



**DEBATES**

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

**HANSARD**

26 August 1993

## Thursday, 26 August 1993

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

**DENTISTS REGISTRATION (AMENDMENT) BILL 1993**

**MR BERRY** (Minister for Health, Minister for Industrial Relations and Minister for Sport) (10.31):  
Madam Speaker, I present the Dentists Registration (Amendment) Bill 1993.

Title read by Clerk.

**MR BERRY**: I move:

That this Bill be agreed to in principle.

The Dentists Registration Act 1931 exists to provide registration of and discipline methods for dentists within the ACT. It is the legal instrument of the Dental Board of the ACT, which is a statutory body with executive powers. Also embodied in the Act is the legal authority for dental therapists, assistants and hygienists to practise under the direction and control of a registered dentist.

When the Health (Consequential Provisions) Act 1993 was drafted, all reference to dental therapists had been removed due to subsection 34(1B) of the Dentists Registration Act being inadvertently repealed, effective on 1 March 1993. The impact of this action was a technical oversight. It is proposed to amend the Dentists Registration Act 1931 to reinstate subsection 34(1B), with retrospective effect from 1 March 1993, the commencement of the Health (Consequential Provisions) Act 1993.

This retrospective amendment will not impose any burden on dental therapists and will in fact have the opposite effect of restoring a benefit, that is, the right to practise, which has inadvertently been taken away. It will also protect dental therapists from the unlikely event of prosecution for acts done during the period from 1 March 1993 until the enactment of the amendment.

The amendment involves no change in policy and is of a purely technical nature to restore the status quo. There are no resource implications in relation to this amendment. I present the explanatory memorandum to the Bill.

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

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## **BOXING CONTROL (AMENDMENT) BILL 1993**

**MR BERRY** (Minister for Health, Minister for Industrial Relations and Minister for Sport) (10.34):  
Madam Speaker, I present the Boxing Control (Amendment) Bill 1993.

Title read by Clerk.

**MR BERRY:** I move:

That this Bill be agreed to in principle.

When introduced into the Assembly earlier this year, the Boxing Control Bill contained a provision that would have banned kick boxing contests in the Territory. This provision reflected the Government's view that, whilst fist boxing enjoyed the sanction and controls of being an Olympic and Commonwealth Games sport, kick boxing was an unnecessarily violent activity unashamedly targeted at the younger sections of the community. The Bill also prohibited a person from participating as a boxer or an official in an amateur boxing contest unless that person was a member of the Amateur Boxing Union of Australia or of an affiliated body.

During debate on the Bill, amendments were proposed by Ms Szuty which would remove the provision relating to the banning of kick boxing and would amend the definition of boxing to include kick boxing. In their eagerness to impose this activity on the ACT community, the Liberal members of the Assembly, together with Mr Moore and Mr Stevenson, gave Ms Szuty the support needed to carry the amendments. The actual effect of these amendments was that kick boxing became a form of boxing for which it was necessary for my approval to be obtained to conduct a contest. Importantly, the prohibition on a person participating in an amateur boxing contest unless a member of the Amateur Boxing Union of Australia remained. As the union does not regulate or in any other way control kick boxing and no kick boxing organisation is affiliated with the union, it would not have been possible for me to issue an approval to conduct an amateur kick boxing contest.

What I am saying to you is that the amendments were inadequate to achieve the aims which were desired by those members who supported kick boxing in the ACT. As most kick boxing contests are club based amateur fixtures, it was patently obvious that the amendments passed in the Assembly did not work. When the discrepancies resulting from the amendments were realised, I instructed that a regulation be prepared under the terms of the Act to ensure that the will of the Assembly would be carried out.

In a recent Supreme Court hearing Justice Higgins also commented on the definition in the Act of the word "boxing" and the provision relating to the requirement to obtain ministerial approval before conducting a boxing contest. Apparently His Honour perceived a difficulty in ascertaining whether a particular contest came within the definition of a boxing contest. The court was not required to reach a conclusion regarding the particular issue. However, I consider that it is best now to amend the Act to clear up doubts as to the provisions relating to kick boxing contests, as well as possible doubts perceived by Justice Higgins.

This Bill contains amendments which will impose a requirement that amateur kick boxing contests will need to be conducted under the auspices of the World Kickboxing Association, Australasian Region. This is a similar condition to that which applies to amateur fist boxing, and there has been consultation between my officers and the relevant body. This proposal has been agreed to by both local organisations known to conduct kick boxing contests. It has also been cleared with the New South Wales representative of the WKA. The Boxing Control (Amendment) Bill puts in place the necessary legislation to fix up the mess I earlier referred to, which arises from back-of-the-envelope amendments. I would urge members that in future, when considering these sorts of amendments, they consult more closely with the Government. This is merely clearing away the rubble left by a back-of-the-envelope amendment. I present the explanatory memorandum for the Bill.

**MS SZUTY:** Madam Speaker, I seek leave to make a personal explanation under standing order 46.

**MADAM SPEAKER:** Proceed, Ms Szuty.

**MS SZUTY:** Mr Berry has just commented that the amendments I proposed were a back-of-the-envelope job. They were nothing of the sort. The drafting instructions were issued to Parliamentary Counsel in the usual way and the amendment was drafted by them. I think it is important to clarify that matter.

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

### **CRIMINAL INJURIES COMPENSATION (AMENDMENT) BILL 1993**

**MR CONNOLLY** (Attorney-General, Minister for Housing and Community Services and Minister for Urban Services) (10.39): Madam Speaker, I present the Criminal Injuries Compensation (Amendment) Bill 1993.

Title read by Clerk.

**MR CONNOLLY:** I move:

That this Bill be agreed to in principle.

This Bill will amend the Criminal Injuries Compensation Act to clarify eligibility for compensation. The criminal injuries compensation scheme was introduced to compensate victims of violent crime. The concept underlying the legislation is that the community should accept some responsibility for assisting victims to recover from the devastating effects that assaults and other serious crimes may have on them. Unfortunately, it has become apparent that the courts have departed from the original purpose underlying the criminal injuries compensation scheme.

The Supreme Court recently awarded compensation to a person injured as a result of a tackle in a football game. The court said that tackling a player is criminal conduct within the meaning of the Act if the tackle is one that is not allowed under the rules of the game. In another case currently before the courts,

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a man is claiming compensation for an injury he received as a result of accidentally being struck by a child on a bicycle. The Government is concerned that these sorts of claims under the scheme are increasing. We have a responsibility to contain the cost of the scheme and to ensure that its original purpose in compensating victims of violent crime is observed by the courts.

An amendment to the Criminal Injuries Compensation Act is needed to limit claims for compensation to deserving victims of serious crime. The Government has decided that the awarding of compensation should be linked to the prosecution of offenders and that the Act should specifically require the courts to exercise a discretion about whether an applicant has a deserving case for compensation. Compensation should not automatically follow for minor offences.

The Bill I am presenting today will amend the Act to require the court in every case to determine whether it is just and equitable that an applicant is awarded compensation. The courts will be required to have regard to whether the criminal who caused the injury has been prosecuted. Of course, in some cases the criminal cannot be identified or a prosecution may not proceed because there is insufficient evidence to prove that a suspect committed the offence. Compensation might still be appropriate in these cases. The Bill will therefore provide that the court can award compensation in the absence of a prosecution if it is satisfied that awarding compensation would be just and equitable. To ensure that the courts exercise this discretion appropriately, the Bill will direct the courts to consider factors which indicate whether the applicant is the victim of serious crime. These factors include whether the person who committed the offence has been identified; whether the offence was committed with an intention to cause injury to a person; and whether the offence was reported to police and the time at which the report was made.

The Bill includes an additional provision to allow the making of regulations to exclude specified categories of injuries from the compensation scheme unless there is a prosecution. The regulations will allow the Government to exclude inappropriate categories of injuries as and when they come to notice. The Government needs this flexibility to ensure that the objective of the scheme is upheld by the courts and to contain the cost of the scheme. Such regulations would, of course, be disallowable.

Some people in the community might say that all victims of offences should be compensated. But the scheme was never intended to compensate everyone who may be injured as a result of wrongdoing by another person. That, in effect, would be a national compensation scheme. The cost to the community of providing that sort of compensation scheme would be prohibitive. The Act recognises this already by excluding injuries arising from the use of motor vehicles. The consequences of motor vehicle and sporting injuries have to be dealt with by insurance schemes, by civil proceedings in the courts, or by the social security system.

The draft regulations, which I will table with the Bill, will exclude sporting injuries and injuries arising from the use of bicycles, skateboards and other recreational vehicles. The regulations will also exclude injuries arising from dog bites and other attacks by animals. In excluding these injuries from the Criminal Injuries Compensation Act, our scheme is being brought into line with



the equivalent scheme in New South Wales. In that State, compensation is refused for dog attacks. I accept that some dog attacks are serious matters, and the Dog Control Act, which Mr Wood introduced into this Assembly earlier this year, includes a provision for the payment of compensation by the owners of dogs. However, it is not a matter which should be dealt with under the Criminal Injuries Compensation Act, which has the objective of compensating people injured by other people committing serious crimes. Madam Speaker, I table the explanatory memorandum to the Bill.

