agreed. The Minister has come to us now and said that complying with an aspect of this requirement of informing the public and the Assembly of what is going on has created a situation that he finds difficult to cope with. In fact, he says:

The tabling of the leases has proved to be administratively onerous.

If it were simply a matter of this requirement becoming administratively onerous, I would have to disagree with the Minister that we should be adopting this Bill. It is not a reason for doing away with provisions of the law that are in the public interest. In this case, however, the Opposition has no difficulty with what the Minister is proposing. He has noted, and I also noted some time ago, that the new land Act was a benchmark and that it would constantly change, that it would be constantly reviewed and various changes would occur.

The Government in this case has reviewed this matter and has decided that, in their opinion, there is an easier way to deal with this matter, and the Minister is proposing now that this easier way be put into effect. I do not disagree with that. This requirement of tabling leases in the Assembly so that we can all know what the leases are and who agreed to them and what the conditions are, while useful information, does generate a lot of paperwork. The Minister tells us that he can introduce a simpler system that will suffice. I am prepared to accept the Minister's opinion on this matter, although I note that the Opposition will be observing the way in which this new provision works, to make sure that nobody is disadvantaged in the long term and that information is readily available.

I have one reservation about it. It is all very well to say, "We will provide the Assembly with certain information". In a sense, that makes it publicly known that the information is there if somebody wants to go and get it. The Minister has not told us what will happen if a private citizen fronts up to the John Overall Offices and says, "I want to have a look at this lease". Is it going to be made available to him freely or is he going to have to pay to get access to the document so that he can find out what is going on? However, that is merely a mental reservation that I have.

I accept the Minister's good intent in putting this amendment forward. The Opposition will agree to it, but we will be observing it over the next year or so to make sure that nobody is disadvantaged and that the thing is still functioning in the public interest. We will support the Bill, Madam Speaker.

**MR WOOD** (Minister for Education and Training, Minister for the Arts and Minister for the Environment, Land and Planning) (4.40), in reply: I note what Mr Kaine says. I thank him for his comments. I expect that this is the sort of information that is generally available and does not have to be accessed through freedom of information processes. The Act we are amending has a great number of provisions where material is made available. I will ensure for Mr Kaine that, should someone in the public also seek this information, they can come to us or it will be available across the counter within the department. I make the comment, following a comment from Ms Szuty, that people will now get a list of the leases. If a member or other person wants to see a lease, they will also get it. The commitment also extends to any agreement collateral to the lease. Any attachment to the lease will also be available. I will give that commitment. I thank members for their support. I am sure that this will be a workable system and that we will appreciate it.

Question resolved in the affirmative.

Bill agreed to in principle.

### **Detail Stage**

Bill, by leave, take as a whole

**MR WOOD** (Minister for Education and Training, Minister for the Arts and Minister for the Environment, Land and Planning) (4.42): I move:

Page 1, clause 2, line 6, omit the clause, substitute the following clause:

#### **Commencement**

"2. This Act commences on the day on which it is notified in the *Gazette*."

The amendment relates to the commencement date. The Bill was thought to be going through last year.

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**Mr Kaine:** The original one has gone.

**MR WOOD:** Yes. It was thought to be going through last year, so we have had to revise that. I present the supplementary explanatory memorandum.

Amendment agreed to.

Bill, as a whole, as amended, agreed to.

Bill, as amended, agreed to.

### **UNIT TITLES (AMENDMENT) BILL 1992**

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

That this Bill be agreed to in principle.

**MR KAINE** (Leader of the Opposition) (4.44): Again the Opposition has no difficulty with what the Minister is attempting to achieve. I note that the Minister has brought forward some amendments to his original Bill. I believe that they resulted from a discussion I had with him after the original Bill was tabled. I had some reservations in only one respect. Where there is a corporation of only two people and a decision to subdivide the title and do all sorts of other things associated with it is under consideration, the original Bill said that there would be convened a general meeting, that if there was not a quorum, which was two, a second meeting would be convened, and if at that second meeting there still was not a quorum the one person present could take a decision.

I was concerned that this would normally be the case where there was a husband and wife who were moving to dual occupancy or to break their title up in some fashion. I saw the possibility that the husband and wife may well be separated and may not agree on what should be done. The original Bill would have provided that one of the two people, even though they were in disagreement, after the calling of the second meeting could simply make the decision anyway, to the detriment of the other party. The Minister took that point, and he has put forward an amendment that prevents that occurring. That removes my only difficulty with the Bill as it was presented. The Bill, along with the amendments the Minister will propose, is acceptable to the Opposition.

**MS SZUTY** (4.46): I welcome the opportunity to speak to this Bill because I see it as a significant move that the ACT Legislative Assembly will be making. I support the Government's move to allow suburban blocks to be subdivided into separate unit titles. This gives land-holders the ability to contribute to the sensible and ordered increase in urban density that the Government wants to promote through its so-called urban renewal policy. I say "so-called" because, to date, we have not seen a policy document. I have instead been referred to several documents, including the submission to the Industry Commission review of taxation and financial policy impact on urban settlement. We all know, of course, that the commission in its report of 10 December commented critically about the financial gains of urban consolidation, and I will be keen to hear from the Labor Government what changes they will be making to their infill policies in the light of the commission's findings.

There is still a need, however, for some renewal of older housing stock and a diversification of the types of housing options available to people in Canberra. I also feel that this topic is worthy of inclusion in the discussion of a strategic plan for the ACT. Housing options not only should include those that arose from the past but also should ask what type of housing Canberrans feel will support their desired lifestyles.

There has been much discussion about encouraging older people to move to smaller accommodation, which was taken up in the Social Policy Committee's report on aged accommodation and support services in the ACT. This may be appropriate for some, but others have spent a lifetime accruing assets, including their homes, and many have hobbies which entail certain spatial requirements. For example, you cannot keep a small boat or a runabout in a unit. It is also difficult to find sufficient space for gardening, playing with grandchildren, or any number of other activities we encourage people to be involved in as they grow older. The Unit Titles (Amendment) Bill may enable some people who have accrued enough capital in their residential properties to subdivide, thereby gaining the capital they need for an active retirement while retaining the home they often prefer in the neighbourhood they know.

Madam Speaker, I cannot finish without sounding a cautionary note. Given that we are giving body corporate status to such a small entity as two people, we must ensure that community mechanisms for resolving disputes are both promoted and adequately funded, particularly in the initial period while the residents, estate agents and potential buyers are testing their rights under the new arrangements. While a person may be intelligent enough to subdivide their residential allotment into two unit titles, can the same person then step back and not treat the second unit title holder as a tenant? We are increasing the density of development and allowing people to live much closer together than has been the norm in many suburbs, and that physical change alone could require some positive intervention to ensure that all parties are aware of their rights and obligations.

The situation we are proposing to allow from the passage of this Bill is not the same as approaching a block of units or townhouse development, where it is evident that there are many people to be considered. In many cases the small subdivisions may be undertaken by developers or landlords who own investment properties. If so, both unit title holders would then be on an equal footing, but if suburban blocks are divided by their long-term residents there could be some conflict if one of the unit holders sees himself or herself as the senior partner. Possibly the Conflict Resolution Service could be commissioned to provide expert advice on the potential impact of this new measure.

That apart, Madam Speaker, I am pleased that the Government is addressing the issue of declining household numbers and the need for increased and more diverse housing densities in a way which is not in direct contrast to the existing fabric of Canberra urban settlement. This is in marked contrast to the former NCDC's Planning Policies for Dual Occupancy of Detached House Blocks, 1986, which states on page 2:

With respect to the subdivision of land following a dual occupancy development, it is the intention of this policy that a dual occupancy development remains on the original block and is not separately titled. This is because:

single titles will assist in the maintenance of the character of residential areas;

single titles will encourage the provision of rental accommodation;

subdivision in many cases would produce small awkward blocks and thereby difficulties with services and utilities;

subdivision would encourage the different treatment of the two dwellings in design terms;

later redevelopment of the area may require land assembly and would be impeded by premature block fragmentation.

Madam Speaker, it is significant that the Government and the community are more clearly able to see the benefits of changed unit title arrangements. I will address further issues on the new arrangements at the detail stage of consideration of the Bill, raising much the same issues as Mr Kaine has already raised in his remarks.

Question resolved in the affirmative.

Bill agreed to in principle.

### **Detail Stage**

Bill, by leave, taken as a whole

**MR WOOD** (Minister for Education and Training, Minister for the Arts and Minister for the Environment, Land and Planning) (4.51), by leave: I move:

Page 3, clause 8, line 14, proposed new subsection 65(4), omit the proposed new subsection, substitute the following subsection:

"(4) Where -

(a) a meeting is adjourned under subsection (2);

(b) a quorum is not present within half an hour after the time fixed for the adjourned meeting; and

(c) the number of members of the corporation is more than 2;

a quorum is constituted by the persons who are then present and entitled to vote."

Page 4, clause 11, line 6, proposed new paragraph 78(b), omit "only 2", substitute "2 or 3".

Page 4, clause 11, line 8, proposed new section 78, at the end of the proposed new section, add the following subsection:

"(2) Where a corporation has only 2 members, any articles prescribed under paragraph (1)(b) shall include procedures for dealing with a failure to obtain a quorum at a general meeting of the corporation within half an hour after the time fixed for a meeting adjourned under subsection 65(2)."

Page 4, paragraph 12(a), line 12, proposed new subsection 80(1A), omit "only 2", substitute "2 or 3".

Although it was circulated yesterday, I present the supplementary explanatory memorandum. These amendments have been proposed after discussions with Mr Kaine and Ms Szuty and particularly relate to the mechanism to resolve disputes. Obviously a corporation of two can create difficulties, so the amendments have worked out a satisfactory alternative method of resolving any dispute.

On being advised by either member of the corporation that a dispute exists, the Minister or a person or body that I appoint shall invite both members of the corporation to a conference. Where both members of the corporation attend, the person appointed by the Minister shall seek to resolve the issue or issues under dispute. If both members of the corporation are in agreement, the resolution is there. Where at a conference the matter is not resolved or only one member of the corporation attends, the person I appoint shall then by letter advise both members of the corporation of possible courses of action to protect their interests. The written notice shall provide advice as to the rights of the person under section 77 of the Act to seek an order of the Supreme Court or the appointment of an administrator under section 92 of the Act. The process can be worked through. I propose that this policy will be given effect through the regulations of the Unit Titles Act 1970.

The other two amendments relate to the way that articles of association can be amended, and we have increased the number from two members to three. Again, they are very small numbers and a little extra caution is warranted.

**MS SZUTY (4.53):** Madam Speaker, I will comment just briefly on the amendments. They correct a potentially anomalous situation where the total number of units under title is two, as Mr Kaine has already said. It is important that both parties under unit titles are represented in any decision making which occurs regarding the properties. Under the current provisions of the amendment Bill and the Act, it would be possible for one person to call a general meeting according to the Act, knowing that the other party was away or incapacitated in some way, and according to the amendment Bill that person could then adjourn the general meeting to the same day in the next week at the same place and time, again knowing that the other party was still away, for instance. Under the quorum provisions, that one party could then, being the only person present, vote on the particular matter.

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Unfortunately, many scenarios can be imagined where one party, for a particular reason, would deliberately seek to disenfranchise the other - perhaps a landlord-tenant relationship, a family home situation with a granny flat adjoining, or two feuding parties being the people involved. The amendments seek to rectify that situation by insisting that, when the number of members of the corporation is two, a quorum for a general meeting is two members, so that decisions will be made by the parties involved.

Amendments agreed to.

Bill, as a whole, as amended, agreed to.

Bill, as amended, agreed to.

### ADJOURNMENT

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

That the Assembly do now adjourn.

### Tuggeranong

**MR DE DOMENICO** (4.55): Madam Speaker, on flipping through old copies of the *Chronicle* newspaper I noticed that on Sunday Tuggeranong will celebrate its twentieth birthday. I would like to take this opportunity to mark the occasion by telling a very brief story of Tuggeranong's development.

**Mr Lamont**: It is not only Bernard Collaery's old Bills on tax; he has to read old *Chronicles*.

**MR DE DOMENICO**: Be that as it may, Madam Speaker, I will disregard those remarks. There are three members of this Assembly who live in the Tuggeranong Valley - Mr Kaine, Ms Ellis, who is not here unfortunately, although I am sure that she would have beaten me to the gun and done this had she been here, and me. The NCDC first let the contract for land servicing at Kambah in January 1973. On 21 February, on a rainy day, I am told, Canberra's two ministerial masters at the time, Tom Uren and Kep Enderby - I am sure that they are two names people remember; I remember working very well with Minister Uren on workers compensation legislation - stood together under umbrellas and unveiled a plaque to mark the start of operations.

Perhaps it is timely today to mention the plaque because we have been debating crime. I was just saying to Mr Wood before that this plaque many years later was vandalised, and it was vandalised most convincingly with the use of sticks of gelignite. The buckled plaque was retrieved by Parks and Gardens and taken to a depot somewhere, but in subsequent years has unfortunately been lost, mislaid or maybe even chucked out. It seems fitting, however, that the plaque should be replaced, and on the eve of the twentieth birthday of Tuggeranong I ask the Minister for the Environment, Land and Planning, Mr Wood, whether he would consider replacing the original plaque and adding another plaque to mark the completion of the Tuggeranong Valley 20 years later.



