



DEBATES

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

HANSARD

20 May 1993

Thursday, 20 May 1993

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MADAM SPEAKER (Ms McRae) took the chair at 10.32 am and read the prayer.

PETITION

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

By **Mr Lamont**, from one resident, requesting that the Assembly call Mr Paul Whalan to appear before the Assembly to make a statement in response to allegations made in the Assembly.

The terms of this petition will be recorded in *Hansard*.

Member's Allegations - Redress

The petition read as follows:

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

The petition of Paul Whalan, a resident of the Australian Capital Territory, draws to the attention of the Assembly that on Tuesday, 19 May 1993, Michael Moore MLA made certain statements concerning the petitioner. His allegations are without foundation and have diminished the petitioner's reputation and jeopardised his business as a consultant. Your petitioner notes that there is no procedure whereby a citizen may seek redress in the Legislative Assembly following an attack by a Member under Parliamentary privilege.

Your petitioner therefore requests the Assembly to call your petitioner to appear before the Assembly to make a statement in response to Mr Moore's allegations.

Petition received.

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CASINO CONTROL (AMENDMENT) BILL 1993

MS FOLLETT (Chief Minister and Treasurer) (10.33): Madam Speaker, I present the Casino Control (Amendment) Bill 1993.

Title read by Clerk.

MS FOLLETT: I move:

That this Bill be agreed to in principle.

This Bill will amend the Casino Control Act 1988 to allow the licensee for Casino Canberra to account for the financial operation of the casino on the basis of a financial year ending on 31 December. At present, by virtue of the operation of the Interpretation Act, the casino is required to provide financial statements and accounts on the basis of a financial year ending on 30 June. However, as Casino Canberra is a subsidiary of an Austrian company that reports on a calendar year basis, this arrangement is impractical and inefficient.

The Bill rectifies this by amending the definition of "financial year", and also provides for the necessary transitional arrangements in respect of the financial year ending on 31 December 1992. The Bill requires the casino licensee to submit to the Minister the relevant financial statements and accounts for the financial year ending 31 December 1992 as soon as practicable, but not later than 21 days after the commencement of the Bill. The Bill also requires the licensee to cause the books, accounts and financial statements for the year ending 31 December 1992 to be audited as soon as practicable after the commencement of the Bill. I now present the explanatory memorandum for the Bill.

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

SUPPLY BILL 1993-94

MS FOLLETT (Chief Minister and Treasurer) (10.35): I present the Supply Bill 1993-94.

Title read by Clerk.

MS FOLLETT: I move:

That this Bill be agreed to in principle.

This Bill is to authorise expenditure from the Consolidated Revenue Fund after 1 July 1993. It is an interim Bill that will lapse upon the enactment of the Appropriation Bill 1993-94, which will be introduced into this Assembly with the 1993-94 budget for the ACT. Supply Bills are the traditional means of continuing government services pending passage of the budget.

The Bill authorises an amount of \$643,367,300 to be issued by the Treasurer from the Consolidated Fund. This amount will be issued for the programs specified in the schedule to cover payments necessary for the continuing operation of government services. The amounts for each program provide for expenditure for the interim period between the commencement of the financial year and the

passing of the Appropriation Bill. This is expected to occur during the November sittings of the Assembly. No provision has been made for policy changes, as is the usual practice. Policy and other changes in budgetary arrangements will be addressed in the formulation of the budget for 1993-94 and will be presented to the Assembly in that context.

The Supply Bill is in line with the current administrative arrangements. However, there are some minor changes in program order from that presented in the 1992-93 program structure. In addition, the Arts program has been renamed Culture and Heritage. Within each of the programs, a distinction between recurrent and capital expenditure has been made, to limit the application of the moneys appropriated. I now present the explanatory memorandum for the Bill.

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

**LONG SERVICE LEAVE (BUILDING AND CONSTRUCTION INDUSTRY)
(AMENDMENT) BILL 1993**

MR BERRY (Minister for Health, Minister for Industrial Relations and Minister for Sport) (10.37): Madam Speaker, I present the Long Service Leave (Building and Construction Industry) (Amendment) Bill 1993.

Title read by Clerk.

MR BERRY: I move:

That this Bill be agreed to in principle.

The Long Service Leave (Building and Construction Industry) Act established a scheme in 1981 to provide benefits to employees and contractors working in the building and construction industry. Control of the scheme is maintained by a board which includes both employer and employee representatives. The scheme is funded by a levy on wages paid by employers and income earned by participating contractors. Ten per cent of contributions collected is allocated for industry training purposes.

The Bill I now present is the result of a review of the Act based on experience in running the scheme over the past 12 years. A number of major changes are proposed. A levy on the wages of apprentices will be abolished, with effect from 1 July 1992. Contributions already paid to the board for that purpose in respect of this financial year will be refunded. Benefits will be received by those employers in the industry who are fulfilling their training responsibilities, with the greatest benefit going to those employers with a number of apprentices. This is a positive and timely move by the Government to reduce the costs to industry of employing young people and is a practical demonstration of the Follett Government's commitment to address the problem of youth unemployment - not just words, action.

Mr Kaine: You are a bit of a comedian. There is no doubt about you, Wayne.

MR BERRY: I hear the Liberal Opposition laughing. They are great ones to whinge and complain about this Government, but when this Government resorts to action they are galled and cynical about the whole process. This is an issue of action.

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The period of apprenticeships will now be recognised as service for the purpose of calculating long service leave benefits. Previously, apprentices were disadvantaged by not having their apprenticeship period of employment recognised until at least five years' employment in the construction industry had been worked following the completion of the apprenticeship. All workers in the construction industry will now be treated similarly. So it is not only a government of action; it is a government of fairness.

The Bill will also allow contributions through the board levy for training purposes to be recognised for the purposes of the Commonwealth Training Guarantee (Administration) Act. The retrospective application of the change to 1 July 1990 will redress difficulties caused by the wording of the current legislation and ensure that employers' contributions through the board's levy are recognised as a legitimate contribution to industry training. The Australian Taxation Office has confirmed that the difficulties with ACT legislation which currently exist will be resolved by the amendments proposed. The scheme will be extended to cover part-time workers. The Bill will also increase from \$100,000 to \$250,000 the monetary limit of contracts which the board may enter into without prior ministerial approval. The new ceiling is appropriate, considering the significant property investments managed by the board, and is consistent with arrangements which exist in similar schemes in other States.

The Act currently provides for the payment of penalty interest of 2.5 per cent for each month or part of a month during which any levy amount remains unpaid. The Bill provides for a minimum penalty interest of \$50 per month to be payable. This change will bring the ACT into line with the provisions of other long service leave schemes. The board will be empowered to write off debts and overpayments which are irrecoverable or uneconomical to recover or refund. Apart from amounts that relate to liquidated or bankrupt employers, individual amounts proposed to be written off are of small value and will not financially disadvantage the operations of the board. The Bill will also change the methods of calculation of payments for long service leave credits for contractors, to ensure that payments are calculated more equitably. Gender-specific references in the legislation will be removed. In addition, a number of minor and technical amendments are to be made.

As you can see, Madam Speaker, some of the amendments proposed are significant. They have the effect of tidying up the long service leave entitlements of workers in the construction industry. At the same time, they provide some relief for employers by eliminating the levy on apprentices and ensuring that contributions allocated for industry training are claimable under the Commonwealth Training Guarantee (Administration) Act. These changes can be effected without affecting the financial viability of the long service leave scheme.

There has been considerable consultation, consistent with this Government's overall approach to consultation, which has been demonstrated over and over again. We have consulted with employee and employer organisations through the Building and Construction Industry Long Service Leave Board, and there is general support from all parties for the amendments proposed in the Bill. I commend the Bill to the Assembly and present the explanatory memorandum to the Bill.

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

BETTING (TOTALIZATOR ADMINISTRATION) (AMENDMENT) BILL 1993

MR BERRY (Minister for Health, Minister for Industrial Relations and Minister for Sport) (10.43):
Madam Speaker, I present the Betting (Totalizator Administration) (Amendment) Bill 1993.

Title read by Clerk.

MR BERRY: I move:

That this Bill be agreed to in principle.

The Bill establishes ACTTAB as a statutory authority instead of its current status as a Territory owned corporation. This change will strengthen ACTTAB's accountability to the Government and, through it, to the people of the ACT. The changes that were brought about by the former Alliance Government were based on a privatisation philosophy.

Mr De Domenico: Which every TAB in the country works under.

MR BERRY: It does not. The Government recognises the importance of the racing industry to the ACT and the significant income generated through ACTTAB business. ACTTAB turnover last financial year was \$85.8m. I think everybody would agree that, with such a high turnover, it is important that ACTTAB not only is fully accountable to the punters and public in general but also is seen to be accountable.

Mr De Domenico: How many shareholders does ACTTAB have? Two - you and the Chief Minister.

MR BERRY: Forget the philosophical bent. You are preoccupied and smitten with privatisation and business. All you are ever concerned about is the dollars for your mates. Under the present legislation, dividends are paid directly to the shareholders - in this case, the Chief Minister and me. While there may be full confidence in the present Government, in the future under a different administration punters may not feel as comfortable. They certainly were not comfortable, under the Alliance Government, about the dividends being paid in such a way. The amendments presented today will ensure that that situation does not arise.

Given the economic importance of the industry to the ACT, it is a high priority for the Government to ensure that ACTTAB functions in a manner which achieves maximum benefits to the Territory.

Mr Kaine: It does now.

MR BERRY: It does not now. The current legislative framework for ACTTAB operations as a Territory owned corporation limits the Government's ability to exercise a more positive role in its operations. Recently there has been activity aimed at pushing - - -

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Mr Kaine: You are saying that the pay-off to the community has not been good enough. Labor ideology strikes again.

Mr Cornwell: Is he reflecting on the operations of the board?

MR BERRY: Look, you know about it. There was activity aimed at pushing for privatisation of ACTTAB, and you know about it. You know that we oppose privatisation. You are for privatisation for privatisation's sake. We know where you are coming from - just looking after your mates, lining them up outside there and saying to them: "The gravy train is here for you. Come and get it, fellas". That is the Liberal Party, not us. This is a valuable community asset. It is not for sale. The change to a statutory authority will ensure that it is better able to meet the Government's policy objectives while allowing for it to retain commercial and operational flexibility. The ACTTAB service to punters and its functions will remain unchanged. ACTTAB will operate under the same management arrangements, with a chief executive and a management board. You would know that under the present legislation the chief executive officer, the chair and the deputy chair are appointed by the board. That is just not good enough.

The legislation provides for me, or the responsible Minister, to appoint the chair and the deputy chair of the board and the chief executive officer, in consultation with the board, guaranteeing their accountability to the people of the ACT. It requires the responsible Minister to table in the Legislative Assembly any directions that are given to the board. That is accountability for you. This provision will ensure that all directions - every direction, every one of them - are open to scrutiny by the elected representatives of the people of the ACT. This is not some closeted little device which was set up by Mr Kaine and his little mob of helpers in the Alliance Government. This is about accountability. This is a monopoly that has no natural opponents in the ACT. There is no need for the process which was set up by the Alliance Government, except to set it up for some of their mates.

I will also appoint members of the board, who will be required to have the appropriate qualifications and experience relating to the functions of the board. The board will be required to provide quarterly reports to me, as Minister, as part of its performance assessment, and any contracts involving payments by the board in excess of \$250,000 must have my approval. That is accountability.

Mr De Domenico: But you can do that now.

MR BERRY: You will be reported to regularly. The board, as a public authority, will be required to meet the requirements of the Audit Act 1989. In particular, it will have to provide reports under section 93 of the Act giving particulars of any directions given by the responsible Minister, and a statement by the board indicating how the directions have been given effect to. That is accountability - all on the table. I will also consult with the board in determining what part of any operating surplus in any financial year shall be paid to the Territory. That is accountability. The measures provided for in the legislation will provide for greater accountability of ACTTAB operations.

The current terms and conditions of employment of existing staff will be protected. It is envisaged that, following consultation with relevant unions, staff of the new authority would in due course be brought under the new ACT public sector management legislation. All rights, property or assets, debts and liabilities of the Territory owned corporation will transfer to the new authority. The new arrangements for the ACTTAB are directed at ensuring that government priorities are met in its operations while maintaining the current standard of service to its clients and the racing codes. Madam Speaker, I present the explanatory memorandum for the Bill.

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

**PLANNING, DEVELOPMENT AND INFRASTRUCTURE -
STANDING COMMITTEE
1993-94 New Capital Works Program**

MS FOLLETT (Chief Minister and Treasurer) (10.51): Madam Speaker, I ask for leave of the Assembly to move a motion concerning the referral of a matter to the Standing Committee on Planning, Development and Infrastructure.

Leave granted.

MS FOLLETT: I move:

That:

- (1) the proposed 1993-94 New Capital Works Program be referred to the Standing Committee on Planning, Development and Infrastructure for inquiry and report by 24 August 1993;
- (2) if the Assembly is not sitting when the Committee has completed its inquiry the Committee may send its report to the Speaker or, in the absence of the Speaker, to the Deputy Speaker, who is authorised to give directions for its printing and circulation; and
- (3) the foregoing provisions of this resolution have effect notwithstanding anything contained in the standing orders.

The Government is currently in the process of developing the new capital works program for 1993-94. It is necessary for the capital works program to be referred to the Planning, Development and Infrastructure Standing Committee and for that committee to report to this Assembly by 24 August 1993 so that the program can be included in the budget session. I commend the motion to the Assembly.

MR KAINE (10.52): Madam Speaker, I suggest that this is a rather unusual motion. It refers to the proposed 1993-94 new capital works program, which in fact does not exist.

Ms Follett: No, that is right.

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MR KAINÉ: The Chief Minister acknowledges that it does not exist. For the Assembly to pass a motion that deals with a document that does not exist, and we do not know when it is likely to, seems to me to be rather odd. The Assembly will be convening again in the middle of June, by which time the Chief Minister will have a new capital works program, or I hope that she will. It might be more appropriate for the Assembly to consider this motion when it has the document to which the motion refers and we know what we are talking about.

Quite clearly, the Government is in deep trouble with its budget this year when it cannot even produce its new capital works program by the end of May. The Government recognises that it has to go to the Planning Committee for consideration, but it cannot produce the document. It seems typical of this Government that it is in total confusion. The Chief Minister has already acknowledged that they really have no budget strategy. They talk about their community consultation on the budget, but at this stage they clearly do not know what they intend to do about the budget. They are not only in confusion; they are in a state of panic as well. I find it rather strange that we are being asked to pass a motion in connection with a budget document that does not exist, and the Chief Minister cannot tell us when it will exist. I think the Assembly ought to consider whether it is prepared to deal with this motion today or not.

MR MOORE (10.54): Madam Speaker, it seems to me that the Standing Committee on Planning, Development and Infrastructure has the ability to take on anything it wants when it wants. Even if we were not to pass this motion today, when the document is produced - and it seems to me that it does not actually have to be tabled in the Assembly first - the Standing Committee on Planning, Development and Infrastructure could take that on. This is actually a more open way of taking care of this issue.

Mr Kaine: Then why do we need the motion?

MR MOORE: Because it is a more open way of dealing with it.

MS FOLLETT (Chief Minister and Treasurer) (10.55), in reply: Madam Speaker, I regret to say that Mr Kaine's memory is failing him. If he refers back to the *Hansard* record of 31 May 1990, he will see that under the Alliance Government exactly the same procedure was followed. Mr DUBY moved a motion of remarkable similarity to the one I am putting forward this morning, and it was put and passed, the record shows. I moved the motion, first and foremost, as a courtesy, to allow the members of the committee to know that this particular workload is coming forward; and, secondly, for the record, as occurred under the Alliance Government, because it is a standard practice for the capital works program to be referred to this committee and for them to report.

Because of our particular sitting pattern, it seems likely to me that I may well have the capital works program ready before the Assembly next sits, or at some time when the Assembly is not sitting. It appears only practical and courteous to let those members know that the task is coming forward. It is also the case that that committee has considerably less work before it than it did previously; nevertheless, it has to order its workload and ought to be aware that this task, as is usual, will be coming before it. As other members have commented, I do not

formally need to move this motion. That committee can take on the reference itself. I move it because it has been practice; because it appears to me to be a sensible way to proceed and to allow everybody to order their business; and also because, if the capital works program should be available at some time when this Assembly is not sitting, then it is on the record that it is the wish of the Assembly that consideration by the standing committee should occur. I commend the motion to members.

Question resolved in the affirmative.

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

MR LAMONT (10.57): Madam Speaker, I present report No. 12 of the Standing Committee on Planning, Development and Infrastructure on the draft variation to the Territory Plan entitled the draft Territory Plan, which includes attachment A, together with the minutes of proceedings. I move:

That the report be noted.

I have this morning deliberately brought along for viewing by this Assembly the documentation associated with the work that has been done on the preparation of this variation to the Territory Plan. My colleague Ms Ellis will outline in her comments some of the activity of the ACT Planning Authority during the early part of the public consultation phase on this variation. It is the public consultation that I want to start my presentation speech with this morning. The documents in front of me on the left end of this table constitute the over 1,000 submissions that were made by members of the public, interested organisations and business houses, including sporting organisations, I might add, on what the original proposal for the Territory Plan had envisaged. We then went through a process, which again will be outlined in detail by Ms Ellis, that saw an amended draft Territory Plan presented to our committee in December last year for consideration.

I want to place on the public record that, despite comments made by one individual who appeared before the PDI Committee, we as a planning committee, having worked for five months to produce this report, have unqualified faith in the ability of the ACT Planning Authority to respond to the people of Canberra, to the ACT Executive, and to the organs of this Assembly via the Planning, Development and Infrastructure Committee. Their honour - and I use that word not lightly - is above reproach. They are an extremely capable and professionally well-qualified group of people who have worked tirelessly to produce this report and to respond to the issues represented to them by this committee.

Madam Speaker, I propose to go through the recommendations contained in this report in two parts. Firstly, there are 11 in-principle recommendations and 97 specific recommendations contained within this part of the report. As to attachment A, which is in the folder, the committee has gone through and amended on the green sheets which accompany this folder the draft submitted to us by the Planning Authority. Members of the Assembly and members of the community will be able to see where we have amended the plan and made recommendations by looking to the green pages and seeing the black marks in the column alongside where we have made those changes.

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Nearly 300,000 people now call Canberra home. We must be sure that, as those numbers grow, Canberrans continue to enjoy the same social, economic and environmental advantages that we have today. Canberra is a special place quite unlike any other city. Its sense of structure, its landscape qualities, its easy access to employment, public transport and community facilities, conveniently located shops and first-rate schools, and the opportunities for recreation activities, both indoor and outdoor, give Canberra residents an enviable lifestyle. This lifestyle has been achieved by the consistent application of well thought out planning policies. These policies have been successful in accommodating change and providing for the growing city by planning well in advance, reviewing progress as the city grew, anticipating future needs, and adapting its structure to avoid problems before they were encountered.

The difficulties of peripheral growth, coupled with congestion in the central areas, that have hampered other cities were addressed by adopting the strategy of new towns. The need for efficient transport was met by the road hierarchy and the parkway system. Demographic, environmental and economic trends are changing the way we need to view the structure and style of this city. As the city matures, planning is focusing as much on change within existing urban areas as it does on outward growth. The major demographic changes are continued growth and more diversity within the population. Taking into account natural increases, as well as migration in or out, the population grows by more than 6,000 people per year. This growth will continue for the foreseeable future. At the same time, we have more older people, a reduction in the number of children per family, and more one- and two-person households. We also need to provide job opportunities for our citizens. There has been a shift in emphasis from the public to the private sector in providing the impetus for growth. There has also emerged a growing need to be more efficient and innovative in the use of resources.

These changes impose a new set of demands on the decision makers - demands for employment creation, the provision of sites for housing and commercial enterprise, the protection of existing natural environments, conservation of our heritage, and better consultation with the community. Meeting these challenges of the future is a task we can approach with some confidence. We have been successful to date as an actively involved community. We all share the credit for work well done. With careful planning, we can continue to provide the qualities that make Canberra so different from other cities. We have the opportunity to provide for growth while maintaining the city's special features. For example, this means nurturing Canberra's landscape image as the bush capital, maintaining access to community facilities, and protecting the city's clean air and water supply. We can maintain these important values and help Canberra become a model city for the twenty-first century.

With the support of the community and the right planning decisions, the future Canberra will be one which accommodates growth and demographic change and provides for a wide range of lifestyle and housing opportunities, but facilitates growth and diversification of the Territory's economy and expanded employment opportunities in all districts; promotes conservation of natural resources, energy efficient urban development and cost-effective provision of infrastructure and services; maintains and enhances residents' quality of life, safety, health and well-being; secures equitable access to employment, housing, community services

and recreational opportunities; conserves and enhances valued features of the Territory's natural, built, social and cultural environment; promotes ecologically sustainable development, protects biodiversity, and provides for high standards of environmental amenity, urban design and landscape; and supports Canberra's role as a major regional centre and ensures that planning within the Territory complements that of the surrounding areas of New South Wales.

Community involvement in the planning process is an established feature of Canberra's development. This should continue, and as Canberra matures into a major Australian city we have the opportunity to go forward together, to build a partnership between people, politicians and planners that gives us the goals we seek for the city we all call home and carries on the vision of Walter Burley Griffin and our founders into the twenty-first century.

Madam Speaker, as I have indicated, there are 11 in-principle recommendations contained in this report and 97 specific recommendations. They are found in the first part of the report tabled this morning. I propose to go through some of those in more detail. The first of the major recommendations is that the Government adopt attachment A to this report as the Territory Plan. The further recommendations state:

Recommendation Two: The Committee recommends that the Government continue studies such as the 'Canberra in the Year 2020 Study' as part of a process to ensure the development of a strategic plan for a population in excess of 400,000 people.

Recommendation Three: The Committee recommends the Government institute action against any person in breach of the land use provisions applying to, and about, the group centres, in particular Manuka and Kingston. This reflects the Committee's determination not to authorise variations to permit commercial activity beyond the present boundaries.

Recommendation Four: The Committee recommends that the Government and the ACT Planning Authority take particular note of traffic problems associated with any proposal for development on the block of land bordering Lhotsky Street, Tillyard Drive and Ginninderra Drive in Charnwood Group Centre.

Recommendation Five: The Committee recommends that the legislation applying to planning and building be amended to enable the ACT Planning Authority to approve and set conditions in relation to energy efficiency and to enable the Building Controller to enforce compliance with approved plans.

Recommendation Six: The Committee recommends that the guidelines bearing on the final Territory Plan, and any further guidelines developed in the future, be disallowable instruments pursuant to the Subordinate Laws Act 1989.