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

**ADMINISTRATION AND PROCEDURES - STANDING COMMITTEE**  
**Report on Standing Order 153**

**MADAM SPEAKER:** I present a report of the Standing Committee on Administration and Procedures entitled "Standing Order 153 - Calling for a Vote".

**MR LAMONT (10.44):** I move:

That the report be adopted.

The proposal to create a new standing order 153A for the remainder of the life of this Assembly, in the terms outlined in the report currently being circulated to members, is the result of a number of processes. First of all, Mr Cornwell put a proposition shortly after the commencement of this Assembly that standing order 179, I think it was, be amended to require more than one person to call for a division and undertake certain other activities in the Assembly. The Administration and Procedures Committee at that time recommended that we not proceed with that proposition of Mr Cornwell's, and said that it may be more appropriate to place in the overall review of standing orders the questions raised by Mr Cornwell.

However, the Administration and Procedures Committee, in reviewing the activities of the Assembly and the way business was conducted in the Assembly in the ensuing 18 months, has arrived at a position which I believe will add to the efficiency with which this Assembly conducts its business; that is, to require that before a division is called two members are required to call for the vote. If a single member only calls for a vote against the call of the Speaker, then that single member's dissent will still be recorded in *Hansard*. It is important to ensure that the rights of an individual member are protected by having their dissent recorded in a formal way.

Madam Speaker, the proposal is very simple. The committee recommended:

- (1) Standing order 135 be amended for the remainder of this Assembly by inserting after "challenged" the words "by Members".
- (2) Standing order 153 be amended for the remainder of this Assembly by omitting "a Member" and substituting "Members".

- (3) The following temporary order be inserted after standing order 153:

When a vote may be taken.

153A. A vote shall not be proceeded with unless more than one Member has called for a vote. If one Member only calls for a vote, that Member's dissent shall be recorded in the Minutes of Proceedings and in *Hansard*.

The Administration and Procedures Committee believes that this is an appropriate way to ensure the efficient operation of this Assembly and that the rights of individual members are protected. I recommend to the Assembly the adoption of this report.

**MR MOORE** (10.47): In speaking to this proposal, I think it is important to understand the ramifications of the changes that will occur. The important part is that a member who wishes to have his or her vote recorded as a dissenting vote still has the right to have that vote recorded. I think that is the most important factor and, because of that, I am prepared to support this recommendation. I think it is important, though, that we make it a temporary standing order so that we can assess how it works.

Through this procedure we do lose the prerogative to flush out somebody from either the Opposition or the Government when a vote is taken. A single member wishing to force another member to vote, so that that person's vote is recorded, will not be able to do that. That prerogative will now be lost. It seems to me that that is the issue to be considered. On balance, I think it is appropriate that we go this way. That loss is not of such significance as to outweigh the nuisance value of a single member forcing us to a vote, and on many occasions having to wait five minutes while the bells ring, in order to make a point. Madam Speaker, I take pleasure, being part of the committee, in recommending this change, which was really initiated by Mr Cornwell.

**MR CORNWELL** (10.49): I would like to support the committee's recommendations. I believe that this is a satisfactory compromise on what I see as being a very time consuming, time wasting exercise so far as this Assembly is concerned. As Mr Moore has said, it can sometimes take up to five minutes to get a vote decided in the Assembly which may produce a 16:1 result. I notice from the appendix attached to this report that there were something like 24 occasions when the vote was 16 or 15 or 14 to one. I do not wish to deny any person the right to express their views in this Assembly or, indeed, to have the information recorded; but on 24 occasions only one member was either in favour of or against a particular motion. If each vote takes roughly five minutes, that is 120 minutes, or a couple of hours, over the duration of the Assembly, and I believe that that is an unnecessary waste of the Assembly's time.

I commend the committee for bringing down this report. I also commend them for putting my original motion on hold, if you like, to see whether it was necessary to take action. I believe that the motion I put forward has been vindicated, and I am very satisfied with the compromise that has been reached.

Question resolved in the affirmative.

**ADMINISTRATION AND PROCEDURES - STANDING COMMITTEE**  
**Report on Citizen's Right of Reply**

**MADAM SPEAKER:** Members, I present a report of the Standing Committee on Administration and Procedures entitled "Citizen's Right of Reply", together with a copy of the extracts of the minutes of proceedings.

**MR HUMPHRIES (10.52):** I move:

That the report be adopted.

Madam Speaker, there is a certain irony in our dealing with this matter today, after the events of the Assembly yesterday. It is even more ironic that I have been asked, on behalf of the committee, to move this motion.

**Mr Lamont:** No; you volunteered.

**MR HUMPHRIES:** I did indeed volunteer, yes. The issue of citizens exercising some capacity to respond to members who make allegations or comments in the chamber concerning them is an issue that has been dealt with by other parliaments, and it is relevant in this parliament also, not merely because of what might have happened in the last few hours but also because of what has happened over the life of this parliament.

**Mr Berry:** You have that earnest cloak on again.

**MR HUMPHRIES:** You hate it, do you not, Mr Berry? You cannot do it; that is why you hate it. The fact of life is that we have had a number of occasions where problems of this kind have arisen. Mr Gerald Gold was extremely aggrieved by comments made by a member of this chamber, and he had occasion to write a great many letters to members of this Assembly concerning the treatment he felt he had had at the hands of a particular member. Similarly, Mr Paul Whalan, a former member of this chamber, had cause to express his desire for a response to certain claims made about him. These matters are the catalyst to the decision that was made by the Administration and Procedures Committee to examine the question of what should be done in these circumstances.

It is perhaps not true to say that people have no opportunity to respond to claims made in parliament. They do have opportunities of various sorts. But it is appropriate that they also have the opportunity to respond in a way that puts the concerns they have raised in the same context as that in which the original allegations or comments were made. I believe that, with the adoption of the procedure recommended in this paper, the Assembly will have a better opportunity to respond fairly to - - -

**Mr Berry:** But it will not stop the vindictive nature of your attack yesterday.

**MR HUMPHRIES:** In response to the interjection, it will not stop members exercising their right to make comments in this chamber about legitimate matters of public concern, no. That is the short answer to that. It will not stop that; nor should it.

The procedure recommended here is one based on the procedure used in the Australian Senate. It is a procedure which the Administration and Procedures Committee believes will give people a reasonable chance of responding without engendering a fresh debate or a fresh outbreak of hostilities concerning particular allegations. If I might briefly outline the procedures that are being adopted here, they relate, first of all, to comments or allegations made in the chamber, in the Assembly itself, rather than to comments made by members outside the chamber. The procedure to be followed is that a person - or a corporation, and I will come to that in a moment - who feels aggrieved by a comment may write to you, Madam Speaker, and suggest that some wrong has been done and seek the right to respond to that.

There is one respect in which this procedure departs from that used by the Australian Senate; that is, we extend this privilege, or this right, both to individuals and to corporations. It was felt by the committee that there was no strong reason to say that a corporation could not or should not suffer damage by what might be said in this chamber, that only an individual was capable of suffering damage. That clearly is not logical. It may be that in due course corporations who might have had some damage done to their business will similarly come to this place and avail themselves of this procedure.

The contents of a response on the part of the aggrieved person will, in circumstances felt appropriate by the Speaker, be referred to the Administration and Procedures Committee, and that committee will then examine the response. It is made quite clear in the recommended motion that is attached to this report that it is not the function of the Administration and Procedures Committee to examine the allegations or determine the truth or otherwise of the comments that have been made, either by the member originating them or by the person who responds to them. It is not intended for the committee or for the Assembly to have to revisit the issue because of this process. It is intended only that the citizens or corporations have the capacity to respond to the allegations that are made. The committee may, if it feels that it is appropriate, refer a written reply to the original allegations to *Hansard*, so that the comments made by the citizen in response can be incorporated in *Hansard*. That then becomes part of the record, which stands in distinction to the comments that have been made necessitating that reply.

It is important to note that in paragraph 42 we put forward two resolutions. In subparagraph (7) it is recommended that the Administration and Procedures Committee have two courses of action. It can recommend either that no further action be taken, or that a response by the person or corporation be published by the Assembly or incorporated in *Hansard*. It goes on to say that the committee "shall not make any other recommendations". I make the observation that that means, for example, that it would not recommend that members be censured for having made comments in the first place.

Madam Speaker, this is a temporary order. It applies only for the life of this Assembly. Members of the next Assembly will have the opportunity of deciding whether the procedure has worked and whether it should be renewed in the next Assembly or made a permanent standing order. I trust that at some stage, if this particular power is exercised by some individual citizen or corporate citizen, there will be the opportunity to assess how well it works. If it is not used, of course, it will be hard to decide whether it is effective or not. I think we can be

reasonably confident that this procedure will provide some appropriate way of ensuring that members exercise their rightful capacity to make comments and that they have, in a sense, some sounding board, some way of having their comments taken to task, if that is appropriate.