I have been fortunate enough to watch the Tuggeranong Valley grow. I first moved there in 1981, and it has grown considerably since then. Unfortunately, I have not followed in that same vein. The original plaque was on Oxley Hill, then known as Tuggeranong Hill, but Tuggeranong Hill is now the hill with the television transmitter on top near Calwell and Theodore. To be serious, we would like to see some recognition of the achievements of 20 years in Tuggeranong as these achievements are significant in the history of modern development. I confirmed the birthday by reading this excellent publication, *Canberra - 1854 to 1980*, written by Eric Sparkes. I am thankful to the *Chronicle* for letting us know that it is the twentieth birthday of Tuggeranong.

### **Tuggeranong**

**MR WOOD** (Minister for Education and Training, Minister for the Arts and Minister for the Environment, Land and Planning) (4.58): Madam Speaker, in the spirit of bipartisanship that appears evident here, I am happy to respond to Mr De Domenico. I am delighted to hear him speak with such high praise of that good old leftie, Tom Uren.

**Mr Cornwell:** What about Mr Enderby?

**MR WOOD:** Frankly, I do not remember Mr Enderby's particular variation of Labor policies. I will take up Mr De Domenico's suggestion. Twenty years, I suppose, in the Canberra scene is some considerable time. I was discussing with Mr De Domenico the beginning and the completion of Tuggeranong before I had to get to my feet in the last debate. I am not quite sure when Tuggeranong is complete because there is a deal of housing to go down there yet, but I will be as sympathetic as I can to his request.

Question resolved in the affirmative.

**Assembly adjourned at 4.59 pm until Tuesday, 23 February 1993, at 2.30 pm**

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**ANSWERS TO QUESTIONS**

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

**Question No 46**

**Government Service - Staff Statistics**

MR KAINÉ - Asked the Chief Minister upon notice on  
8 April 1992

(1) What is the breakdown of the following Government  
Service categories as of 31 March 1992 :-

- (a) teachers; \_
- (b) teachers aides;
- (c) doctors;
- (d) nurses;
- (e) ancillary health workers;
- (f) firemen;
- (g) ambulance officers;
- (h) park rangers;
- (i) parks and garden staff; and
- (j) ACTION staff :
  - (i) drivers;
  - (ii) vehicle maintenance; and
  - (iii) administrative.

(2) What is the total of ACT Public Service numbers as at  
31 March 1992 :

- (a) full-time;
- (b) part-time; and
- (c) casual.

(3) How many ACT Public Servants in the period 7 June 1991  
to 31 March 1992, by Departments, have :

- (a) resigned;
- (b) retired;
- (c) been invalided out on medical grounds; and
- (d) been made redundant and have accepted payouts.

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Ms FOLLETT - The answer to the members question is as follows

- (1) The available ACT Government Service staffing figures which provide the information closest to the date requested, are those which were extracted from the payroll for Pay 17, 13 February 1992. The numbers for each of the categories., which include permanent and temporary fulltime and part-time staff, casuals and inoperatives, are :

CATEGORY OF STAFF NUMBER

- (a) Teachers 5709
- (b) Teachers Aides 777
- (c) Doctors 196
- (d) Nurses 1706
- (e) Ancillary Health Workers 1319
- (f) Firemen 294
- (g) Ambulance Officers 65
- (h) Park Rangers 57
- (i) Parks and Gardens staff
  - Environment & Conservation - 816
  - City Parks 425
  - Forests 46
- Q) ACTION
  - drivers 712
  - vehicle maintenance 257
  - administrative 109

- (2) ACT Government Service comparative staffing numbers, including Pay 17, by employing authority, (TA 1 , and employment type, (TABLE 2), are attached.

- (3) The numbers of ACT public servants who have resigned, retired, been invalided out or have accepted redundancy during the period 7 June 1991 to 31 March 1992 are :

DEPARTMENT  
RESIGNED  
RETIRED :  
INVALIDITY  
REDUNDANCY  
Table included.

ACTGS STAFFING

TABLE 1 : NUMBER OF STAFF ON PAYROLL BY EMPLOYING AUTHORITY  
PAY PERIOD 17  
EMPLOYING AUTHORITY

Legislative Assembly (Members Staff Act  
Public Service Act  
Teachin Service Act  
ACT Fire Brigade Act  
Electricity and Water Act  
Legal Aid Act  
Magistrates Court Act  
ACT Milk Authorit Act  
ACT TAB Ltd.  
AFP Act  
Calvary Hospital  
Canberra Theatre Trust Act  
NATEX Trust Act  
TOTALCARE Industries Ltd.

Table included.

NOTE : # Staffing figures were not collected for the Magistrates Court, Milk Authority, ACT TAB, AFP, Calvary Hospital, Canberra Theatre Trust, NATEX and TOTALCARE prior to Pay 1, 1991/92.

(1) Includes Dept. of Health staff employed under either the Health Act or the Public Service Act.

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ACTGS STAFFING

TABLE 2 : NUMBER OF STAFF ON PAYROLL BY EMPLOYMENT TYPE

PAY PERIOD 17

EMPLOYMENT TYPE

89/90

PAY 1

90/91

PAY 1

91/92

PAY 1

91/92

PAY 17

VARIATION

PAY 1 TO

PAY 17

Permanent Full-Time

Table included.

NB: # Refer to note in TA 1.

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

**Question No 244**

**Government Service - Staff Selection Consultants**

MR KAINE - Asked the Chief Minister upon notice on 11 August 1992:

Is there a government policy directing the use of consultants to assist in the selection process for public sector appointments; if so, what is the policy, and specifically

- (1) In what circumstances are consultants engaged to support the selection process.
- (2) What duties do the consultants perform -in the process.
- (3) What cost and service quality benefits are anticipated from using consultants.
- (4) What guidelines are provided to selection committees to manage consultants.
- (5) What qualifications are expected of consultants providing these services.
- (6) On what basis are the costs of internal service provision and external consultancies compared.
- (7) What role does the Corporate Services Bureau play in staff selection and do external consultants duplicate those services.
- (8) What proportion of appointments made in the Chief Ministers Division, OPSM and the Economic Development Division have used external consultants.
- (9) What proportion of ACT Government Service appointments, at level SOG C; SOG B; and each Band of the SES;
  - (a) have used external consultants
  - (b) at what cost at each level; and
  - (c) what would the cost have been. to the Government Service had those appointments been carried out without external consultants.

MS FOLLETT - The answer to the Leader of the Oppositions question is as follows:

- (1,2) Consultants may be employed to assist in the preparation of interview reports, or to assist augmentation of the field of candidates for positions at either the SES or SOG or equivalent levels. Consultants engaged in the first category are commonly known as scribes, and are subject to normal procedures for the engagement of consultants. For SES appointments, the Public Service Commission offers a scribe service which is used on occasions on a user

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pays basis of \$475 per day. Those in the second category are called executive search consultants. It is the Government's preferred approach not to use executive search consultants but rather to use ACTGS resources. If such consultants are used they are subject to the normal consultancy engagement arrangements. They are used when the Head of Administration has concluded that the field of applicants from the normal recruitment process is unlikely to provide an officer of the necessary calibre for the position in question.

Such consultants are supervised by, and work to, the direction of the Selection Committee.

In many cases, the executive search consultants also provide a scribe service.

Comprehensive guidelines relating to the use of consultants in general are contained in the booklet for Selecting and Managing a Management Consultant and the ACT Government Purchasing Manual (Chapter 12) which includes guidance on:

- establishing the need to engage a consultant
- defining and specifying requirements
- purchasing method
- evaluation of offers
- negotiations with potential consultants
- notification of unsuccessful consultants and selection records
- consultancy contracts
- managing a consultancy contract
- evaluation of consultancies
- implementation of consultancy recommendations

(3, 6) Cost varies from \$30 - \$55 (approx) per hour for consultants (scribes) assisting in the interview process. The cost of executive search consultants varies according to the salary of the position being filled and generally falls within a range between \$20,000 and \$35,000. Benefits from the use of consultants to assist in the interview process are that time is saved and the selection process completed more quickly than would otherwise be possible given the competing priorities of officials involved in the Committee.

(4) Selection committees are required to comply with guidelines contained in the booklets Procedures for Senior Executive Service Staffing and Establishment Management (in the case of SES selection). Guidelines for Selecting and Managing a Management Consultant and the ACT Government Purchasing Manual.

(5) Consultants assisting in the preparation of interview reports are required to be experienced in Public Service selection processes and fully conversant with Staff Selection Guidelines and Equal Employment Opportunity principles. Executive search consultants are engaged principally for their ability to locate

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highly skilled persons, who are not applicants but who would be suitable for senior appointments.

- (7) The Corporate Service Bureau arranges advertising of vacancies, forwarding fields of applicants to the Chairs of selection panels and the appointment and promotion delegations for non-SES, in respect of most agencies. External consultants do not duplicate any Corporate Service Bureau services.
- (8) Since the Government came into office in March 1992, there has been only one appointment to the SES in the Chief Ministers Department. Although an Executive Search consultant was not used, the services of a scribe were used on that occasion.
- (9) I am informed that records are not kept of the use of consultants in the format requested and that it would be extremely difficult to compile the information.

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**LEGISLATIVE ASSEMBLY QUESTION**

**Question No. 305**

**Government Service - Trainees**

Mrs Carnell - asked the Chief Minister:

- (1) In 1991-92 how many Trainees were employed in the ACT Government Service under the Australian Traineeship System?
- (2) How much of the \$300,000 for this 1991-92 budget policy initiative was actually used?
- (3) What was the profile of the Trainees employed on the basis of age and sex?
- (4) In what areas of the Government Service were the Trainees employed?
- (5) How many Trainees completed their periods on the program?
- (6) How many of the Trainees were subsequently employed in the ACT Government Service on completion of their Traineeships?

Ms Follett - The answer to the Members question is as follows:

- (1) In 1991-92 how many Trainees were employed in the ACT Government Service under the Australian Traineeship System?

110 trainees were employed in the ACT Government Service in 1991/92 under the Australian Traineeship System.

- (2) How much of the \$300,000 for this 1991-92 budget policy initiative was actually used?

Expenditure in 1991 /92 was 133 168 of the appropriated amount of \$150,000.

- (3) What was the profile of the Trainees employed on the basis of age and sex?

AGE

Trainees

Table included.

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(4) In what areas of the Government Service were the Trainees employed?

Trainees were employed in the following areas:

Chief Ministers Department  
ACT Treasury  
Department of Environment, Land and Planning  
Department of Urban Services  
Housing and Community Services Bureau  
Attorney-Generals Department  
Department of Education and the Arts  
ACT Institute of TAFE  
ACT Health  
ACT Electricity and Water Authority

(5) How many Trainees completed their periods on the program?

49 trainees completed their periods on the program.

(6) How many of the Trainees were subsequently employed in the ACT Government Service on completion of their Traineeships?

41 trainees were subsequently employed in the ACT Government Service.

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

**Question No. 334**

**Chief Minister Portfolio - Committees, Boards and Advisory Groups**

MR KAINÉ - Asked the Chief Minister upon notice on 17 September 1992, for all Government Committees, Boards and Advisory groups within the Chief Ministers 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.

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

**ACT Casino Surveillance Authority**

- (1) Hon. Justice Rae Else-Mitchell Chairperson 12/3/93 to 11/3/96 (reappointment)

Professor Russell Mathews 16/3/92 to 15/3/95

Mr Roger Mauldon 15/3/90 to 14/3/93

Ms Kaye Dal Bon 25/7/92 to 24/7/95

Mr Stephen Hunter 12 / 1 / 93 to 11 / 1 / 95

- (2) To supervise the operation of the casino; to make recommendations to the Minister in relation to the operating times of the casino; to make recommendations to the Minister in relation to the games that may be played in the casino and the rules under which those games may be played. (For a detailed Terms of Reference see s.23 of Act).

- (3) For a period not exceeding 3 years, but eligible for reappointment by Minister.

- (4) 3 males and 1 female.

- (5) Chairperson - specified officer - rate of fee per annum \$24,381 (from 15/8/91) - Remuneration Tribunal det No. 26 of 1991 refers

Member - specified officer - rate of fee per annum \$13,075 (from 15/8/91) Remuneration Tribunal det No. 26 of 1991 refers

Travel allowance (for Chairperson and Members) - Capital cities \$300; Other than capital cities \$155.

(6) Two staff of the Authority service members:  
Chief Casino Inspector SOB \$54471 20 hours/week  
Office Manager AS03 \$29045 20 hours/week

Other staff paid by the Authority in performance of its functions are;

1 Dep Chief Casino Insp. SOGC \$46457  
1 Senior Casino Inspector AS05 \$35474  
4 Senior Casino Inspectors AS05 \$35474  
5 Casino Inspectors AS04 \$32568  
The staff are public servants but are paid by the Authority.

(7) No publications have been produced to date but it is expected that an Annual Report will be published and distributed to interested persons after the first year of operation by the casino.

The Authority's Annual Report is currently included in the Report for the Chief Ministers Department.