Recommendation Seven: The Committee recommends the Government promptly completes the Heritage Register.

Recommendation Eight: The Committee recommends the Government prepare a substantive paper on the urban consolidation issue.

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There have been a range of papers produced and presented, and this Territory Plan also outlines some of the concerns and considerations in relation to urban consolidation. We are proposing that there be a single, substantive, authoritative paper which combines all of these documents prepared by the ACT Planning Authority and the Government. The recommendations continue:

Recommendation Nine: The Committee recommends that the Land (Planning and Environment) Act be amended to allow public notification of single house design and siting applications to be in the form of a letter served on neighbours, by post or otherwise, and a sign placed on the site, as the only forms of notice required.

Recommendation Ten: The Committee recommends that the Minister for the Environment, Land and Planning be asked to initiate the preparation, as a matter of urgency, of amendments to the Land (Planning and Environment) Act to give effect to a streamlined notification and review of the decisions process for design and siting, land use and leasing applications, to coincide with the introduction of the new Territory Plan.

We also propose to make provision for appeals to go to a new planning and land appeals board appointed by the Minister, to operate along the lines indicated elsewhere in this report. The eleventh recommendation reads:

To avoid confusion and duplication of effort, the Committee recommends that in the case of urban renewal, applications for both lease variation and design and siting should be submitted concurrently.

I intend to go through in some detail, in the order laid out in attachment A, some of the other 97 recommendations. The first of those, at page 6, is that in the final Territory Plan the basis upon which maps are produced be made clearer and more easily able to be read. We also propose that the plan include a subregional strategy as part of its text. It did not in the originally submitted plan, but the committee believes that it is important for all Canberrans to understand the global context of planning in the ACT. The committee has submitted, as part of its variations, comments in relation to the subregional strategy.

We believe that some changes need to occur in Other Policies, part C. Clearance zone policies should more appropriately be called environmental planning policies, and we have adjusted the headings accordingly. In the general principles and policies area of part A, we were dissatisfied with the use of the word "strategic" because it conveyed a more long-term and broader sense of planning than was borne out by the text. Indeed, the original draft Territory Plan made certain comments about the fact that that was not the case.

We have changed a number of other areas which I will go on now to talk about. This committee is convinced that a strategic plan for a population in the ACT beyond 400,000, presumed in the document tabled this morning, is required, and it looks forward to the contribution to be made by the 2020 vision study and other papers. The committee also felt that the section headed "Metropolitan Structure" had not been fully developed. In particular, the committee felt that additional descriptions were needed for town centres, group centres, local centres and suburbs, and these descriptions have been added to the text.

We believe that additional comments needed to be made about residential areas, specifically emphasising the amenity for residents and their capacity to express their views when assessing development proposals which have the potential to change the character of the environment in which they live. The additional comments have reinforced the view that the shape and structure of residential areas will be related to the natural and cultural features and that public housing will continue to be located throughout the city. Locations for higher density housing will be preferred adjacent to town centres, principal public transport routes, and group and local shopping centres. In the section dealing with transport and access, the committee felt that it was important to elaborate on the importance of extending the peripheral parkway system, primarily to minimise traffic on internal road systems through town centres and residential areas.

Part A of the submitted plan includes a section headed "Implementation Policies" dealing with land use controls. The committee agrees with the revised view of the ACT Planning Authority that this section is more usefully placed in each land use policy described in the Territory Plan. This ensures that key information is brought together where the land use purposes are outlined. (*Extension of time granted*) Thus each schedule of land uses now contains the following clause, or words like it:

Notwithstanding the provisions of this schedule, land may be used for temporary uses, minor uses and uses ancillary to the principal use of the land, provided there is no conflict with the objectives of the relevant section.

In part B, we have indicated that performance controls apply to a number of land uses and that these controls consist of two items - objectives and performance measures. The latter are values which are considered to satisfy the relevant objective so that generally no further evidence of performance is required. However, the authority is still able to consider proposals which do not meet the performance measures, but the associated applications are subject to the public notification and third party appeal provisions set out in Part VI of the Land (Planning and Environment) Act. The committee requested that the performance measures shown in each land use performance control should be highlighted in italics, indicating that, if the particular measure is not met, then automatic notification and appeal provisions apply. The amended pages throughout the document reflect this.

We made a considerable number of recommendations in relation to residential land use policies and commercial land use policies in the Civic area, most notably those which reinforce the requirement for definitive colour schemes to be implemented as part of the approvals process. We changed one area in Civic, where we proposed that there be a consolidation of the areas b3 and b5, and that has particular reference to McKay Gardens. We went on to look at the commercial land use policies in Dickson, Kingston, Manuka and other areas, and I have outlined the comments that have been made on that. In relation to commercial land use policies in local centres, we have also outlined what we see as the structure for corridors and office sites in particular.

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As to industrial land use policies, when we dealt specifically with Fyshwick, the committee recommended that the area currently known as the Goldenholm Dairy continue to operate, because of its significance as part of the river corridor of the Molonglo River, and that the land use there be rigorously enforced as it is. It is expected that the current interim area which butts into the corridor will be removed, and the Government should take action to do that as a matter of urgency. We made the same observation in relation to the land use policies as far as West Belconnen minor industrial area is concerned.

In the time remaining to me, I will deal specifically with those areas that were proposed to be excluded from public land. In part C, the committee has made a very detailed review of those proposals. I must place on the public record that, while we have not agreed with a substantial number of those areas proposed for exclusion from public land, the community in the ACT must be ever mindful that decisions such as this have a direct cost implication to us as a community. I would suggest that they have a significant cost implication. However, it is the view of the committee that that is the genuine desire of the community. In C1, Overlay Provisions, we have removed substantially such areas, and I will go through them briefly. In Belconnen, the only area we have agreed for removal from public land is the area known as the peninsula, but we have proposed quite specific land use policies for that. Any land use policy variation, however, would require consideration by the Planning, Development and Infrastructure Committee. So the area to the west of Lake Ginninderra has been returned to public land. In relation to Evatt, two areas have been retained as public land; on page 286, the Gaslight Estate has been reincluded.

Between pages 283 and 317 of the attachment to our report - and it is important to refer to this because it is one of the areas where there was substantial community concern - we have laid out quite clearly what we believe is an acceptable form of determination of exclusions from public land. Probably the most significant is the area called Latham District Park. The committee has unanimously endorsed that the whole of Latham District Park, with the exception of the area identified in the original document as near Southern Cross Drive, be retained as public land.

There are a range of other issues in relation to design and siting matters. We have streamlined the process to allow for a development envelope to be determined for each block of land in the ACT. If development is done within that development envelope, there is no third party appeal. If a proponent proposes to go outside that development envelope, there is automatic third party appeal. We have maintained the proposals for development guidelines to be absolute maximums, and they are retained also within this process. In doing that, we have proposed that there be a non-legalistic, non-expensive way for third party appeals to operate in the ACT. Again, it was the unanimous view of the committee that the appeals process has become overly legalistic and works against both the proponents and the appellants. I believe that the recommendation of the committee is the only sensible way to proceed.

We also propose that energy efficiency guidelines be required, with an absolute requirement of four-star rating to be achieved by 1 July 1995. We have asked the Government to look at that extremely carefully and to implement it only after consultation with all players, including all those people in the industry who wish to be involved.

I wish to pay a compliment to the other members of the committee, most notably, for the public record, Mr Kaine, Ms Szuty, Mr De Domenico, and my colleague Ms Ellis. Without their support and assistance and that of Mr Rod Power of the secretariat, the presentation of this report would not have been made in the way it has this day, nor would it have been as comprehensive as it is or, I believe, in the interests of the community. I seek leave of the Assembly to conclude my remarks.

Leave granted.

MR LAMONT: I apologise for that, but I think it is important to place on the record my appreciation as chair of this committee for the way in which this committee has operated. I think the free-flowing debate was an example to all other committees, and not only in this Assembly. This is a consensus document; it was unanimously endorsed by the committee. Madam Speaker, I thank you for your perseverance, and I thank the rest of the Assembly for their attention this morning.

MR KAINÉ (11.21): The chairman of the committee has outlined at some length what is contained in this report. We are almost at the end - and I emphasise "almost" - of a long process of putting in place a plan for this Territory. It is more than four years since the process started, leading to the development of this document. Some of us have been involved in that process right from the beginning, and it has been sometimes a tedious and complex job. It is a great pleasure to see this process coming to its end.

I do not intend to traverse the contents in great detail, as the chairman has already done so. It needs to be said only once, and the chairman has done that very well. I think it is worth noting that even when this document is adopted by the Assembly and by the Executive - and there is still a process to go to achieve that - all we will have is a new baseline. It is and will remain a dynamic document and there will be input from all kinds of people who still see flaws in it and who will want it to change. The necessities of life, as the expectations of our society change over future years, will require that this document be a dynamic document and respond to the needs of the community.

I think we can say that we have a document that is more user friendly than documents that have existed before. There were some 1,100 NCDC documents that governed the planning processes of this Territory up until now, and they have been consolidated into this document, essentially. Any individual can now pick up this document and fairly quickly determine what the plan for the Territory is, and that is a vast improvement on what we have had in the past. That in itself, I think, is a major achievement.

There has been significant community input. We have heard very often that there were about 1,000 submissions made to the Planning Authority after the initial draft was circulated in December 1991, and it was those 1,000 submissions that extended the time required to come up with what we believe to be a final document. Once you have asked people to make contributions, you have to consider seriously what they say. For once, we have seen the community consultation process in action and working the way it should work. Every one of those 1,000 submissions was carefully analysed and summarised by the Planning Authority. The results of that work were submitted to the committee so that we could be informed on what the community had said and what the Territory

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Planning Authority had done with each of the recommendations that came to them through those 1,000 submissions. We made a point of reviewing that to determine whether we believed that the authority's response was adequate. So every one of those 1,000 people who put their submissions to the Planning Authority, I believe, can be satisfied that their comments have been properly heard, properly weighted, and taken into account.

The committee invited anybody who felt that their comments and submissions had not been properly considered to come and restate their case to the committee, and there were a considerable number of people who did just that. I believe that there has been in this case a full and comprehensive community consultation process. Much of what is contained in this document, much of what appears in the large document on the green pages, has flowed from what people said to the committee. They said how they thought the plan was deficient in some respect, and we proceeded to amend the document. That was the document that came to us and this is the document we have produced as a result of our consideration of it.

There is no doubt, of course, that the document, when it is approved, will still not please everybody. Not all of those 1,000 people who made submissions, some of whom came before the committee again to express their views, will be satisfied with the outcome. It would be something of a major miracle, not just a minor miracle, if we could produce a document that was going to have such an impact on society that pleased everybody. It obviously will not.

The chairman has mentioned a couple of matters and I will reiterate them because they are important. I am sure that there will be people who have very strong views and who still will not accept the plan as satisfying their requirements. One of those matters is the question of whether or not the document is a strategic document. Some of us on the committee believe that it still is not, that looking only to the year 2005 or 2010 is not a sufficiently deep look into the future, that all it does is recognise today's world. We know from where we can see into the future now that our population will soon reach 400,000, and this document caters for a population of only 400,000. It says nothing about what happens beyond then. It is one of the reasons why, as the chairman said, we asked to have included in the document something about the regional context in which the city of Canberra is developing. But it still is not a strategic document. We have the 2020 study and other studies going on and, hopefully, out of those will come a proper strategic look at where the city of Canberra is going.

The only other point I want to mention is this question of energy efficiency ratings. I believe that that is going to be a controversial issue. Our wording here is quite explicit, and the chairman has mentioned it. We are imposing on the Government the responsibility to examine this matter thoroughly and at the end of a proper process to legislate, to do whatever they deem is necessary and feasible after a proper process has been gone through. It is easy to say that, on a five-star scale, every house built in Canberra in the future should comply with a four-star rating; but actually to achieve it physically will have some adverse consequences, I believe. One of the things it will mean is that even the most basic house will have to cost more. If you make it match a four-star rating on a five-star scale, the price compared to today has to be greater, and people in the first home buyers market may not be able to pick up that extra cost. It is a very contentious issue. It is a great ideal, but whether we can get to it in the foreseeable future remains to be seen.

The outcome of the community consultation process highlighted the requirement of this community to maintain the amenity that exists in Canberra today. Much of the debate focused on open space, retention of buffers and the hills, maintaining the status quo in terms of the availability of public land and the like, and I believe that we have satisfied that community demand. I doubt that there will be much cause for criticism that we have ignored that requirement imposed on us by the community. I certainly hope that they would at least see that we have done the best we can to strike a balance between the need for further development, the need for accommodating our increasing population on the one hand, and the need to preserve the amenity of the city on the other.

There are a couple of matters we built in. For example, there has been much discussion in recent years about the concept of urban villages. The plan as it came to us did not mention that concept at all, and we felt that some reference to this new concept of the way cities and town centres might be developed in the future was required in the document. We have included a section that deals with the concept of urban villages and recognises that they are an appropriate form for the further development of Canberra.

I said that the process is not quite complete. This document is now a public document. It has to weather public scrutiny. Just as over a period of four years there have been people who have had very strong views about the subject and have made their views known, I am quite sure that during the period this is under consideration by the Assembly there will be people still who will want to put views to the effect that there are deficiencies in the document. So the debate is not quite over yet, and I hope that members of the Assembly continue to listen to those voices, as I believe we have done up until now. Once it gets through this Assembly it has to go back to the Executive, and that is where the decisions will be made. I am confident that, when the document leaves this chamber and goes to the Executive for its final endorsement and approval, the issues will have been well canvassed, the Executive will be well briefed on the process, on people's views about that process and, over the next few days and perhaps weeks, on the final document that is presented by the committee to the Assembly for its consideration today.

I also would like to pay tribute to my colleagues on the Planning Committee. We come from disparate political positions, and I think the way in which we have been able to work in the committee to arrive at a common view has been quite remarkable. It has often been said that perhaps the best feature of this Assembly is the way its committee structure works. This is without doubt one of the major achievements of the Assembly in its lifetime so far. This document has seen some emotional responses from some sectors of the community. It would be going too far to say that, for example, the Liberal Party and the Labor Party see the future development of Canberra in the same way. Yet we have produced a document which we believe collectively is the right document, as far as it goes, for the development of Canberra, at least for the next 15 years or so. We have not had any blood-letting. It has been a matter of discussion and arriving at a consensus view, and I think that is what our committees ought to be about.

I would like to pay tribute also to the officers of the ACT Planning Authority. They have responded on very short notice to some very difficult demands placed on them by the Planning Committee. They have met every challenge, and I know that some of them have been burning the midnight oil and working on weekends.

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While we have been off doing other more pleasant things, they have been working very hard to ensure that we could present this document on time. I congratulate them and thank them for that. Finally, of course, I thank the committee secretary, Rod Power. How he was able in such a short time to produce this document in a legible form and to correlate all the views and summarise all the issues and put them together in such a fashion, I do not know. I talked about major miracles. Rod Power has wrought such a major miracle, in my view, in producing this document. I thank him and congratulate him for that also. Madam Temporary Deputy Speaker, I commend this document to the Assembly.

MS SZUTY (11.35): Madam Temporary Deputy Speaker, the draft Territory Plan was released for public comment some months ago now and over 1,000 of our citizens have responded to it. Indeed, the chair of our committee has those submissions displayed on his desk in this chamber today. The ACT Planning Authority, to its great credit, has responded to those submissions systematically and comprehensively, and included with those submissions on Mr Lamont's desk are the summaries the ACT Planning Authority has provided. Each submission has been summarised, issues coded and responses prepared for every issue that has been raised by members of the community. These codes have been indexed and cross-referenced, and people who made submissions to the authority have had their issues responded to. While people may not be happy with the ACT Planning Authority's response, they cannot argue that the planners have not responded to their concerns. Although I have received some complaints about the consultation process regarding the finalisation of the Territory Plan, I cannot take issue with this process, and I commend the ACT Planning Authority on their endeavours.

On 1 December 1992, the Planning, Development and Infrastructure Committee received from the Minister for the Environment, Land and Planning the draft variation and background papers to the draft Territory Plan, some 30 documents in all. Again, they are displayed on Mr Lamont's desk for us all to see. It has realistically taken six months to consider, and I know that most of my colleagues spent some of their Christmas holidays reading much of the relevant documentation.

I am pleased that the committee called for further submissions from groups and individuals where they remained dissatisfied with the ACT Planning Authority's responses to the issues raised in their submissions. Some 30 submissions were received and three public hearings were held. The first hearing was held on the public record in the Belconnen Churches Centre for interested groups and residents from Belconnen to raise regional issues. Again, this process was a first for a standing committee of the Assembly and was well received. The second hearing was held here in the Assembly building to enable people to address issues of general principle and policy. During the third public hearing, the ACT Planning Authority put their further views on the matters raised by the community during the public hearings on the public record. This process greatly assisted members of the committee in working through a number of outstanding issues and in clarifying our views on the Territory Plan.

I also wish to comment briefly on the format of the Planning, Development and Infrastructure Committee's report to the Assembly. The committee has presented a report, which is usual. However, it has also presented an amended Territory Plan, formerly annexure A, now known as attachment A to the report. Again, this is a first for this Assembly, as was the releasing of embargoed copies of these documents to the media to ease familiarisation with the material.

I now wish to turn to the major issues commented on by our committee in its report and in attachment A. I agree with Mr Kaine that the Territory Plan is not a strategic plan. This, I believe, is the Territory Plan's major failing. Indeed, the strategic plan should have been written before the Territory Plan or, as I believe it should be referred to, the Territory land use plan. The Government has gone some way to redressing this situation by its adoption of the reference "Canberra in the Year 2020", and the committee has sought to include detailed information regarding the ACT and subregional strategy in the amended plan.

The planning principles and policies section contains important amendments with regard to the section on metropolitan structure. The purpose and function of town centres is described, as is the planned hierarchy of Civic, town, group and local centres. The suburban unit or neighbourhood unit will continue to be the basic building block of the town structure. This improved delineation of metropolitan structure carries on the concepts of the Metropolitan Policy Plan now effectively superseded. I believe that it will also be important to further develop precinct plans for particular areas and suburban plans. I know that the Yarralumla Residents Association is keen to develop a plan for the development of Yarralumla. I believe that we need to encourage communities to work together with planners to achieve cohesively planned communities and neighbourhoods.

The planning principles and policies section also contains important amendments with regard to the section on residential areas. Planning will seek to protect and enhance the amenity, safety and any special qualities of residential areas, and due consideration will be given to the views expressed by the community when assessing development proposals which have the potential to change the character of residential areas. The shape and structure of suburbs will continue to be related to the topography of the area, and preferred locations for higher density housing will be adjacent to town centres, principal public transport routes and group and local shopping centres. The provision of public housing throughout most Canberra suburbs will continue to be a feature of our city.

The section on transport and access continues to emphasise the need to extend the peripheral parkway system to minimise traffic on internal road systems through town centres and residential areas, thus protecting local amenity. The committee has determined that more extensive areas of urban open space be set aside as public land, and the chair of our committee has mentioned a few of those in this Assembly this morning. The more significant of these include open space to the west of Lake Ginninderra, along Sullivans Creek in Turner, and along Florey Drive in the Umbagog District Park. All of these areas are highly valued by their local and regional communities and warrant protection and enhancement for existing and future generations of Canberrans.

The committee has recommended that improved energy efficiency controls apply to future building developments, with a four-star rating system to be introduced by July 1995. The committee recognises that architectural design for buildings needs improving, with best practice becoming the norm for energy efficiency

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design rather than the exception. The need for further consultation to enable a smooth transition to meet this requirement is recognised. However, the goal is clear and the expectation for improvement unequivocal.

The ACT Planning Authority referred to a considerable number of guidelines - over 20 - in the draft Territory Plan. The committee has determined that both these guidelines and those yet to be developed will be disallowable instruments pursuant to the Subordinate Laws Act 1989. The community will thus have clear expectations arising from the Territory Plan and the guidelines, creating certainty and trust in the planning process. The committee has also drawn attention to the lack of coordinated publications on the Government's policies on urban renewal and suggested that the Government prepare a substantive paper on the subject. I believe that the advantages and benefits of urban renewal strategies are yet to be justified and will need continuing review.

It is no surprise that the committee has recommended an alternative process for consideration of design and siting issues, enabling objectors to developments easier access to appeals processes, in a format similar to the earlier established Design and Siting Review Committee. This process will enable the Planning, Development and Infrastructure Committee to continue to determine draft variations, but will facilitate resolution of design and siting issues at a much earlier stage.

The committee has spent some considerable time examining the draft Territory Plan in terms of its presentation and has recommended a number of changes which will enable the plan to be much more user friendly. The inclusion of site-specific maps, additional sketches and diagrams in the design and siting codes, revised Territory Plan maps, and the clear delineation of performance measures for land use policies in italics will assist in the readability of the document. The committee is also conscious of the need to prepare necessary amendments to the Land (Planning and Environment) Act to complement the work done on the Territory Plan and to ensure a smooth transition for the effective operation of the plan.

In conclusion, I wish to remind members of this Assembly, community members and planners that, although it looks today as if we are finalising our deliberations on the Territory Plan, this is not the end and considerable work remains to be done. We need to remember that the reason for Canberra's existence is the national capital, and we need to ensure that a cooperative relationship exists between the National Capital Planning Authority and the ACT Planning Authority. We have built a magnificent capital city which is the envy of other Australians and a source of continuing pride to our own citizens. We must preserve our city's best features and build on our strengths as the natural and national bush capital.

Finally, I wish to thank the committee's presiding member, Mr David Lamont, for his handling of the committee's consideration of the Territory Plan, for the initiative he has demonstrated, and for his willingness to work towards an outcome that has the support of all committee members. I would also like to thank Mr Rod Power, the committee secretary, for the contribution he has made to the efficient and effective operation of the committee, enabling us to complete our task according to the very tough timetable we set for ourselves last December.

MS ELLIS (11.44): Madam Temporary Deputy Speaker, I think it is important for me to take the opportunity to put on record a little more detail of the consultation process that has taken place and which resulted in the presentation today of the report from the Planning, Development and Infrastructure Committee. As has been said by other members of the committee, this consultation process for the draft Territory Plan began back in 1990 with the release of a series of key issues papers by the ACT Planning Authority. These papers were initiated by the Planning Authority, as they recognised that there had not been any significant community consultation on issues of importance and significance to the community since the mid-1980s. Some 25 workshops were held to discuss those issues. The results of those workshops were documented in a report provided to all the people who participated in that process, as well as being sent to schools, libraries and the Government.