The second motion recommended by the committee outlines the circumstances in which members should be exercising their freedom of speech. I think we can see in that motion a succinct statement of the criteria members should use when they exercise that power. It is not a statement that flies in the face of any past practice of the Assembly, but it certainly needs to be restated in this form. I commend the motion to the house.

**MR LAMONT (11.00):** Madam Speaker, as a member of this Assembly newly arrived, having been elected to the Second Assembly, it is one of the great revelations to understand what parliamentary privilege is in terms of what it covers once you walk through the little blue cordon. It allows members of this Assembly to make any allegation they wish - unsubstantiated, substantiated, matters currently before a court, matters not affecting people within the ACT, matters affecting people within the ACT. It enables them to make such allegations and to pursue particular issues. It enables them, if they so choose, to embark upon personal vendettas against individuals, not only in this Assembly but also outside it.

We have attempted through the Administration and Procedures Committee to provide, in the terms that we are able to, a proper form of redress for persons who believe that they have been so maligned. On the one hand, that may present to some members of the Assembly the view that they have even more rope by which to hang others. If they make a statement, if they make an allegation, if they conduct a vendetta, obviously those people will have whatever is said about them placed on the public record and reported; on the other hand, it is all right because those people will be able to put in a letter and redress the wrong.

The simple fact is that, while the Administration and Procedures Committee has endorsed this proposal, and I personally endorse it, as a member of that committee and as a member of this Assembly, it is less than adequate in such circumstances. It is less than adequate because of one very simple fact: Once an allegation is made, once a statement is made, with the innuendo there is in some statements that are made in this house, it is too late. The integrity of the person who is named is impugned. It is impugned by association. It is impugned because in the first instance the question or statement has been raised or made. So the procedure we are discussing this morning is, in my view, a less than adequate procedure, but it is the only one I can come to grips with as enabling this Assembly to offer at least some redress to a person and/or corporation who believes that they have been unfairly treated by a statement by a member of this Assembly.

I believe that there is indeed a great obligation on members of this Assembly to be extremely careful, given that we have parliamentary privilege, given that that privilege is there in order to allow free speech, to allow elected members, unencumbered, to say those things that are in the community interest and to put points of view that are in the community interest. At times, what is in the community interest often relies on what is in the personal political interest of the person making the allegation. On a number of occasions in this Assembly

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statements have been made which are found in the fullness of time to be incorrect and require withdrawal. The most notable of those was in relation to Mr Gold. Mr Stevenson, to give him credit, at the end of the day stood up and publicly withdrew and apologised for the statements he had made. Nevertheless, the inestimable damage that was done to Mr Gold cannot be redressed by Mr Gold, two years after the event, being able to place on the public record in the *Hansard* of the ACT Legislative Assembly a rebuttal of the arguments that were put in the first instance. That is exactly the same position as applies on a number of other occasions in this Assembly.

What we are discussing today is the provision of an opportunity for persons who believe that they have been maligned to have some form of redress. I say to you in no uncertain terms that, as was exhibited yesterday, it does not matter what the substance of the argument is, it does not matter what its truthfulness is, it does not matter in what direction a particular political party or individual wishes to pursue an issue; the damage is invariably done with the utterance of the word. This procedure is an attempt at least to ameliorate some of that damage. It cannot, in truth, ameliorate all the damage that is done.

I hope that two things arise out of the endorsement of this proposition today. The first is that members of the Assembly realise that parliamentary privilege is a two-edged sword. Not only does it give you rights - rights to free speech, rights to bring matters before the public's attention - but it also creates an obligation. That obligation is one of the sacred trusts in this chamber, that is, that you do not, for malicious, vindictive or other reasons, embark upon a character assassination of anybody.

**Mr Kaine:** That includes members of this chamber as well, Mr Lamont.

**MR LAMONT:** Mr Kaine, I most certainly agree with you. I believe that this Assembly should take the opportunity, when debating this important matter, to reflect upon that very point. Maybe the activities we have seen over the last number of weeks will cease as a result. It would certainly be my expectation and my hope that that would occur.

I have much pleasure in endorsing the motion moved by Mr Humphries to adopt this new standing order, and I hope that members of the community now feel more comfortable with the fact that their elected representatives, in this Assembly at least, are providing the opportunity for them to respond to statements made under parliamentary privilege.

**MR MOORE (11.08):** In rising to speak on this report, I would like, first of all, to draw to members' attention the research done by Ms Maureen Weeks, who put in a tremendous amount of work. I think other members of the committee, and you, Madam Speaker, recognise the excellent research and background work provided to members of the committee to allow us to understand the ramifications of what has gone on in other parliaments and the issues involved. The speeches by my colleagues Mr Humphries and Mr Lamont indicate their understanding of the issues involved.

I accept that I have been on both sides of the debate. The issue originally came before the Assembly when in an adjournment debate I presented Mr Gold's opinion for him. There was no other form of redress for him, and I felt that that was an appropriate thing to do at that time. Mr Gold, as was mentioned, wrote to members again and again in an attempt to find a way to get redress. Perhaps it is

in part through his persistence that this issue has come finally before the Assembly. I also recognise that I have used the power associated with parliamentary privilege on a number of occasions. One of those was to do with the Westpac letters, and the information that followed from that revelation in this Assembly, followed by revelations about the Westpac letters in the South Australian upper house and then in a number of other parliaments, I think, was the conduit through which justice was finally delivered on that issue for a number of people.

I have used the power of parliamentary privilege on a number of other occasions. On those occasions, I have had the same difficulties that any other member has in balancing the rights of members to use that power and the responsibilities. I have always done so with uneasiness, because one is aware of the extraordinary power that a member has in naming somebody in this parliament. Mr Lamont has drawn members' attention to the example of yesterday. That example illustrates both the sensitivity of governments to the use of this power and the advantage to oppositions. The sensitivity of governments applies particularly when there is an accusation about mates. That does not apply only to the term as it is used with reference to the Labor Party. That power was seen in the instance of the New South Wales Liberal Government and what I would call the fall of Nick Greiner. It applies right across the system.

There is a greater political advantage to oppositions in particular, and I am using the term "oppositions" generically to include people on the cross benches as well. There is clearly a political advantage to people in oppositions in using parliamentary privilege, particularly when it implies that in some way or another a government has been involved in a situation concerning the appointment of a mate or something along those lines. Governments are particularly sensitive to it, as they should be, and we have seen governments fall because of that, although not necessarily in the way Nick Greiner fell. Governments have been so sullied that at the following election they stand very little chance of winning, basically because they lose their good name. What we are talking about in this issue is people losing their good name.

That is one side of it. The other side is the responsibility of members to use this parliamentary privilege when it is appropriate. There is only one person who can make that decision, and that is the member. It is part of being elected that the member will make that decision. It may well be that 16 other members do not like what that individual member does, and I have been in that boat. It may well be that the member still decides that he or she has the responsibility to proceed.

This is not an easy area, and there are no simple solutions to the problems associated with it. What we have done in this report is attempt to provide some solutions. Mr Lamont took up the theme I mentioned publicly in the grievance debate on the Matthew Abraham show this morning when he said that it is a double-edged sword. If this report is supported, and I hope that it will be, and members provide the opportunity for named people to present their perspective on a given issue, it will also mean that members in some way will be a little more relaxed about whom they name. As Mr Lamont correctly says, in naming somebody at the moment you are aware that they have no opportunity to represent themselves. They are therefore relying on another member to come into this chamber and raise the issue again - perhaps an unpleasant issue.

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With 17 members who deal with each other all the time, who know each other, those unpleasant issues are much more difficult to handle than in a bigger parliament. Those are the sorts of issues we have dealt with. This approach comes some way to addressing them, and I think it is the best compromise. Madam Speaker, I commend the report to the Assembly.

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

**ESTIMATES 1993-94 - SELECT COMMITTEE**  
**Alteration to Resolution of Appointment**

Debate resumed from 17 August 1993, on motion by **Mrs Carnell**:

That paragraph (1) of the resolution of the Assembly of 17 June 1993 appointing a Select Committee on Estimates 1993-94 be amended by adding at the end "and any revenue measures proposed by the Government in the 1993 Budget".

**MS FOLLETT** (Chief Minister and Treasurer) (11.16): Madam Speaker, I am a great supporter of the Estimates Committee because I consider that it does a great deal to ensure that the business of government is accountable and open. The work the Estimates Committee has done year by year has been of enormous value to the Assembly as a whole and to the Government as well. I think all members would agree that there are a great many opportunities for insights, for scrutiny and for reporting on the business of government and the estimates of expenditure that are provided each year.