#### ECONOMIC DEVELOPMENT DIVISION Agents Board of the ACT

(1) Mr G.W. Kelly 5/3/90 to 22/3/93  
Mrs P. Davey 5/3/90 to 22/3/93  
Mrs C. Livingstone 5/3/90 to 22/3/93  
Mrs J. Betts 5/3/90 to 22/3/93  
Mr M. Phelps 5/3/90 to 22/3/93

(2) Grants registration and licences to real estate, business and stock and station agents in the ACT. Grants Licences to Travel Agents. Conducts inquiries into breaches of rules of conduct by agents, and other matters under the Agents Act.

(3) All members are appointed by the Minister.

Members hold office for three years and are eligible for reappointment.

Deputy Chairperson holds this office for 1 year. Elected by the Board, may be re-elected.

(4) 2 males and 3 females

(5) Remuneration (Repeal) Act 1989 refers. Prescribed Authority aid in accordance with the Remuneration Tribunal -offices not speed category 2 rate.

Members rate per diem - \$194 (from 15.8.91) Remuneration Tribunal det no 22 of 1991 refers  
Travel allowance Sydney \$230; other Capital cities \$190; other than capital cities \$145.

(6) These positions are located in the Agents Services Section of the Economic Development Division. Part of the Sections function is to provide a secretariat for the Agents Board which regulates real estate and travel agents. The Boards activities in regulating real estate agents are funded by the Fidelity Guarantee Fund, this amounts to some 75% of the costs outlined below.

POSITION SALARY WEEKLY MONTHLY

(\$000) (FIRS) (HRS)

SEB1 66 2 10

SOGC 42 6 30

AS05 33 10 40

AS04 30 12 50

AS02 23 2 10

(7) At present the only publication produced by the Board is its annual report. This is included in the Chief Ministers Department Report which is distributed through Departmental channels.

Estimated annual production cost for the Board is approximately \$2,000.

ACT Tourism Commission

(1) Mr Ron Brown (Chairperson)

Ms Toni Dale

Ms Elizabeth Whitelaw

Ms Lynn Smith

Dr Colin Adrian

Mr David Lawrance

3/ 6/90 to 2/ 6/94

(resigned 12/2/93)

11/10/91 to 10/10/93

11/10/91 to 10/10/93

11/10/91 to 10/10/93

Public servant

Public servant

(2) To market Canberra as a tourist destination and provide sales and information services.

Chairperson - 4 years

Members - 2 years

3 males and 3 females

Chair to be paid \$11,400 per annum Members to be paid \$194 per day as part time holders of public office Remuneration Tribunal Category 2 rates.

(6) Chief Executive Officer (David Lawrance) SEB1 (\$66387 pa): about 8 hours per week

Executive Assistant (V Blazell) AS04 (\$31929 pa): about 10 hours per week.

(7) The ACT Tourism Commission is a branch of the Economic Development Division, Chief Ministers Department (it is not a statutory authority). It does not produce a separate annual report - details of its activities /finances are included in the Annual Report for the Chief Ministers Department.

ACTNIES Executive Committee

(1) Ms P. Karmel, Chairperson, Business Support and Employment Branch  
Ms V. Callioni, Business Support and Employment Branch  
Ms M. Graham, Department of Industry, Technology and Commerce  
Ms S. Dryden, Austrade

(2) The National Industry Extension Service (NIES) is a joint Commonwealth and State/Territory program to assist Australian Enterprises to attain and sustain international competitiveness through enterprise improvement.

(3) The Committee is appointed under the ACT/Commonwealth Government Bilateral Agreement.

(4) 0 males and 4 females

(5) Nil.

(6) 1 SOGC (\$46457 pa) 6 weeks pa

(7) No publications.

Economic Priorities Advisory Committee

(1) Emeritus Professor Fred Gruen (AO) Chairperson 8/1/92 to 7/1/93  
Ms Lois Jamieson 8/1/92 to 7/1/93  
Mr George Snow 8/1/92 to 7/1/93 Mr Bill Harris 8/1/92 to 7/1/93 Mr Jeff Townsend 8 / 1 / 92 to 7 / 1 / 93  
Ms Martha Kinsman 8/1/92 to 7/1/93 Ms Kath Bourke 8/1/92 to 7/1/93 Ms Elizabeth Boydell 8/1/92 to 7/1/93  
Mr Howard Powell 8/1/92 to 7/1/93 Ms Elizabeth Whitelaw 8/1/92 to 7/1/93  
Mr Charles McDonald 8/1/92 to 7/1/93 Mr George Wason 8/1/92 to 7/1/93

(2) Provide broad based and independent advice to the Government in the formulation of economic, industry and employment policies and in particular on:

- (1) feasible and desirable economic goals and targets;
- (2) major issues affecting the growth and conduct of business in the ACT and region;
- (3) employment creation opportunities;
- (4) the efficiency of public sector operations;
- (5) the impact of Government policies and regulations on business activity;
- (6) the coordination of economic, industry and employment policies across Government programs.

Provide a forum where the Government can gather informed views on business related issues.

(3) One year initially from its inaugural meeting which was held on 4 February 1992.

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- (4) 7 males and 5 females (one vacant position to be filled)
- (5) Remuneration to Chairperson \$15,000 pa from EDD resources.
- (6) Estimated six meetings per year

SOGB (\$54471) approx 6 days per year  
SOGC (\$46457) approx 30 days per year  
AS05 (\$35474) approx 12 days per year  
AS01 (\$23074) approx 12 days per year

EPAC also commissions ad hoc project work, some of which is performed by public servants.

(7) Irregular 2 produced so far

Title - EPACT Report Number 1 "The ACT Youth Labour Market"

Cost \$855 (400 copies)

Distribution - ACT Assembly Members

- local Feral Members
- ACT Government Agency Heads
- Senior Officers Chief Ministers Department
- ACT TAFE
- VTA
- members of Chief Ministers advisory group
- members of the public who requested copies

Title - EPACT Report Number 2 "Canberra: Accommodating our Next 100,000 people"

Cost \$550 (250 copies)

Distribution- ACT Assembly Members - local Feral Members - ACT Government Agency Heads - Senior Officers Chief Ministers Department - Senior Officers DELP and ACTPA - GBF members - members of public who requested copies.

Employment and Training Grants Program Advisory Committee

(1) Mr G. Keogh (Chairperson) Public servant

Mr S. Mills 13 April 1992

Ms G. Boyd 13 April 1992

Mr A. Bright 13 April 1992

Ms J. Spicer 13 April 1992

(2) To assess applications received under the Employment and Training Grants program and make recommendations to the Chief Minister on appropriate levels of funding.

(3) Ministerial appointment.

(4) 3 males and 2 females.

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- (5) Nil.
- (6) 1 meeting per year

SOGB (\$54471) - approx 2 days per year AS06 (\$41507) - approx 5 days per year AS05 (\$35474) - approx 5 days per year

- (7) No publications produced.

#### Government Business Forum

- (1) Mr Mike Worrall Ms Elizabeth Boydell  
Mrs Jan Williams Mr Chris Donoghue  
Mr Rob Durie Mr Mike Alves  
Mr John Diamond Mr Mike Crowe  
Mr Henry Paul Street Mr Bruno Yvanovich  
Mr Alan Scandrett Mr Bob Winnell  
Mr Ossie Kleinig Mr Colin Stewart  
Mr J. Roberts Mr Rob Buker  
Mr Bob Dyer Mr Bruce Livingstone  
Mr Vern Warmer Mr Bill Hams  
Mr Jeff Townsend Mr Glenn Bellchambers  
Mr Peter Guild Dr David Rosalky  
Dr Colin Adrian Mr George Tomlins  
Mr C.J. Louttit Mr Graham Chalker

Members of the Government Business Forum are office holders in key government and private sector organisations - the A.C.T. membership has varied since that time depending on who holds the office. The first appointments were made in April 1990.

- (2) Provide a forum for the private sector to raise and discuss issues affecting the growth and conduct of business activity in the ACT, provide discussion on new Government initiatives, issues etc.
- (3) No formal term or power of appointment. Usually representatives from the business sector are invited to attend meetings.
- (4) 26 males and 2 females
- (5) No remuneration is paid to members.
- (6) Approximately 6 meetings per year

SOGB (\$54471) approx 3 days per year AS05 (\$35474) approx 12 days per year AS01 (\$23074) approx 12 days per year

- (7) No publications produced.

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New Enterprise Incentive Scheme Advisory Committee

(1) Mr G. Keogh (Chairperson) February 1991  
Mr Ray Beshara December 1991  
Ms Kerrin Hampstead November 1989  
Mr Neale Emmanuel September 1991\*  
Mr Stuart Ford  
July 1992\*  
Ms Liz Vreekamp January 1991

\*alternate sittings

- (2) Make recommendations on applications for NETS grants.
- (3) Ministerial appointment.
- (4) 3 males and 2 females.
- (5) No remuneration.
- (6) 4 meetings per year.

AS06 (\$41507) approx 20 days per year

- (7) No publications produced.

South East Economic Development Council

(1) Mr Collin Freeland (Chairperson) 7/12/90  
Professor Judith Brine 7/12/90 Mr John Dudley 7/12/90 Mr Bill Harris 7/12/90 Mr Ron Kelly  
7/12/90 Mr Fulton Muir 7/12/90 Mr Robert Pollack 7/12/90  
Mr Howard Powell 30/4/91 Dr John Saunders 7/12/90 Mr George Snow 7/12/90 Ms Gaye White  
7/12/90

- (2) (i) provide high level advice on the economic development of the SE region of NSW and the ACT;
- (ii) oversight the implementation of an Economic Development Strategy for the SE Region and the ACT;
- (iii) advise on areas of collaboration between NSW and the ACT in relation to economic development recognising the symbiotic relationship between Sydney as Australian financial centre and international gateway, and Canberra as the Nations capital;
- (iv) liaise with all Agencies, State and Territory, Federal and local, on strategic and tactical matters affecting the economic development of the SE Region and the ACT;
- (v) strategically market the economic development and investment potential of the region nationally and internationally; and
- (vi) liaise closely with the South Eastern Regional Development Board on strategies and initiatives affecting the country NSW component of the South Eastern Region and the ACT areas.

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- (3) 2 years.
- (4) 10 males and 2 females.
- (5) Members receive \$3,090 plus expenses per annum. The Chairman receives \$25,200 per annum plus expenses. Half of this remuneration is met by NSW.
- (6) Public servants servicing the council

Executive Director - Director, Business Development and Marketing, Economic Development Division \$54471. Time spent 15 hours per week

Secretary /Personal Assistant - Business Development and Marketing, Economic Development division \$29045

Time spent 20 hours per week

Half of these salaries are met by NSW.

- (7) The South East Economic Development council does not produce regular publications. It has released two publications since its establishment in December 1990: The South East Economic Development Strategy (released in September 1991 and costing \$6213) and a brochure outlining the role, functions and membership of the Council (costing \$8160).

Funding for both these publications was shared between the ACT and NSW Governments. Copies are available free on request.

Tradeswomen on the Move Steering Committee

- (1) Ms Gail Taylor, Project Coordinator March 1992

Ms Elizabeth Kentwell March 1992

Ms Anne Steward March 1992

Ms Patsy Browne March 1992

Ms Narelle Walker March 1992

Ms Kate Lundy March 1992

Mr John Garrett March 1992

Mr Allan Wright March 1992

Ms Caz George March 1992

Ms Robyn Cotter March 1992

Ms Maree Hutchinson March 1992

Ms Jo Lamont March 1992

Ms Lynette Lallas March 1992

- (2) To advise on the Tradeswomen on the Move Program.
- (3) No term, selected by the Project Coordinator as necessary.
- (4) 2 males and 11 females.
- (5) Nil.

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(6) 1 public servant - Tradeswomen on the Move Coordinator

AS06 \$41507.

Three meetings of Tradeswomen on the Move Steering Committee held so far in 1992.

Four hours of work approximately involved around each meeting - in preparation for the meeting, meeting time, writing up of minutes and distribution of minutes.

(7) Nil.

ACT Womens Employment Advisory Committee

(1) Ms Prue Karmel (Chairperson) \_

Ms Elizabeth Kentwell

Ms Christine Freudenstein

Ms Pattie Kendall

Ms Elizabeth Worthington

Mr Pat Stakelum

Mr Hugh Guilfoyle

Ms Kate Bunker

Ms Di Summerhayes

Ms Maxine Caron

Mr Colin Thomas

Ms Louise Muir

Ms Maureen Sheehan

Ms Uyen Loewald

Ms Ann Wentworth

Ms Vivienne joice

Ms Winsome Hall

Ms Annie Quadroy

Ms Harriet Elvin

Organisations were invited to be represented on WEAC in October 1990. Organisations choose their representatives as appropriate to them.

(2) To advise the Chief Minister on issues relating to womens employment, education and training.

(3) Representatives of business, community, training providers, union and government. No fixed term.

(4) 3 males and 16 females.

(5) Nil.

(6) Public servants servicing the committee

Exec Sec, Womens Advisor (Employment, Education and Training) \$46457)

Time spent by Exec Sec would be 5 hours per week (approx

.).

(7) WEAC produces publications on an irregular basis. During 1991/92 it produced the Review of Skills and Training Developments for Women publication (this was part of a consultancy to LIPMAN Peat Marwick) printing cost was \$1275.

During 1992/93 it is producing publicity material and an information handbook for the Working Opportunities for Women events. Costs are covered as part of a grant to run the event.