The Planning Authority needed to ensure that as many people as possible in the ACT community were aware that a major new planning system was in process of drafting and would be out for their public comment. Some 120,000 households in the ACT received a letter and brochure explaining that a new planning system had been drafted and would be out for consultation and that the authority was inviting, very enthusiastically, feedback on that documentation. Public displays were established; advertisements were placed to continue and enhance that information flow through to the community. In addition, a number of specific briefings were undertaken. During this time also, 1,500 copies of the written statement and the planning report were released; 750 people participated in seminars and workshops; and some 1,500 calls were taken on an information planning hot line established within the Planning Authority.

This consultation period for the draft plan ran for some six months from late October 1991 to late March 1992. At the end of that period, just on 1,020 submissions had been received, as both Mr Lamont and Mr Kaine specifically said. The Planning Authority, in recognising this Government's commitment to consultation, developed and set into place exhaustive mechanisms to ensure proper and deliberate registration and checking mechanisms in processing and looking at those 1,020 submissions. Those submissions were summarised and fed into that system. At the same time, the consultation output from the seminars and workshops was being analysed, and all this material was used to begin reshaping that original draft plan.

In order for those people who had prepared submissions to check the integrity of the Planning Authority's response, two indexes were prepared: An index of submissions and an index that indicated the way in which particular issues were addressed by the authority. Also as part of the legislative requirement for tabling the draft Territory Plan, a number of documents had to be produced, and they are displayed on Mr Lamont's desk. There was a report prepared on the public consultation process and its outcomes and, importantly, there was material on the response by the Planning Authority to submissions from the National Capital Planning Authority. All that material came to the Planning, Development Infrastructure Committee in December last. I take the opportunity to draw to members' attention the full list of the documents constituting or accompanying the submission to the ACT Executive on the draft Territory Plan, which appears on pages 1 and 2 of the committee's report. That list displays very well, I think, the background to the consultation process I have just outlined.

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The PDI Committee, in its consideration of the material before it, continued on the path of consultation, holding three public hearings on 6, 20 and 21 April last. As Ms Szuty has mentioned, one of those public hearings was held in Belconnen - a first for this Assembly, I understand. Hopefully, it will not be a last. In response to the PDI Committee's advertising, inviting submissions to its proceedings, the public made a further in excess of 40 submissions. There can be absolutely no doubt in anyone's mind, I believe, of the level of consultation undertaken in this whole process, from the very beginning back in 1990.

The process undertaken by both the Planning Authority and the PDI Committee has been exhaustive. It could not have been concluded within the timeframe we set ourselves without the assistance and cooperation of a great number of people outside the committee. I cannot overstate sufficiently the dedication the Chief Planner, Mr Tomlins, and his colleagues displayed in handling the committee's requests. As Mr Kaine mentioned, they probably worked on weekends; I believe that they worked round the clock in many instances, and I want to place on record my personal congratulations and thanks to them. It could not have been done without that dedication.

The other people that need to be commented on here are the members of the community. They attended public hearings; they made submissions in the first instance. Many of them went ahead with making submissions in the second instance directly to the PDI Committee. That is the sort of commitment from the community that our consultation process promotes, and I want to congratulate everyone in the community who took advantage of and participated in that system. In most cases, it is done in their own time, and in most cases over the weekends, when they have other family commitments to consider. The participation of the community in this process should be publicly recognised and should give us encouragement as members of this Assembly about the worth of the public consultation process.

I wish to thank my colleagues on the committee. The deliberations were exhaustive. There were times when we had to work very hard to come to a consensus position, but we were able to do that in every instance. I think that is a great commendation of all people on the committee. Rod Power and the secretariat, similarly to the people in the Planning Authority, I believe went well beyond the call of duty. I agree with Mr Kaine that we have seen a miracle occur in the report being produced in such a short time.

This whole exercise has been a great learning experience for me, both as to the extent of the success of our committee system and, more individually, as to my understanding of the planning processes within this Territory and how the community, the Government and the Assembly can work in such a consultative and appropriate fashion to reach what I believe is a good conclusion. As has already been said, it is not the end; it is merely the end of a very significant part of the process. The document produced and eventually adopted by the Executive, in whatever form they agree, will be a living document and will continue to be examined by the community in the future.

If the consultation process and the commitment from the community in the past are any indication, we can look forward in a very constructive fashion to that occurring in the future. I, along with other members of the committee, have no hesitation in commending to this Assembly both the report and attachment A to the report.

MR DE DOMENICO (11.52): Madam Speaker, I am going to be very brief because I think my colleagues have said it all. I will pick up on what Ms Ellis said and agree with her: It is not the end; it is the beginning. As Mr Kaine said, we have condensed some 11,000 NCDC documents or rules - - -

Ms Ellis: No, 1,100.

MR DE DOMENICO: Yes, 1,100. My colleagues and I had to read voluminous pieces of paper sometimes six or seven times, with changes in spelling and all sorts of things. It seemed like 11,000, but it was only 1,100. Like my colleagues, I have learnt a lot from the process. Anybody out there who pours scorn on the Assembly from time to time ought to realise the hard and important work done by all members of this Assembly. Looking into the Territory Plan has proved to me, once and for all, that anybody who wants to take over from any one of the 17 of us here should put his name down for preselection and get elected. It is not what you think it is all about.

"A new baseline" and "a living, breathing document" are phrases I have heard, and that is exactly what it is. It is an attempt by the elected members of this Assembly to say to the people of the ACT that we have listened and, as much as possible, we have attempted to put what we have heard into this document. Not everybody is going to be happy, as Mr Kaine and others have said; but hopefully a significant number of people in the ACT will realise that this is the best outcome possible, following different people from different political persuasions coming together and agreeing to something, as this document reflects. That is one thing I have learnt about the beauty of our committee system in this Assembly.

I also agree that it was a significant example of community input and proper consultation, and I think credit is due to the Government for this. Some people on the opposite side of the house tend to say that we never give credit where it is due, but in this instance I say, "Well done". This is what community consultation is all about. It has worked to everybody's advantage, and people need to be congratulated for that. Specifically, I agree with Mr Kaine and others that it is not a strategic document; nor should it be, in my view. If it were a strategic document, perhaps it would not be as living and breathing as it is. One thing I will say about this document is that it is going to change the day after the Executive approves it. There will be someone who will have a different point of view when he reads the document after it is approved, and that is the way it ought to be.

There was mention of the four-star rating. I have to say that I am concerned about that, but I am happy with the way it is worded in this recommendation to the Executive. Once again I stress that the beauty of the committee system is that, while we might not agree 100 per cent of the time or any of the time, when it comes to the nitty-gritty of presenting something in writing, there is nothing that cannot be solved. That is, I believe, fantastic.

I also commend particularly the work done by Mr Kaine. People tend to forget that Mr Kaine has been involved in this process for longer than anybody else on the committee. Mr Lamont as chairman did a magnificent job, in his inimitable way, and people will understand what I mean when I say that.

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It needed someone with Mr Lamont's personality for this Assembly to be in a position today to say, "Here it is. Have a look at it. It is a great document". I mean that sincerely, and also my comments about Mr Kaine's experience in that he was involved in the initial piece of legislation. An older head sometimes does make a very valuable contribution when it was the first time round for all the other members. As I said, Mr Lamont's personality was crucial, together with Mr Kaine's ability, in getting to where we are today.

Sincerely, that is all I need to say. It has been a wonderful learning experience. I do not think I have read so many papers in my life on the same topic over a period of time. A lot of people might have said that we would never get the report in in time, but here it is. Well done, Mr Lamont. I also reiterate the comments made by Ms Ellis and others about George Tomlins and his staff. They have been absolutely fantastic. Saturdays, Sundays, green paper, yellow paper, pink paper, fights about what colour the paper would be; but in it comes and there is green paper there and yellow paper as well. Rod Power has been absolutely superb. Once again, it was great to have someone with Rod's personality. It required Rod Power, I believe, and only Rod Power to get things done.

As I said, Madam Speaker, I am delighted with the process and I am delighted with the result. I am not 100 per cent happy; nor should I be, nor will anybody be. But the fact that this report is in this Assembly today in the form that it is speaks well for the way Mr Lamont chaired the committee, for the committee itself - let us pat everybody on the back - and for the way the system worked in regard to community consultation. I am delighted to commend the report to the house.

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

**CONSERVATION, HERITAGE AND ENVIRONMENT -
STANDING COMMITTEE
Report on Fuelwood Heating - Government Response**

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

That the Assembly takes note of the paper.

MR WESTENDE (11.59): Madam Speaker, I shall be brief. I am pleased to speak on the report of the Standing Committee on Conservation, Heritage and Environment on fuelwood heating in the Australian Capital Territory. I point out that the report was produced prior to my entry into this august chamber and I had no part in its preparation. However, I believe that the committee adopted a very sensible approach to the report. I commend the presiding member, Mr Moore, and the members of the committee for that. It is a very good report. It quite comprehensively canvasses a range of questions relating to fuelwood heating and it makes quite practical recommendations pertaining to public education on improved installation and correct heater operation methods and in considering other issues such as achieving energy efficiency in housing.

I congratulate the Government for responding in a positive way to the report by agreeing, at least in principle, to most of the committee's recommendations. I believe the report to be sensible in that it has not attempted to outlaw this form of heating, which many people find pleasurable and an excellent source of heating. However, on the other hand, the report does address questions of concern relating to pollution and possible effects on health. It provides some very positive recommendations and suggestions on how it is possible to have this source of heating and to minimise the pollution and health risks.

Fuelwood heating obviously is an area that we will have to monitor very carefully, especially in the years to come, and the committee also has made recommendations in that regard. There are questions of monitoring air quality and I note from the Minister's response to the report that action already has been taken in this regard. I believe that it will be essential that the matter of fuelwood supplies be addressed sooner rather than later. We need to ensure not only that the supplies of firewood coming into the ACT are of good quality but also that we keep an eye on pricing. We obviously also need to give considerable thought to more long-term sources of fuelwood, including by looking at the use of softwood off-cuts or by-products from our forestry operation in the ACT. On a recent visit to New Zealand I noticed that they have recommended eucalypt plantations partly for firewood and partly for pulp, and maybe that is something we could consider. I note the committee's recommendation in this regard as well.

The current Standing Committee on Conservation, Heritage and Environment, of which I am a member, has made recommendations in terms of improving the energy efficiency of houses, and the proposed legislation regarding insulation of new houses has been debated and already supported and passed by this Assembly. Madam Speaker, I support report No. 4 of the Standing Committee on Conservation, Heritage and Environment, and I commend the Government's response to it.

MR MOORE (12.03): I rise with great pleasure because I was chair of the Standing Committee on Conservation, Heritage and Environment in the previous Assembly when report No. 4 was brought down. It is a matter that I continue to have some interest in. I welcome the Government's very positive response to the committee's report. I might take this opportunity to remind members that the method used to deal with this inquiry was to put out a discussion paper in the first place. Members may recall the discussion paper called "The Burning Question - A Discussion Paper on Fuelwood Heating in the ACT". That was produced after some consultation with the community and a series of submissions made to the community. Groups then had the opportunity to see the way that the committee was thinking and they responded to the committee, drawing our attention to some things that we might like to modify and change, and indeed we did so after speaking to those community members and groups, particularly in public hearings. The result of that was a report which was rather extensive, was welcomed by the community and is now almost entirely supported by the Government.

I think it reflects the consultation process in this Assembly working very well. Recently in the *Canberra Times* I noted a commentary about how well the Assembly committees have worked - in both Assemblies. I think that, when people judge this Assembly in terms of its council-like state or its being like a State government, one of the things they really should look at is the committees.

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It is our committee system that probably takes us closer than anything else to a town council. The irony of that, of course, is that the one member who will not participate in committees is Mr Stevenson. He is not here at the moment, but no doubt he can hear me in his room. One of the ironies is that he will not participate in the committees which give this Assembly those characteristics which take it closer to a council. The committees in this Assembly work more effectively, I believe, than in any other parliament in Australia.

It is an appropriate time to discuss fuelwood heating because this is the time that people are beginning to use their fires. The important education message that comes through is that there are two major things for people who are using fuelwood fires to do. First, do not turn them down. Do not use that old trick of throwing a bit more wood on in the morning. If you turn the fire right down you cut down the oxygen. I think that is one of the things that have created the visual pollution that we see, particularly in the Tuggeranong Valley, and that have been the cause of so much concern and representation to this committee. Secondly, ensure that the wood that you are burning is well seasoned. That is not a difficult task for people who are prepared to get one season ahead in storing their wood. Those are the critical factors for those who have a wood heater and are handling a wood heater.

The big advantage of wood heaters is that we are not using a fossil fuel. Even though we know that natural gas now is the most efficient system using fossil fuels and is easiest on the greenhouse effect, as it is a fossil fuel it will have a limited life. If we are going to take a very long-term view, wood fuels provide an opportunity for a renewable resource. That is a very important and critical thing, provided we can get growing our wood into balance with what we are using. That was one of the main themes behind the report.

Another theme behind the report, one that Mr Wood has emphasised a great deal lately and also in the greenhouse strategy that he tabled yesterday, is a huge emphasis on building houses that require less heating. That is basic to everything we are doing. The Government's emphasis in its response in that way is a very positive move. It is disappointing, of course, Madam Speaker, that when the Government and the Liberals had the opportunity to support a Bill that I put to this Assembly - I will not reflect on the vote, Madam Speaker - it was not carried, and we no longer have the position where insulation is compulsory in new houses.

Apart from that, Madam Speaker, a system is being put into place - the Government is to be congratulated on this - to provide for a five-star rating in the same way that people can now look at the way they buy their fridges. If you are out to buy a new fridge or a dishwasher or something, what are the energy efficiencies? That can be taken into account, and if it is taken into account it will assist in dealing with the greenhouse effect. The choices that people make in their houses do not rely just on energy efficiency. There are always other factors, and so there should be. Those other factors include, perhaps, the view, the locality, the local school, the shopping centre - - -

Mr Berry: It is all position, position, isn't it?

MR MOORE: Mr Berry interjects, "Position, position", which I find quite strange, because I always thought it was location, location. Who knows what it is in Mr Berry's mind that makes him make a Freudian slip like that. Madam Speaker, it seems to me that the process that has been used in getting to this point has been very thorough. It reflects some of the very good work done by the Assembly and a positive response from the Minister in this area. I am delighted to have the opportunity to comment on it.

MRS GRASSBY (12.09): I was a member of this committee and was present when we had all the public hearings about wood-burning stoves. It was a very interesting time. There were two courses that the committee could have gone down, and they would have been to ban wood stoves or to regulate that they be used efficiently. Unfortunately, just asking people to do things efficiently will not work. You really would need a lot of police going around trying to get people to do the right thing with their wood-burning stoves. I am not sure that that works. The Chief Minister has often spoken about wintertime in her area. You see the smoke from these fires settling over the areas where you live and it does not lift until very late in the day. You often wonder why we have to put up with wood-burning stoves. Unfortunately, many people in Canberra put them in. They put them in when Canberra was a much smaller city than it is today. Planners then never looked forward to the extent they are now looking with the new plan. This will not happen again. We have ended up with a situation where smoke hangs over the city until very late in the day because of wood-burning stoves.

I think there will come a time when we will have to consider saying to people in new suburbs that they cannot put in wood-burning stoves or have open fires. I am sure that this will come at some time. Of course, we now have much more energy efficient houses. We are looking at ways of siting houses so that they collect most of the sun during the day, and, of course, we are putting better insulation into houses. I am sure that we will be able to see a day when people will not need wood-burning stoves, open fires or coke burners, which are very much in the past. In some of the older areas of Canberra, and, of course, where the Chief Minister is living in Downer, you will find that most of the people still have coke-burning stoves, which, as we know, pollute something terrible. I remember that as a child we used a coke-burning stove. I would not like to have to clean one, or to look after one now with the pollution they cause. I am sure that nowadays it is only the very old houses, and particularly the Housing Trust houses, that still have coke-burning stoves. They are not the best type of heating. They do pollute. I see Mr Cornwell shaking his head. He must have one in his house.

Mr Cornwell: No, I was just listening to what you were saying about them.

MRS GRASSBY: Let me tell you that I have lived with them and they are dirty things to look after. They do pollute the air a lot.

Mr Cornwell: I thought most of them were out by now, Mrs Grassby.

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MRS GRASSBY: Unfortunately, they are not. In fact, a lot of our older Housing Trust houses do have them and I think it should be looking at ways of getting rid of them. We should be leading the field in getting rid of those sorts of things, and, of course, putting better insulation into houses.

I remember that when I became Minister for Housing I was quite shocked to find out that most of our Housing Trust houses did not even have carpet in them. One of my first moves was to have carpet put into Housing Trust houses. If you are in a Housing Trust house, normally it is because you cannot afford other types of housing, and if you have young children you definitely need carpet on the floor. Some of them have just cement floors. I found it quite horrifying when I went through some of those Housing Trust houses. With electric heating in a room that has a cement floor, as the heat builds up you get condensation on the walls and on the windows. If you have small children who have asthma or some sort of chest problem, you will find that it gets a lot worse in these conditions. Wood-burning stoves that do not have fans on them, and which do not have good ventilation, do exactly the same thing. I would hope that in the future we will consider saying that in very low areas where the smoke does not get away we will ban wood stoves and open fires. With insulation and better siting of houses we might not need to do this.

MR WOOD (Minister for Education and Training, Minister for the Arts and Minister for the Environment, Land and Planning) (12.14), in reply: Madam Speaker, in one respect this is a very sensitive issue to me. It brings back memories of an election campaign something like 20 years ago, and not a very successful one, I might say. I arrived in a little north Queensland town once and a great number of signs were being waved at me, saying "Fire Wood". I am not suggesting that that should be used on any occasion in this place.

Mr Moore: The one that I am worried about is "Fuel Wood".

MR WOOD: Yes. That is what prompted that memory, Mr Moore. That apart, there are only, I think, good responses in the Assembly today to the good responses by the Government to this report. Comment has been made about banning wood-burning stoves. As Mr Kaine or Mr Moore, one or the other, said, it is an issue that is about to arise again as we move into winter. The next debate today, after question time, will be on the West Belconnen report, and there is a recommendation coming up about air quality and microclimate. I will read a little bit from that. It says that, in view of the topography of the area and its location at the base of the drainage catchment, the whole area may be prone to local inversion layers such that air pollution levels are exacerbated and air temperature depressed. Accordingly, it is proposed that, as a precaution, the use of solid fuel-burning appliances should be prohibited in the development. West Belconnen has been approved and the bulldozers are now forming roads out there, so we come to the question of whether we ban wood-burning stoves in West Belconnen.

That, perhaps, is a debate that we should have in this Assembly. Maybe someone would like to raise that as an MPI. I would like to get discussion on this. Is it an equity issue? Do we deny people in that area putting in a wood-burning stove or an open fireplace? It is important. It is certainly an area that is going to be prone to that problem and we have two reports to this Assembly now saying that we should, in the circumstances, ban such stoves.

.I do not think this Assembly would be surprised if the Government were to do so. You should be disappointed if we did not. I am flagging this issue, so if you have some comments perhaps we had better have them.

I do not think there is much more to be said. There is a whole lot of good action under way on this matter. Let us proceed with it. Let us, in particular, carry on with the education program so that Canberra citizens with solid fuel fires do pay more respect to the environment.

Question resolved in the affirmative.

Sitting suspended from 12.18 to 2.30 pm

QUESTIONS WITHOUT NOTICE

Tobacco Product Sales

MRS CARNELL: My question without notice is to the Minister for Health. I refer the Minister to his expressed intention to ban smoking in all enclosed public spaces. Is not the major problem with smoking the large number of under-18-year-olds taking up smoking, particularly women? Can the Minister tell the Assembly why no inspections are carried out by ACT health officials to ensure that tobacco retailers are not selling tobacco products to people under the age of 18? Since the introduction of tough new legislation under the Alliance Government in 1990 to ban the sale of tobacco products to people under the age of 18 and to require retailers of tobacco products to be licensed, why is it that no retailers have been prosecuted for selling cigarettes to under-18s and only one retailer in all that time has been prosecuted for not having a licence?

MR BERRY: Nobody has been caught.

Mr Humphries: Have you tried to catch anybody?

MR BERRY: No, I have not. I do not go out ranging around in the middle of the night watching tobacconists ply their trade.

Mr Kaine: It is in your duty statement, Minister. You should be.

MR BERRY: You have a better knowledge of my duty statement than I have if you think it is in there, but I will have a closer look at that. It is always a question of resources, to provide an inspector 24 hours a day.

Mrs Carnell: You do not have anybody, Wayne.

MR BERRY: Hang on a minute. You ask the question; you get the answer. One of the most important things about this tobacco legislation always has been ensuring that the attitude of the community went with the law-makers in relation to the matter. When the law was introduced in the period of the Alliance Government there was a bit of a contest about who would introduce the legislation first, as I recall, and - - -

Mr Humphries: Yes, and we won it.

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MR BERRY: You had to win it because you were the Government and you had the numbers. I have noticed that some problem areas have developed in the legislation which will be the subject of discussion later on. As far as policing is concerned, no, there has not been a concerted attempt to go out there and catch people selling tobacco to young people.

Mr Humphries: It goes on, though, doesn't it?

MR BERRY: Young people do smoke and they are addicted to it.

Mrs Carnell: Not to start with. That is the point.

MR BERRY: They are addicted to it once they have been smoking for a little while. It is a problem and somebody is supplying it to them. In many cases I suspect that older people are purchasing it for them.

Mr Humphries: Often they are buying it themselves.

MR BERRY: There may be cases. If you know of any, please report them. Report them if you have some information that will stack up, not just anecdotal information that you think there are children smoking out there and you think that somebody down the road is selling them cigarettes. It has to be information that - - -

Mr Humphries: Should I arrest one and bring him in to you?

MR BERRY: You can try that. If you can provide information that will stack up we will be able to do something. I will go back to my earlier point. The most important part has been to take the community with us in relation to the matter. If there is strong evidence that we need to provide a strong inspectorate to deal with these matters it, too, will have to stand up against other priorities in health. There is the budget issue. It is all right for oppositions to complain about things not being done - we have heard that in relation to a whole range of other matters - but they all cost money and they all have to stand up as priorities in the budget context.

If there is somebody out there who is selling tobacco to under-age people and you can give us the evidence on them we will deal with it, but there is no point in waving around some sort of anecdotal evidence. If you have some evidence, give it to me. Have you any evidence?

Mrs Carnell: Yes. Have a look at your school study. Have a look at the study of the - - -

MR BERRY: No, no. Who was selling it to the children, where was it and who were the witnesses? Give it to me.

Mrs Carnell: Get rid of the legislation - - -

MR BERRY: No, no. You give me the - - -

Mrs Carnell: That is not the question.

MR BERRY: Ha, here we are; more crying wolf. Give us the evidence.