The prime role of the Estimates Committee is, of course, to scrutinise estimates of expenditure, and in the motion I moved earlier to establish the Estimates Committee that prime role was explicitly stated. That motion was supported unanimously by members, and it is therefore somewhat strange to have an amendment to the motion come up at this stage. Nevertheless, I accept that the business of the Estimates Committee is largely in the hands of the presiding member, Ms Szuty, and the members of the committee. We have a practice in this chamber - a practice instituted by me and maintained - of having a very open and widely representative Estimates Committee, and I believe that that is appropriate.

It has occurred in successive Estimates Committee hearings and in Estimates Committee reports that matters relating to revenue have been generally scrutinised as well, and for that reason I will not be opposing the motion before us. I believe that it is up to the members of the Estimates Committee how they wish to conduct themselves, and I know that they have previously had some review of revenue measures. I will, however, move an amendment to change the word "measures" to the word "estimates" because I believe that revenue measures are more appropriately debated and scrutinised within the Assembly as a whole. It is the business of the Assembly to look at the underlying principles, the underlying philosophy, in a policy the Government is putting forward, and that is the way I view revenue measures - as encompassing the whole policy.



Nevertheless, I believe that the Estimates Committee, if they wish to, may look at revenue estimates, just as they look at estimates of expenditure. For that reason, and without opposing the motion outright, I think it is appropriate that we make quite clear what it is that the Estimates Committee will be looking at and not seek to overextend the Estimates Committee into getting into general policy debates. I therefore move as an amendment to Mrs Carnell's amending motion:

Omit "measures", substitute "estimates".

**MRS CARNELL** (Leader of the Opposition) (11.19): We totally support Ms Follett's amendment to my amendment. When we put forward the amendment we meant revenue estimates. We were not in any way suggesting that the Estimates Committee should be involved in policy debate. Our view was that revenue measures really meant revenue estimates, so we are exceedingly happy to support the amendment.

**MS SZUTY** (11.20): I inform the Assembly that I will be supporting the amendment moved by Ms Follett and the motion, as amended, moved by Mrs Carnell. I agree with Ms Follett that it formalises the process for the asking of questions during the Estimates Committee hearings. I think that is a good thing. I also appreciate that we are talking about revenue estimates and not revenue measures; so for me as presiding member there are some bounds on the estimates process. We will not be sitting for hundreds of hours considering the Government's budget this year. I add my comments to those made by Ms Follett and Mrs Carnell to endorse the motion, as amended.

Amendment agreed to.

Motion, as amended, agreed to.

### **PUBLIC ACCOUNTS - STANDING COMMITTEE** **Report on Financial Management of ACT Health**

**MR KAINE** (11.21): I present report No. 4 of the Standing Committee on Public Accounts, entitled "Financial Management of ACT Health", together with a copy of the extracts of the minutes of proceedings. I move:

That the report be noted.

The Public Accounts Committee took this reference of its own volition some months ago. I felt at the time that there was some concern on the part of the Government that we were setting out on some kind of witch-hunt to embarrass the Government and generally make a political nuisance of ourselves. That was never the intention. Our intention was simply to review what was happening within the health organisation, to see what fundamental problems existed, if any, and why it was that that organisation seemed to have more difficulty than anybody else in controlling its budget, or perhaps in estimating at the beginning. We did not know what the problem was.

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We took as our start point 1991, when two things happened. Because of a substantial blow-out in that year's health budget, the then Minister, Mr Humphries, asked the late Mr John Enfield to have a look and see what the problem was. At around the same time, the Board of Health had Arthur Andersen and Co. look at their accounting systems. Those two things happened at the same time. We took the Enfield report and the Arthur Andersen report as our start point. Our approach was to see what had changed since then, and we looked at what we thought were some fairly essential aspects.

**Mr Berry:** You got a Labor government; that is what changed.

**MR KAINE:** In terms of budget overruns - since Mr Berry chooses to make this political, I will do so - nothing has changed. There was a budget overrun in 1991 and there was a budget overrun in 1992. There was another one in 1993, and I have no doubt that there will be another one in 1994. The fact is that we wanted to examine why that was so.

We had a look, first of all, to see whether there had been any change in the quality of the management in the health organisation, whether they had qualified financial managers. We had a look to see what systems and processes they used both to prepare their budget and to control it after the budget was approved. We had a look at the computer systems that are available to them. Finally, we had a look at the control mechanisms that we felt should have been in place within the health organisation to make sure that, once a budget was in place, the expenditures were controlled within the limits set by the appropriation.

We pursued each of those matters in some detail, and I think it is fair to say that in every case the health organisation was able to demonstrate that they had substantially improved their capability and their performance over the three-year period. There is no doubt about that. In other words, they are aware of the problem and they are doing the best they can, within their resources, to address it. I think it is also fair to say that in each case they conceded that they still had a long way to go. They have, for example, a management training program. Bearing in mind that most of their managers are functional managers, not financial managers, by profession, they have a series of training courses to bring their managers up to speed in what is required of them in terms of financial management. Those courses are fairly short, of necessity, because these people are functional managers and they have a job to do running an organisation within the health system. You clearly cannot take them away from that primary job for too long to turn them into qualified accountants. That is not the intention. I think the health organisation itself agrees that they still have a training commitment and a training obligation.

Turning to computer systems, they acknowledge that, although they have made enormous advances over the three years, their computer systems still are not systems they would have chosen to do the job. In other words, there is a financial investment yet to be made in computer systems within the health organisation, and I guess that that is true across the whole of the ACT Government Service. We are still living, to some degree, with the systems we inherited at self-government and it is going to require a substantial financial investment to upgrade those systems, to replace them in some cases, and the health organisation is no exception. They have done a great deal to improve their processes, to make sure that the thing functions better.

The most important aspect, though, from my own personal viewpoint, was to follow through the control mechanisms they have in place. Once they have their budget, I was interested to pursue the way they control it. They have the delegation of responsibility down to managers of cost centres, but they do have a very comprehensive system of reporting from their computer systems, on a monthly basis, the progress that has been made - accumulated costs, accumulated expenditure - against their budget. They have sessions with their top managers, with all their managers, regularly to identify where the budget is going out of kilter and, presumably, having done that, to identify ways in which the budget can be brought back under control.

So I have to conclude - other members of the committee, I am sure, will speak for themselves - that, on the face of it, the health organisation has the capacity to develop a proper budget, in the first place, in terms of its estimating. They then have to live with the Government's decision about how much money they get. They may not get what they ask for, and it has to withstand the scrutiny of the Estimates Committee and the Appropriation Bill debate, and at the end of it out comes a budget. But they do have the ability to put forward a properly constructed set of estimates for a budget and they do have the capability to control that once they have the budget.

Therefore, we explored the reasons why, unlike most other agency budgets, let us be clear, they have trouble keeping their expenditures within their budget appropriation. The management argued fairly, and we listened to what they had to say, that there are matters that are outside their management control - I think they are the words they used.

**Mr Wood:** Like the VMOs.

**MR KAINE:** That is one of them. There are a number of factors. The big one, they told us, was the private-public patient mix. We examined these factors in some detail. I accept that when a budget is being prepared it is difficult to project in which direction some of these activities are going to go. You could end up at the end of the year with a favourable mix, much more favourable than you projected, and you come in with a budget surplus, or you can come in with an unfavourable movement which puts you into a budget deficit.

We were persuaded by the management that, generally speaking, they had the ability to put some sort of quantum on these things. They were able to say that, in their view, in the course of a year there is likely to be X or Y dollars cost as a result of some of these activities. So I think they have the capability to put a dollar value on most of these things, with some degree of certainty. Bear in mind that they are only budget estimates anyway. Any figure that goes into these budgets is an estimate; they are all estimates. That being the case, I believe that they should be constructing the budget accordingly.

They made the point, validly, that the ultimate decision about the basis on which the budget is developed rests with the Government. I do not quibble with that, but I think that if the budget were considered a little more carefully, particularly in respect of these factors that are said to be beyond the control of management, we could get a budget that would more accurately reflect the expected outcome.

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Surely that is what we are talking about from a management viewpoint - to be able to put a dollar value up front that says, "We expect that this function is going to cost us X million dollars or X thousand dollars or X hundreds of thousands of dollars through the course of the year". If we are not doing that, then we are not doing our estimating properly.

I simply commend to the Government that they consider very carefully some of these factors which are said to be beyond the control of management. There are two aspects to this. It is not beyond the ability of management to forecast them, to estimate them. It may be beyond their ability on a day-to-day operating basis to control them. They are two different things. I would urge the Government to consider whether it is not better, from their viewpoint, from a political viewpoint, to put forward a budget that accurately represents the expected outcome, rather than one that, in effect, deliberately understates it. When you put forward a budget that, on the face of it, deliberately understates the expected outcome you are attracting criticism. At the end of the day, if it is not us, somebody out there will say, "Why can you not produce a budget and then live with it?".