#### CHIEF MINISTERS DIVISION

##### Workers Compensation Monitoring Committee

(1) Mr G. Bellchambers December 1990

Dr C. Adrian 23 / 10 / 92 (in Mr  
Bellchambers absence

Ms M. Sheehan December 1990

Mr G. Wason December 1990

Mr C. Colbert 8/7/91

Mr M. Alves 19/6/92

Mr F. Gillingham 19/6/92

Mr B. Hill December 1990

(2) As a sub-committee of the Industrial Relations Advisory Council:

Monitor trends in workers compensation premiums payment and recommend changes to premium levels;

advise the Minister through IRAC on alternatives to the present method of setting premium; and

advise the Minister through IRAC on any matter relating to workers compensation.

(3) Appointment made by Minister. No set term of appointment.

(4) 6 males and 1 female.

(5) Nil.

(6) SOGB 10% \$5447

SOGB 20% \$10894

(7) No publications.

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## Industrial Relations Advisory Council

(1) Minister Wayne Berry

Mr J. Woodrow Mr B. Preiss Mr W. Harris Mr F. Gillingham Mr M. Alves Mr W. Leigh  
Mr D. Heaney Mr G. Anderson Mr G. Wason Mr P. SchutlzMs M. Sheehan

Automatic appointment with incoming Government as Minister for Industrial Relations 11 May  
1990 11 May 1990 11 May 1990 13 August 1991 14 November 1990 24 August 1992 11 May  
1992 2 December 1992 11 May 1992 24 August 1992 13 August 1992

To provide a forum for discussion with and advice to Government on industrial relations issues.

Acts as head policy committee for other labour relations policy committees.

At the will of the Minister.

11 males and 1 female.

Nil.

SES1 5% \$3386

SOGB 10% \$5447

SOGC 10% \$4646

(7) No publications.

Insurers Advisory Committee for Workmens Compensation Supplementation Fund and Fund  
Manager

(1) Mr D.J. McNeil

Mr J.A. Petriella

Mr G.J. Mathews

Mr J. Collier

2/7/92 to 1/7/95

2/7/92 to 1/7/95

2/7/92 to 1/7/95

Public servant

The function of the Committee is to advise the Manager in the performance of his functions or the  
exercise of his powers.

Money for the Fund is obtained by a levy on employers or by other means listed in the Act, and is  
paid for by the settlement of claims made under the Act.

The main purpose of the Fund is to provide a mechanism for the handling of business previously  
written by insurance companies which have gone into liquidation.

Members of Committee appointed by Minister for such a period as is specified in the instrument of  
appointment and are eligible for reappointment.

(4) 4 males and 0 females.

- (5) Nil.
- (6) SOGB (\$46537 - 53403) - approx 20% per week.
- (7) No publications.

ACT Occupational Health and Safety Council

- (1) Mr F. Gillingham 24/ 6/92  
Mr M. White 19 / 11 / 92  
Mr B. Cooke 6/ 7/91  
Ms K. Lundy 4 / 6 / 90  
Mr T. Zeltner 4 / 6 / 90  
Ms J. Plovits 19 / 11 / 92  
Mr W.E. Chidzey 4/ 6/90  
Mr J. Woodrow 4/ 6/90  
Mr C. McDonald 4/ 6/90

- (2) The function of the committee is to:

advise the Minister on matters in relation to occupational health and safety;  
inquire into and report to the Minister on matters referred to the council by the Minister in relation to occupational health and safety; perform such other functions as are prescribed.

- (3) Appointed under section 13 of the Act and on the terms under section 14 of the Act as follows.

The members of the council shall be appointed as part-time members. A member of the Council holds office:

for such period not exceeding three years as is specified in the instrument of appointment; and

on such terms and conditions (if any) in respect to matters as are determined by the Minister.

- (4) 7 males and 2 females.
- (5) Nil.

- (6) SES1 5% \$3729.89  
SOGB 15% \$7984.86  
SOGC 15% \$6269.25  
T04 10% \$3638.33  
AS02 10% \$2309.11

- (7) OH&S Council provides an annual report which costs approximately \$100 and is distributed by mail or courier services.

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Building and Construction Industry Long Service Leave Board

(1) Mr R.J. Yeomans (Chairperson)

Mr J.K. Hindmarsh

Mr B. O'Reilly

Mr J. Stephens

Mr G. Wason

24/9/91 to 23/9/96 24/9/91 to 23/9/96 24/9/91 to 23/9/96 24/9/91 to 23/9/96 24/9/91 to 23/9/96

(2) Administers the portable scheme of long service benefits established by the Act in respect to employees and contractors engaged in the building and construction industry in the ACT. Establishes and maintains the Employers Register and the Employees and Contractors Register.

Members (and the two deputies) under the Act by the Minister for up to five years and are eligible for reappointment.

(4) 5 males and 0 females.

(5) Chairperson specified office rate of fee per annum \$9821 (from 15.8.91) - Remuneration Tribunal det no. 26 of 1991 refers.

Member - specified office - rate per diem \$194 (from 15.8.91) Remuneration Tribunal det no. 26 of 1991 refers.

Travel allowance (for chairperson and Members) Sydney \$230; Capital cities \$190; other than capital cities \$145.

(6) SOGC (\$46457) x 1

AS05 (\$35474) x 1

AS04 (\$32568) x 1

AS03 (\$29045) x 2

All above officers work 100% for the Board.

There have been three publications:

Guidelines to the ACT Long Service Leave Scheme at a cost of \$8069.00. This was distributed to all employers and employees when first printed and is now available on request;

Multilingual pamphlet on the Long Service Leave Scheme at a cost of \$3860.00. This was distributed to all registered with the LSL Board;

Summary of the Annual Report at a cost of \$663.00. This was distributed to all employers and employees when first printed and is now available on request.

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Multicultural Advisory Council

Dr J Jupp (Chairperson) 1 / 12 / 90 to 30 / 11 / 92  
Mr V. Rebikoff 1/12/90 to 30/11/92  
Mr J. Cotta 1/12/90 to 30/11/92  
Mr P. Grundy 1/12/90 to 30/11/92  
Ms K. Mundine 1/12/90 to 30/11/92  
Dr T. Nugyen-Hoan 1/12/90 to 30/11/92  
Ms F. Steen 1/12/90 to 30/11/92  
Mrs B. Vlaicevic 1/12/90 to 30/11/92  
Ms D. Voudouris 1/12/90 to 30/11/92  
Ms M. Westhorp 1/12/90 to 5/ 8/91 (resigned)  
Mr T. De Domenico 1/12/90 to 5/ 8/91 (resigned)  
Mr D. Romano 12/12/90 to 1/12/92  
Mr J. Manocha 1/12/90 to 30/11/92  
Ms S. Dell 16/ 9/91 to 10/ 4/92 (resigned)  
Mr E. Banful 19/ 9/91 to 11/ 8/92 (resigned)  
Mr M. Guina 5/ 6/92 to 1/12/92  
Dr J. Tomlinson 9/ 7/92 to 1/12/92  
Mr S. Wong 6/11/92 to 1/12/92

New Council to be appointed by Chief Minister early 1993.

- (2) To provide the Chief Minister with advice on policies and programs which meet the needs of the multicultural community in the ACT and to bring to the attention of the Chief Minister issues of particular concern.
- (3) All members are appointed by the Chief Minister.  
Chair and Deputy Chair hold office at the Chief Ministers discretion.  
All members are appointed for a period of two years with the exception of those appointed to occasional vacancies.  
Members may be reappointed for one further term.
- (4) 9 males and 9 females.
- (5) \$2,000 per annum Chairperson  
\$1,500 per annum Members.
- (6) The Multicultural and Aboriginal Affairs Unit provides secretariat support to the Council.  
This support is provided primarily at the AS06 level, approximately 70% of the officers time. From time to time however, additional support is provided at the AS04, SOGC and SOGB levels.
- (7) The Multicultural Advisory Council has produced a brochure outlining its role and membership. The total cost of this publication was \$195. This brochure was distributed by members of the Council, the Multicultural Liaison Officer and through ACT Government Shopfronts.

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#### Ministerial Youth Advisory Council

- (1) Mr Sher Verick 26/ 2/91 to 25/2/93  
Ms Siobhan Cosgrove 26/ 2/91 to 25/2/93  
Mr Adam Stankevicius 26/ 2/91 to 25/2/93  
Ms Pat Boling 26/ 2/91 to 25/2/93  
Mr Andrew Burgher 26/ 2/91 to 25/2/93  
Mr Lindsay Croft (Chairperson) 6/ 5/91 to 25/2/93  
Ms Fiona Ey 26/ 2/91 to 25/2/93  
Ms Deidre McNally 1/ 7/92 to 25/2/93  
Mr Matthew McCarron-Benson 6/ 5/91 to 25/2/93  
Ms Jane Pilkinton 26/ 2/91 to 25/2/93  
Ms Jenifer Rah-Moy 30/11/92 to 25/2/93  
Mr Craig Webber 26/ 2/91 to 25/2/93
- (2) To provide the best possible advice to the Minister to meet the educational, developmental, health, welfare, accommodation and such other needs as will improve the situation of young people in the ACT.
- (3) Appointed by the Minister, for 24 months, eligible for reappointment for one term only.
- (4) 6 males and 6 females.
- (5) Reimbursement of expenses through the Youth Affairs Section.

\$2,000 per annum Chairperson \$1,500 per annum Members.

- (6) The Chief Ministers Youth Advisory Council is serviced by an officer at the SOGC level with administrative support provided by an officer at the AS03 level. Approximately 40% (\$1858) of the SOGC position and 10% (\$2904) of the AS03 position are devoted to servicing the Council.
- (7) The Chief Ministers Youth Advisory Council has not produced any publications that have required a financial outlay.

#### ACT Womens Consultative Council

- (1) Ms Julia Ryan Convenor 31/5/92 to 30/5/94  
Mrs Kitty Peisley 1/2/92 to 31/1/93  
Ms Winsome Hall 12/2/92 to 11/2/93  
Ms Kathryn Cole 12/2/90 to 11/2/93  
Mrs Elizabeth Grant 31/5/92 to 30/5/93  
Ms Gillian Boyd 31/5/92 to 30/5/93  
Mrs Margaret Munro 31/5/92 to 30/5/93  
Ms Grace Coe 31/5/92 to 30/5/93  
Ms Annie Quadroy 31/5/92 to 30/5/93  
Ms Beverly Chng 31/5/92 to 30/5/93  
Ms Heather Ponting 31/5/92 to 30/5/93  
Ms Jacklynn Tait 31/5/92 to 30/5/93  
Ms Loraine Weatherall 31/5/92 to 30/5/93  
Dr Charlotte Palmer 31/5/92 to 30/5/93  
Ms Felicity Rafferty 31/5/92 to 30/5/93  
Ms Jennifer Bradley 31/5/92 to 30/5/93  
Ms Gwen Gray 31/5/92 to 30/5/93

(2) The Womens Consultative Council advises the Chief Minister on the Status of Women in the ACT. Acknowledging that all programs, services and policies affect women to a greater or lesser extent, the Council takes a broad overview of womens status in the ACT, with a particular emphasis on identifying gaps in programs or services and on advising priorities for attention. The Council may from time to time provide to and receive from women and organisations involved in women s issues, information about matters of concern to women.

(3) All members appointed by the Chief Minister.

0 males and 17 females.

(5) \$2,000 per annum Chairperson.

\$1,500 per annum Members.

(6) All current positions in the Womens Unit may be involved with servicing the Womens Consultative Council. In addition the two staff of the Womens Information and Referral Centre (WIRC) are often involved in the organisation of public functions of the Council:

Womens Unit: SOGB 20% \$10894

SOGC 25% \$11614

SOGC 10% \$ 4646

AS06 60% \$24904 (currently vacant)

WIRC AS06 5% \$ 2075

AS04 5% \$1628

(7) The Council produces a newsheet following each full Council meeting for distribution to a mailing list of 600 groups and individuals at a cost of approximately \$330. A pamphlet on the membership of the 2nd Womens Consultative Council (WCC) was published at a cost of \$350. In addition a report on the activities of the first WCC was published at a cost of \$240.

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

**Question No 383**

**Government Service - Workers Compensation Payments**

MR DE DOMENICO - Asked the Chief Minister upon notice on 20 October 1992 :

In relation to payday of 30 July 1992 on which 376 employees received workers compensation payments

(1) What was the total amount paid in workers compensation payments during the 1991-92 financial year.

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

Generally, employees of the ACT Government Service are covered by Commonwealth compensation legislation administered by COMCARE, for which the ACT Government pays a yearly premium. Because of this arrangement the ACT Government Service keeps no separate record of the amount paid out in individual compensation claims.

COMCARE have advised that the total cost of workers compensation is the amount of the premiums paid in the year. The premium covers all payments made in respect of injuries sustained in the financial year and an assessment of the estimated cost, including projected future liability for known compensation cases, based on the previous years claims experience.

The total amount paid by the ACT Government for workers compensation payments during the 1991-92 financial year, as reflected by the ACT Government Service COMCARE premium, was \$15,657,382.