MRS CARNELL: I have a supplementary question, Madam Speaker. Is it not the case that there are no staff engaged in enforcing the legislation prohibiting the sale of tobacco products to minors? Does the Minister consider that this is satisfactory? How can the Minister be wishing to push for tougher anti-smoking laws when clearly he is unable to enforce the laws that stand now?

MR BERRY: If you have a case, if you have the evidence on somebody, report it to the police and they will be prosecuted. If you do not have the evidence, sit down, quietly.

Right to Bear Arms

MR LAMONT: My question is directed to the Chief Minister. Probably it could more appropriately be asked by Mr Moore, who is without his coat this afternoon. Can the Chief Minister advise the Assembly whether there is any fundamental right to bear arms in the ACT, as stated by Mr Stevenson on the Matthew Abraham program yesterday? Is there any legislation which prevents the raising of a private militia in the ACT?

MS FOLLETT: I thank Mr Lamont for the question, Madam Speaker. I can assure the Assembly that there is nothing in the Commonwealth Constitution which gives a private citizen the right to bear arms. In his discussion Mr Stevenson also mentioned the Magna Carta and the Bill of Rights in relation to a supposed right to bear arms. I will deal first with the Magna Carta. It is not actually in force in the ACT, except for one small and unrelated section, as its provisions were repealed by the ACT Imperial Acts Application Act of 1986.

Madam Speaker, with reference to the William and Mary Bill of Rights of 1688, which I think Mr Stevenson referred to, and which does apply in the ACT, although the Law Reform Committee has recommended that its provisions be rewritten in a modern form, even that ancient document does not provide a general right to bear arms in the way that Mr Stevenson imagines. In fact, the relevant section, section 7, reads as follows:

That the subjects which are protestants may have arms for their defence suitable to their conditions and as allowed by law.

As members of this Assembly undoubtedly would be aware, the bearing of arms in the ACT is regulated by the Weapons Act of 1991, which provides a penalty of \$2,000 and/or imprisonment for 12 months for persons who possess or use firearms unless they are the holder of a dangerous weapons licence. Possession of prohibited weapons such as automatic firearms and explosive devices attracts an even heavier penalty.

Furthermore, as I am sure members are aware, an applicant for a licence must satisfy the Registrar of Weapons that they have an approved reason for requiring a particular type of firearm. The approved reasons are set out in section 5 of the Act. They include reasons such as being a member of an approved club, being a farmer or a grazier, or being required to carry a weapon in the course of employment. Any person who uses a firearm for a purpose other than that for

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which they are licensed would be committing an offence. There is no provision in the Act for carriage of weapons for self-protection or for drilling activities. Members of the Australian Defence Force are, of course, exempt from the provisions of the Act in relation to weapons which are carried in the course of their duties.

As I have just indicated, the Weapons Act would effectively preclude the possibility of a private militia being raised in the ACT. In addition, section 27 of the Commonwealth Crimes Act of 1914 makes unlawful drilling an offence. This section, which may be brought into operation by a proclamation of the Governor-General, provides that a person who trains or drills any other person in the use of arms or the practice of military exercises or movements, or is in fact present at any meeting for that purpose, is guilty of an offence, the penalty for which is imprisonment for five years. A person who is trained or drilled in this way is also liable for two years' imprisonment. Since Mr Stevenson is so very fond of quoting the Bill of Rights, he might be interested to know that the document also prohibits the raising of a standing army. I quote from it again:

That the raising or keeping of a standing army within the kingdom in time of peace unless it be with the consent of Parliament is against law.

MADAM SPEAKER: I call Mr De Domenico.

Mr Stevenson: I thought I had him. Perhaps next time.

MADAM SPEAKER: If you were a member of the Liberal Party, perhaps it would have been this time.

Mr Stevenson: I have liberal values.

Ambulance Service - Overtime and Redundancy Payments

MR DE DOMENICO: Madam Speaker, my question without notice is to the Deputy Chief Minister, Mr Berry. I refer the Minister to the second inquiry being undertaken by the Health Department into the alleged illegal overpayments to ambulance officers. Noting that the report has been in the hands of the department heads for several days, when will its findings be made public?

MR BERRY: The Investigations Unit was asked to examine, as you may recall, certain aspects of payments to ambulance officers. Mr De Domenico is smitten with the need to go for working trade unionists in relation to their wages and working conditions, and to seek, wherever he can, to undermine them. His overzealousness in that respect has shown through in this place many, many times. Investigation of those aspects of payments to ambulance officers confirmed that some overpayments had been made. After receiving the report some further issues were raised with the general manager in charge of the Ambulance Service, and these are now being investigated within ACT Health. An authorised officer deals with this sort of process and there is a reporting arrangement which may or may not involve disciplinary procedures.

I am not about to lay that report on the table, because it may prejudice the rights of one individual or another within the Ambulance Service or the Health Department. It is a management matter which I do not interfere with, and I would expect that the Opposition would have the good grace to allow management people to get on with their job, to pursue the process and complete it. Once it is completed, there are various appeal rights that might be pursued by individuals as well. It is not a process that people ought to interfere in while it is going on. If you want to grab a political point or two you can shriek about it and do all the things that we expect Liberals to do, but the process will be pursued doggedly and we will take it through to its completion. Everybody will be treated fairly.

MR DE DOMENICO: I ask a supplementary question. Is it not a fact that the report has been in the hands of heads of departments for several days, and is it also not a fact that its release is being delayed until after the Assembly rises, perhaps to mitigate its damaging findings?

MR BERRY: Whom is it going to damage?

Mr De Domenico: I do not know. I have not seen the report.

Ms Follett: It is a conspiracy enriched life.

MR BERRY: That is right. The conspiracy enriched life of the Liberals opposite is a source of amusement to many people. In relation to this matter, I say to you again, and I hope that it sinks in, that management are going to be allowed to pursue this matter until it is completed. Once it is completed, any action which is required in accordance with the processes which are adopted throughout the public service will be followed. I am not going to allow people like you to interfere in the process just for political gain.

Magistrates Court Building

MR STEVENSON: My question is to the Chief Minister. First of all, I thank her for her answer to my earlier question. This question normally would go to the Attorney-General, but I ask it of the Chief Minister since he is away. Has there been included in the plans of the proposed new ACT courthouse an area suitable for the accommodation of crime victims and their families to which they may repair and discuss court matters in a confidential and private setting during trial procedures? I believe that in the present ACT court complex there is no allowance for, nor is there available, any accommodation for crime victims or their families. We certainly understand the anguish and stress that they can go through during trials.

MS FOLLETT: I thank Mr Stevenson for the question. I am aware that the design and siting of the new court building is still a matter which is yet to be resolved. I assume that the construction of a new court building in the ACT would encompass the very latest thinking in accommodation for everybody who is concerned in court dealings. However, Madam Speaker, I will take Mr Stevenson's question on notice, as I have not had an opportunity to look at plans. I think that, as it is a fairly detailed matter, I would need to make sure that Mr Stevenson gets an appropriate response as quickly as possible.

Budget Strategy

MR KAINE: I direct a question to the Treasurer. After today there are only three sitting days of the Assembly before the budget session. Is it your intention during one of those three days to table a budget strategy statement so that we can get some inkling of where you think you might be going in preparing a budget?

MS FOLLETT: Madam Speaker, I am giving consideration to a range of matters to do with the budget and also to the strategy that we must follow. There is a bit of a difficulty with timing, though, because, as Mr Kaine has pointed out, the Assembly sits in June but the Premiers Conference is not until July. So there is a timing difficulty in this particular year. Nevertheless, Madam Speaker, it is a matter which I am considering. If it is possible to prepare a strategy in that time it will certainly be presented to this Assembly.

MR KAINE: I ask a supplementary question, Madam Speaker. The Chief Minister talked earlier, in connection with the capital works program, of there being a practice. The practice of tabling a budget strategy statement was instituted by T. Kaine when he was Chief Minister, and this Chief Minister has followed that ever since. The strategy statement that I put out in 1990 was actually published in March, and the one that the Chief Minister published last year was published in early June. The Chief Minister is well aware of the sitting pattern of this Assembly and has had plenty of opportunity to present such a strategy, if she has one. Is the fact that she is still thinking about it indicative of what is worrying the rest of us, namely, that she in fact has no strategy and has not the faintest idea of how to go about bridging the budget gap?

MS FOLLETT: Madam Speaker, briefly, Mr Kaine's budget strategy was basically a Liberal diatribe about slashing the public service, contracting out, increasing taxes and reducing services to the community. I recall it well. He did not face, as we do this year, a 21 per cent reduction in Commonwealth funding as implied by the Grants Commission report. That does change matters somewhat, Madam Speaker, and it is, of course, something to which the Government has to give a great deal of consideration. As I have said several times in the past, we have to do our best to negotiate with the Commonwealth in order to get some amelioration of that Grants Commission outcome, and that is the process that I am involved in at the moment. Obviously, as the weeks go by, I will be in a better position to be optimistic or otherwise about that Grants Commission outlook.

Mr Kaine is quite right in saying that in previous years I have presented a budget strategy, and in the normal course of events I would have expected to do so this year. As I say, the Grants Commission report has changed the way that we must look at this budget, has changed the outlook over coming years, and I have reported to the Assembly on the position which I am putting to the Commonwealth on the Grants Commission report. As I say, Madam Speaker, it is a matter which I am still considering. Of course, if there is to be a budget strategy statement it will have to be made in those three days in June, which timing does not suit the Premiers Conference and other key events terribly well.

Business Colleges - Overseas Students

MRS GRASSBY: My question is directed to the Minister for Education. It is very important to the Ethnic Communities Council and I would like to give them an answer. What action can the Government take to protect full fee paying students - mostly overseas students, I am talking about - from being disadvantaged should a business college in the ACT collapse?

Mr Cornwell: Come on, Ellnor; we have introduced the legislation.

MR WOOD: Madam Speaker, it is relevant. As Mr Cornwell suggests, we have introduced legislation, but there has been a deal of activity around Australia in this area. I am not going to anticipate a debate. I know that you did not do it yesterday, so I will not do it today. Mrs Grassby has been talking to the Ethnic Communities Council in the ACT on this matter and has come back to me with some representations suggesting that the Bill does not go far enough to protect full - - -

Mr Moore: I take a point of order, Madam Speaker. Standing order 117(f) says:

Questions may be asked to elicit information regarding business pending on the Notice Paper but discussion must not be anticipated.

I think we are pushing luck.

MADAM SPEAKER: I will ask the Minister to bear that in mind. Thank you, Mr Moore.

MR WOOD: Thank you. That was the same response, too. They have concerns. It is also the fact that recently a business college in Perth collapsed. That has renewed a focus for the Federal Minister, Mr Beazley, on the subject. As a result of that collapse he is now withholding the Federal legislation with which ours was compatible and is going around the States in a further round of discussions to see whether further refinements are needed. I understand that we are now talking about changes that may include increased penalties and the introduction of uniform national arrangements for safeguarding students' fees, including financial supervision of providers. The important question of a proposal to establish an industry fidelity fund will be examined further. The Ethnic Communities Council has that same feeling about things. The legislation that I have tabled probably will be delayed a little as we talk further with the Federal Government on this important matter.

Volunteers in Sport Week

MR CORNWELL: My question is not for political gain, Mr Berry, but for recognition of other people, and it is addressed to you in your capacity as Minister for Sport. Last week was National Volunteers in Sport Week and ACT schoolchildren participated in a promotion that was carried out by the member for Canberra, Mrs Kelly, the presentation of green and gold awards to national volunteers. Has a board or committee been formed in the ACT, as it has in every other State and Territory, to promote the awards and Volunteers in Sport Week? If so, why was the week not publicised locally and the many ACT volunteers recognised at the local level by the ACT Government?

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MR BERRY: You would have to ask the people who received my press release. It is an important program and, of course, this Government has a good record when it comes to the recognition of volunteers. We introduced for the first time last year the Volunteer of the Year Award at the ACT Sports Star of the Year celebration. In setting up the sports advisory council, one of the issues that I asked the chairperson on her appointment to consider was the issue of volunteerism, because we know and understand that many sports out there would fail if it were not for the great effort that is put in by volunteers. A lot of them are parents who follow their children into the sport and become involved in the administration side of it, but there are a lot of people who are genuinely interested in particular sports and who stay with those sports for many years. We intend to recognise the input of volunteers in the ACT, as demonstrated by our award last year. That is something that is an ongoing thing. It will continue.

As for the committee that you have talked about, I will have to take some further advice on that matter and report back to you. I can say to you that, as far as the ACT is concerned, we were off and running early in the piece. We take the participation of volunteers and the contribution of volunteers in the development of ACT sport very seriously, and we will continue to do so.

MR CORNWELL: I have a supplementary question. You speak of the award last year. I agree wholeheartedly with what you say, Minister; but why were the activities of the ACT volunteers not recognised by this ACT Government last week in this national volunteer in sports award?

Mr Kaine: They forgot.

MR BERRY: No. If I did not send you a copy of the press release, I will. You will be advised. It was sent far and wide and it did not get the publicity it obviously deserved.

Liquor Licence Fees

MR MOORE: Madam Speaker, my question is directed to Rosemary Follett as Treasurer. As a result of the Business Franchise (Liquor) Act converting retrospective fees to be paid on liquor sales to all licensees paying fees for a quarter in advance of sales, it has been reported that a large amount of revenue was lost to the ACT as a result of the anomaly associated with this Act and its conversion. Can the Treasurer tell us exactly how much revenue was lost?

MS FOLLETT: Madam Speaker, the short answer is that revenue has not been lost. It is a complex matter, so I hope that members will bear with me if I go through it. As a result of the High Court decision in October of last year, the ACT is precluded from raising duties of excise. Members will recall that during February of this year several Acts were passed to ensure that the Territory's tax laws would not be open to challenge as a consequence of that High Court decision.

Members might also recall that one of those Acts was the Business Franchise (Liquor) Act 1993. It repealed the Liquor Tax Act 1991 and removed the distinction between licensees who were granted a licence before January 1992 and those gaining their licence on or after that date. The essential difference between the two categories of licences was that pre-1 January 1992 licensees paid their

quarterly licence fees by reference to purchases in the quarter commencing 15 months earlier, whereas licensees who were approved on or after that date calculated their quarterly fee by reference to purchases in the quarter commencing six months earlier. As a result of the passage of this Act, all licensees pay their quarterly fees in advance, calculated by reference to purchases in the quarter commencing six months earlier. Revenue from liquor fees for the current year has not been adversely affected by this change in the reference period for calculating the quarterly fees. The result of that legislative change is that the Territory's liquor revenue has been secured from possible challenge following that High Court decision.

Ambulance Service - Overtime and Redundancy Payments

MR WESTENDE: My question is directed to the Minister for Health, Mr Wayne Berry. The Minister talked a lot about management in his answer to Mr De Domenico. I ask the Minister: Why were the positions of those ambulance officers under investigation by the Health Department advertised in last week's *Gazette*? Why have those positions been advertised when they are still occupied by officers who have not been notified about the outcome of the investigation and their own future, and a redundancy package payment that may or may not be due to them?

MR BERRY: I am not aware, Madam Speaker, whether the positions which were referred to were permanently appointed positions or whether people were acting in them. If they were acting in them it is possible that positions were advertised in accordance with normal practice. Knowing as much as I do about the levels in the Ambulance Service, if you are talking about senior positions they are not positions that have been occupied by anybody for 15 years, acting or otherwise. We are talking about positions which, one assumes, from the information that has been put forward by the Liberals, are positions that are ready to be filled and would have been advertised within the normal process.

Mrs Carnell: They are occupied by these people.

MR BERRY: People occupy positions in an acting capacity sometimes, as you would well appreciate.

Ms Follett: They do not understand.

MR BERRY: If you have some difficulty understanding, and if that was the case, it would be quite normal for them to be advertised. I do not keep tabs on every position throughout the health portfolio, nor should I be expected to. I will have somebody have a look at the *Gazette* and I will inquire into the background of those advertisements. When I have that information I will make sure that the Assembly is made aware of it.

MR WESTENDE: I ask a supplementary question, Madam Speaker. If the positions are not acting, will the Minister then undertake to cancel the notice in the *Gazette*?

MR BERRY: I am not going to speculate about what might happen. I have told you that I will investigate the matter and report back to you.

Isolated Establishment Allowance

MS ELLIS: My question is directed to the Deputy Chief Minister in his capacity as Minister for Industrial Relations. My question is related to the payment of the isolated establishment allowance as reported in today's *Canberra Times*. Can the Minister advise whether the report is accurate and whether the same arrangement applies to ACT government employment?

MR BERRY: I thank Ms Ellis for the question. I was rather surprised that one of the Liberals, particularly Mr De Domenico, did not try to jump on the band wagon of employees' allowances, as he is often prone to do in an effort to undermine the rights of workers. This question is one that needs to be put straight in the ACT context. The matter relates to that article on the front page of the *Canberra Times* this morning. The article is based on a limited understanding, I am advised, of the rationale for payment of the isolated establishment allowance. The allowance is paid to employees required to work at certain prescribed locations which involve extra commuting where the employer locates the place of employment outside an urban area. Furthermore, in areas which are not serviced with public transport it means that employees must use private transport for work purposes. It is not the distance from the urban development which justifies the allowance. An isolated establishment is one which is located outside the boundary of the nearest urban area as defined by the Australian Bureau of Statistics.

The *Canberra Times* article also suggests that employees are also entitled to an additional car allowance. My advice is that this is not the case. The prescribed rate per kilometre is simply used to calculate the rate of isolated establishment allowance. It is not an additional allowance, according to my advice. I understand that the allowance, as with other reimbursement of costs allowances, is reviewed periodically by the Commonwealth. Consistent with this established process of review, the rate of the allowance has been recently increased by the Commonwealth.

The article may be misleading in its reference to the allowance being upgraded to comply with an industrial agreement recently struck with the Public Sector Union. In making the transition to a system of enterprise based productivity bargaining, the Commonwealth negotiated an agreement with all unions, drawing on existing employment conditions as a basis for entering less centralised arrangements for productivity bargaining. In the APS this provides, among other things, for the isolated establishment allowance to continue to apply and be varied in the usual way. The allowance has existed for many years and applies to Commonwealth Public Service Act employees. Accordingly, it continues to apply to transitional ACT staff employed under the Public Service Act. For other ACT government employees whose pay and conditions are aligned to Public Service Act conditions, this arrangement has also been inherited from the Commonwealth.

Further, it needs to be understood that this is not a method of compensation unique to the public sector. For example, building workers in the private sector are entitled to daily travelling allowance per day, irrespective of the relationship of the building site to their place of residence or urban development. It is a routine allowance which is paid to workers across a range of employment areas and one which will, from time to time, subject to the prevailing industrial conditions, be examined and varied to meet those particular requirements.

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

Woden Bus Interchange Kiosk

MS FOLLETT: Madam Speaker, on 18 May Mrs Carnell, Mr De Domenico and Mr Humphries asked me questions relating to the leasing arrangements of the Woden bus interchange kiosk and I undertook to provide them with an answer. Mr Westende asked a similar question of my colleague Mr Wood, as Minister for the Environment, Land and Planning, who also undertook to provide an answer. I am therefore responding to all of these questions. My answer is that I must first provide some substantial background to this matter in order to clarify the issues.

In 1984 Mr and Mrs Koutsoukos became the new lessees of the kiosk for a five-year term commencing on 7 November 1984. Rental for this five-year term was set at \$13,000 per annum, to be paid every quarter. In 1989 discussions were held with Mallesons Stephen Jaques, solicitors, acting for Mr and Mrs Koutsoukos, regarding a further five-year lease, and in November 1989 they were advised:

Due to proposed redevelopment of the Woden Bus Interchange including possibly the kiosk site, we have not to date been in a position to agree to extend the lease for a further 5 years.

A further lease was agreed and commenced on 1 February 1990 but only for one year and thereafter on a quarterly basis, and it included the clause:

Such lease being determinable by one quarter's notice given by either party to the other.

A new rental was set at \$19,000 per annum, also payable each quarter. The lease also included the statement that if the lease was still in operation after two years a rent assessment would be undertaken. The short-term lease was issued due to ACTION's advice that they may be redeveloping the Woden interchange and this could involve the removal of the kiosk. In March 1992 the lessees requested a new five-year lease, as they did not want to commence refurbishment without having a more secure tenure.

In a response to this request, the Koutsoukoses were advised in May of 1992 that there may be new developments in this area and thus a longer-term lease could not be issued. In the meantime the lease would continue on a quarterly basis. At the same time the scheduled rent review was undertaken by the Australian Valuation Office, which resulted in a new rent of \$30,000 per annum.

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Madam Speaker, Mr Humphries incorrectly stated that the lessees were offered a further one-year lease in this department's letter at that time. The correspondence was in fact notifying the lessee of the variation of the annual rental only. This does not constitute a lease offer. The lessees were quite aware that the lease was only continuing on a quarterly basis. In fact Mr Koutsoukos's letter of 18 March 1992 to the department says:

Our lease expired in December 1991 and at the present time we are currently on a quarterly tenancy.

Madam Speaker, the funds to redevelop the Woden bus interchange were made available through the One Nation package. The then Minister for Land Transport, Mr Bob Brown, wrote to my colleague Mr Terry Connolly on 23 December 1992 stating that urban public transport projects would be granted \$340,000. ACT Public Works immediately employed consultants to design and document improvements to the Woden bus interchange as a possible project for this funding. Once the consultant's report had been completed ACT Public Works notified the Department of the Environment, Land and Planning that the redevelopment of Woden interchange was to proceed and that the lease over the kiosk should be terminated. The department then gave Mr and Mrs Koutsoukos the three months' notice, which, as members are aware, occurred in a letter dated 7 May 1993.

Madam Speaker, I issued a media statement yesterday advising that officers from the Chief Minister's Economic Development Division and the Department of the Environment, Land and Planning had met with the lessee, and as a result of this meeting and subsequent discussions I have ordered an urgent re-examination of the proposed redevelopment of Woden bus interchange. I have asked the Minister responsible for leasing, Mr Wood, to revoke the notice ending the lease. The lessee can therefore continue to operate his kiosk on the same basis and rent which had previously applied. This arrangement will continue whilst the re-examination is carried out. The re-examination will encompass every aspect of the redevelopment, including its commercial component, and the views of all parties will be considered. I expect this review to be completed by the end of the month.

Ginninderra Creek Bridge

MS FOLLETT: Madam Speaker, I have an answer to the second part of a question which I took on notice from Ms Szuty relating to whether the upgrading of Ginninderra Creek bridge was considered as an alternative. The answer is that the extent of the problem is too large to be corrected by immediate minor repairs, and continued use of heavy vehicles is likely to cause further damage. As a result, the load limit was placed on the bridges. It is expected that remedial work on these bridges will be undertaken as a high priority in the new financial year. The limit will apply until the bridge repair work is completed, which will take approximately six to eight months. Madam Speaker, an information leaflet was delivered to all residents of Companion Crescent advising them of the reasons for the temporary traffic arrangements.