I think it would be sensible for the Government to think about the figure they have put into their Appropriation Bill for health and see whether they do not have enough information and add a quantum to it to cover the contingency, if you like, of the likely outcome of these functions. It is very easy to say, "They are beyond our control. Therefore we will not attempt to estimate them and we will not attempt to manage them". I think something more than that is required of management and, that being so, the Government is part of the management process and I think something more than that is required of government.

I think it is fair to say that in the last three years the health organisation has done a good job of pulling up their standards of performance. I think they are performing much better now than they were three years ago, as perhaps other agencies of government are too. Having an Assembly here to which they are directly responsible now, as opposed to the situation that existed four years ago, they are becoming more aware that they are under close scrutiny. They are doing their best to lift their game in terms of estimating and management of their budget, and I have no real criticism of them. We have learned a great deal about it. They acknowledged that in almost every area we looked at there was room for further improvement; that, because of financial constraints or because of constraints in human resource terms or for some other reason, they had not yet been able to pull themselves up to where even they would like to be. I do not think you can be critical of an organisation that is doing its best within its resources to lift its game. I think the health organisation is. But we did make it clear to them that in another year or so from now the Public Accounts Committee would like to have another look at how they are going and see whether they are continuing to improve their performance.

I said at the beginning that we were not looking to be political about this, we were not looking to be able to say to the Government, "You failed". But I think there is a message in there that, just as the health organisation is taking very seriously the need to improve their performance, so the Government has an obligation to be part of that and to satisfy the Assembly and the community at large that the very large amounts of money that are spent on health delivery in the Territory are being properly spent and that we are getting the best return for our money. I commend the report to the Assembly.

**MS ELLIS (11.34):** Along with the other members of the Public Accounts Committee, I endorse this report. There are a couple of points I would like to make in relation to separate sections of the report, and I would like to take the opportunity today to do so. This was a difficult inquiry, given the amount of material we were required to consider and the complexity of grasping all of the relevant information. There is a fairly historical base from which we needed to start, and the information that was contained in both the Enfield and Andersen reports and the evidence given to the committee subsequent to that assisted very much in placing into a context and a perspective the issue we were looking at.

The information given in those reports and reinforced by the former chair of the former Board of Health indicated a vast difference between the financial management practices prior to those reports and the current situation. This is not to say, of course, that everything is absolutely rosy, but I do not think any part of any organisation the size of Health, no matter how hard we aim at it, would ever be absolutely and completely perfect. However, it is important to acknowledge, on the evidence to the committee, the ground that has been made up by the ACT Department of Health officials in addressing the issues raised in both the Enfield and Andersen reports and since that time. I mention particularly pages 9, 10 and 11 approximately - I am sorry; my copy and the printed copy are a little different - which deal with the past and current situations in some detail. It is very important that you read this report from that perspective.

A point of concern raised in the report relates to the need to develop a full cost attribution system, and I would like to address that issue. I bring to your attention particularly paragraphs 3.33, 3.34, 3.35 and 3.36, which put this question into a context that is warranted. It is obvious to me that, whilst it would be preferable to have a full cost attribution system and whilst I personally would encourage any organisation to adopt that direction, acknowledgment of the difficulties in perfecting that system must be made. I have no doubt that, on the evidence before the committee, the intent to develop that full cost attribution system is a sincere one.

One issue that has still to be resolved before a full cost strategy can be set in place is how those overhead costs are apportioned. For example, splitting the costs of food services, energy, all those very diverse things that cost money and therefore need to be attributed, is a very difficult thing to do. The officials of Health said that, despite the advances they have made in this area, they have to come to grips with the complexity of that, and I think the committee fairly acknowledged that. As outlined in paragraph 3.36:

Officials confirmed that information based on a cost attribution basis will be available in 1994 in relation to the hospital component of ACT Health and will progressively become available in connection with community health and public health.

I emphasise the words "progressively become available", because we are looking at a steady upward curve in the Department of Health. We should not expect instant reactions and instant answers overnight when issues as complex as this one have to be addressed and worked out accordingly.

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Chapter 4 refers to the budget supplementation in relation to Health, and I would like to make a few points in that area. As we know, ACT Health is like every other area of government in that it can seek supplementation. It is not unique. I draw members' attention to chapter 4, where the evidence for this is very clearly set out. Paragraph 4.5 states:

The Committee is concerned that, despite the improvements that have occurred, the Health organisation remains unable to control its expenditure to the limits of the annual appropriation.

That statement should be considered in concert with the following paragraphs and not in isolation. Read in isolation, I think it can be misleading in condemnation of a situation that I do not think is what that paragraph is implying.

Evidence to the committee outlined changes in the composition of the health budget for the coming year in that factors which can now be estimated and included in the appropriation, such as activity levels and patient mix, will mean that with their possible inclusion they will no longer be reliant on that supplementation system. That is exactly the point Mr Kaine was making a moment ago, and I think we need to look at that in an historical fashion. Rather than saying that it has never been done and it should be, it is much better to say that it has not been done in the past because they were unable to do it, but now that they can do it they are doing it. Subsequent to that, we will definitely see an improvement and a change in the presentation of the health budget in that area. We need to very carefully consider that as a whole. I draw members' attention to the conclusion in paragraph 5.6, at the end of the report, which puts that into context with a lot more clarity.

It is very important that this report be used to reflect accurately on the gains made by ACT Health in the last two to three years in addressing what was, by everybody's admission, an unsatisfactory financial management position and bringing about one that is far more efficient and far more accountable. ACT Health, as we know, has sometimes in the past been treated as a bit of a political football, but recognition of the ground gained must be made. Of course more can be done, more can always be done everywhere, and I am sure that in the case of ACT Health it will be. On the evidence before the committee, I have no reason to doubt that the attitude of the officials giving evidence before the committee, which I commend very highly, will continue. That attitude was very commendable. They were in some cases brought into a job that would not have been a job to envy. They had a very difficult set of problems to address, and the detail in which the officials outlined to the committee the steps that have been taken I personally appreciated. It put the whole situation in relation to the financial management within the Department of Health into a context that I could understand and grasp, and I could therefore make what I believe was a measured judgment on the performance since those reports that I referred to earlier.

I would like to thank my fellow committee members, the committee secretary, Karin Malmberg, and those officials who gave so much of their time to very painstakingly outline to the committee the situation facing the financial management of Health. I commend the report, but I commend the whole of the report and not the bits of it that some people may prefer to pluck out and misread or misquote out of context.

**MRS CARNELL** (Leader of the Opposition) (11.41): This report was put together over a quite long period, and obviously the problems of financial management in Health have been with us for the whole time, in this Assembly as well as in the last Assembly. Mr Kaine and Ms Ellis have made some valid comments about the progress made in ACT Health, and there is no doubt that ACT Health has changed quite a lot. It has changed to the extent that we now have a capacity to allocate costs to cost centres. That is a huge change. But, unfortunately, the problem is that we then have absolutely no capacity to allocate costs from cost centres to services. When we spoke to senior health officials, they admitted that at this stage in the ACT we have absolutely no idea what services cost, in almost all circumstances.

Back in 1990, when I first went onto the Board of Health, we were told that in 1991 this would be fine; in 1991 we would know what services cost and therefore budgeting could be done appropriately. We were told by senior health officials that now it will be 1994, and I think the report says that we need to look at it again next year to see whether 1994 really is the year. It is exceedingly difficult to budget in health if you do not know what your services are costing. If you do not know what your adult dental services cost, it is very hard to decide on how much you will provide, how many staff you need, whom you can cover by the service. All you can possibly do is what ACT Health does at the moment, and that is budget from the top down. You say, "There is this amount of money. After you have spent it, that is the end of it". The inevitable consequence of that is that you end up budgeting by waiting list. That is not an appropriate way to budget, and I think that was brought out time and time again when we were putting this report together.

Mr Berry interjected earlier and said, "But who can produce these figures?". Cost attribution can be done in virtually every State in Australia now. Even Yass Hospital can organise cost attribution for all of their services. Every hospital in New South Wales is involved in cost attribution, as are Victoria and Queensland, and the story goes on. It seems remarkable to me that after all this time, when we have only two hospitals in the ACT and only one under our direct control, we have not managed to achieve what States such as New South Wales, with all the problems they have in their health service generally, have managed to achieve.

We have a huge number of new systems and we have a large number of people who have now been trained to run those systems, but the capacity to coordinate the stunning amount of information that is coming out of Health seems to be somewhat lacking. I think Mr Kaine rightly made the comment that that runs through very much into the budget process. Senior health officials told us quite categorically that they can predict what the activities levels will be for next year, as they could have for this year. The public-private mix situation has been trending in an almost straight line over the past few years, so it is certainly not very hard to work out what will happen in terms of public-private mix.

It is interesting that in the budget supplementary papers last year a prediction was made, but unfortunately that prediction was not put forward into the budget estimates. A budget has to be exactly that - a budget. It has to be an anticipation of the money that will be needed in a particular area to run a particular service.