NOTE The 1991-92 premium does not include Calvary Hospital or the ACT TAB. Calvary Hospital will be included in next years premium but ACT TAB will continue to be excluded while they have their employees covered for compensation purposes by a private insurer.

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

**Question No 416**

**Youth Organisations Research and Development Program**

MRS CARNELL - Asked the Chief Minister upon notice on 17 November 1992:

In relation to the 16 projects funded through the Youth Organisations Research and Development Grant during 1991-92

- (1) Which projects were funded.
- (2) How much funding was provided to each project.
- (3) Which organisations received this funding.
- (4) What are the outcomes of each project, and how has it benefited the community.

MS FOLLETT- The answer to the members question is as follows (the information is presented under headings relating to the organisation funded for each project):

The Youth Organisations Research and Development (YORAD) Program provides grants of up to \$10 000 to organisations to undertake research and development projects of relevance to young people. Benefits of the projects are therefore geared towards young people and the youth sector rather than towards the wider community.

**NATIONAL YOUTH AFFAIRS RESEARCH SCHEME (NYARS)**

- (1) NYARS is a national scheme which commissions research into youth issues. All States and Territories contribute annually to the scheme.
- (2) \$3000
- (3) NYARS
- (4) In 1991/92 research projects commissioned through NYARS included the "National Youth Profile" and the "ACT Youth Profile", documents produced by the Australian Bureau of Statistics which provide up to date and accurate information on young people both across Australia and within the ACT.

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#### INSEARCH CANBERRA

- (1) Funding was provided to print and distribute an evaluation of Insearch Canberra.
- (2) \$550
- (3) Insearch Canberra.
- (4) Insearch conducts development and support programs for disadvantaged young people. Distribution of an evaluation of the program allowed Insearch to apply more effectively for on-going funding through a range of grants programs.

#### RED CROSS YOUTH HEALTH

- (1) Funding was provided for a series of education and support workshops for pregnant women under 20 years of age.
- (2) \$1000
- (3) Red Cross Youth Health
- (4) This program provided young pregnant women access to informative, appropriate and unbiased antenatal education which enabled them to maintain a high degree of emotional and physical health during their pregnancy and early parenting experiences.

#### WODEN COMMUNITY SERVICES/CANBERRA COMMUNITY HOUSING FOR YOUNG PEOPLE

- (1) Funding was provided to contribute towards the cost of sending twelve (12) young people to the Ausyrock 92 Conference in Croydon, Victoria.
- (2) \$1400
- (3) Woden Community Services/Canberra Community Housing for Young People
- (4) Conference participants received training in a wide range of areas of the Australian music industry. In addition, it was anticipated that the conference would provide opportunities to develop networks which would contribute to vocational pathways. Since returning, a number of the young people have participated in the organisation of an "ACT Battle of The Bands", a six week "Youth Music Training Program" and a future "Canberra Youth Music Festival".

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ACT YOUTH ACCOMMODATION GROUP (YAG)

- (1) Funding was provided to YAG to contribute towards the cost of sending twelve (12) people from ACT youth accommodation services to the 1991 National Youth Housing Conference in Melbourne.
- (2) \$3000
- (3) YAG
- (4) This project enabled twelve (12) youth accommodation workers to attend a national forum on youth housing issues. A report on the proceedings of the Conference was produced and was made available to service providers across the ACT.

NARRABUNDAH COLLEGE

- (1) Funding was provided to contribute towards the cost of sending twelve (12) students from Narrabundah College to the 1991 International Drama Festival in Vienna.
- (2) \$2640
- (3) Narrabundah College.
- (4) Festival participants gained experience in recent international developments in Theatre Arts Education. A report was produced and made available to sponsors and the Youth Affairs Unit.

BARNARDOS CANBERRA

- (1) Funding was provided to operate a school holiday recreation and support program for behaviourally disturbed adolescents.
- (2) \$4980
- (3) Barnardos Canberra.
- (4) Program participants had access to recreation and support activities which would otherwise have been unavailable.

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#### YOUTH AFFAIRS NETWORK OF THE ACT (YANACT)

- (1) Funding was provided to print the "Too Hard Basket" report.
- (2) \$2195
- (3) YANACT
- (4) The "Too Hard Basket" report is a comprehensive research document into the needs of young people from non-English speaking cultures. Printing enabled a wider distribution of the report to interested organisations and individuals.

#### COMMONWEALTH YOUTH BUREAU

- (1) All State and Territories contributed towards the cost of a national review of Australian Youth Sector Training Councils.
- (2) \$1000
- (3) Commonwealth Youth Bureau
- (4) The review considered recent developments in training, and the development of a core curriculum for youth workers. The review also considered the role of the Industry Training Advisory Board. This review will contribute to decisions concerning future funding of Youth Sector Training Councils to be considered at the Youth Ministers Council.

#### ACT YOUTH ACCOMMODATION GROUP (YAG)

- (1) Following a request by the Chief Ministers Youth Advisory Council (CMYAC), YAG undertook research into models of accommodation for under 16 years of age pregnant women.
- (2) \$5000
- (3) YAG
- (4) The report was forwarded to the Chief Minister in late December 1992. Outcomes of the research will be considered in the development of appropriate policies and programs.

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WODEN YOUTH CENTRE

- (1) Funding was provided to cover unforeseen additional costs in the staging of the "ACT Rattle of The Bands".
- (2) \$680
- (3) Woden Youth Centre
- (4) Over twenty (20) young ACT bands participated in this competition, which took place over six months in a drug and alcohol free, and safe, environment. The winner of the competition has received significant national attention.

ACT BRANCH OF THE AUSTRALIAN ASSOCIATION FOR ADOLESCENT HEALTH (ACT AAAH)

- (1) Funding was initially provided to cover the cost of an ACT AAAH Conference. Due to unforeseen circumstances the Conference did not go ahead, and it was agreed that the funds be redirected to cover cancellation costs and to contribute towards sending four (4) young people to the 1992 National AAAH Conference in Melbourne.
- (2) \$1700
- (3) ACT AAAH
- (4) The Australian Association for Adolescent Health is a national body which focuses on issues affecting the health of young people. Since attending the National Conference, the ACT Branch of AAAH has attracted the interest of additional young people who wish to participate in the management and operation of Branch activities. Youth participation was identified by National AAAH as a priority area.

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#### WODEN COMMUNITY SERVICES

- (1) Funding was provided to undertake research into, and the subsequent development of, school holiday programs for adolescents with a disability.
- (2) \$3550
- (3) Woden Community Services
- (4) A report on the outcomes of the research, and the development of appropriate programs, has recently been provided to the Youth Affairs Unit. It will be used in assessing the need for developing new policy and program approaches in this area.

#### YOUTH SECTOR TRAINING COUNCIL (YSTC)

- (1) Performance Indicator Training was provided for twenty (20) ACT youth sector workers.
- (2) \$3500
- (3) YSTC
- (4) As part of ensuring effective and appropriate service delivery within the youth sector, performance indicator training was provided for twenty workers from youth organisations in the ACT which are funded under the Youth Services Grant Program.

#### NATIONAL CENTRE FOR EPIDEMIOLOGY AND POPULATION HEALTH (NCEPH)

- (1) Funding was provided to allow NCEPH to undertake research into drug and alcohol use amongst young people.
- (2) \$8028
- (3) NCEPH
- (4) The report of NCEPHs research is due in February 1993.

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SOUTHSIDE COMMUNITY SERVICE

- (1) Funding was provided for a school holiday program for young people with disabilities.
- (2) \$3300
- (3) Southside Community Service.
- (4) Program participants had access to recreation and support activities which would otherwise have been unavailable. A report was produced for the Youth Affairs Unit, and it will be assessed to determine the need for new policy and program approaches in this area.

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18 February 1993

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

**Question No 417**

**Youth Organisations Research and Development Program**

MRS CARNELL - Asked the Chief Minister upon notice on 17 November 1992:

- (1) How many conferences were funded through the Youth Organisations Research and Development Grant during 1991-92.
- (2) What were the themes of these conferences.
- (3) Which organisations hosted these conferences.
- (4) How many people attended each conference.

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

In 1991-92 funding was made available through the Youth Organisations Research and Development (YORAD) Program to the ACT Branch of the Australian Association of Adolescent Health (ACT AAAH) to host an ACT AAAH Conference.

Due to unforeseen circumstances the Conference did not go ahead and it was agreed that the funds be redirected to cover cancellation costs and to contribute towards sending four (4) young people to the 1992 National AAAH Conference in Melbourne.

No other conferences were funded through the YORAD Program during 1991-92.

Funding was, however, made available to individuals and youth organisations to attend local and/or national conferences and training workshops. Those groups who received such funding were:

- . ACT Youth Accommodation Group (YAG) - contribution to the cost of sending twelve (12) people to the 1991 National Youth Housing Conference in Melbourne.
- . Narrabundah College  
- contribution to the cost of sending twelve (12) students to the 1991 International Drama Festival in Vienna.

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Woden Community Services/Canberra Community Housing for Young People  
- contribution to the cost of sending  
twelve (12) young people to the Ausyrock  
92 Conference in Croydon, Victoria.

Further information in relation to these grants is provided in the answer to Question No 416.

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

**Question No 418**

**Youth Conservation Corps**

MRS CARNELL - Asked the Chief Minister upon notice on 17 November 1992:

- (1) How will the 80 young people who will form the Youth Conservation Corps be employed.
- (2) What major projects are envisaged for this year.
- (3) What particular skills are the young people participating in this project expected to acquire.

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

- (.1) The ACT Youth Conservation Corps will be run jointly with the Commonwealth Governments Landcare and Environment Action Program (LEAP) in 1992-93 and will involve a total of approximately 100 young people in the ACT in formal and on-the-job training on conservation, landcare and heritage projects. The ACT component of the program will provide a focus on:

including disadvantaged young people in the program; and particular interest to the ACT community.

- (2) It is expected that between 8 and 12 projects will be commenced in this financial year and may include projects focussing on conservation, the environment and natural, historical and cultural heritage of the ACT. Some 13 proposed projects are presently being considered by an ACT /Commonwealth steering group, which is assessing them in order to maximise the training opportunities they offer young people and their value to the ACT community.

The first project to be approved under the joint program was proposed by the Australian War Memorial. On Monday 15 February 1993, fifteen (15) young people commenced work on a six month project involving the conservation and restoration of glass plate negatives and written material dating from the First World War. This is a project of local and national significance and represents a good start to the program in the ACT. A further six (6) projects, with approximately seventy (70) additional places for young people, are being considered for commencement in March 1993.

(3) The program aims to achieve the following specific outcomes:

relevant accredited training; opportunities for young people involved in the program to continue in further training and education; and greater opportunities in the labour market.

All young people participating in the program will receive formal training at the Canberra Institute of Technology (CIT) in landcare and related subjects as well as acquiring skills relevant to individual projects. CIT training will focus on enhancing the skills of disadvantaged young people, who will receive assistance for their specific needs.

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

**Question No 419**

**Improve the ACT Program**

MRS CARNELL - Asked the Chief Minister upon notice on 17 November 1992 in relation to the IMPACT program:

- (1) What were the 100+ projects funded through the program.
- (2) How much funding was provided to each project.
- (3) What did each project seek to achieve.
- (4) How did each project benefit the community.
- (5) Has each project been completed.
- (6) Are there any procedures in place for the return of funding on uncompleted projects. If not, why not.
- (7) Are recipients required to justify funding by providing a report.

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

- (1) The Improve the ACT (IMPACT) Program was introduced in December 1985 by the Minister for Territories. Since the programs inception, over 100 projects have been funded. As such, the resources required to answer the Members question for each of these projects would be considerable, and I do not feel that such an allocation of resources would be appropriate. I am, however, prepared to provide the following information on the IMPACT program for the Members interest. Additionally, should the Member require further information about specific projects funded under the program, I would be happy to make officers of my Department available to provide an oral briefing.
- (2) The IMPACT program provides one-off grants of up to \$2500 to young people to undertake projects which have both a benefit to the ACT community and a benefit to project participants.
- (3-4) Examples of projects funded under the IMPACT program in 1992/93 include the following:

"Metal For The Brain" Funds were provided to a group of young people to stage a drug and alcohol free heavy-metal benefit concert to raise money for the National Brain Injury Foundation. The concert featured twelve local and interstate bands, who performed under the slogan "Alcohol and Violence Tears You Apart", and has subsequently been



nominated for an Australian Violence Prevention Award.

"The Mobility Mural" Funds were provided to a group of young people to design and paint a mural which highlighted issues of relevance to young people with disabilities. A significant number of the projects participants were disabled, and the mural was featured in the launch of Access Awareness Week.

"Behind The Bottle" Funds were provided to a group of young people to write, film and produce a short video documenting the effects of alcohol abuse among young people. The video has been shown as a discussion starter in a number of local youth centres.

"Koori Music Project" Funds were provided to allow a group of young Aboriginal people to write and perform a number of musical compositions. The compositions incorporate both traditional and contemporary styles, and will be performed at a number of concerts scheduled during the Year of the Worlds Indigenous People.

"Storm In A Teacup" Funds were provided to a group of young women to stage an original piece of theatre which looked at the issue of mental health and suicide, with particular attention given to the issue as it affects young women. The play is scheduled for performance in April 1993.