Magistrates Court Building

MS FOLLETT: Mr Stevenson asked me a question relating to the new courthouse and the facilities provided for victims. I have received advice that there are interview rooms, waiting rooms and separate entrances in that new design which are all provided for the use of victims. It therefore should be possible for them to maintain a separation in that court environment. That information has been obtained from the project manager.

Sudden Infant Death Syndrome Register

MR BERRY: In response to a question which was asked by Mr Stevenson in relation to the establishment of a cot death register, I can provide the following response: The Australian Bureau of Statistics maintains a statistical record on the number of sudden infant deaths occurring throughout Australia. All sudden unexpected deaths are also reported to the coroner, who is able to provide statistics comparable to those that would be available from a register.

AUDIT ACT Paper

MS FOLLETT (Chief Minister and Treasurer) (3.12): Madam Speaker, in accordance with section 49B of the Audit Act 1989, I have arranged for statements to be provided to the Assembly concerning additional variations to appropriations made in 1992-93. The Audit Act contains a number of provisions which enable appropriations to be varied during the course of the financial year. Section 49A of the Act enables appropriations to be increased to onpass Commonwealth specific purpose payments where receipts of such payments exceed the amount expected at budget time. This enables the relevant programs to provide additional levels of service in accordance with additional levels of funding available from the Commonwealth under Commonwealth-ACT agreements. When the Executive gives a direction to increase appropriations in accordance with this section the Chief Minister is required to provide the Assembly with a copy of the direction and a statement of the reasons that led to the giving of the direction.

In addition, the Executive has also approved variations within and between programs in accordance with section 49(1) of the Act. This section enables surplus funds to be transferred between programs and between recurrent and capital items within the Appropriation Act. These measures involve transfers of funds already appropriated and were taken by the Executive to facilitate the priority funding needs of programs. Madam Speaker, I now table a statement in accordance with section 49B of the Audit Act 1989 on variations to appropriations made in 1992-93. I move:

That the Assembly takes note of the paper.

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

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CANBERRA IN THE YEAR 2020 STUDY

Ministerial Statement and Paper

MS FOLLETT (Chief Minister and Treasurer) (3.15): Madam Speaker, I ask for leave of the Assembly to make a ministerial statement on the third quarterly progress report on the Canberra in the Year 2020 study.

Leave granted.

MS FOLLETT: Madam Speaker, on 20 August 1992 the Assembly initiated a study to "Inquire into and report on strategic planning in the ACT addressing the key question 'What should Canberra be like in the year 2020?'". The motion requires the Government to provide quarterly reports on the progress of the study to the Assembly, with a final report on the first sitting day of August 1993. The third stage of the study has focused on building community awareness of the study and on gaining the views and aspirations of the community for Canberra in the next century. The second stage progress report and the issues papers prepared by ACT government agencies which were tabled with that report have been widely circulated to inform the community of the study and to stimulate discussion of the key issues.

To provide the opportunity for more detailed community input, the Government established the Canberra in the Year 2020 Reference Group in early April. The reference group is intended to provide the main avenue for community consultation during the study. The reference group is chaired by Dr Peter Ellyard, the executive director of Preferred Futures and the former director of Australia's Commission for the Future. Members of the group are drawn from a wide range of community interests, and form a multifaceted and talented group to help the Government with the study. Since its formation, the reference group has initiated a series of processes to meet the group's terms of reference as set out in the second stage report, including the achievement of a substantial degree of community input to the study.

The reference group initially considered the issues papers prepared by ACT government agencies, met with agency coordinators responsible for the preparation of the issues papers, and passed on their comments regarding the papers. The reference group then embarked on a series of meetings with representatives of over 50 community groups concerned with a wide range of community interests. These meetings informed the representatives of the work of the reference group and provided participants with the opportunity to have their views of Canberra in the Year 2020 included in the study. I understand that these meetings have been very successful and that they have provided positive contributions for the reference group. I am pleased that the Canberra community has responded positively to this exciting and challenging study. The University of Canberra has been particularly cooperative to the reference group by providing computing and video facilities to assist them with their task.

Madam Speaker, it was anticipated that the tabling of this report would signal the completion of the consultation stage. However, the reference group believes that the study will benefit from further opportunities for community input, and their consultations will now continue into June. I understand that the group will consult within their own networks and undertake further meetings with

community groups during this period. The insights and views gained by the reference group will be important inputs to their advice to the Government on the content and form of the final report to the Assembly, as set out in the group's terms of reference. The way in which the reference group will develop this advice is set out in a report from the reference group chair attached to the third stage progress report tabled today.

The study now moves into its final stage, leading to the preparation of a report on what Canberra should be like in the year 2020. The report will be based on discussion and comment on the issues papers and the community views gained through the reference group's consultations. It will set out goals, implementation strategies and evaluation and review processes as called for in the Assembly's motion. Madam Speaker, I present the third quarterly report of the Canberra in the Year 2020 study to the Assembly and a copy of this statement, and I move:

That the Assembly takes note of the papers.

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

SPORT AND RECREATION - FORUM ON FUTURE DIRECTIONS Ministerial Statement

MR BERRY (Minister for Health, Minister for Industrial Relations and Minister for Sport) (3.19):
I seek leave to make a statement in relation to a sports forum in the ACT.

Leave granted.

MR BERRY: I would like to inform the Assembly of a most important initiative in the Government's planning for sport and recreation in the ACT. It is another part of our consultation with the community, our continuing consultation with the community.

The ACT Sport and Recreation Council, in conjunction with the Office of Sport and Recreation, has planned a public forum on future directions for sport and recreation in the ACT for Saturday, 22 May 1993, at the Institute of Sport, Bruce, to develop long-term strategies for sport and recreation. The forum is complementary to the 2020 vision strategy that the Legislative Assembly agreed to in August 1992. As part of the discussions of the 2020 vision's strategy, the ACT Office of Sport and Recreation and the ACT Sport and Recreation Council identified relevant issues for developing a planning strategy towards 2020. The council will be involved in consultation on the 2020 vision strategy and felt that the forum on future directions would be an appropriate way to provide input to it. The forum aims to identify needs and to develop objectives and strategies to meet these in key areas of sport and recreation provision over the next 10 years.

In planning the forum, seven consultative groups were established to discuss each of the seven identified issues. Each group has prepared discussion papers for further development in participative workshops at the forum. Each paper discusses issues and trends likely to influence the theme area, a vision for the area in the year 2000 and objectives to be achieved to make the vision a reality. The forum, Madam Speaker, will provide an opportunity for a large cross-section of the community with a wide range of views to participate in open

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workshop discussions about the future planning and provision of sporting and recreation facilities and services in the ACT. This will include looking at desirable futures in the areas of facilities, events, funding, junior sport, access and equity, and participation to help shape the future of sport and recreation. We are inviting the sporting and recreation community, government agencies and other service providers in the fitness, tourism and sport industries to attend.

The ACT community is a highly active sporting and recreation community. For instance, over half of the ACT population are involved in organised sport and many more participate in less organised recreational activities. Sport and recreation is a major industry with benefits to community well-being, health and the ACT economy. A coordinated strategic master plan, with agreement on priority objectives, will guide the activities of all players. After the forum each consultative group will reconvene to review the outcomes for each issue. From this, a draft strategic plan will be developed and presented at a public meeting for the community's reaction. The Sport and Recreation Council proposes to present a final plan for the coordinated development of sport and recreation in the ACT to the Government for consideration in July this year. I encourage everybody to be involved in this most important development of the vision for the future of ACT sport and recreation.

Mr Cornwell: Are you going to move that - - -

MR BERRY: Do you want to debate it after the event?

Mr Cornwell: I would like to make a couple of comments.

MR BERRY: Now?

Mr Cornwell: Yes, now.

MR BERRY: I present a copy of this statement, and I move:

That the Assembly takes note of the paper.

MR CORNWELL (3.23): Obviously, as Mr Berry has realised, there is not much point in adjourning this debate as the forum is to take place on Saturday. I would, however, like to say that, whilst I am sure that the sporting and recreation organisations in this Territory will be interested in this forum and the issues that the Minister states will be discussed in developing planning strategies towards 2020, or the strategies to meet key areas of sport and recreation provision over the next 10 years, I think that the sport and recreation organisations would also be interested in what is happening now in 1993 in this important area.

Only a couple of days ago the new executive director of ACT Sports House, Tony Naar, was interviewed by the *Canberra Times*. I think it is timely and proper that I quote a couple of the matters that he obviously would like to raise in the here and now rather than 10 years down the track or in 2020 - for example, why the average time a primary schoolchild spends on sport and physical education nationally is two hours and 10 minutes each week, whilst in the ACT it

is one hour and 30 minutes? Has the estimated \$100,000 saved by cuts in ACT representative school sport been redistributed within the sporting budget? Why is per capita funding from the ACT Health Promotion Fund only \$3.50 here in the ACT while in other States it is as high as \$6.50?

Mr Berry: What is it in Queensland?

MR CORNWELL: You had better ask Mr Goss. He is your Labor Premier. Fourthly, why was the ACT's sports budget from ACT health promotion pegged at \$900,000 for three years? Did not the Health Promotion Fund receive more and increasing revenues in those three years? Why was it stuck at \$900,000 for three years and only just recently increased?

These are questions that Mr Naar properly asks. He would also like to see the ACT Health Promotion Fund granted autonomy, as it is in the other States, Mr Berry, and allowed to handle its own money. We know, of course, that this is a no-no, because Mr Berry does not believe in anybody handling any funding whatsoever, judging by his actions on the TAB of which he advised this morning. Those are questions that I think could quite properly be raised at this forum on Saturday. I also believe that the basic needs of a lot of sporting organisations are very urgent. I refer specifically to the areas of the Tuggeranong Valley, particularly the southern areas of the Tuggeranong Valley where one hears constant complaints.

Mr Berry: You want another swimming pool there?

MR CORNWELL: No, not about swimming pools, Mr Berry. I acknowledge that the Tuggeranong pool, which I visited at the opening last Saturday, along with a number of other people, is an excellent facility, and I am sure that it will be appreciated and much used by the people of Tuggeranong.

But there are other sports that need to be addressed. One of the questions I have on the notice paper is about the provision of cricket pitches in the southern Tuggeranong area - not necessarily turf wickets, though we would like to see one, perhaps at the enclosed Greenway oval. There is also the question of the provision of such basic items as toilet facilities at the Banks oval, which, I understand, is the headquarters of the Knights, the South Tuggeranong minor rugby league teams. I would think that toilet facilities are fairly essential at any oval. I understand that they do not exist there at the moment, and part of the reason, I appreciate, is lack of funds. There is also the thorny and continuing question that I have raised with you on a number of occasions about some basic change room facilities at suburban ovals, so that 16- and 17-year-olds do not have to change into their sporting gear in the back of cars, or behind people holding up blankets, or whatever. Your answer quoted me a grandstand complete with canteen costing \$300,000, which was patently absurd for the needs of these people.

These are the issues, sir, that I am sure the people who are attending this forum next Saturday would prefer to address as a matter of priority, indeed, as a matter of urgency, and then, perhaps, we could look at 10 years down the track or what may be needed in terms of sport and recreation in the year 2020.

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MR BERRY (Minister for Health, Minister for Industrial Relations and Minister for Sport) (3.28), in reply: I heard the issues that were raised in what I think I could fairly describe as a fairly churlish tone. The sneering contempt that you hear sometimes from Mr Cornwell about the provision of services in the ACT earns him no respect, because I think most sportspeople in the ACT recognise that this Government has performed well in the area of the provision of sports facilities. You do not build the cricket pitch before the suburb is finished and, of course, not every piece of green space in the ACT is going to have a toilet block and a grandstand. There are playing fields, enclosed playing fields and district playing fields and other areas where people can pursue sport and recreation but which may never have the grand facilities that you seem to be pursuing for every sports location in the ACT. We just cannot afford it.

I think people misunderstand the Health Promotion Fund. It is not a sports promotion fund, and I have made that clear at every opportunity.

Mr Kaine: Didn't we set up the Health Promotion Fund?

MR BERRY: No, I set up the Health Promotion Fund.

Mr Humphries: He did not increase the amount available under the fund as he claimed.

MADAM SPEAKER: Order! Mr Berry has the floor.

MR BERRY: Neither did you. It was increased by a small amount and it was consistent with our approach across the whole budget area. I think the Health Promotion Fund did pretty well. In 1989, when we came into office, there was nothing, and then all of a sudden there was a health promotion fund, courtesy of the Labor Government. To the credit of the Alliance Government, they continued with it and it survives today. It survives today, courtesy primarily of the generosity of smokers.

Mr Cornwell: Indeed. You did not increase the sports allocation for three years.

MR BERRY: It is not a sports promotion fund.

Mr Cornwell: I said "the sports allocation".

MR BERRY: I am sorry; you misunderstand how the Health Promotion Fund works. There is a division of the Health Promotion Fund, a percentage of the overall amount - - -

Mr Humphries: And some of it goes to sport.

MR BERRY: A percentage goes to sport.

Mr De Domenico: The percentage that goes to sport has not been increased by you.

MR BERRY: That is right, and neither have the other percentages; but the overall Health Promotion Fund has increased marginally.

Mr Humphries: Because more people are smoking.

MR BERRY: No, no. It has increased marginally. There is growth in the Health Promotion Fund overall.

Mr De Domenico: Will that growth be reflected in the increased allocation to the sports area?

MR BERRY: No, it will not be reflected in an increased percentage to the sports area, and why should it? There are other areas of health promotion. If there is a strong argument to increase or decrease the percentages, then they will be varied. I have made it clear to the advisory council that the percentages are not set in concrete if there is a case made out for an allocation of money which might justify varying those percentages. I am entirely flexible on that matter. The guiding percentages are not set in concrete.

But do not confuse the Health Promotion Fund with the issue of sport. It is a health promotion fund, not a sports promotion fund. If sports argue that they will be able to use the Health Promotion Fund to advance their sport, if that is their prime aim, they are applying to the wrong area. That needs to be clearly understood. It is a useful tool in promoting the relationship between health and sport, but at the same time there are some unhealthy aspects of sport that have to be dealt with as well. The injury rates - - -

Mr Cornwell: What? Kick boxing?

MR BERRY: The injury rates in sports like boxing. That is why this Government - - -

Mr De Domenico: And rugby league, Aussie rules, cricket, skydiving, bungy jumping, bowls - - -

MR BERRY: Here we go again. I love this. Mr De Domenico interjects, "Just like the injuries in rugby league and Aussie rules", comparing them to boxing. Have you not noticed, Mr De Domenico, that in the sport of boxing the main aim is to knock the block off your opponent, to beat him to the ground, to defeat him? In the other sports there are different objectives. The prime aim is not to flatten your opponent.

Mr De Domenico: Oh!

MR BERRY: He understands. Darkness lightens. I am pleased. Madam Speaker, the Government's record on sport in the ACT stands out proudly. We are proud of it, too. We have provided a range of facilities in the ACT which I am sure the sports community are proud of, and will continue to be proud of. Unquestionably, there will be times in the future when it is going to be difficult to give sports everything they want, the same as every other area of government services. We are going to have to cope within our commitment to a social justice strategy right across the Territory. It is an important area of our commitment to the community and one which we are living up to, without doubt. I would be interested to see the ActSport representative's participation in the forum. I am sure that he has a role to play. I am sure that his participation in it will contribute to the quality of the outcomes. We will be looking forward to those outcomes.

Question resolved in the affirmative.

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LEAVE OF ABSENCE TO MEMBER

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

That leave of absence from 21 May 1993 to 3 June 1993 inclusive be given to Mrs Carnell.

BUDGETARY ALLOCATIONS AND SPENDING POLICY Discussion of Matter of Public Importance

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

The potential improvements that can be made to budgetary allocations and spending policy.

MR STEVENSON (3.37): I raise this matter of public importance to highlight a problem in the use of taxpayers' funds that I believe can be solved. First of all, I would like to identify a couple of the problems specifically to do with the fact that departments cannot carry over any appreciable amount of their budget to the following year. I think it raises the wrong principle when there is a limit of 3 per cent on budget carryover. Even that amount is not available for staff allocation, staff funding. The major problem is that it rewards ineffective principles and penalises those who would do well in their budgetary design.

Let me give a couple of examples as to why people are encouraged, first, to spend all their budget and then perhaps to spend even a little bit more. If you save money on a budget you can reach a situation where, when there are budgetary cuts because of hard times, you get no benefit from having saved money previously. I give one example in the ACT. Without specifying particular amounts or departments, let us say that half a million dollars is saved by a department through very effective planning. What happens is that in the following year they get no extra allowance for that half a million dollars. Their budget is reduced by that amount because they saved that through their future budgetary practice. Not only that; in the ACT they have to save an extra 2 per cent of their overall budget.

There are some examples around Australia. I give as an example one department at the moment with a \$2,000m budget. Ninety per cent of the year has gone but they have spent only about 70 per cent of their budget. At the moment there are meetings being held and there is a mad flurry of activity as they wonder what they can spend all the money on. I think we all understand that this time of the year is the ideal time to push forward your pet project, a project that might not get funds allocated at any other time of the year. When there is money that needs to be spent you put forward your pet idea and it is far more likely to get approval. I am not suggesting that people would necessarily throw money away, although such things have happened. What I am suggesting is that it does not encourage the effective use of taxpayers' funds.

Let me give another example of something that happened in the past in another department outside the ACT. Let us say that the budget forecast for the year was \$290m. Three-quarters of that money had been spent and there was a little over a month to go. They got up to spending \$270m of it, which was not a bad effort, but they still came in under budget. The threat is that they would lose that money for the following year.

Ms Follett: So they ought to. It is very poor budgeting.

MR STEVENSON: The Chief Minister says, "So they ought to". I agree that it is very poor budgeting. I am raising the matter and suggesting some solutions because some of these things happen in the ACT. I picked a couple outside the ACT.

Mr Kaine: No, we always overspend here, Dennis. We never underspend.

MR STEVENSON: The system encourages overspending. Obviously, if you could not do the job within budget and actually needed more, the argument for reducing your budget is going to sound a little bit lame. In the Federal Parliament you can carry over 6 per cent of your budget compared to our 3 per cent of non-salary funds. Federally, the Finance Department issues one simple, single booklet that explains all these procedures. That is a very good idea. Moneys can be carried over in the Federal area and that includes quarantining certain amounts that can run on over a period of years. They can be used for just about any matter, even capital funding. Borrowing against future budgets is possible in the Federal area as it can be negotiated by Federal administrators. It is clear that the Commonwealth has lifted its game. These are fairly recent ideas within the Federal arena and they give us a lead as to what we might be able to do.

Let us have a look at a couple of other problems that might occur. If you have a very large budget in a department, that can affect pay scales set for people within the department. If the budget allocation is not spent, as I said, you can lose it. But let us look at a situation where someone has a budget of \$100m, spends \$87.5m and saves \$12.5m or 12.5 per cent. It is highly likely that they would lose that budget. Does that make a lot of sense? Would it not be feasible to allow them to carry the money over, or a reasonable percentage of it, and use it with cost saving measures in mind? They may wish to introduce an entirely new computer system within the section or department, or they may wish to undertake a major training program. These are just a couple of hypothetical examples. There are many areas where the funds can usefully be carried over, certainly for capital expenditures.

Let us look at some of the solutions. I think it would be an excellent idea to reward public servants for savings. I think this is a good idea for members of parliament. I often talk about it. Say we had a billion dollar budget. I would suggest that we say to politicians - I do not necessarily mean members in this Assembly; I am talking about a principle, "Your budget is \$100m. We will give you a certain percentage or a fraction of a percentage of whatever you save". Boy, I think you would see some action then. A principle that we understand is the principle that what you reward you get. If you reward thrift, if you reward effectiveness, you encourage that and you would get more of it.

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If you reward people for getting rid of all their money there is no doubt that that is what most people will try to do. There might be exceptions. Indeed, though you may introduce some useful solutions, there will always be someone who wants to get around a system and who abuses the system. That will happen under any system.

Another area that has some benefit is zero based budgeting. That has been talked about, although it has not been implemented, by any means. What is wrong with the principle of starting again for the next year? Rather than say, "Look, your future budget is going to be tied to what you have spent in the past", why not say, "This is a new year. We are going to look at what you need to carry out the job on behalf of the citizens of Canberra for the coming year or years"? That seems to be something that we could pay more attention to.

One of the ways of identifying the problem of late minute spending would be the more effective use of monthly budgetary forecasts and spending. If you went to the situation where there were drastic differences in one-twelfth of the money being spent each month you could look at the problem before it is too late. As I said, the basic principle here is one that encourages people to do the wrong thing, usually. I think we should change the system to encourage people to do the right thing, to encourage people to save the money and to keep it in case they are to be told at some time in the future that they have to save 2 per cent of their budget. They then say, "Gee, I do not think we can do that", knowing full well that there may be funds that could be saved.

MS FOLLETT (Chief Minister and Treasurer) (3.47): One of the problems that I had with Mr Stevenson's remarks is that the majority of the examples that he put forward were from the Commonwealth's sphere rather than from the ACT's sphere. I only wish that I had a couple of those \$2,000m departments who had underspent their budgets operating under my control. That would be a very happy state of affairs.

Madam Temporary Deputy Speaker, it has been the hallmark of this Government to maximise the opportunity for debate on budget issues, both within the Assembly and within the wider community, through the consultative processes that we have established. The budget allocation and process decisions are fully considered by the Assembly in the budget session as well as through the Estimates Committee process and the debate on the Estimates Committee's report. Allocation decisions really are not amenable to simple rules. They reflect the mandate that governments obtain through the electoral process. They must also reflect changing priorities and changing community needs in response to changing demographic, social and economic conditions. Social justice objectives, particularly in the current economic climate, have received, and will continue to receive, high priority by the Labor Government in making those allocation decisions. All of these demands, the priorities and pressures, must be accommodated within the resources available, and those likely to be available in future years. This has been particularly the case in recent years, given cutbacks in Commonwealth funding and additional demands due to the impact of the recession.

We have introduced a range of strategies to improve equity, the fairness of decisions, and to assist the Government in meeting our priority policy objectives. These measures include, for example, resource agreements with major spending and service delivery programs, like Health, ACTION and the Canberra Institute of Technology. They include revisions to and restructuring of budget control levels, the introduction of a threshold to avoid minor claims against the Treasurer's Advance, and the introduction of a carryover system to provide for the carryover of up to 3 per cent of unspent program non-salary running costs at the end of the financial year.