It seems, certainly according to the senior health officials we spoke to, that in the past they have not done that. They have worked their budgets on what was the case last year, without those sorts of predictions. They have certainly indicated to us that they will do everything in their power to make sure that that does not happen in the future and that activity projections, public-private mix projections and so on will be factored into the budget in the future. They did say that that is a political decision and one the Government has to make, not that they have to make; but they will be recommending to the Government, they said, that that is what should happen. The Public Accounts Committee felt that it was appropriate that the budget did reflect what the Government was planning to do with Health.

At the end of the day, the committee had to say that ACT Health still was unable to control expenditure within appropriate levels but that efforts were being made to overcome that. We were very happy about that, and that was the reason we felt that it was necessary to have a relook at the situation in late 1994, when we are absolutely confident ACT Health will be able to tell us what services actually cost, how they have budgeted from the bottom up, rather than the other way round, and where ACT Health is going.

**MR MOORE** (11.47): It seems to me that other members who have spoken to this report have made it very clear that this was not an attempt to play political games. It was a genuine attempt to ensure that in one of the areas of greatest concern as far as this and the previous Assembly are concerned, that is, the health budget, whatever can be done is being done. It therefore gives me pleasure, in supporting these recommendations and the report, to give credit where it is due. There are changes under way. It will only be over the next little while that we will be able to determine whether those changes are going to be enough.

**MRS GRASSBY** (11.49): Despite whatever criticism the Opposition and the Public Accounts Committee may direct towards ACT Health, there is no doubt that it has progressed substantially in financial accountability. All members of the previous Assembly will remember only too well that both the Chief Minister and the Minister for Health were unaware of the massive \$17m budget blow-out in Health. Since that time, new measures of accountability have been introduced which guarantee that not only the Government but also the Opposition are fully informed.

ACT Health now releases quarterly reports with a detailed range of health-related statistics and is the only jurisdiction in Australia to release such detailed information. Since 1991 business rules have been used which direct how Health can be supplemented, reasons for supplementation including national wage cases, award increases, changes in public-private patient mix, and VMOs indexation. Activity increased by 1.42 per cent in 1991-92 and 5.35 per cent in 1992-93. Not only is ACT Health more accountable; it is also more efficient. It is, in effect, treating more people for less.

In many ways I agree with some of the speakers. Like Mr Kaine, I think accrual accounting is the way we should be going. It seems to be the only way we can find out exactly where money goes, instead of having lots of buckets of money with nobody knowing where it is. However, as we found out recently, until Treasury comes up with some rules on how this has to be done, it will be a while before we see that. It is very easy to say to 10 very ill people at the door of the



hospital, "I am very sorry, but you cannot come in because we have just run out of money; that is our budget, and that is it". We all know what happens in America. You can lie in the street and die before they will let you into a hospital, unless you have private insurance. We also know that the cost of private insurance in America can be absolutely horrific.

I found it very difficult on this committee to look at Health in the way I would look at other departments, although I think Health has to be accountable for what it spends. I do not think we can just say to Health, "Here is the money, go and spend it; and, when you have spent it all and you cannot manage the budget, just come back and we will give you more". To a certain extent, it has to be accountable, and under the present Minister I think this has happened. The present Minister has done a lot to make Health a lot more accountable.

My first profession was as a trained nurse, and I know that health care is not something where you can put your finger on every single penny. It is terribly difficult to do this. I hear the Minister talking about doing something about the VMOs. When you look at the cost of that and see one of the statements that a doctor was paid \$500 to get somebody into hospital, you start to wonder what does go on. The Public Accounts Committee, thank goodness, is able to find this out. The most wonderful part about being on the Public Accounts Committee is that departments are accountable and we get the chance to question people and find out exactly what is happening.

I hark back to the fact that self-government has been here for only four years. We all know that for many years when departments could not balance the budget they just went up the hill and asked for more money and they got it. We all know very well why the Federal Government was happy to give us self-government. They had made the decision that the days of the wonderful buckets of money were over and that the ACT people were going to have to live within their means, they were going to have to cut their cloth according to their means.

It is very hard, if you have been doing something for years and years, to pull people into line and tell them that they cannot do it any more. I am pleased that people are now coming around to it. Most departments are now realising that that is all the money we have and that is the only way you can cut the cake. You can cut it only certain ways and you are not going to get much more. You may be able to steal a little from this department to pay that department, but we all know that that is stealing from Peter to pay Paul. Even though you go around the cake and steal from Peter to pay Paul, you still have only the same cake and it still cuts only one way.

There are many things where the Public Accounts Committee did not quite get the answers we would have liked, and I think that a lot of those answers will come out in the Estimates Committee hearings. Mr Kaine is sitting over there with a big smile on his face; he is going to have lots of questions to ask in the Estimates Committee. As he said on the Public Accounts Committee, if we cannot find out now we will find out in the Estimates Committee. I am quite sure that he will. I would not like to be Minister for Health, and I think Mr Berry has done a wonderful job - - -

**Mr De Domenico:** Can you say that again?

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**MRS GRASSBY:** Yes. I would not like to be Minister for Health, and I think Mr Berry - please wait for the next part of it - has done a wonderful job. I commend him on the job he has done with a very difficult portfolio. The Opposition can sit over there and laugh their heads off, but we all remember Mr Humphries's blow-out. He got out of it very easily because he also closed down a hospital, which cut his expenses even more. People forget this. You can sit over on the other side and you can jeer and you can laugh, because you all have short memories, Mr Humphries. We on this side have long memories and we remember. Like Sicilians, we never forgive and we never forget. So do not forget that, Mr Humphries.

I am proud of the job the Minister has done here and I am proud of our departments. Our departments, after four years of self-government, have learned that there are not buckets of money, that there is only one cake and it can be cut only certain ways. In the next Assembly, when I am quite sure Mr Berry will be Minister for Health, if he is prepared to take it on, I am sure that it will improve even more. I am sure that we will see Mr Kaine back, possibly as Leader of the Opposition again.

**Mr Lamont:** Through the revolving door slowly.

**MRS GRASSBY:** Yes, that has happened many times up on the hill.

**Mr De Domenico:** What are you going to do, Mrs Grassby? Will you be back?

**MRS GRASSBY:** Do not worry; I will be back here too, I am quite sure.

**Mr De Domenico:** That is right; you got two out of 40 on the committee, did you not? You did really well!

**MRS GRASSBY:** Do not worry about it, Mr De Domenico. Just watch your own numbers and your own back.

**Mr De Domenico:** I always do, Mrs Grassby.

**MRS GRASSBY:** Very good. I am quite sure that Mr Berry will be back here, and I am sure that he is prepared to take on the portfolio.

**MR DEPUTY SPEAKER:** Relevance, Mrs Grassby.

**MRS GRASSBY:** Thank you, Mr Deputy Speaker; I appreciate your kind help in this. I think Mr Kaine will be back here as a very effective chairman of the Public Accounts Committee, asking all those very strong questions.

**Mr Kaine:** I do not know how I can be chairman of the Public Accounts Committee and be in the government as well. That is a bit of a problem.

**MRS GRASSBY:** Unfortunately, Mr Kaine, I do not think you are going to be in the government. I think you will be Leader of the Opposition again and you will be leading a very good Opposition, as you did before. I am sure that we will all be glad to see you back there.

**Mr De Domenico:** This is old home week.

**MRS GRASSBY:** Of course it is old home week.

**MR DEPUTY SPEAKER:** Mrs Grassby, we are discussing the financial management of ACT Health, not a valedictory.

**MRS GRASSBY:** I am sorry; I digress. With the cockatoos on the other side chattering away all the time, it is very hard to keep to the point. They make so much noise on the other side, and it is very difficult to keep your mind on things when you have cockatoos chattering all the time. I commend this report, and I think the Minister and the department will take note of it.

**MR BERRY** (Minister for Health, Minister for Industrial Relations and Minister for Sport) (11.59): The Government will in due course respond fully to the report. May I say that the report will make another positive contribution to the already major developments that have occurred, and which are recognised in the report, in the financial management of the health system. There has never been any question in my mind that they were improving markedly and, from skimming over the report, that is clearly demonstrated by the comments in it. Again I say that in due course we will respond more fully to the report. I think management will see this as another positive tool in the work they are putting into the system. The Government sees it as an endorsement, in many ways, of all the achievements that have been made thus far. There is no question in any of our minds that there is always more work to be done in management; otherwise we would stop where we are. As I have said, the report will play a positive role in the further development of our much improved health system.

Question resolved in the affirmative.

**SCRUTINY OF BILLS AND SUBORDINATE LEGISLATION -  
STANDING COMMITTEE  
Report on Conference**

**MRS GRASSBY** (12.00): I present the report of the Standing Committee on Scrutiny of Bills and Subordinate Legislation on the Fourth Australasian and Pacific Conference on Delegated Legislation and the First Australasian and Pacific Conference on the Scrutiny of Bills. I move:

That the report be noted.