(5) In relation to monitoring and evaluating projects funded under the IMPACT program, at the completion of each project, participants are required to provide to the Youth Affairs Unit:

- . a signed acquittal form, certifying that the purpose of the grant has been complied with;
- . a completed Project Account Record Book, supported by all receipts and cheque butts; and
- . a final bank statement of the account in which the grant monies were held, showing a zero (\$0.00) balance. (All unused funds, if any, are returned to the Youth Affairs Unit).

(6) Yes.

(7) Yes.

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

**Question No.436**

**Aboriginal Deaths in Custody - Officer Training**

MR HUMPHRIES - Asked the Chief Minister upon notice on 24 November 1992:

In relation to an amount of \$0.006m to be spent on officer training in response to the findings of the Royal Commission into Aboriginal Deaths in Custody (Budget Paper No. 2, page 178)

- (1) What sort of training will be received by officers.
- (2) How many officers will receive such training.
- (3) Who will provide the training.
- (4) How many Aboriginal people have died in custody in the ACT since 1980.

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

- (1) Officers from juvenile justice Services will receive broad Aboriginal cultural awareness training with an emphasis on legal issues and community integration for young Aboriginal offenders.
- (2) There are 40 officers in juvenile justice Services, all of whom will be given the opportunity to receive training. Places may also be offered to related services.
- (3) Training will involve a range of presenters from recognised Aboriginal groups covering Aboriginal culture and development.
- (4) The final report of the Royal Commission into Aboriginal Deaths in Custody did not identify any of the Aboriginal deaths it investigated nationally as having occurred in the ACT. I am advised that since the Royal Commission concluded its studies no Aboriginal deaths in custody have been recorded in the ACT.

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

**Question No 437**

**Aboriginal Education Programs**

MR HUMPHRIES - Asked the Chief Minister on notice on 24 November 1992:

In relation to an increase in spending from \$0.184m in 1991-92 to \$0.349m in 1992-93 on Aboriginal education through various specific programs (Budget Paper No. 2, page 170) -

- (1) What is the reason for the increase.
- (2) For what specific programs is the extra funding required.
- (3) How many Aboriginal people benefit from existing educational programs.
- (4) How many Aboriginal people are estimated to benefit from the extra programs.

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

(1) & (2) For 1991-92, total Commonwealth funding received for Aboriginal Education under the Aboriginal Education Strategic Initiatives Program was \$0.349m. Of this amount:

- \$0.184m was transacted through the Consolidated Fund (as shown in Budget Paper 2); and
- \$0.165 was paid directly by the Commonwealth to the ACT Institute of Technical and Further Education (now the Canberra Institute of Technology).

For 1992-93, at least a similar level of Commonwealth funding as in 1991-92 (\$0.349) is to be provided to the ACT, with all funding to be initially received into the Consolidated Fund and onpassed to agencies as appropriate. The submissions for funding, lodged in the last quarter of 1992, are still under consideration by the Department of Employment, Education and Training. The exact quantum of Commonwealth funding for 1992 (academic year) is yet to be advised.

(3) At the July census 1992 there were 431 Aboriginal and Torres Strait Islander students in the ACT government school system.

The Aboriginal Home School Liaison service provided by the Department is available to all Aboriginal and Torres Strait Islander students.

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There are four Aboriginal Education Assistant positions located in schools with a significant Aboriginal and Torres Strait Islander population. In 1992, 144 Aboriginal students had direct access to this service.

The Aboriginal Mentor program provides support for Aboriginal and Torres Strait Islander students exhibiting learning difficulties or requiring individual or small group work with social and cultural issues. In 1992 approximately 15 students directly received this service. The Mentors also provide a reference source for Aboriginal curriculum and cultural programs for all students.

The Artist in Residence program operated in 8 schools in 1992 and provided a service to the whole school communities and particularly 96 Aboriginal and Torres Strait Islander students attending those schools.

The Aboriginal Preschool Program operates at Narrabundah Early Childhood Centre. The number of children attending in 1992 varied.

ACT Institute of Technical and Further Education had 90 Aboriginal and Torres Strait Islander students enrolled in mainstream courses and 50 students enrolled in specially designed courses for Aboriginal people in 1992. The Aboriginal and Torres Strait Islander Centre at the Institute provides advice and support for students to assist in their studies.

(4) As any extra programs have yet to be finalised, it is not possible to estimate the benefits to flow from these.

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**MINISTER FOR HOUSING AND COMMUNITY SERVICES  
LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO 443**

**Housing Trust Properties - Wanniasa**

MR CORNWELL: Asked the Minister for Housing and Community Services -In relation to the redevelopment of Housing Trust properties at section 151, blocks 17-21 Wanniasa -

- (1) What was the original cost of construction of the 7000 series houses on site.
- (2) What is the estimated cost of redevelopment properties on this site.
- (3) What was the rental per property of (1) and how many dwelling units were there.
- (4) What will be the rental per property at (2) and how many dwellings units will be there.

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

- (1) The original cost of the 7000 series houses was as follows:

**SECTION BLOCK COST**

151 1 7 \$25,174  
151 1 8 \$25,735  
151 1 9 \$25,109  
1 5 1 2 0 \$25,410  
151 21 \$23,799

- (2)\$1,126,200.
- (3) \$151 per week, five.
- (4) The full rent for the six, two bedroom units and for the five, one bedroom units, will be based on current market rates applying at the time the units are completed and will subsequently be adjusted in accordance with any changes in market rent levels.

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**MINISTER FOR HOUSING AND COMMUNITY SERVICES  
LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO 444**

**Public and Private Rental Housing Costs**

MR CORNWELL: Asked the Minister for Housing and Community Services - What is the average cost per month (taking into account rental subsidy, repairs and maintenance and any other costs arising due to differences in circumstances between occupying a Housing Trust home and private rental, eg market rates), to the Housing Trust for each of its (a) 3 bedroom houses; (b) 4 bedroom houses; (c) 1 bedroom flats; (d) 2 bedroom flats; (e) 3 bedroom flats and (f) bedsitters.

MR CONNOLLY: The answer to the Members question is as follows - the information sought is not available. The level of market rent for private sector dwellings does not necessarily reflect the costs of provision of housing since returns on investment are influenced by market conditions, taxation policies and capital growth. A comparison between public and private supply of rental dwellings in the manner sought is therefore inappropriate given the major differences between the two systems.

**MINISTER FOR HOUSING AND COMMUNITY SERVICES  
LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO. 464**

**Housing Trust - Emergency and Priority Housing**

MR. CORNWELL - asked the Minister for Housing and Community Services - In relation to applications to the ACT Housing Trust for emergency housing -

- (1) What procedures are followed for allocation of emergency housing and who is authorised to make decisions regarding allocation of this housing.
- (2) Are there guidelines governing the success or failure of an application; and if so, what are they.
- (3) If there are no set guidelines, how is a decision made as to the success or failure of an application.
- (4) During November 1992, how many applications for emergency housing were lodged with the Trust.
- (5) How many of those applications at (4) were successful in gaining emergency housing.
- (6) What was the waiting time for allocation of emergency housing in each case at (5).
- (7) How many placements at (5) were for (a) two-parent family groups; (b) single parent family groups (c) single male adults and (d) single female adults.
- (8) How many of those placements in each group at (7) were also immediately placed on a transfer list for more appropriate premises.

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

- (1) Applications for emergency or priority housing are made to the Housing Trusts District Offices. An in-depth interview is conducted with all applicants and a written report prepared recommending a course of action. This report is considered by the Priority Housing Committee (PHC) along with any supporting documentation supplied by the applicant. A decision is then made by this Committee.

Under the Public Rental Housing Assistance Program the Commissioner for Housing is authorised to allocate housing. The Commissioner has delegated this authority to a number of senior officers, namely the Manager and Assistant Manager, Rental Housing Services, and the Assistant Manager, Community Housing. In cases of extreme housing need these officers have the delegation to expedite the allocation of housing and approve immediate accommodation.

- (2) There are guidelines governing the consideration of applications for priority and emergency housing. The applicants circumstances in several areas are considered, namely: family, financial, medical, social and current housing situation. A major consideration is whether applicants needs are greater than those of others on the housing waiting list.
- (3) See (2) above.
- (4) 181.
- (S) 71.
- (6) The waiting time for the allocation of priority housing varies depending on the type of accommodation and the location requested as well as the availability of housing stock to meet the requirement. The concept of an average waiting time therefore has no meaning in this context.
- (7) This information is not recorded.
- ( 8 ) The size of accommodation allocated is based on the actual number of people in the applicants household and any special needs the household might have. Applicants who are allocated priority housing which is less than their entitlement or not of their preferred style or in their preferred location remain on the normal waiting list until they are allocated the accommodation to which they are entitled and have requested.



**MINISTER FOR HOUSING AND COMMUNITY SERVICES  
LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO. 472**

**Housing Trust - Rent Arrears**

MR. CORNWELL - asked the Minister for Housing and Community Services - In relation to the arrears of \$4.5 million for ACT Housing Trust properties (answer to question on notice No 115) in 1991-92 -

- (1) How many arrears totalled \$10,000 or more.
- (2) How many totalled \$5,000-\$9,999.
- (3) How many totalled \$1,000-\$4,999.
- (4) How many were below \$1,000.

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

The information sought cannot be made available for the specific period without significant computer programming changes. However, the information available as at 13 January 1993 totalling current and vacated accounts is as follows;

Category	Current account	Vacated account	Total
Over \$10,000	0	0	0
\$5000-\$9,999	6	23	29
\$1000-\$4999	620	912	1531
Under \$1000	6,486	2,614	9,099
Total	7,112	3,549	10,661

Current rent arrears represent approximately 2.8% of the total rent receivable by the Housing Trust.

**MINISTER FOR HOUSING AND COMMUNITY SERVICES  
LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO. 473**

**Housing Trust - Rent and Rental Rebate Defaulters**

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

- (1) How many prosecutions were made against ACT Housing Trust tenants for (a) non-payment of rent and (b) fraud concerning entitlement to rental rebate in (i) 1990-91 and (ii) 1991-92.
- (2) How many convictions were achieved in relation to (a) and (b) in each of these years.
- (3) How much money was involved in relation to (a) and (b) in each of these years.
- (4) How much money has been (i) recovered and (ii) undertaken to be repaid in relation to (a) and (b) in each of these years.
- (5) How much money has been written off in relation to (a) and (b) in each of these years.
- ( 6 ) Does money at (5) represent part of the \$4.5 million in arrears at 1991-92.

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

(1) (a) The Housing Trust does not prosecute current tenants for current debts. A realistic negotiated agreement is preferred as this recognises the tenants capacity to pay.

(b) (i) 8  
(ii) 12

(2) (a) Refer to (1) (a).

(b) (i) 8

(ii)

12

( 3 ) ( a ) Not applicable. Refer to (1) (a).

(b) (i) \$26,407.89

(ii) \$80,558.33. This is the amount of money involved.

( 4 ) ( a ) (i). Not applicable. Refer to (1) (a).

(ii) As above.

(b) (i) This information is not readily available.

(ii) 1990-91. \$26,407.89

1991-92. \$67,335.35. This is the total amount  
awarded by the Court to be paid as  
compensation

( 5 ) ( a ) Not applicable. Refer to (1) (a).

(b) None.

( 6 ) No.

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

**QUESTION NO 484**

**X-Rated Videos - Raids on Premises**

Ms Szuty: Asked the Attorney General upon notice on 17 December 1993 - In relation to your statement in the Assembly on 9 December 1992 during the Publications Control (Amendment) Bill 1992 debate that there have been raids carried out in Fyshwick on premises selling X-rated videos

- (1) How many premises were raided.
- (2) Were any unclassified materials or banned imports found during these raids; if so, which premises were found to be carrying this material.
- (3) Has the Australian Federal Police (AFP) preferred any charges; if not, are charges being considered.
- (4) What are the consequences arising from the discovery of unclassified materials or banned imports.
- (5) Is the Attorney-General taking up the issue of unclassified material on sale interstate with his Federal, State and Territory counterparts.
- (6) Has any brief been given to the AFP in the Australian Capital Territory, or elsewhere, to follow up on possible sales of banned material via adult magazines.

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

- (1) Searched warrants have been executed upon three premises pursuant to the Publications Control Act 1989.
- (2) Yes. Offences under the provisions of Section 12(1) of the & Publications Control Act 1989 were proven against
- (3) Channel 69. In addition, a brief of evidence is being prepared with a view to issuing a summons against one other premise, which was found to have committed offences against Section 12(1). However, as that matter has not yet been placed before the Court, I cannot make any further comment.

- (4) The regulation of banned imports is a matter for the Commonwealth Government; where the material is discovered in the ACT and it is suspected of being unclassified, the material is usually referred to the Commonwealths Office of Film and Literature Classification for confirmation of its status; it is then a matter for local authorities to decide whether a prosecution should follow; if material is clearly an "objectional publication" within the ACTs Publications Control Act 1989, it is open to local authorities to commence a prosecution without necessarily seeking confirmation from the Commonwealths Office of Film and Literature Classification. Any unclassified materials or banned imports discovered by police are seized for evidentiary purposes.
- (5) The issue of unclassified material on sale interstate involves a range of regulatory laws, including pirating of copyright (a Commonwealth responsibility), use of the postal and telecommunications system for transmission of objectionable publications (a Commonwealth responsibility) to local sale and distribution of unclassified material (a State and Territory responsibility). The Australian Capital Territory has its own law (Publications Control Act 1991) to combat the sale and distribution of unclassified material and ACT authorities will assist, where possible other jurisdictions. My most recent offer of assistance as ACT Attorney General was made on 4 December 1992, to Hon John P Hannaford MLC, the Attorney-General for New South Wales in a matter concerning sexually explicit advertising brochures.
- (6) I am advised by the Chief Police Officer that the ACT Region of the Australian Federal Police has not received any such brief. Investigations outside of the ACT would be conducted by State/Territory police forces.