They include amendments to the Audit Act to provide for allocation of funds to programs for increased funding from the Commonwealth for tied grants, and amendments to the Audit Act to provide for appropriated funds to be transferred with the approval of the Executive between and within programs, limited to 3 per cent of the original appropriation levels. They include incorporation of the forward estimates into the annual budget and also a commitment to uniform presentation of budgetary information to enable comparability between State and Territory financial positions.

Budgetary reforms such as those that I have mentioned are aimed at improving financial planning, at providing greater flexibility to program managers in the management of their resources and assisting in the development of longer-term strategies for meeting the financial adjustment task that the ACT has to face. These reforms have been introduced gradually and carefully, taking into account budgetary allocation policies in the Commonwealth and in the States, and we will continue to monitor the reforms implemented in other jurisdictions. Where appropriate, we will adopt those practices which will assist us to manage the financial resources of the ACT better.

The specific issue of carryovers which Mr Stevenson referred to, and the so-called end of year spend-ups, I think can quite easily be taken out of any sensible context. Experience in other governments, including the Commonwealth, does indicate that a pattern of building up the rate of expenditure towards the end of the year is not unusual. Indeed, Mr Stevenson has referred to that. In many cases it can reflect prudent management practices. Agencies may, for example, defer committing major items of expenditure until later in the year when the end of year outcome is clearer.

At the beginning of any fixed budget period managers face the risk of unforeseen matters arising which will consume both resources and time but for which they have a responsibility to manage within their budget limits. That occurs frequently. It is only natural that as the year progresses the risk of such unforeseen priorities occurring is reduced and therefore commitments for expenditure can be entered into with greater confidence. It would be incorrect, therefore, Madam Temporary Deputy Speaker, to conclude that patterns of expenditure that reflect higher rates of expenditure towards the end of the year than at the beginning reflect nothing more than efforts to exhaust budget appropriations. In many cases this pattern can reflect good management practice.

The budget rules applied within the ACT enable the carryover of non-salary running costs within agreed limits. Furthermore, no agency is penalised in any way for completing the year under budget. Other than in exceptional circumstances, the budget base for the next year is not affected by such underexpenditure. This is especially the case for major plant and equipment when the timing of delivery and payment can be uncertain. To do otherwise

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would, of course, institutionalise incentives of program areas to ensure that all funds allocated are expended during the fixed budget period. Finance regulations prevent payments being made in advance for orders to be delivered in the following year, so the budgetary reforms that the Government has adopted have been directed at achieving efficiency and effectiveness in the expenditure of public funds.

Apart from achieving efficiency within the budget limits, the other main priority of the budget has been for the ACT to live within its means. The success of this objective has been indicated by the ABS comparison of State finances which shows that the ACT has achieved a greater degree of expenditure restraint than any other State. It has also been indicated by the reduction in the Grants Commission's above standard expenditure in the ACT from 12 per cent above the States in 1988-89 - that is the year prior to self-government - to 4.5 per cent in 1991-92. We should not underestimate the magnitude of that adjustment task and the further adjustments that the ACT still faces, but I do believe that the Government's record demonstrates that we have achieved a high degree of financial responsibility in each of our budgets. We have done this consistently through a consultative approach while at the same time meeting community needs and meeting our own social justice objectives.

What Mr Stevenson appears to be arguing for is a more flexible regime, although in most instances he has not gone beyond the methods that are currently in use in the ACT. He talked, for instance, of a 6 per cent carryover as compared to our current 3 per cent carryover. It is my policy to hasten slowly in those sorts of matters. Even the 3 per cent carryover is a recent innovation in budgetary terms, and I think it needs time to settle down. Mr Stevenson also was looking for incentives for good managers, for people who were able to spend rather less than their budgets; but, Madam Temporary Deputy Speaker, I believe that good management means good budgeting. It is in no way to the advantage of government or of management to have an end of year situation where programs are significantly underspent. To me that indicates that the resources required to carry out a particular function have not been very well assessed and that, in my view, is not a sign of good management. I favour an approach which does enable some flexibility aimed at achieving better management, but the main aim of budgets is to deliver policy, to deliver services to the people. I do not really regard underexpenditure in every case as a sign of success.

I think that in the ACT we have made vast strides in the past few years in budget management terms, particularly when you consider that up until about 1987-88 there was simply no consolidation of the ACT budget at all, and that in achieving that consolidation information had to be drawn from a vast range of Commonwealth Government departments and agencies. The fact that we are at the point that we have now reached in terms of budgeting, budget management and budget accountability, I think, is a tribute to a great many people, not least of whom, of course, are the Treasury people who work so hard on budget management right across the ACT service.

I take notice of Mr Stevenson's views and his wish for greater flexibility, but it is my view that the flexibility that we have achieved and the better management that we continue to achieve are moving at about the right pace, and I look forward to even better results. I am sure, though, that those results must be achieved in the framework of very responsible budget management.

MR KAINÉ (3.58): I must admit to being somewhat disappointed in this debate. When I saw the words "budgetary allocations and spending policies" I thought this was going to be a wide-ranging debate on preparing budgets and implementing them. That would have allowed me to say, as I often do, that this Government has no budget strategy and that it does not know where it is going. It seems to have an unusual approach to reduced expenditure by simply saying that across the board we are going to cut by 2 per cent, or something, without very much thought to it. It turns out that the debate is about only whether a department can carry over its allocated money from one year to the next, which is a very narrow point to bring up as a matter of public importance.

Of course, you can take either side of the argument on this issue. You can argue, as Mr Stevenson has done, that departments ought to be rewarded for good management if they do not spend money, and they should be allowed to carry it over and spend it next year. I can argue just as forcefully that if you do not have constraints on how much money departments can carry over it can lead to non-performance. It can lead to failure to implement government policies because the public servants who are administering this money and running programs just do not get around to it.

They might have lots of long lunches, go to lots of courses, have a good time, and then suddenly, in May, say, "Gee whiz, we have not implemented this program yet. We will get started and if we spend only 10 per cent of the money, no worries, we can carry it over to next year and do it next year". I would not advocate that as a course of action. It could result in extreme inefficiency in the implementation of government programs and extremely poor management of public moneys. So I do not know that there is a great deal of merit in saying to managers, "It does not matter whether you perform well or badly; you can have all the money that we have allocated to you and, if you do not spend it, that is okay, we will just carry it over to next year".

That brings us, I think, to the concept of budgeting and budgetary management and the implementation of budget programs. I have some sympathy for the view that Mr Stevenson touched on but did not develop at great length, the concept of zero based budgeting. There seems to be a philosophy in the public sector, and the ACT Administration is merely an extension of the Commonwealth Public Service in this regard, that every year you start off from a basis of what you spent last year and you start arguing, "Obviously, there has been some inflation, so we should have a little bit more than that, and there are some new programs that you want us to do, so we should have a little bit for that". Nobody ever looks at the budget base and says, "Do you really need it? Does that contain provisions that were built in there 10 years ago for circumstances that pertained at the time and which no longer exist?".

So should we begin from the premise that, instead of starting from last year's budget base, we should knock 10 per cent off it? Or should we say, "Forget what you did last year; every bid for every dollar that you are going to make this year has to be justified in its own right"? I suspect that if we did that we would find lots of government programs that have been carried on year after year and that nobody has ever done a real assessment as to whether they are efficient, effective, or anything else, or whether, indeed, they even fit into this current Government's policies. They just get carried on from year to year and the inertia of the system keeps them going. So I am in favour of the concept of zero based budgeting.

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It would certainly put public servants on their mettle when they come before the budget Cabinet to justify their claim. They would not be starting from some premise of a baseline and then arguing for more; they would have to argue for every dollar.

In terms of the budgeting process, to me there seem to be some fundamental problems with the way we go about our business now. It is a carryover from the days when we were run by the Commonwealth. There is the business of operating in one-year increments. I know that we publish forward estimates for the next two years that say, "This is approximately what the Government is going to do"; but those projections are merely projections of today's dollars. They do not project any new initiatives that the Government might want to put into place. They are merely this year's budget projected for two more years, and for all practical purposes they are valueless. So we operate on this basis that we go from one year to the next.

How can you get any continuity? How can you get any certainty of funding when you are doing that? It does not reflect the intentions of the Government in any way, which is why I have always talked about the concept of five-year financial plans. At least you are expressing an intention as to the direction in which you think you are going. You are going perhaps to plan to spend more money on this program, spend less money on this program, and maintain the status quo on the third one. The community out there can see in which direction the Government thinks it is going, at least on a program basis, and can express a view about that. When we talk about community consultation, they can be consulted on the five-year plan rather than the budget. If the community endorses the general thrust of your five-year plan, year one just drops off the end and becomes your budget and you do not have to consult on that because the consultation process has been done.

This is what I started to do when I was Chief Minister and Treasurer. The work was beginning on developing a five-year program and your five-year program would be considered six months out of kilter with your budget. You would look at your five-year program around about October, November, December, and you would have your public consultation and people would express a view. If that worked out all right you would start your annual budgetary cycle about January, February, March as to what the next year's budget was going to be. It would tend to drop out of your five-year program.

The other aspect of that is the annual budget cycle. It seems to me that our annual budget cycle is always six months too late. The Chief Minister said today that she cannot do anything about putting out a budget strategy statement yet. It is too early. We have to wait until the Commonwealth does certain things in June or July when the Premiers Conference takes place. We are all tied back to this Commonwealth process. A lot of community organisations, a lot of activities, are tied to our budget. Why is it that some community organisation that relies on public funding has to wait until about November to find out whether it is funded for the year or not? They are already halfway through their year's program and they are living on tenterhooks, hanging on by their fingernails in case they are not going to get funded this year. That is an absurdity. It is equally as absurd for an agency head within the Government not to know until September, October or November what budget he is going to have. Hence we have a thing called a Supply Bill which we put out, and it says, "We will fund you through to November, just in case, because it is going to take five months for us to tell you what your budget is for the year".

Mr Stevenson touched on the absurdity of that. He talked about expenditure at the rate of one-twelfth each month. If you did that based on your Supply Bill you would end up spending more than you were going to be budgeted for, because the Supply Bill is, in theory, five months' worth of expenditure at last year's rate, plus any exceptional and one-time payments that are going to have to be made in that five months period. Hence the figure for this year is \$643m. One could say on the basis of that, "Well, we can expend at the rate of \$107m a month". But when the budget comes down it may not necessarily be \$1.3 billion, which is what it ought to be, approximately, if this is only a five-month projection of it. Our budget last year was nowhere near like that and I am sure that the Government is going to tell us that they are going to make further reductions in their budget this year, so it may be less than \$1.2 billion. If you spend at \$107m a month right up until November and then you get your budget, you will say, "Golly, we have gone off the rails somewhere because now we have only about \$85m a month for the rest of the year. What are we going to do with all these commitments we have entered into?". So you cannot assume some steady rate of expenditure month by month.

There are all sorts of problems about budgeting. I think I could explain a few of these things to the Treasurer. I hope that she is listening carefully. This five-year budgeting cycle or five-year plan that I talked about has to do, too, with the fact that you cannot make major changes in the direction of your budget from one year to the next. There is a certain inertia in the system that prevents you from making massive change from one year to the next. Anybody who thinks that from between now and three years' time we could make massive reductions in our budget and change the direction massively does not understand the way the system works and the fact that there is an in-built inertia there that prevents you from doing so. Madam Speaker, I could talk for a long time on this, but I just repeat that I was a bit disappointed in the narrowness of the matter that Mr Stevenson brought up.

MADAM SPEAKER: The discussion is concluded.

SPORT AND RECREATION - FORUM ON FUTURE DIRECTIONS

MR BERRY (Minister for Health, Minister for Industrial Relations and Minister for Sport): Madam Speaker, I seek leave to make a short statement in relation to the motion to take note of my ministerial statement on the sports forum.

Leave granted.

MR BERRY: I said in relation to volunteers - I think that matter was raised during the course of that debate - that I had put out a press release. In fact the press release that I was referring to was about another subject; but how better to advertise the issue of the volunteers than to have Mrs Kelly do it? She did a great job. When I was talking about the Health Promotion Fund I noticed eyes rolling opposite and I thought I had better check the figures before there was some sort of an outburst. If you look at Budget Paper No. 3, the health promotion estimate for 1992-93 shows a figure of \$1.232m and for 1991-92 \$1.336m. On the face of it, it looks like there has been a slight decrease. That is not the case. In the 1991-92 figures there was a \$0.55m carryover from the previous year to the \$900,000 appropriation. The 1992-93 figures also included a carryover of \$114,000, an \$18,000 growth factor and a \$200,000 one-off inclusion for budget purposes.

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Mr Humphries: So you did not increase the Health Promotion Fund?

MR BERRY: Yes, we did.

Mr Humphries: How come it was \$1.336m in 1991-92?

MR BERRY: I just explained that. I will do it again. The \$1.336m figure included a \$550,000 carryover from the previous year - some of these figures are rounded, as you would appreciate - and the \$900,000 appropriation. Around \$114,000 of that was carried over to the following year. So, in addition to the \$900,000 base there was \$114,000 on top of that, as well as about \$18,000 as a growth factor and \$200,000 as a one-off appropriation.

Mrs Carnell: But as a percentage of the total tobacco - - -

MADAM SPEAKER: Order! Mr Berry has leave to make a statement. Mr Berry, would you proceed with your statement. This is not an issue for debate.

MR BERRY: Yes, sure. That is right. No, no; it has increased in dollar terms - - -

Mrs Carnell: Not as a percentage of the excise. That is what you said.

MR BERRY: No, no; it has increased in dollar terms. If you have \$2, it is more than \$1; so it has increased.

Mrs Carnell: You said that it was an increase as a percentage of the tobacco excise.

MR BERRY: No, no. I think you are talking about percentages as applied from the Health Promotion Fund. There is a percentage figure which Mr Humphries knows full well applies in relation to arts, health and sport, and those percentages remain as a guide, as I said. They are not set in concrete, but there has been a growth factor included in the budgeting of about \$18,000 and \$200,000 as a one-off payment. So for this year the Health Promotion Fund, leaving aside the roll-over, according to my maths, is \$900,000 plus \$200,000 plus another \$18,000, which is \$1,118,000. It is an increase over the base of the previous year.

MR HUMPHRIES: Madam Speaker, I seek leave to make a short statement on the same subject.

Leave granted.

MR HUMPHRIES: Madam Speaker, the Minister earlier today was trumpeting his Government's massive achievements on the question of financing of health promotion, particularly of sport and sport objectives. He very clearly, to my mind at least, created the perception that this Government has increased the percentage of the tobacco franchise fee collected annually by the Government to devote towards the Health Promotion Fund in general and the sports budget as far as health promotion is concerned in particular.

Madam Speaker, I think that members will clearly see, by perusing the information available in the budget papers for this financial year, that that simply is not the case. There was \$16.425m actually collected in the 1991-92 financial year from the tobacco franchise. There is for this financial year an estimate of \$21.2m collected in tobacco franchise fee - a very significant increase - presumably effected through an increase in the tobacco franchise fee percentage. I could not say for sure, but presumably it was on that basis. Clearly, however, a significantly smaller percentage of money from the tobacco franchise fee is going into the Health Promotion Fund.

Mr Berry: But more dollars, bigger dollars.

MR HUMPHRIES: That may be. It may be, Madam Speaker, that Mr Berry can find some little bit of silver lining on this cloud to latch onto and portray to the community that, "We are doing something for health and something for sport, and aren't we good boys?". The fact of life is that this Health Promotion Fund, which was a concept strongly supported by the Alliance Government and properly funded by the Alliance Government, has been allowed to run down by this Government. Clearly, Madam Speaker, we are getting much less from the tobacco franchise fee for health promotion today than we were getting even 12 months ago. Clearly that is the case. The Minister cannot escape that reality. I think, Madam Speaker, it is a matter of regret that the Minister attempts to put a very brave face on what is, in fact, a matter for some shame.

**LAND (PLANNING AND ENVIRONMENT) ACT - WEST BELCONNEN
ENVIRONMENTAL IMPACT STATEMENT
Papers**

Debate resumed from 24 November 1992, on motion by **Mr Wood:**

That the Assembly takes note of the papers.

MR WESTENDE (4.15): Madam Speaker, I have read through the West Belconnen environmental impact report and I am generally satisfied with its conclusions. There has been a very thorough assessment of the proposed plan for West Belconnen. A very comprehensive draft environmental impact statement was prepared in October 1991 and we now have a further impact statement pertaining to the revised draft variation to the Territory Plan for West Belconnen which now refers to only two areas of the original five-area development. These areas are area B, west of Macgregor and north of Parkwood Road; and area C, west of Charnwood.

Madam Speaker, the proponent of the proposed development of these areas, the Chief Planner of the ACT Planning Authority, has, I believe, provided a very realistic assessment of the alternative development areas to West Belconnen, namely, Jerrabomberra Valley, West Murrumbidgee, Majura Valley, Lawson and Gungahlin. The development of areas B and C at West Belconnen is eminently sensible and it can be achieved with great sensitivity to the environment and, of course, with minimal cost to the community.

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I am a great supporter of urban infill and urban consolidation, simply because we really have to think about the huge infrastructural costs of greenfields developments. There will be significant savings with the West Belconnen plan simply by utilising existing infrastructure - roads, sewerage, drainage, transport, electricity and water, shops, schools, community centres and so on. I am particularly pleased to see that this development is the best option from a public transport point of view. One of the main obstacles to achieving savings in the ACTION bus service is Canberra's Y plan. The West Belconnen plan will enable ACTION simply to extend from the existing infrastructure of the depot and interchange in the Belconnen Town Centre.

Madam Speaker, obviously there will be some impact on the environment through changes in the amenity of the surrounding area and disturbance to continuing rural activities. There will be increased levels of air pollution. There will be increased volumes of traffic. There will be some loss of land, especially for horse agistment, and I am aware of the many people who expressed concern about that. There are other costs associated with the West Belconnen development and, of course, where this impacts on the quality of people's lives the matter should be approached in a consultative and sensitive manner.

I refer to a statement by the Minister this morning that he was not quite sure whether we are going to have wood stoves in West Belconnen or not. I think there is another time for discussing that. Any development, irrespective of its location, will have its winners and its losers. The effect of the West Belconnen plan on the environment would be similar elsewhere - in fact, probably worse elsewhere. It is often the case that the people who support urban infill for environmental reasons are the same ones who object to it occurring next to them. It is human nature. Planners must therefore proceed down the path that takes all aspects into consideration. I am satisfied that an appropriate public consultation process has occurred with the draft Territory Plan for West Belconnen.

Having expressed my satisfaction with the plan, I would like to urge the Government to take the opportunity to develop the area in a way that will provide quality urban design and take into account the social and recreational needs of the residents. Madam Speaker, I believe that there is much more enlightenment these days in terms of creating urban environments that can meet the demands for a wide variety of housing requirements and yet retain the general ambience of the physical attributes of the area. The Liberal Party supports the draft Territory Plan for West Belconnen in areas B and C.

MS SZUTY (4.20): Madam Speaker, I recognise that the debate on the development of West Belconnen has concluded, as the development was approved in this Assembly last year. However, the debate on the environmental impact statement for West Belconnen has not concluded and I welcome the opportunity to continue the debate today. While addressing specifically the West Belconnen environmental impact statement, I will also comment in more general terms about environmental impact statements per se.

Madam Speaker, I found the final environmental impact statement for West Belconnen a confusing and complex document which, although it purports to be an assessment of the environmental impact of a proposal, reads more like a way of mollifying the anger of those affected by a development that they see as a *fait accompli*.

Mr Wood: Ms Szuty, what was the title of that? I missed it.

MS SZUTY: The final environmental impact statement. The feeling expressed to me is that members of the community feel that, after stating what they feel are valid concerns, the process does not allow for their concerns to be answered. They subsequently feel that those concerns have been ignored.

The first question of many generated by this document was, "What is an environmental impact statement?". The Land (Planning and Environment) Act 1991 and its regulations set out those things that must be addressed by an environmental impact statement. But the emphasis and focus is on how we get around the environment, not as I would expect many people would argue that it should be, and that is to determine whether a proposal is a threat to the environment. I appreciate the effort that it took to bring together five Acts relating to land, environment and planning into one Act, but nowhere could I find one single sentence that provided protection for the environment in this process. Nowhere did it say, "If the impact is too great, the decision whether or not to develop will err on the side of the environment".

Even the final environmental impact statement in its conclusion pays scant regard to the very title of its task, saying that the proposal should be assessed against three criteria: First, does it meet the stated objectives, in this case providing cheap land for housing? Secondly, is the proposal justified as the most prudent way of meeting those objectives? All that was considered was other greenfields sites. Options were locations, not approaches. Thirdly, will unacceptable environmental impacts be a consequence of the chosen proposal; not, at what level of environmental impact will we pull the plug or abandon the proposal? As I said earlier, this environmental impact statement and the Act do not appear to have concern for the environment as their core rationale. Possibly the statements should be renamed "enabling environmental statements".

Another problem I found with the final environmental impact statement for West Belconnen was the quality and content of maps provided. The maps used by the final environmental impact statement to locate facilities and development appear to be slightly different from those provided by the National Capital Planning Authority in its amendment to the National Capital Plan. There is no detailed map of the existing facilities, just one map of the equestrian facilities. There is no map of existing water, sewerage, electricity, telephone or gas lines, and no location of the old sewage treatment ponds, Parkwood Eggs or the tip.

While these things are all discussed in the environmental impact statement as having a possible impact on the proposed development or, to adopt the language of the legislation, the defined decision, it would appear important, in my view, to primarily locate these things on a map, with reference to the areas to be developed. The draft environmental impact statement attempted to do this with a series of maps that identified by number various sites of environmental, historical and archaeological significance. While this was of some assistance, the maps were still of poor quality, being topographical maps complete with contours. The proliferation of lines made them difficult to read, although I concede that they were somewhat better in some regards than the final environmental impact statement maps.

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The central theme of my objections to this final environmental impact statement is that it has its priorities back to front. Instead of assessing a proposal in an objective fashion to ascertain possible environmental impacts, the final process sets out to examine the proposal as a fait accompli and discusses mitigating circumstances and monitoring options. The foundation for the process should be good-quality maps setting out exactly what is proposed and what already exists. If it is mentioned in the environmental impact statement or exists within a reasonable range of the development, then it should be located on a map. The conservation values of the area, including flora and fauna habitats, should also be set out in map form in the final document. It is not good enough to have these represented in the draft document and then deleted from the final document, particularly when there is a difference between the areas under discussion in the two statements.