Ms Szuty and I attended the conference in Melbourne. Unfortunately, Mr Humphries was away on his honeymoon, so we were not able to have his company at a most enjoyable conference. One of the most humbling anecdotes from the conference came from the Chief Justice of Victoria. He was commenting on the fact that it was rare for judges to be asked to address parliaments or committees. His only recollection was when in 1964 Sir Charles Lowe, a very long-serving judge, was invited to attend at the bar of the Legislative Assembly and was there thanked for his services. His speech in response featured an admirable economy of language. He said, "I am obliged", bowed and withdrew. I, however, will not be so brief, as I believe that it is incumbent on me to report on the activities of the conference.

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The conference was well attended and included representatives from all States and Territories, as well as from New Zealand and Canada. The only State not represented was Western Australia, which had not yet been able to form its committee following the recent election. The most important remarks of the conference came, strangely enough, from a member from the town I was born in, Adrian Cruickshank, the chairman of the Regulation Review Committee in New South Wales. Mr Cruickshank related a conversation he overheard about politicians. A person was complaining to a politician that all politicians were lazy and did not work hard enough. The comments were based on the amount of time parliaments were in session. The individual did not believe that parliaments were in session for long enough. The politician, who was a Minister, said that the complainant should realise that the more the parliament sits the more laws we pass for people to have to keep. I think this was a very interesting remark. This is a problem the ACT legislators face as well.

There is underlying concern that parliaments are passing too much primary and subordinate legislation. This concern is based on a number of grounds. Firstly, for laws to be effective they should be well understood. However, changing laws consistently, particularly through subordinate legislation, makes it difficult for people to keep track of exactly what the law is or what the fine is. As an example of this, can anybody in the Assembly, apart from the Minister responsible, tell us the fee for residential building permits or the contents of the most recent regulations under the Milk Authority Act? Even I am not sure that I know those, and I am not sure that anybody other than the Minister, who is sitting beside me, would be able to relate those to me. I can see by the look on his face that he is not quite sure, that he will seek advice. I do not condemn the Minister for this. This is exactly the point I am making. If we cannot remember, if we do not know, imagine what is happening to the people outside.

Secondly, the different laws and subordinate legislation impose both a direct and an indirect cost to the individual outside this house. Has anybody thought about that? Direct costs are borne by government and by individuals affected by fees and charges. People are also affected by indirect costs - for example, the costs of complying with rules and procedures. This is something that, as a parliament, we need to come to terms with, and we should be looking at this. It is great that we have self-government, but we are coming into the twenty-first century and we seem to be looking at how many laws we can make, how many rules we can make. Even lawyers complain that they cannot keep up, so you can imagine what happens to the ordinary individual or the ordinary voter outside.

The conference passed seven resolutions. These reflected the bulk of the content of the proceedings. The first called for the establishment of a working party to report on the desirability of establishing uniform principles on scrutiny of Bills and regulations, as well as aiming for the mutual recognition and harmonisation of statutes and regulations. This, I believe, is a sensible approach to achieving uniformity of scrutiny between parliaments, thus making it more effective. Additionally, it should lead to differences in laws between regions of Australia being reduced. One of the things that came up at the conference was the fact that each State has so many different laws. If we did have uniform regulations you would know, when you crossed the border into another State, that the law was the same there as it was in Queanbeyan or in Shepparton or in Adelaide or in the ACT. One of the most frightening things in America is that from State to State the laws are so different that people need to know exactly what the law of each State is before they move there.

I am sure that members would agree that it makes little sense to have different laws as between States about the shape of margarine containers, for example. That is just a silly little thing, but it can cause an enormous cost to the manufacturers of margarine if a margarine tub has to be one size in one State and a different size in another State. We now have regulations on uniform traffic laws throughout the States, and we should be grateful to the Federal Government, which got all the States to agree to this. We know that bike helmets are worn in all States and that there is a points system in all States, although I must say that I was not very happy about that. I think it is punishing people twice. But never mind; it is the law, and once it is agreed by all States we have to abide by it.

The second resolution called for more frequent contact between scrutiny committees and exchange of materials prepared by and for committees. It also noted Queensland's offer to hold a meeting for heads of committees in Brisbane in early 1994. The third resolution called upon scrutiny committees to take up the first resolution with their parliaments. This is something on which our committee will deliberate further and report back to this house. The fourth resolution expressed concern at problems involved with quasi-legislation. This I alluded to in part earlier. Members might take the opportunity to refer to the report and give consideration to this idea. I am sure that all members of the committee would be happy to hear about this. This is also something the committee will look into further and report back to the house on. The fifth resolution seeks, prior to ministerial councils agreeing to the introduction of uniform or complementary Bills or delegated legislation, to have such legislation and accompanying documents provided to the relevant parliamentary committees in the first instance.

Resolution No. 6 requested that delegated legislation should be drafted by and/or settled by a specialist drafting office. I think this is a very important resolution. Our committee has already considered how subordinate legislation could be improved. As members would be aware, guidelines for the preparation of these instruments have already been prepared. As well, we have organised a seminar on this issue for middle management in early November. Both of these initiatives should lead to an increase in the quality of subordinate legislation. The final resolution takes up fully the concerns I earlier raised regarding assessment of the economic and social costs and benefits of a range of instruments. All the resolutions carried will be fully considered by the committee and a report made to the Assembly on our deliberations and recommendations.

One other interesting comment was made by Mr Cruickshank, the head of the committee in New South Wales. As he was getting out of the lift in the New South Wales Parliament, the Minister came up to him and said, "What the hell do you lot think you are doing? You think you are really running this place". I chuckled over that one. A lot of Ministers in this house probably feel that there are times when committees believe that they are running the place. I think the committee system is one of the greatest systems we have, and it was very much used by Senator Lionel Murphy, who made the Senate more powerful with the committee system. It is a wonderful system for backbenchers, and I hope that in this house it is a help to Ministers.

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I would like to thank Tom Duncan, who put the report together. Tom is wonderful on our committee, and I am grateful for the work he does. I also thank Beth Irvin, who is also on our committee staff but was not with us in Melbourne. Tom was very grateful that the conference was sitting at that time because he was able to go off to the football match on Friday night and sit in the pouring rain with the Canadians. They did not understand Australian rules at all, but they seemed to enjoy it and they got a good laugh out of it, I think.

I would also like to thank Helen for accompanying me. Both Helen and I got a considerable amount out of this conference. I recommend to other committees that they attend when things such as this come up. It is very important to talk to other States about the way things are being done. Both Helen and I got a chance to talk to a lot of people about how things are done in other areas, and it was worth while. We spent all the time at the conference and at the workshops. There were some very good papers given at the conference, and both of us came back with reams and reams of paper. Even though we heard most of those papers delivered, it is only when you start going through the papers and reading over them again that you realise that some of the knowledge you pick up is very helpful in this house.

As we all know, the New South Wales Parliament is a very old parliament, as is the Victorian Parliament, and the others have been around for a long time. Although they can teach us a lot, I think we can teach them a lot by not making the mistakes they have made. By learning from them, we can avoid making those mistakes in this house, thus making it a far better house. I thank you, Mr Deputy Speaker, for not interjecting on this speech as you did before, and I appreciate the Opposition's not doing so.

**MS SZUTY (12.14):** I wish to comment briefly on the conference I attended in Melbourne. I will not comment on the resolutions particularly, because Mrs Grassby has covered those already. I appreciated the opportunity to attend the conference. It was unfortunate, in a way, although perhaps Mr Humphries will disagree, that he was on his honeymoon at the time the conference was held. Certainly Mrs Grassby and I got a lot out of the proceedings in Melbourne. It is interesting to note that this is a report on the Fourth Australasian and Pacific Conference on Delegated Legislation and, importantly, the First Australasian and Pacific Conference on the Scrutiny of Bills. I think that says that parliaments around Australia are coming more and more to look at the scrutiny of Bills as being an important function for the various committees of parliaments around Australia.

I have been a member of the Scrutiny of Bills Committee of this Assembly since March 1992. The process for us has been very much one of scrutinising each piece of legislation, subordinate legislation and determination as it comes before our committee. The conference particularly enabled me to concentrate on the more general issues involved in scrutiny per se, and for this reason the conference was very beneficial. The report of the conference proceedings is extremely informative and very detailed, and I add my compliments to Mr Tom Duncan, the secretary of our committee, who has put this very informative report together. I would urge members who are interested in this area to read the account of the proceedings in Melbourne because I think it gives us a very clear understanding of the various issues that were presented at the conference.

As you can see from the report, particularly from page 10 onwards, a number of papers were presented and workshops held as part of the conference. We heard about the High Court and the committee, the Victorian experience of scrutiny of Bills, and the New Zealand approach to the scrutiny of Bills. We also revisited the resolutions which were made at the third conference, held in Perth in 1991. We heard from Mr Jon Sullivan, MLA, of the Queensland Committee on Subordinate Legislation, on mutual recognition of regulatory standards between States.