**MINISTER FOR HOUSING AND COMMUNITY SERVICES  
LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NUMBER 485**

**Housing Trust - Energy Efficient Houses**

MS SZUTY- asked the Minister for Housing and Community Services - In relation to energy efficient houses -

(1) What was the cost of constructing the two energy efficient houses in Gungahlin which the Minister recently handed over to ACT Housing Trust tenants.

(2) What is the cost of constructing a conventional three bedroom Housing Trust house in a similar location as the energy efficient houses referred to in (1).

(3) The Minister has announced there will be an evaluation of the two energy efficient homes before any commitment is made to constructing more such dwellings. What is the time frame in which the evaluation will take place.

(4) What instructions will the Housing Trust be giving developers about solar orientation and insulation requirements in Housing Trust properties to be constructed in the interim period before the evaluation is finalised.

MR CONNOLLY- The answer to the above question is:

(1) The costs of constructing the Gungahlin houses were:

\$107 887 for the 3 bedroom house (Excluding land acquisition); \$114 698 for the 4 bedroom house (Excluding land acquisition).

(2) The cost (excluding land acquisition) of acquiring, through a house/land package, a conventional 3 bedroom Housing Trust property in Palmerston was \$82 362. This is \$25 525, or 24%, less than the energy efficient properties.

(3) Electronic monitoring of thermal performance will be maintained for 2 years and then evaluated.

(4) The Housing Trust seeks to ensure that dwellings constructed are designed for good solar orientation and winter sun penetration, and above average thermal efficiency. Developers building for the Trust are instructed to comply as closely as practical with the Trusts Public Housing Standards, which address energy conservation and thermal comfort by requiring that:

Running costs to tenants are minimised; The house has specified floor, wall and ceiling insulation and vapour barriers which provide a good insulating envelope; Thermal massing is adequate; Maximum glazing to living areas faces, is between 15 degrees north west and 30 degrees north east; Sun penetration is maximised in winter but minimised in summer; and Living areas can be closed off from the rest of the house to form heating zones.

These standards will continue to be used until their review is warranted.

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**MINISTER FOR HOUSING AND COMMUNITY SERVICES  
LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO. 495**

**Housing Trust - Ex-Prisoner Tenants**

MR. CORNWELL - asked the Minister for Housing and Community Services -In relation to remarks made by an officer of the ACT Housing Trust (The Canberra Times, November 28 at page 16) that: "We do have people just out of jail but we do not provide low cost accommodation. I dont say they get priority and it is not true to say that they get preferential treatment. But on social justice principles we cant turn them away." -

- (1) How many ex-prisoners have been accommodated in Housing Trust properties since March 1992 up to November 1992.
- (2) Were all of these people ACT residents prior to being sent to prison.
- (3) If not, how did they fulfil the six month residency requirement for allocation of ACT Housing Trust accommodation if, in the words of the Trust official, such people "were just out of jail";
- (4) Is any consideration given to the suitability of ex-prisoners being accommodated in high rise or large Housing Trust complexes in view of the reason for their prison sentence, ie theft, rape, child molesting, etc.
- (5) If, again in the words of the Trust official, "I dont say they get priority and it is not true to say they get preferential treatment", how are these people accommodated in the Trust accommodation when at March 1992 there were 5,775 applicants totalling approximately 13,514 people on the waiting list (answer to question on notice number 194) and that "People on the normal waiting list for Housing Trust accommodation are allocated a residence in the order that their registration is received". (Answer to question on notice number 246).

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

- (1) This information is not recorded.
- (2) This information is not recorded.
- (3) In order for people to register for public housing they must live and/or work in the ACT. As the ACT does not have a jail, ex-prisoners who lived and/or worked in the ACT prior to their imprisonment are deemed to have lived in the ACT during their imprisonment.



- (4) In making allocations the Housing Trust takes into consideration the appropriateness of the allocation given all the available information, the applicants housing needs and preferences and the availability of different sizes and types of dwellings in various locations. Single applicants are entitled only to one bedroom accommodation and will therefore be housed in flat complexes.
- (5) See the answer to (3) above. Assistance to ex-prisoners, as with all applicants, is provided in the order in which their names appear on the Register. Applicants may apply for a priority allocation if they have a special need. Priority allocations are approved for an applicant who can demonstrate that he/she has a greater need than others on the waiting list.

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**MINISTER FOR HOUSING AND COMMUNITY SERVICES  
LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO. 496**

**Housing Trust - Emergency Housing of New Arrivals**

MR. CORNWELL - asked the Minister for Housing and Community Services - In relation to families who arrive in the ACT from NSW or elsewhere without somewhere to stay but with the intention of obtaining public housing-

- (1) Does the ACT Housing Trust ever provide such persons with emergency housing.
- (2) Does the Housing Trust ever provide such persons immediately with rental assistance in the form of a bond or rent relief.
- (3) Does the Housing Trust always validate information provided to them by such persons on application forms.
- (4) Does the Housing Trust always verify with the State or Territory of origin of such persons their record, particularly in regard to their performance as public tenants.
- (5) If the Housing Trust provides emergency housing as at (1), does the Housing Trust immediately place persons on a transfer list to more suitable accommodation.
- (6) If the Housing Trust provides immediate financial assistance as at (2), does the Housing Trust immediately place such persons on a transfer list to more suitable long-term accommodation.
- (7) In the 12 month period to 30 November 1992, how many single people and families from other States, Territories or countries have been assisted by the Housing Trust (a) financially or (b) by provision of accommodation within six months of their arrival in the ACT.

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

- (1) Yes, but only in circumstances of extreme housing need.
- (2) Yes, but only in extreme circumstances.
- (3) The Housing Trust always validates information provided on application forms.
- (4) If it is relevant the Housing Trust makes necessary enquiries with with State and Territory authorities. However, this depends on the willingness of the authorities to provide the information.
- (5) The tenant stays on the transfer list if the- emergency housing allocated is not in accordance with the clients entitlement or choice.
- (6) A recipient of rent relief is on the waiting list and has not been allocated a dwelling, transfer is not therefore relevant.
- (7) This information is not readily available.

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**MINISTER FOR HOUSING AND COMMUNITY SERVICES  
LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO. 497**

**Housing Trust - Problem Tenants**

MR. CORNWELL - asked the Minister for Housing and Community Services -In relation to tenants of ACT Housing Trust properties -

- (1) How does the Housing Trust deal with complaints about its tenants behaviour.
- (2) Does the Housing Trust involve the neighbourhood in its efforts to solve social problems which may be caused by its tenants.
- (3) Does the Housing Trust at any stage accept responsibility for its tenants social behaviour (or more particularly their misbehaviour).
- (4) What steps does the Housing Trust take to persuade its tenants to be more acceptable members of their local community if it is proven that they "do not fit in".
- (5) Does the Housing Trust move "problem" tenants if a previously settled neighbourhood is truly being disrupted by anti-social and/or illegal activities of a newly accommodated Housing Trust tenant.
- (6) Rather than simply continuing to move a problem tenant does the Housing Trust ever refuse to continue provision of accommodation.
- (7) Does the Housing Trust, in order to deal with "problem tenants", ever change such tenants to a rental subsidy and allow such a tenant to rent on the private market and accordingly be dealt with by the accepted and legal processes existing therein. If not, why not.
- (8) If numerous complaints are received from the neighbourhood about a "problem" Housing Trust tenant and, after a period of time during which the problem is not eased by the Housing Trust as landlord, several of the Housing Trusts other more long-term tenants who are part of that neighbourhood place themselves on a transfer list in order to move to a safer more congenial neighbourhood away from the particular "problem" tenant, what action does the Housing Trust take.

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

(1) The Housing Trust investigates all complaints made against its tenants. In investigating such complaints the Housing Trust is mindful of the provisions of the Privacy Act and the need to protect both the tenants and the complainants confidentiality.

If a complaint can be substantiated the tenant is interviewed and their obligations under their tenancy agreement reiterated. Legal action is taken if the tenant continues to break the tenancy agreement.

(2) In accordance with the Privacy Act complaints are dealt with tactfully and discretely. The Housing Trust will only involve the neighbourhood in its efforts to solve problems which may be caused by its tenants if such involvement is required, that is if the problem is a neighbourhood problem. Encouraging tenants to utilise the Conflict Resolution Service in resolving problems with neighbours is often used.

(3) The Housing Trust accepts responsibility only as far as is possible as a landlord. Housing Trust officers do refer tenants to support networks and agencies to help resolve social problems which are affecting their behaviour towards other tenants.

(4) The Housing Trust asks all tenants to observe their tenancy agreements. Legal action is taken where tenants are in breach of their tenancy agreement.

(5) The Housing Trust first attempts to resolve any disruptions caused by "problem" tenants. If they cannot be resolved the Housing Trust considers all appropriate action. Illegal activities are dealt with by the appropriate authorities.

(6) In extreme cases, where the tenant has breached his or her tenancy agreement, the Housing Trust will refuse to continue to provide accommodation.

(7) The Housing Trust does not change "problem tenants" to rental subsidies. The Housing Trust cannot terminate a tenancy agreement unless a tenant requests this action or is in breach of their tenancy agreement. A tenant can choose to vacate their property but they are then ineligible for rent relief for two years after vacating the property. In extremely difficult situations the Housing Trust may waive this criterion but this would not be done to overcome disruptive behaviour.

(8) The Housing Trust will attempt to assist in resolution of the problem as indicated above. If the tenant is in breach of their agreement legal action is taken.

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## Question On Notice No 508

### Fire Brigade - Industrial Relations

MR MOORE asked the Minister for Urban Services

In relation to the submissions to you by Mr S I Buchanan on 24 September 1992 and your reply of 12 November 1992 concerning the Fire Brigade Employees (ACT) Award 1975

- (1) Is the Minister able to state whether - (a) in 1975 the rules of the Federal Firefighters Union did not cover under its registered rules, either - (i) the ACT Fire Brigade INDUSTRY (Rule 4); or (ii) ACT Firefighters under ELIGIBILITY (Rule 7); (b) the ACT Fire Brigade and its employees were not covered by the registered rules of the Federal Firefighters Union until 21 August 1985 when the Commonwealth Industrial Registrar approved (R Nos. 16 and 17 of 1985) the amendments to the two rules, INDUSTRY and ELIGIBILITY; and (c) all reference to "civil Fire Brigades" such as the ACT Fire Brigade had been excised from the rules of the Federal Firefighters Union in 1971 prior to its registration on 14 June 1944.
- (2) Will the Minister make available a copy of the official notification from the Department of Labor and Immigration given to the Department of the Capital Territory about March 1975 warning it of the fact that the Conciliation and Arbitration Commission probably did not have jurisdiction to hear the dispute.
- (3) Is the Minister able to state whether, almost immediately after the Fire Brigade Employees (ACT) Award 1975 was handed down on 15 September 1975, Conciliation Commissioner Deverall, (C No. 402 of 1975) stated that neither he nor the Commission had control over firefighters then employed in Canberra.
- (4) (a) Has the Ministers attention been drawn by ACT Administration officers to the 9 October 1975 statement by Commissioner Deverall in the following terms: "At the present moment their industrial relations are regulated by an award of this commission which has a great big question mark against it so far as I am concerned, but their industrial relations are with the New South Wales Board,"; and (b) as the Minister sought advice on whether the award had been validly made if the Commission at the time of the statement had no authority over the firefighters employed in the ACT; if so, what was the advice; if not, does he propose to seek advice on the matter.
- (5) Has the Ministers attention been drawn to: (a) information supplied to the Canberra Civil Branch of the Federal Firefighters Union (FFU) in July 1981 by M. Moore, barrister, now a Judge of the Industrial Relations Commission, that the validity of the award could be challenged on a number of grounds; (b) the fact that the same legal opinion from Mr Moore, barrister, drew to the attention of the Committee of Management of the Canberra Civil Branch of the FFU that employees of the ACT Fire Brigade were in fact not eligible to be members of the Federal Firefighters Union; and (c) to the opinion by Higgins, Solicitors, of 8 May 1985 expressing the view of Mr T. Higgins that "members of the Canberra Branch of your Firefighters Unions (sic) are not qualified to be members of the FFU is a sound one," prior to the Ministers letter of 12 November 1992.