The next important tool that would assist assessment of the environmental impact of the proposed development is an objective description of the physical features of the land in question. This would include information about rainfall, watercourses, airflows and temperature data across the area, hills, rises and hollows. Against this data should be set the characteristics of the area - soil types, bedrock condition, propensity to waterlogging and, indeed, many of the things that were in fact discussed in this environmental impact statement. The sections on the geophysical environment and water quality issues I found to be some of the better sections of the report. This level of information also needs to be made available on the other issues of importance, such as the flora and fauna populations, the Aboriginal sites and artefacts in the area, the cultural heritage significance of the area, and other relevant archaeological factors.

Again, it is not sufficient to refer interested parties back to a draft document. This reinforces a feeling in the community that public submissions have not had an impact on the decision making process. I find it disturbing that, in a report that, by name at least, purports to consider environmental impacts, the geophysical characteristics - a factor in the engineering considerations of the proposal - get such comprehensive study in the final environmental impact statement, when the recommended flora and fauna studies were not even completed at the time the final environmental impact statement was prepared.

Madam Speaker, I believe that the obvious next step once this material is collected is consulting conservators in the differing affected areas, including discussions with the Ngannawal representatives about the impact of any development on the sites found to be significant for their environmental, Aboriginal or other heritage values. This includes sites near to a proposed development, as even the legislation recognises at section 123(b)(iv) that development near significant sites has an impact. Sites should be able to be excluded from further consideration at this point.

The next step would be to identify social impacts, both in the proposed development area and across the subregion. This would include traffic surveys, user surveys of the facilities available, noise effects if applicable, and a range of issues which are included in this environmental impact statement. Of concern is the fact that environmental and cultural issues are dealt with in just under 30 pages, while the built environment and social issues take nearly 80 pages, replicating a lot of the content of the draft environmental impact statement on these built environment matters. Again, the emphasis seems to be on enabling

the development, not assessing whether environmental considerations should rule it out. During this process the community needs to have access to the information at every stage. When new information is produced, new comments should be sought. This does not mean an infinite round of changes and public consultation processes. It means getting it right and making the process clear and accessible, and making each step of the process open and accountable.

The community has lost faith in the process as it exists, or it had done, and I raise the fact that, of 241 submissions from individuals, community groups and peak bodies, only 46 supported the proposal as outlined. The proposal, of course, was subsequently revised, deleting areas A1, A2 and D, and comment was invited on this change, although I note that the Territory Planning Authority points out that it was under no statutory obligation to do so. What people felt upset about at the time was the apparent ability of the Government and the Territory Planning Authority to proceed along a path they had decided upon long before the proposal was actually in the public arena for debate.

Madam Speaker, I have just one more point to make about this form of environmental impact statement. It uses no comparative modelling, and, while it informs the reader that Tuggeranong may be considered a close model for the purpose of looking at the possible demographics of the new suburbs, it does not elaborate on this theme. In fact the report's authors seem unable or unwilling to use figures and facts from the areas of Tuggeranong they see as comparable to support their case of increased use of existing infrastructure. This would be a very useful tool in enabling lay people to understand the process.

While arguing that there is a similarity to areas such as Tuggeranong, there are differing views as to what that means. In many minds Tuggeranong still holds its nappy valley image, which is hardly supportive of the notion of 0.3 students per household; it is more like one or two children per household, with the related need for services. The image conjured up in the minds of people when particular developments are used as comparisons can be quite different from person to person, and I suggest that it would be more helpful to identify suburbs, provide demographic information, and then extrapolate that to the proposal at hand.

Debate interrupted.

ADJOURNMENT

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

That the Assembly do now adjourn.

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

Question resolved in the affirmative.

Assembly adjourned at 4.31 pm until Tuesday, 15 June 1993, at 2.30 pm

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**ANSWERS TO QUESTIONS
MINISTER FOR HOUSING AND COMMUNITY SERVICES**

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO. 594

Housing Trust Properties - Griffith

MR CORNWELL - Asked the Minister for Housing and Community Services - In relation to the ACT Housing Trusts flats in Light Street, Griffith -

- (1) How many are there and what size are they.
- (2) Are any of these flats occupied by embassy staff.
- (3) If so, how many and under what agreement with which Embassies.

- (4) How many are occupied by non-Embassy staff tenants receiving rent relief.

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

- (1) 146 in total comprising;

- (a) Bedsitters - 29
- (b) Two Bedroom Flats - 117

- (2) Yes

- (3)&(4) Seven flats are occupied by embassy staff under tenancy agreements dated from 2 November 1960. The Housing Trust receives market rent for each of the properties, rental rebates are not provided to embassy staff. The remainder of the flats are occupied by Housing Trust tenants who, if eligible, are entitled to rental rebates.

It would not be appropriate to provide rental rebate information about a specific location.

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**MINISTER FOR HOUSING AND COMMUNITY SERVICES
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO. 597**

Public Housing - Single Share Accommodation Program

MR. CORNWELL: Asked the Minister for Housing and Community Services -In relation to the Single Share Accommodation Program -

- (1) Has Stage 2 been implemented yet.
- (2) If not, why not and when is it expected that it will be implemented.
- (3) Has the implementation of Stage 1 been successful and what elements of the Program have been successfully established via Stage 1.

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

(1-3) The Single Share Accommodation Scheme is an initiative of the Labor Government which has proven to be a successful approach to increasing community involvement in public housing. The program currently provides head tenancies to community organisations for a range of target groups, many of whom are at risk of homelessness. Under Stage I of the Scheme, there are eighteen (18) properties currently leased to community organisations. Seven (7) of these were provided during the period of the Alliance Government.

It was always intended that Stage II which involves the allocation of individual tenancies within a shared housing arrangement would be introduced at a later stage. It is anticipated that Stage II will be fully operational before the end of 1993.

1702

**MINISTER FOR HOUSING AND COMMUNITY SERVICES
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO. 609**

Housing Trust - Non-Rebate Properties

MR. CORNWELL - Asked the Minister for Housing and Community Services - In relation to the estimated 22.5% of Housing Trust tenants at 29 February 1992 not in receipt of rental rebate (answer to question on notice No. 22, 20 May 1992) -

- (1) What happens to the property when the tenant vacates.
- (2) Is the property automatically reallocated for welfare housing, and if not, what can happen to it.
- (3) What is the breakdown at 28 February 1993 of these 22.5% of properties in terms of (a) houses, (b) flats and (c) Aged Persons Units.
- (4) Does this 22.5% represent the non-rebated accommodation handed over by the Commonwealth on self-government and, if so, what was the breakdown of properties at that time, (a) houses, (b) flats or (c) pensioner units.

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

- (1) The property is inspected, necessary maintenance is carried out and the property is then allocated to the eligible person next on the ACT Housing Trusts wait turn list or priority housing list.
- (2) See (1) above.
- (3) As at February 1993 the percentage of tenants not receiving rebate was 14.6%. Information is not available regarding the distribution of housing stock to tenants paying full rent at this date.
- (4) No. At the commencement of self government 35% of tenants were not receiving rent rebate. Further information is not available.

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**MINISTER FOR HOUSING AND COMMUNITY SERVICES
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO. 614**

Youth Accommodation Group - "The Housing Book"

MR. CORNWELL: Asked the Minister for Housing and Community Services -In relation to the publication The Housing Book, produced by the ACT Youth Accommodation Group -

- (1) Did the Government approve the book prior to publication and sale.
- (2) Is the content of the book supported by the Government.

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

- (1) No. The Government approved a grant to enable the publication to be updated and reprinted.
- (2) The Government supports the efforts of the ACT Youth Accommodation Group in providing information and assistance to young people, The Housing Book being one such avenue for achieving this. The Government does not, however, support the entire contents of the publication.

1704

**MINISTER FOR EDUCATION AND TRAINING
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO 619**

Conder Primary School - Landscaping

MR CORNWELL - asked the Minister for Education and Training on notice on 23 March 1993:

- (1) Is it a fact that landscaping at Conder Primary School is to cost \$1.4 million.
- (2) What is the reason for this large expenditure.
- (3) Is this expenditure part of the education budget.

MR WOOD - the answer to Mr Cornwells question is:

- (1) No. The landscape costs are \$619,117 made up from: \$186,866 for soft landscaping including irrigation, and drainage; \$56,074 for soft landscaping and paths between the site boundary and the road kerb; and \$376,177 for hard landscape including paths, walls, fences, play equipment, bicycle storage, seats, etc.
- (2) The level of expenditure is reasonable for the provision of outdoor amenity to suit the schools needs and to provide suitable soft landscaping, mainly grass, to a site of that size.
- (3) The landscape costs are part of the capital cost provision for this school in the 1992/93 Capital Works Program.

1705

MINISTER FOR SPORT
LEGISLATIVE ASSEMBLY QUESTION

QUESTION NUMBER 642

**Office of Sport and Recreation -
Senior Officer Grade B**

Mr Kaine - asked the Minister for Sport - In relation to the details of the conditions of employment of Mr Peter Conway in the ACT Government Service provided by the Minister on 24 September 1992. .

- (1) What is Mr Conways current position.
- (2) What is the level. of Mr conways remuneration.
- (3) What functions does Mr Conway discharge.
- (4) To whom does Mr Conway report:
- (5) How does Mr Conways position refer to the departmental structure.
- (6) Under what. arrangements does Mr Conway fill the position.
- (7) What are the terms and conditions of that arrangement.
- (8) What delegations is Mr Conway responsible for.
- (9) What facilities are provided to Mr Conway.
- (10) Does Mr-Conway represent the ACT Government in any capacity on interstate negotiations or agreements.
- (11) Does Mr Conway occupy an office-and, if so why-is his name not listed in-any ACT Government Service telephone directory.

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

- (1) - (10) I refer Mr Kaine to the answers I gave to Question on Notice number 182 on 25 June 1992 and Question on Notice number 270 on 24 September 1992. The only change in arrangements for Mr Conways employment is that he no longer occupies an SES position on an acting basis but now occupies a.Senior Officer Grade B position (salary \$55,234) The SES position to which the Office of Sport and Recreation now reports was advertised on 15 October 1992 and a commendation on filling the position is with the Head of Administration.

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(11) Mr Conways office was in the South Building and was clearly sign posted. Following the commencement of refurbishment works to South Building, he is now located on the 7th Floor, John Overall Offices, Braddon, and his Office is clearly identified. His telephone number .is listed in the July 1992 edition of the ACT Government Alphabetical Directory (page 24). -The number has changed as a result of his relocation and is now shown in the Department of the Environment, Land and Planning Senior Officers telephone book.

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MINISTER FOR SPORT.

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO 674

Sport - Office of Sport and Recreation Review

Mr Humphries - asked the Minister for Sport - In relation to the current internal review into sport being conducted by the ACT offices of Sport and Recreation, will the Minister inform the Assembly

- (1) What is the frame of reference for the review.
- (2) What objectives does the review seek to achieve.
- (3) How is the review to be conducted.
- (4) Who is responsible for the review in the Office of Sport and Recreation.
- (5) What external consultation is to be undertaken and with whom:

To whom will the results of the report be made available.

- (7) Will a report or paper be circulated within the sports community before a final report is made.
- (8) Will sports have access to the process of policy-making arising from any report.
- (9) Will sports have any avenue to provide evidence particularly where the level of sports funding or access to facilities or strategic planning is involved.

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

- (1-9) There is no current internal review into sport being undertaken by the ACT Office of Sport, and Recreation.

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**MINISTER FOR URBAN SERVICES
LEGISLATIVE ASSEMBLY QUESTION**

QUESTION NO 677

ACTEW - Price Increases

Mr Westende - asked the Minister for Urban Services:

In relation to your response to question on notice No 572 concerning the blow out in executive salary costs in ACT Electricity and Water (ACTEW).

- (1) Will the Minister advise the Assembly how he justifies an 82% increase in Senior Executive Service (SES) salary costs in ACTEW.
- (2) Will the Minister agree that an increase of this magnitude that is more than four times the increase in Australian award wages is outrageous in the current climate of budgetary difficulty for the Territory.
- (3) Will the Minister advise the Assembly why ACTEWs household power and water charges have recently been permitted to rise by more than twice the increase in the national Consumer Price Index.
- (4) Will the Minister explain why ACTEWs prices have increased at all while the surrounding state of New South Wales under a Liberal Government has been able to reduce electricity prices for business and freeze domestic charges until 1994-95
- (5) As the ACT draws a large amount of power from NSW will the Minister instruct ACTEW to immediately freeze all prices.
- (6) Does the Minister agree that the savings that could be achieved through the proposed Enterprise Agreement could assist greatly in containing the current pricing.

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

(1) Following the amalgamation of the electricity and water functions, it was necessary to put in place a management structure appropriate to the needs of the new Authority. This process has occurred over a period of time so that there has been an increase in SES numbers in ACTEW since 1988.

Increases in SES costs in ACTEW, since 1988, have arisen principally from two sources:

- a) the upgrading of former non-SES positions, so that the marginal cost increase to the Authority in these cases was considerably less than an examination of the SES figures alone might imply; and
- b) some movement of salary which occurred as a result of the Australian Industrial Relations Commissions determination of salary claims under the Structural Efficiency Principle. This saw the replacement of the six level (SES) classification structure with three salary bands.

(2) No, the remuneration packages offered to SES officers at ACTEW are the same as those set by the Public Service Commission and paid to SES officers within the Australian Public Service and the ACT Government Service.

(3) ACTEWs electricity charges have been maintained at the 1992/93 level for 1993/94 and have not increased. Water has been increased by 4% as a move towards covering the costs of water treatment and delivery. ACTEWs water business has lost \$11 million in the last three years.

(4) The cost of bulk electricity to the ACT has not enjoyed the full flow-on of price reductions available in NSW. This is due to a number of elements:

- a) the ACT gets approximately 30% of its power at fixed rates set by the Snowy Mountains Hydro Electric Authority;
- b) the average power cost every year increases because a greater proportion of power is taken from the more expensive NSW sources; and
- c) the cost of delivering electricity to the ACT.

(5) ACTEW has maintained its prices for 1993/94 without any increase and given that our domestic rates are already so low, this is a very fair outcome for the people of Canberra.

(6) Assuming that Mr Westende is referring to the enterprise agreement negotiated between ACTEW and the EPU, that agreement contains a number of realisable cost offsets. In determining its cost and associated pricing structure, the Authority takes into account all such efficiency measures.

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**MINISTER FOR HOUSING AND COMMUNITY SERVICES
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO. 679**

Housing Trust Properties - Burnie Court

MR. CORNWELL - Asked the Minister for Housing and Community Services - In relation to the Ministers reply to question on notice No 595 about adults and children living at Burnie Court, Lyons, that "bedsitter accommodation is allocated to single persons" and the reply to question on notice No 592 where the Minister states "There is one child officially resident at Burnie Court as at 22 February 1993" -

- (1) Which statement is correct.
- (2) How is it that a single mother with two children was in residence at 19 February 1993 and at least two children were seen with their resident parents on the same day. (Redirected 13 May 1993).

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

- (1) & (2). Both statements are correct but I am not prepared to divulge the particular circumstances of a tenant as it would be a serious breach of the Privacy Act.

There are a wide variety of circumstances where children could legitimately reside with their parent in bedsitter accommodation. For example, some tenants may have access rights to their children who visit and reside temporarily with them from time to time.

As well, in extreme circumstances, the ACT Housing Trust may approve a tenant awaiting an allocation of alternative accommodation to have a child live with them for a short period of time.

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MINISTER FOR THE ARTS

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO. 681

Earnback Scheme for Artists

Mr Cornwell - asked the Minister for the Arts

Does the ACT Government have any plans to introduce a guaranteed minimum income "earnback" scheme for writers and other artists similar to that announced by the Australia Council in January 1993; if so, when and if not, why not.

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

(1) The Australia Council has established its investment (earnback) scheme and is willing to consider a range of investment and income substitution proposals from artists and arts organisations. A guaranteed minimum income proposal is one of many the Council is willing to consider.

The Council is considering investing up to 50 of its grant funds in the earnback scheme in the first year. Council acknowledges that this is a high risk enterprise: it does not have any clear expectations of when the money will begin coming back; there is no set rate of return; in certain instances Council may be happy with 30 cents to 50 cents in the dollar being returned.

The artistic integrity of the project remains the central tenet of successful proposals, regardless of return on investment.

The ACT Government does not propose introducing a similar scheme in the near future as there are insufficient funds available for such an untried enterprise. However, we will watch the Australia Councils work in this area with considerable interest. I also note that the ACT Cultural Council .,; has announced-its intention to investigate new opportunities; including different funding mechanisms, for support for local cultural development

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MINISTER FOR EDUCATION AND TRAINING

**LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO 683**

**Government Schools -
Average Per Student Costs**

MR CORNWELL - asked the Minister for Education and Training on notice on 11 May 1993:

What was the average cost per student in ACT Government (a) primary, (b) high schools and (c) colleges in 1991-92.

MR WOOD - the answer to Mr Cornwells question is:

The estimated average cost per student in 1991-92 in ACT government schools was:

- (a) Primary \$4,290 per student
- (b) High \$5,290 per student
- (c) College \$5,730 per student

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**MINISTER FOR HOUSING AND COMMUNITY SERVICES
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO 686**

**Housing Trust Properties - Suburban
Constructions and Purchases**

MR CORNWELL: Asked the Minister for Housing and Community Services -

In relation to the Ministers acknowledgment that " no doubt most of those people would prefer to be living in a detached house on a block but we simply,, dont have vast quantities of houses to give away. "(2CN 5 April 1993)

- (1) If the Minister is aware that the majority of people currently housed in inner city flats would prefer to live in the suburbs, why does the Minister continue to maintain that the number of flats in the inner city must be maintained at the expense of purchasing or building housing, either in the form of separate dwellings or small medium density complexes, in the suburban areas.
- (2) Why is the Trust not making every effort to increase the percentage of public housing in suburban areas which are below the average.
- (3) During 1992, how many Trust (a) houses and (b) flats or units were built or purchased, by suburb, throughout Canberra and what was their total price.

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

- (1) The Housing Trusts flat complexes in the inner city will be maintained as rental stock until such time as they cease to be economically viable to maintain, or options for redevelopment or sale of individual complexes, with subsequent purchase of replacement properties, can be realised. At present no such options are under investigation.
- (2) The Housing Trust is making every effort to increase the stock of public housing within the level of resources available.
- (3) The following table provides details of construction and purchases for the 1991/92 financial year. It demonstrates that there is a mixed strategy involving separate dwellings, small medium density complexes in suburban areas, aged persons units in inner and middle urban areas and . urban infill projects.

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DWELLINGS ACQUIRED 1991/92

SUBURB TYPE/ COMMENTS SUBURB TYPE[COMMENTS I
HOUSE/LAND PACKAGES CONSTRUCTION

BANKS 7 x 3 & 2 x 4 bed Houses Houses

CONDER 3 x 4 bed Houses

CREENWAY 9 x 3 bed Houses

ISABELLA PL 2 x 3 bed Houses

Total Dwellings 23 Houses

Total Cost 1\$2,888,090

Total Dwellings 21 Houses

SPOT PURCHASE Total Cost 1\$2,103,267

Flats Flats

DICKSON 3 x 1 bed Flats Kaleen 18x1 & 4x2 bed Garden Flats

OCONNOR 13 x 1 bed Flats

Total Dwellings 22 Flats

I Total Dwellings 16 Flats Total Cost \$1,859,656

Total Cost 1\$1,373,000 APUs

Houses L Lyneham 4x1.5 & 1x2 bed APUs

CALWELL 2 x 3 bed Houses OConnor 3x1 1x1.5 & 1x2 bed APUs

CHISHOLM 1 x 3 bed House Ainslie 20x1.5 bed APUs

DUFFY 1 x 3 bed House Watson 10x1.5 & 6x2 bed APUs

FLYNN 1 x 3 bed House Hackett 4x1.5 bed APUs

FRASER 1 x 5 bed House Griffith 4x1.5 & 2x2 bed APUs

GOWRIE 1 x 3 bed House Farrer 12x1 & 42 bed APUs

HIGGINS 2 x 3 bed Houses Cook 4x1 & 12x2 bed APUs

ISABELLA PL 1 x 3 bed House

KALEEN 4 x 3 bed Houses Total Dwellings 188 APUs

KAMBAH 2 x 4 bed Houses Total Cost \$7,788.934

LATHAM 1 x 4 bed House Dual Occu ancies

LYONS 6 x 3 & 1 x 4 bed Houses ! OConnor 2x2 bed D/Occs

MACARTHUR 1 x 3 bed House [Ainslie 3x3 bed D/Occ (2 are special purpose)

MAWSON 1 x 3 bed House

MONASH 1 x 3 & 1 x 4 bed Houses Total Dwellings 5 D/Occs

PEARCE 1 x 4 bed House Total Cost 1\$670,805

WANNIASSA 1 x 3 bed House

Total Dwellings 30 Houses

Total Cost 1\$4,009,900

Total Dwellings 205

Total Cost \$20,693,652

Note: The above figures are for completions only. The land component is not included for houses constructed for the Housing Trust but is included in spot purchase and House/Land packages.

OConnor 1x3 bed House Ainslie 1x3 bed House Yarralumla 4x2 & 3x3 bed Townhouses

Narrabundah 7x3 1x4 & 1x5 bed Houses Farrer 3x2 bed Townhouses

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

Question No 694

Women - Employment, Education and Training Grants

MR CORNWELL - To Ask the Chief Minister - In relation to the Chief Ministers announcement of grants totalling \$51,000 to enhance employment, education and training opportunities for Canberra women, could the Chief Minister elaborate upon

- (1) the QUEST grant of \$8,530, specifically the course "Hospitality training and employment in kitchens and housekeeping".
- (2) the Migrant Resource Centre grant for "workshops on food production and sale".

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

- (1) QUEST Solutions will use the grant to conduct a 5 week full-time course for 15 women for whom English is their second language who would like to work in commercial kitchens or as room attendants. The women are being identified through consultation with CES, Womens Information and Referral Centre, the Migrant Resource Centre and a wide distribution of information leaflets. The course will target women who would benefit by improving their employment opportunities and will cover kitchen skills, room attending skills, English language training, work experience in restaurants, hotels, motels and clubs and job search skills. Quest Solutions will assist the women in finding employment.

The course will commence on 2 August 1993 so that graduates will optimise employment opportunities. The peak hospitality season begins as the women finish their course.

- (2) A grant of \$5,000 was given to the Migrant Resource Centre to conduct training for between 20 and 30 women from non-English backgrounds in the area of developing business skills as they pertain to food preparation. The course will build on existing domestic cooking, home management and budgeting skills and develop knowledge and skill in the areas of commercial cooking management. Such subjects as food storage, pricing, shopping in bulk and cooking in quantity will be covered over a period of up to twelve months (depending on the level of selfconfidence and language skills).

The course will commence in June 1993

**MINISTER FOR THE ENVIRONMENT, LAND AND PLANNING
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO 695**

Small Business Operations from Residences

MR CORNWELL - Asked the Minister for the Environment, Land and Planning - In relation to the granting of a section 10 under the City Area Leases Act 1936 (CALA) to permit the operation of a small business from a residence and the fee of \$300 which must be submitted with the application for such permission:

- (1) Is this fee refundable if the application is not successful. .
- (2) What penalties exist for operators of businesses from residences without permission under section 10.
- (3) In 1992 how many (a) complaints were received; (b) warnings were given or (c) prosecutions were made, in relation to (2).
- (4) In 1992 how many (a) complaints were received, (b) warnings were given or (c) prosecutions were made, because of breaches of conditions under section 10 variance.
- (5) In 1992 how many applications. were made for permission to operate a small business from a residential address and how many of those were successful.
- (6)- Does the , \$300 fee apply to applications for businesses which will be operated out of (a) privately owned premises and (b) ACT Housing Trust owned premises.

MR WOOD - The answer to the Members questions are as follows:

- (1) No, the fee is a discounted fee to cover the processing of an application which occurs whether or not an application is successful.
- (2) Businesses operating from residences without approval are investigated when brought to the" Departments notice either by complaint or application for order. Where a breach of the residential lease is established and the resident or lessee fails to regularise the activity an . order can be made pursuant to section 256 of :the .Land (Planning and Environment) Act 1991. Where orders are breached the Act provides for penalties of \$5,000 for an individual and \$25,000 for a corporation.

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(3) In 1992: (a) in the order of 100 complaints were received and investigated.

(b) the complaints were satisfactorily resolved as follows:

- approximately 60 were classified as hobbies or other residential activities which do not constitute a home business;
- approximately 30 were approvable activities and lessees were advised to submit an application; and
- the remainder were required to cease or relocate their activities to commercial premises.

As for part (c) of your question, no prosecutions were commenced because of successful negotiation with lessees and complainants.

(4) In 1992: (a) 4; (b) In 2 cases the negotiation process resulted in compliance with conditions. In the third case, the resident moved the business to commercial premises, and in the fourth case the approval was revoked and the business ceased operating; (c) no prosecutions were necessary.

(5) In 1992, 47 new businesses sought approval to operate from a residential address. Of these, 42 applications were approved, 3 were refused and 2 applicants withdrew.

In addition to new applications in 1992, 217 existing businesses sought and were granted approval to continue operating from their residence. A further 51 existing businesses failed to make application to renew their approval. They were formally advised that the continued operation of the business would constitute a breach of their lease.

(6) The \$300 fee only applies to new approvals for privately owned premises. The fee to renew approval is \$150. The ACT Housing Trust is responsible for issuing home business approvals for its own properties. This is done at no charge to the applicant.

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**MINISTER FOR HOUSING AND COMMUNITY SERVICES
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO 698**

Housing Trust Properties - Security Devices

MR CORNWELL: Asked the Minister for Housing and Community Services -

(1) How many ACT Housing Trust properties currently have (a) deadlocks fitted to doors; (b) security doors and (c) window locks.

(2) In order to increase the percentage of houses throughout the community possessing such locking devices, will the Trust immediately embark on a program to fit such devices to all Trust properties; if not, why not.

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

(1) (a) Deadlocks are not fitted to doors in Housing Trust properties.

(b) Numbers are not available.

Security screen doors were not fitted as standard prior to March 1990. Since that date and as part of an ongoing program 2500 security doors were fitted during 1991/1992 and 2596 will be fitted during 1992/1993. Security screen doors are standard inclusion in all new properties and existing flywire doors are replaced with security screen doors where necessary.

(c) Window locks are not fitted as a standard in Housing Trust properties.

(2) The funds available to the ACT Housing Trust are not unlimited, and the decisions must be made between meeting needs for new housing assistance and improving existing properties. The Housing Trust considers that security screen doors are more important than other security measures.

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CHIEF MINISTER FOR THE AUSTRALIAN CAPITAL TERRITORY

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO. 699

X-Rated Video Franchise Revenue

MR STEVENSON - Asked the Treasurer upon notice on 11 May 1993:

- (1) What were the costs incurred by the ACT Government in the High Court action which resulted in the Business Franchise ("X" Videos) (Amendment) Bill 1993?
- (2) What is the total amount of tax revenue collected on such videos and over what period or periods?
- (3) What is the situation with regard to the possibility of this revenue having to be repaid as foreshadowed by the press pursuant to the Courts ruling?
- (4) If repayment was necessary, what total amount is involved?

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

(1) Total costs at this stage are not yet known. Accounts have been received for \$69,799.17.

(2) Revenue for 1990-1991 was \$375,000

Revenue for 1991-1992 was \$120,000

Revenue for 1992-1993 to 31 April 1993 is \$314,000

Total revenue received since the introduction of the Business Franchise ("X" Videos) Act 1990 is \$809,000.

(3) Until the outcome of the action before the High Court is known, a question of repayment of revenue does not arise.

(4) See question 3.

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**MINISTER FOR HOUSING AND COMMUNITY SERVICES
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO. 700**

Housing Trust Properties - Deaths and Suicides

MR CORNWELL: Asked the Minister for Housing and Community Services -How many (a) deaths and (b) suicides, have been recorded in (i) 199.1-92 and (ii) 1 July 1992 to 30 April 1993 at (A) Burnie Court; (B) Bega Flats and (C) Kanangra Court.

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

The information is not collected by the ACT Housing Trust.

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**MINISTER FOR HOUSING AND COMMUNITY SERVICES
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO 703**

Housing Trust Properties - Smoke Detectors

MR CORNWELL: Asked the Minister for Housing and Community Services -
Are smoke detectors fitted in ACT Housing Trust properties, and if not, why not.

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

No. Smoke detectors are not required to be installed in dwellings under the Building Code of
Australia, with which all buildings constructed for the Housing Trust must comply

**MINISTER FOR HOUSING AND COMMUNITY SERVICES
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO. 704**

Housing Trust - Priority Housing for Tradespeople

MR. CORNWELL - Asked the Minister for Housing and Community Services - In relation to the proposed new Department of Foreign Affairs and Trade building, will the ACT Housing Trust provide accommodation for tradespeople from outside Canberra without seeking a six month residency or employment requirement.

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

Tradespeople employed in Canberra will be eligible to make application to register for public housing in the normal manner.

As is the case with any other applicant they will be required to meet the eligibility criteria including the residency/working criteria and the income barrier.

If they wish to apply for a priority allocation of housing it is necessary to meet the 6 month residency/working criteria.

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

Question No. 707

Government Purchasing Contracts

MR WESTENDE - Asked the Chief Minister upon notice on 12 May 1993:

It is noted that the elaborate publication for the Tourism Commission called Australias National Capital was printed by Inprint which has its orders printed outside the ACT region and only has its sales staff in Canberra. Is the Chief Minister aware of any other firm, with which the Government has contracts, which conducts its main functions and activities outside the ACT and the region.

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

The ACT Government, along with the Commonwealth and all other State and Territory Governments, is a signatory to the Government Procurement Agreement. That agreement precludes regional purchasing bias by way of financial preference. The ACT Governments purchasing policy provides for purchasing on the basis of value for money, which includes considerations such as quality, price, life cycle costs, service support and delivery.

One of the Governments initiatives is the recent establishment of the Supply and Tender Agency within the Department of Urban Services. The Agency is currently developing a local purchasing policy that will ensure that ACT public sector demand for goods and services supports and provides a basis for the development of ACT industry.

There are thousands of current contracts held by the ACT Government. Accordingly, I am not prepared to authorise the use of the very considerable resources that would be involved in providing the detailed information required to answer the Members question concerning the number of contracts held with firms which conduct their activities outside the ACT and region.

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**MINISTER FOR THE ENVIRONMENT, LAND AND. PLANNING
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO 708**

Aboriginal Heritage

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

- (1) What is the Ministers assessment of Heritage Week.
- (2). Were the events well attended. .
- (3) Is the general community well informed of the. Aboriginal heritage of Canberra.
- (4) Are they made aware of significant Aboriginal sites in-and around Canberra
- (5) Are these sites open to the public to visit.
- (6) Could not a typical and authentic Aboriginal camp site be erected in the same way as townships were erected commemorating-our early colonial settlements such as Bywong Mining Village. .
- (7) Would the Minister agree that such a display of Aboriginal heritage would be extremely informative and provide yet another avenue for the Aboriginal community to convey its most significant heritage in the ACT as well as providing another significant attraction for visitors from both the domestic and international tourist market.

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

- (1) In my opinion, Heritage Week this year was, once again, a tremendous success. The organising .. committee, Heritage, ACT, which-is funded by, the ACT Government, achieved its aim :of increasing the awareness of the general community in the ACT about its heritage, through a combination of education. and entertainment.
- (2) I am advised that the events .convened during the Week were well attended. Indeed some events, such as the Lanyon Heritage Fair, had an attendance which

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was almost double that expected.

- (3) The community in the ACT is, today, certainly more aware of the significance of local Aboriginal heritage than, say a. decade ago-

The local Aboriginal community is now an active participant in the promotion of their heritage. The ACT Government has recently funded the employment of a sites officer by the local Aboriginal community. This officer works both in the identification and management of Aboriginal sites in the Territory.

There are now programs in all ACT schools which deal with Aboriginal heritage. In addition, many community groups have an interest in, or promote the Aboriginal heritage of the Territory, including the Canberra Archaeological Society and the National Parks Association of the ACT-

- (4) Knowledge about the significance and location of Aboriginal places in and around Canberra is, in most cases, predicated on the need to know this information. In the majority of cases, the precise location of places is not publicly available because of the vulnerability of these places to disturbance.

Of course, where Aboriginal places are threatened with development or other adverse change, their locations are provided to developers and other interested parties, following liaison with the local Aboriginal community.

- (5) Some Aboriginal places are open to the public. Most notable is the rock art site at Yankee Hat in Namadgi National Park. In this instance, the site is well presented using a formed walking trail and elevated viewing platform. A number of other Aboriginal places are available to special interest tours and school groups, with guides provided by my Department or from the local Aboriginal community.

- (6) The Government has committed \$2.5m. to the construction of an Aboriginal keeping place or cultural centre in the ACT using funding provided through the Casino premium. The Aboriginal Advisory Council will provide detailed advice on the nature of the facility, however, I would expect that the centre is likely to provide the appropriate venue for a range of interpretative activities to present the Aboriginal heritage of the Territory. A re-creation of the type described in your question may be appropriate in this setting.

- (7) This facility is also, likely to provide informative displays and be an asset in terms of tourists visiting the Territory.

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**MINISTER FOR URBAN SERVICES
LEGISLATIVE ASSEMBLY QUESTION**

QUESTION NO 711

Hackett Primary School Buildings

Mr Cornwell - asked the Minister for Urban Services:

In relation to ACT Gazette No. 14, 7 April 1993, for what purpose were the following contracts arranged at the now closed Hackett Primary School -

- (1) Extensive repairs and painting \$14,000 (reference 212071).
- (2) Supply and install new sub-main, main switch and new sub-board \$5,996 (reference 212036).
- (3) When did the school close.

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

- (1) The paint on the buildings was deteriorating, and the timber underneath weathering. Funds were committed for repainting as part of the ongoing maintenance of the property.
- (2) Both wings of the former Hackett Primary School are rented by organisations, and the old electrical wiring was inadequate for the needs of the new tenants. The new wiring provides increased electrical capacity.
- (3) The former Hackett Primary School was transferred to the Department of Urban Services as a surplus property on 11 March 1991, following closure as a school in December 1990.

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MINISTER FOR SPORT

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO 713 .

Greenway Oval - Cricket Wicket

Mr Cornwell.- asked the Minister for Sport -

- (1) Are there plans to establish a turf cricket wicket at the enclosed Greenway oval; if so, when; and if not why not.
- (2) What is the approximate cost of establishing(a) turf and (b) non-turf wickets.

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

- (1) At this stage no decision has been made on whether a turf wicket will be included when the enclosed oval is built. The decision to include a turf wicket will be taken when detailed design commences and in consultation with relevant sporting organisations.
- (2) It would cost approximately \$30 to \$40;000 to construct a turf wicket depending on site conditions. A concrete wicket would cost about \$5,000 and a synthetic wicket about \$8,000.

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MINISTER FOR URBAN SERVICES

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO 715

Manning Clark House

Mr Cornwell - asked the Minister for Urban Services: In relation to accommodation occupied by your Department, in Manning Clark House, Tuggeranong

(1) Is the entire building occupied, and if not, what area in square metres is occupied.

(2) What is the size of the building.

(3) What is the Departments rent per annum.

(4) When does the Departments lease expire.

(5) How many departmental staff work at Manning Clark House.

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

(1) Yes.

(2) 5407.2 square metres.

(3) \$1 270 692.00 (\$235/sqm pa).

(4) The ACT Government Service entered a ten year lease with a five year option. Commencement date was 12 October 1990.

(5) Corporate Services Bureau 64
Department of Education and Training

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**MINISTER FOR URBAN SERVICES
LEGISLATIVE ASSEMBLY QUESTION**

QUESTION NO 716

Holder High School Buildings

Mr Cornwell - asked the Minister for Urban Services: Excluding the gymnasium/canteen how many square metres is the old Holder High School?

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

Approximately 8,800 square metres in floor area.

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MINISTER FOR SPORT

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO 717 -

South Tuggeranong - Cricket Wickets.

Mr-Cornwell - asked the Minister for Sport -

(1) How many wickets are available for cricket in the South Tuggeranong suburbs of Calwell, Theodore Bonython, Gordon, Banks and Conder.

(2) What steps currently are being taken to improve, this situation and will new wickets be available for play at the commencement of the 1993-94 season.

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

(1) Wickets are currently provided at Calwell, Bonython and Banks neighbourhood.ovals..

(2) Construction is to begin shortly on Conder neighbourhood oval with the intention of it being available for the opening of the Conder Primary school for the 1994 school .year. Depending. on: seasonal conditions the wicket to be constructed on this oval is expected to be available at some stageof the 1993-94 summer season. .

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MINISTER FOR SPORT

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO. 718

Academy of Sport - Swimming Program

Mr Cornwell - asked the Minister for Sport

- (1) Why. -have no ACT resident swimmers been selected in the ACT Academy of Sport program for 1993.
- (2) As a ratio compared to other sports, why do swimmers have such a low acceptance rate to the Academy.
- (3) . Do ACT resident swimmers have .equal opportunity to placings at the- Academy with other sports; if not, is it because swimming is perceived not to be a high profile sport in the ACT:

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

- (1) Applicants who are. NSW residents .but are registered, with an ACT sporting organisation are eligible for support under current guidelines from ACT Sport and Recreation -programs. All - athletes who are registered with ACT sporting organisations and who meet the application criteria are eligible to apply for support from the . ACT Academy for Sport: .

In 1993 there is one ACT swimmer in the Academy program and she was the only swimmer, who- is not supported by the- Australian Institute of Sport, who ranked highly enough to gain selection amongst a very strong field of 120 applicants across - many sports., Since its inception the Academy has supported five ACT- swimmers within its. individual athlete program. -

- (2) (2) The. ratio .of. ACT swimmers supported by. the Academy _ in its .individual athlete program. over the past four years - is ranked . behind -only rowing _ cycling d an-d7 -orienteering. . In each of these- sports the athletes supported are Australian junior or senior

champions or members of the Australian team to attend world championships.. There is currently only one ACT swimmer not supported by the Australian Institute of Sport (AIS) who has equal or similar Australian rankings and she is the current member- of the Academy program.

Also with the, establishment - of Intensive Training Centres or High Performance Centres in 1990 the AIS has offered high performance swimmers, track and field athletes and gymnasts from the ACT access to facilities, coaching- and sports science services on a full or associate scholarship basis. For this reason a higher number of ACT athletes in these sports have received AIS support than in other Academy sports. This obviously has had a substantial effect on the number of athletes from these sports in the Academy program. There are currently five ACT swimmers on the team at the AIS.

(3) ACT swimmers do have equal opportunity to be supported by the Academy provided they have achieved the necessary standards. Swimming is classified by the Academy in the same way it is classified by the Australian Sports Commission. It is a Category 1 sport (i.e. the top category for support) due to its high profile as an olympic and world championship sport.

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**MINISTER FOR URBAN SERVICES
LEGISLATIVE ASSEMBLY QUESTION**

QUESTION NO 719

Waste Disposal Charges

Mr Cornwell asked the Minister for Urban Services:

In relation to Tip Charges made pursuant to the Building Services Act 9924 and notified in ACT Gazette No. S71, 28 April 1993, and two Department of Urban Services pamphlets ACT Tip Charges and 20 Questions and Answers on ACT Tip Charges -

- (1) Why do the pamphlets, intended for distribution among commercial and industrial users, make no mention of charges for chemical waste, radioactive waste and "other hazardous wastes" as listed in the gazettal notice.
- (2) How much of each type of waste was disposed of at the ACTs tips in 1992.
- (3) What are the regulations for safe disposal of each type of waste as listed above and the actual costs of performing disposal for each half tonne of such waste.
- (4) Why is the cost of disposing of a cat almost the same as the cost of disposing of up to half a tonne of radioactive waste, and why does it cost the same to dispose of half a tonne of household waste as it does to dispose of half a tonne of radioactive, chemical or other hazardous waste.
- (5) Will disposers of household rubbish be subsidising disposers of dangerous wastes.

Mr Connolly - the answers to the members questions are as follows:

- (1) The pamphlets were prepared to answer the most commonly asked questions by commercial and industrial users. As most questions have focussed on building demolition waste, clean fill and general solid waste, the pamphlets were designed accordingly.
- (2) In the absence of any system for monitoring the volumes/weights of waste . going to landfill disposal, disposal rates for commercial and industrial wastes are not available for 1992 or earlier. This information will be available as a combined total in the future due to the installation of weighbridges and supporting computing systems at both our landfills.

The disposal of chemical waste and associated waste (eg empty pesticide containers and broken laboratory glassware) is assessed, controlled and

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monitored by the Hazardous Chemicals and Wastes Section of the Office of the Environment.

These records are kept on a substance by substance basis, with the quantities based on weight, volume and/or number of packages. Records indicate that approximately 5 tonnes of chemical and associated waste were disposed of at the West Belconnen Landfill during 1992.

West Belconnen is the only landfill in the ACT for the disposal of approved chemical and associated waste. Organic solvents and other liquid wastes are no longer disposed of to ACT landfills but are either returned to the manufacturer for recycling or removed by interstate licensed waste contractors for disposal.

As permits are issued by the Radiation Council on an annual basis for a maximum quantity, measured in terms of its radioactivity, the disposal rate (by weight) of radioactive waste is unknown. As a guide, the volume of radioactive wastes, contaminated materials and packaging currently being disposed of at West Belconnen is about 2 cubic metres per month.

(3) Radioactive waste disposal is supervised by the Radiation Safety Section, Public Health Division, ACT Health, under the Radiation Act 9983. Chemical wastes are assessed for environmental safety prior to receiving approval for disposal. The Office of the Environment supervises disposal to ensure that it accords with landfill licensing agreements issued under the Water Pollution Act 9984.

Given that applications for disposal are given principally by volume rather than weight, no estimate of cost is available, however, quantities are generally less than 0.5 tonne each month.

(4) Waste disposal charges have been set to ensure that cost does not provide a disincentive to utilise environmentally sound disposal avenues for the disposal of approved chemical waste. The underlying principle is that the potential damage to the environment that would result from the improper disposal of chemical wastes would outweigh the revenue derived from landfill charges.

No charge is attached to the disposal of household waste that is collected through the garbage collection service or taken to the landfill for disposal by the householder.

(5) The Office of the Environment will not approve the disposal to landfill of any wastes considered to be environmentally hazardous. Waste generators, applying to dispose of "dangerous" waste, will be advised to treat the waste before disposal or to engage an interstate licensed waste contractor to transport the material to a licensed interstate treatment facility.

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MINISTER FOR EDUCATION AND TRAINING

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO. 722

Gordon Primary School

MR CORNWELL - asked the Minister for Education and Training on notice on the 18 May 1993:

In relation to Gordon Primary School and the intention to accommodate in demountable classrooms anticipated additional enrolments up to 750 students from the current capacity of 480

(1) How many demountable classrooms will be required.

(2) Where will they be located, given the area between the school buildings and rear fence already has been landscaped and planted with trees.

(3) How long is the peak enrolment of up to 750 students expected to last.

MR WOOD - the answer to Mr Cornwells question is:

- 1.. Up to 5 double teaching units will be provided to cater for additional students to the anticipated peak enrolment of 750.
2. Sites were identified in the design process for transportables to be located between the eastern fence boundary and the four classroom pavilions, and this has been allowed for in the design of landscaping.
- ?. Peak enrolment of 750 students is anticipated to be reached by the year 2000. This enrolment level is expected to be maintained for at least 3 years, with enrolment levels of 600 students being maintained for 10 years.

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**MINISTER FOR URBAN SERVICES
LEGISLATIVE ASSEMBLY QUESTION**

QUESTION NO. 723

Water Supply - Chemical Additives

Mr Stevenson - asked the Minister for Urban Services:

Can the Minister for Urban Services list the names and total amounts of the different chemicals that were added to the ACT drinking water supplies during 1992 together with the reasons for the addition of each chemical.

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

During 1992, 50862 mega litres (ML) of water was supplied to Canberra and Queanbeyan, 50664 ML from Stromlo Water Treatment Plant and 198 ML from Googong Water Treatment Plant.

There are five different chemicals added during the treatment processes of Canberras water supply. These chemicals are:

Chlorine (131 tonnes or 2.2 to 2.7 milligrams/litre (mg/l)) added for disinfection

Lime (235 tonnes) added for pH correction. This chemical is added in the form of Calcium Oxide (2 tonnes or 10 mg/l) at Googong and Calcium Hydroxide (233 tonnes or 4 to 5 mg/l at Stromlo)

Fluoride (56 tonnes) added in the form of Sodium Silico Fluoride as a legislative requirement of 1 mg/l of Fluoride ion

Aluminium Sulphate (15,910 litres or 44 mg/l) added as a coagulant in the Googong treatment process

Polymer (35 kilograms or 0.15 to 0.18 mg/l) added as an aid to coagulation during the treatment process

The Member should note that the derivatives of the chemicals Aluminium Sulphate and Polymer are removed from the drinking water as part of, and during, the treatment process.

All of the above chemicals are universally accepted by the industry for the effective and safe treatment of water within the quantities ACTEW use

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