(6) Has the Minister sought advice on (a) the validity of the Award given that the District Officer enrolled in the FFU on 14 May 1975 so that proceedings could commence before the Commission was not eligible to be a member of the FFU; (b) how ACT Fire Brigade and its employees could be covered by an Award of the Commission as it was not covered by the INDUSTRY rule of the FFU; (c) how the Award could have been made validly under the provisions of the Conciliation and Arbitration Act as neither the District Officer enrolled in 1975 nor the other employees of the ACT Fire Brigade were eligible to be members of the FFU until 21 August 1985 (R No. 17 of 1985); and (d) how the Minister, who was not even the employer at the time could be a party to the Award in 1975 as the ACT Fire Brigade was not covered by the INDUSTRY rule of the FFU until the 21 August 1985 (R No. 16 of 1985), if so, what was the advice received on each case; if not, does he propose to seek advice and take further action in relation to each of these matters. -

(7) Has the Minister requested from the Canberra Civil Branch of the FFU a copy of the legal opinion provided by M Moore, barrister, in July 1981; if not, will he make such a request now.

(8) Why were all these important issues raised with the Minister not answered in his letter to Mr I Buchanan of 12 November 1992.

(9) Has the Minister sought advice on whether the ACT Fire Brigade Employees (ACT) Award could have been validly made under the provisions of the Conciliation and Arbitration in 1975 given that the answers given in the Senate on 31 May 1988 to which the Minister refers in his letter of 12 November 1992 relate to actions which have been shown to be contrary to law as neither the District Officer or the ACT Fire Brigade were covered by the rules of the Union. If so, what was the advice; if not, does he propose to seek advice on the matter.

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

In 1975 I was a high school student in Adelaide and not responsible for actions taken at that time.

As I indicated to Mr Buchanan in my letter of 12 November 1992 to which the Members question refers, the substance of Mr Buchanans concerns about allegations relating to the ACT Fire Brigade has been answered in response to questions raised in the Senate on 31 May 1988. A copy of the questions and answers was provided to Mr Buchanan.

Consistent with my response to Mr Buchanan, the matters raised occurred well before the time of self Government in the Territory and appear to have been covered adequately by Commonwealth Ministers.

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

**QUESTION NO 510**

**Drivers Licences - Health Questions**

Mr Humphries - asked the Minister for Urban Services - In relation to applications for renewal of ACT Drivers Licences:

- (1) What questions are asked of a person seeking to renew a drivers licence concerning that persons health.
- (2) What consequences flow from a positive answer to any of those questions.
- (3) With respect to any question relating to heart disease, does the motor vehicle registry distinguish between persons who have suffered from heart disease but do not currently so suffer and those who still suffer from heart disease when renewing a drivers licence.

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

- (1) Have you ever suffered from: Epilepsy, Paralysis, Diabetes, Heart Disease?

Do you frequently suffer from attacks of giddiness, blackouts, fainting or other sudden periods of unconsciousness?

Do you suffer from any permanent disability to either hand or arm, foot or leg, or eye, or any disability that could affect your control over a motor vehicle?

- (2) If any answer is positive the applicant is referred to a Medical Testing Officer appointed under the Motor Traffic Act 1936 for a medical opinion, unless the applicant has been assessed by a Medical Testing Officer within the previous five years.
- (3) No. All licences are renewed for a five year period and licence holders declaring heart disease disability are referred to a Medical Testing Officer in case of a change of condition.



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

**QUESTION NO 524**

**Library Service - "American Psycho"**

Mr Cornwell - asked the Minister for Urban Services: Further to your reply to Question on Notice 477 that the last borrower claims to have lost the publication American- Psycho -

- (1) Is it intended that the borrower financially recompenses the ACT Library Service for this lost book.
- (2) If so, what procedures have been instituted to obtain this money.
- (3) If no financial recompense is to be sought, why not
- (4) How many books have been lost by borrowers and how much financial restitution has been obtained since the inception of the new borrowing procedures.

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

- (1) All borrowers who lose or damage library books are expected to pay the cost of the book and a \$15.00 administrative charge.
- (2) & (3)

The borrower who had borrowed the book American Psycho was sent one overdue notice ten days after the book was overdue. Another final notice requesting payment for the book was sent three weeks after the first notice: He did not respond to either notice. He was then requested by phone on at least three occasions to either return the book or pay for replacing it. He has done neither, and has since been banned from borrowing any books

- (4) The ACT Library Service has received \$25978.00 for lost and damaged books since the inception of new borrowing procedures using the automated system. This represents approximately 1000 books. However because the ACT Library Service has no legal powers to enforce payment some books are never returned.

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

**QUESTION NO. 525**

**Road Safety - Through-Traffic Study**

Mr Cornwell - asked the Minister for Urban Services:

When is it expected that the six suburb through-traffic study, identifying areas of greatest need, which was due for release for public comment in July 1992, (your letter of 13 May 1992 to Theodore Street Action Group), now will be available for public comment?

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

Progress on the study of through-traffic in the older areas of Canberra has been slower than originally anticipated. The study is being carried out by the Traffic sub-section of my Department, an operational area concerned with traffic safety and road crashes. It is therefore inevitable that unforeseeable events sometimes alter the priority of particular projects, necessitating the re-allocation of resources and the revision of timetables. For example, pedestrian safety in the vicinity of schools is considered a high priority matter and any traffic accidents involving school children must be investigated immediately.

The assessment of through-traffic in six of the older areas of Canberra is continuing and has been expanded to include data on traffic noise and accident rates. It is now anticipated that the results of this assessment will be available in June 1993.

On 21 December 1992, I wrote to the Theodore Street Action Group advising that work on the study had been delayed.

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

**QUESTION NO 542**

**Library Service - Kippax Library**

Mr Cornwell - asked the Minister for Urban Services:

- (1) Are there any plans to upgrade the Kippax Library to a permanent facility and if so, when is this intended to take place and at what cost.
- (2) If there are no upgrading plans, is it intended to retain the existing temporary facility.
- (3) If there are no plans to upgrade nor retain the existing facility, why not.

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

- (1) It is planned that library services to the suburbs surrounding Kippax will be provided from the current building for the foreseeable future:

The current library building at Kippax, although a portable classroom style building, was designed and furnished as a library. It has been well maintained and continues to provide a valuable community facility to the area. Plans have been prepared for some modification to the building which will improve facilities for both the public and staff, and these will proceed as soon as funds permit.

18 February 1993

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

**QUESTION NO 543**

**Library Service - Weston Creek**

Mr Cornwell - asked the Minister for Urban Services:

- (1) Is it the Governments policy to construct a regional public library facility for residents of Weston Creek.
- (2) If so, when and at what cost.
- (3) If not, why not.

Mr Connolly - the answer to the Members question is:

(1) The Woden Town Centre Library was designed to serve the residents of Woden and Weston Creek. The current collection in that library, based on one book per head of population, more than adequately serves the total population of that area.

In addition to the Town Centre Library, services are provided to the residents of Weston Creek through the Mobile Library which visits three locations in the area, such as the Mirinjani Retirement Village. For those no longer able to travel to a library, the Home Library Service delivers books directly to peoples homes. At present 20 residents of Weston Creek receive this service.

Also the Disability Services Unit serves those residents of the area who require special needs.

(2) & (3) See above.

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APPENDIX 1:

(Incorporated in Hansard on 16 February 1993 at page 12)

**CHIEF MINISTER FOR THE AUSTRALIAN CAPITAL TERRITORY**

**LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION WITHOUT NOTICE**

**17 DECEMBER 1992**

MR KAINE: TREASURER, THERE HAS BEEN A 2 PER CENT PAY RISE ANNOUNCED FOR PUBLIC SERVANTS, AND I PRESUME THAT INCLUDES ACT PUBLIC SERVANTS. CAN YOU TELL US WHAT THE NET EFFECT OF THAT PAY RISE ON THE ACT GOVERNMENT SERVICE PAY ROLL? 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 ADMINISTRATIVE GRADES?

MR KAINE: 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?

MY ANSWER IS:

THE FRAMEWORK AGREEMENT FOR INTRODUCING PRODUCTIVITY BARGAINING INTO THE ACT PUBLIC SECTOR WAS CERTIFIED BY THE INDUSTRIAL RELATIONS COMMISSION ON 16 DECEMBER 1992. THE COMPONENTS OF THAT AGREEMENT ARE:

- AN UP FRONT PRODUCTIVITY PAY ADJUSTMENT OF 2% PAYABLE ON COMMENCEMENT OF THE AGREEMENT (FOR WHICH A RANGE OF INITIATIVES HAS BEEN IDENTIFIED WHICH WILL GIVE RISE TO EFFICIENCY IMPROVEMENTS); THIS WILL BE AN ADJUSTMENT TO EXISTING BASE RATES OF PAY;
- ANNUAL ECONOMIC ADJUSTMENTS OF 1.4% AND 1.5%, PAYABLE ON 1 MARCH 1993 AND 1 MARCH 1994 RESPECTIVELY; THIS WILL BE AN ADJUSTMENT TO EXISTING BASE RATES OF PAY;
- A FRAMEWORK WITHIN WHICH FURTHER "LOCAL" PRODUCTIVITY AGREEMENTS CAN BE NEGOTIATED, LEADING TO ADDITIONAL PAY INCREASES OF UNSPECIFIED QUANTUM. THESE WILL BE SUPPLEMENTARY TO THE BASE RATES OF PAY. THE OUTCOMES WILL BE AGREED BY GOVERNMENT;

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18 February 1993

- ARRANGEMENTS FOR PERFORMANCE APPRAISAL, PERFORMANCE PAY AND RELATED MATTERS FOR THE SENIOR EXECUTIVE SERVICE (SES); AND
- ARRANGEMENTS FOR PERFORMANCE APPRAISAL, PERFORMANCE PAY, ALLOWANCE & RELATED MATTERS FOR SENIOR OFFICERS & EQUIVALENT CLASSIFICATIONS.

THE COST TO THE BUDGET IN 1992-93 OF THE 2% PRODUCTIVITY PAYMENT AND THE 1.4% ECONOMIC ADJUSTMENT PAYABLE IN MARCH 1993 IS ESTIMATED TO BE \$5.0M. THE COST OF THE SENIOR OFFICER ALLOWANCE AND PERFORMANCE PAY FOR THE SENIOR EXECUTIVE SERVICE AND THE SENIOR OFFICERS STRUCTURE WILL ADD ANOTHER \$3.4M TO THE 1992-93 COST.

THE 1992-93 COSTS WILL BE FUNDED FROM WITHIN THE \$12M BUDGET PROVISION FOR WAGE AND SALARY INCREASES ARISING DURING THE COURSE OF THIS FINANCIAL YEAR. THIS PROVISION IS DETAILED IN THE BUDGET OVERVIEW TABLE ON PAGE 51 OF BUDGET PAPER NO 2 FOR 1992-93.

THE INDICATIVE FULL YEAR COST OF BOTH THE 1.4% AND THE 1.5% ECONOMIC ADJUSTMENTS PAYABLE UNDER THE AGREEMENT IS APPROXIMATELY \$8M. THIS ONGOING COST WILL BE FUNDED FROM FUTURE RECURRENT REVENUES.

THE FULL YEAR COST OF THE 2% PRODUCTIVITY PAYMENT WILL BE PROGRESSIVELY OFFSET BY INCREASED PRODUCTIVITY IMPROVEMENTS.

SALARY AND WAGE INCREASES FOR ADMINISTRATIVE OFFICERS GRADE 6 AND BELOW FLOWING FROM LOCAL ENTERPRISE AGREEMENTS WILL BE SELF-FUNDED THROUGH PRODUCTIVITY SAVINGS.

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APPENDIX 2:

(Incorporated in Hansard on 16 February 1993 at page 12)

**MINISTER FOR EDUCATION AND TRAINING**

**LEGISLATIVE ASSEMBLY QUESTION  
QUESTION TAKEN ON NOTICE ON 9 DECEMBER 1992**

**High School for Bonython Primary Students**

MR CORNWELL - asked the Minister for Education and Training:

Why are pupils from Bonython Primary being directed to Kambah High School which on my calculations is over four kilometres or four and a half kilometres from the south of the suburb of Bonython after previously being advised by your department in a publication to all households in the area that Calwell High School served the suburb Bonython? Will buses be provided to transport these students and for how long is it intended that they should attend Kambah High before they can transfer to the proposed Lanyon High?

MR WOOD - the answer to Mr Cornwells question is:

Calwell High School is currently the holding school for Bonython and Lanyon students. The publication referred to stated that "Calwell High School currently serves all of Bonython". This statement is correct and will still apply in 1993.

Calwell High School cannot continue to accommodate new students from these suburbs in 1994 and 1995 as enrolments would exceed 1000 and this would put too much pressure on core facilities. The intention is to expand Calwell High School to 920 for 1995. This additional capacity will be needed in the year 2000 when the school experiences peak enrolments from its own catchment.

A total distance of up to 5km is not excessive for high school students. In any case the distance from Bonython to Calwell High is only slightly less than that from Bonython to Kambah. I am advised that a route bus service through the Tuggeranong Town Centre bus interchange and on to Kambah High School is already operating. Consideration will be given to provision of a school bus service to serve the students from Bonython, depending on demand. In addition, I would point out that a fairly direct bike path system from Bonython to Kambah High School is expected to be in place by 1994.

Pending the opening of Lanyon High School in 1996, the last Year 7 cohort from Bonython to attend Kambah High School will be in 1995. These Bonython students will have the option of completing studies at this school or transferring to Lanyon High School.

I am advised that while this is the current proposal for holding school arrangements for 1994 and 1995, the Department is in the process of reviewing the situation following representations from the Bonython school community.