We had a workshop entitled "That Delegated Legislation Committees be allowed to suspend regulations during any time when Parliament is not sitting", and a further workshop entitled "Why is regulatory scrutiny so far in advance of the scrutiny of Bills?". A very informative workshop was led by Stephen Argument, the secretary to the Senate Standing Committee on the Scrutiny of Bills. He presented a workshop and paper entitled "Quasi-Legislation: Greasy pig, Trojan Horse or Unruly child?". It was a very stimulating discussion. We also heard about rule making by Commonwealth agencies, proposals for reform in the Commonwealth jurisdiction, and recommendations of the Administrative Review Council's report No. 35.

There was another workshop entitled "When should a matter be seen as more appropriately handled by an Act rather than by a Regulation?", and a further workshop entitled "Drafting: should delegated legislation be drafted by a specialist drafting office?". Further papers presented were "Fundamental Legislative Principles"; "Do Parliamentary Review Committees achieve anything worthwhile for the public?"; "Overseas Practices in Regulation Review - Towards Effective Rule Making"; "Who takes care of the caretaker's daughter? - The Victorian Supreme Court's Approach to the Subordinate Legislation Act 1962"; and "Incorporation of Third Party Documents in Regulations - Issues of Accessibility, Compliance and Accountability".

In a further paper, "Justice Delayed and Denied - A case study", Senator Stephen Loosley, the chairman of the Senate Standing Committee on Regulations and Ordinances, dealt with the committee's consideration of two determinations under which justice was not only delayed but denied. I will expand on this paper briefly. The concerns centred around a problem with credits received in lieu of recreation leave for a number of public service officers who had joined the service before 1966 and who had retired after 1973; due to a combination of factors, they received less money than that to which they were fairly entitled. As a result of the Senate committee's actions, over \$4m was included in the 1992 budget to meet the concerns of the committee. It is an example of where scrutiny committees can be very effective in making sure that the rights of individuals are protected and that any moneys, as in this instance, they are entitled to are paid to them. The final paper, presented by Senator Amanda Vanstone, was about the reversal of the onus of proof in primary legislation.

Members will recall that our committee visited the Northern Territory and Queensland earlier this year to meet with our scrutiny committee counterparts in those jurisdictions. Next week, on 2 September, we will be hosting members of the Victorian scrutiny committee, which hosted the conference in Melbourne that

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we attended. Mrs Grassby and I are looking forward to renewing the acquaintance of some of the members of the Victorian scrutiny committee when we see them next week and meeting some of the members we have not met before. I am sure that Mr Humphries will look forward to that occasion also.

In conclusion, I thoroughly enjoyed the time I had away, in addition to the work that was accomplished, which I believe was considerable. I believe that such conferences enable us to take the opportunity to get to know members from other parliaments and exchange views and ideas, and for that reason the conference was very beneficial, very worth while, and I enjoyed it thoroughly.

Question resolved in the affirmative.

**CONSERVATION, HERITAGE AND ENVIRONMENT -  
STANDING COMMITTEE**  
**Discussion Paper on Feral Animals and Invasive Plants**

**MR MOORE** (12.21): I seek leave to move a motion relating to the preparation, printing and circulation of a discussion paper on feral animals and invasive plants.

Leave granted.

**MR MOORE:** I move:

That the Standing Committee on Conservation, Heritage and Environment:

- (1) prepare a discussion paper on its inquiry into the effects that feral animals and plants have on the natural environment of the ACT announced in the Assembly on 16 February 1993;
- (2) if the Assembly is not sitting when the Committee has completed the preparation of the discussion paper, the Committee may send the paper 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 committee is nearly ready to present its discussion paper on feral plants and animals, and it seemed to us to be most beneficial to the community and to the Assembly if we had the ability to publish this paper out of session.

Question resolved in the affirmative.



**CANBERRA IN THE YEAR 2020 STUDY**  
**Final Report and Paper**

**MS FOLLETT** (Chief Minister and Treasurer) (12.22): Madam Speaker, pursuant to order, I present the final report of the Canberra in the Year 2020 study, together with a report by the reference group. I move:

That the Assembly takes note of the papers.

I am very pleased today to be able to table the final report of the Canberra in the Year 2020 study. Members will recall that this study was initiated by a reference from this Assembly in August 1992 and that the Government has tabled three reports outlining progress with the study. During the 12 months of the study a great number of people in Canberra have contributed to the development of a vision of what Canberra should be like in the year 2020. The study has benefited from significant inputs from ACT government agencies, particularly in the form of detailed issues papers presented with the second quarter report. I would like also to pay particular tribute to the staff of the Economic Development Division, who had overall carriage of the task.

I am very pleased that the Canberra community has shown considerable support for the study. Dr Peter Ellyard, the chair of the reference group appointed by the Government to gain community views, reports that the group met with 60 community organisations and other interested groups and received more than 50 written submissions from the community. I understand that reference group members also consulted extensively within their own networks and participated in a number of media events to gain community views. I would like to record my appreciation for the reference group's efforts to consult with the community in this study. I understand that many members gave generously of their time and expertise during the consultation period.

I believe that this report builds on Canberra's tradition of imagination and excellence. Canberra was founded on a vision of the people of Australia for a capital that would reflect the best of Australian life and demonstrate the capabilities of Australians. This vision has been refined and enhanced through the years to provide a capital Australians can be proud of, a superb city, both enhanced by and enhancing its natural environment. The time is now ripe for the further redefinition of Canberra's guiding vision. The goals of the past have now largely been achieved. Canberra is now much more than a Commonwealth administrative centre. It is one of Australia's key regional centres, with a developing economy of its own. Self-government means that the residents of Canberra now have more opportunity than ever before to take an active role in shaping the destiny of the city.

The report sets out a preferred future for Canberra from the perspective of the people who live in the city. While I believe that it is important for the people of Australia to continue to develop visions for their national capital, it is equally important for the residents of Canberra to have their own visions for their own city. This study has been a significant step forward for the development of that vision. The Canberra of the year 2020 envisaged in the report is a prosperous, attractive, healthy and safe city. The future Canberra of the report does not merely survive, but thrives as the leading city of one of Australia's most productive regions as well as the national capital. Canberra is seen as continuing its leading role in terms of its environmental and social policies, and also in the level of community participation and responsibility.

Canberra's prosperity and vitality in 2020 should be based on the strength and skills of its community, its leading edge social, educational and physical infrastructure, and a sound and sustainable economy. Our strong public sector and regional service industry base should be balanced by a vibrant export-oriented private sector reflecting Canberra's high educational and skill levels. The Canberra of 2020 should not only be enhanced by its natural environment but also set an example of how sensitive urban management can help enhance the environment. Innovative energy, waste management and transport systems will minimise the impact of Canberra on its environment in 2020.

To support the economic development and environmental advances, the report describes a social setting where the development of strong support networks, a reinforced sense of individual and community self-esteem, and a continuing focus on social justice principles all help to strengthen Canberra's social fabric. Canberra in 2020 should be a healthy and safe city where people of all ages live without threats of violence, lack of support or an uncaring community.

The study has made it clear that a fundamental concern of Canberrans is quality of life. It is a guiding principle for the report, a fundamental building block upon which the preferred future is laid out. Implicit in this principle is that Canberrans can expect a high quality of life, regardless of factors such as location, income or housing tenure. A key element of quality of life is access to services and resources and equity in their allocation. The report, by looking forward a generation into the future, considers these principles in the intergenerational context as well as the intragenerational context.

A second key consideration is community rights and responsibilities. Each member of the community can expect equal basic rights, the ability to exercise these rights, and to participate in the decisions that affect them. Diversity in aspects such as religion, culture, ethnicity and sexual preference should be respected. Alongside these rights, the report envisages a community that recognises a number of key responsibilities towards the environment and community support functions.

Quality of life is also about sustainability. This concept applies equally to social, economic and environmental aspects. Actions such as minimising urban waste products and pollution, constructing energy efficient buildings and dwellings, introducing pricing policies that reflect true environmental costs, and maintaining ecological diversity are essential for a sustainable society. Economic diversity in terms of a broad economic base and prudent financial management are elements of another side of sustainability. A further principle inherent in Canberra's quality of life that has guided the study is excellence. Canberra's development has demonstrated excellence in urban and environmental management. The report builds on this inheritance to suggest that Canberra has opportunities to become an international centre of excellence in several fields, including education, sport, public administration and environmental planning and management.

I believe that this report is significant in a number of respects. First, it is truly a visionary document. It sets out a picture of what Canberra should be like three decades from now. It does not attempt to make projections and then plot a strategy to fulfil expectations. Rather, it describes a future that we would prefer to have and sets out goals, targets and implementation principles to achieve this

preferred future. As a necessary part of the visioning process, the report does contain assumptions about directions for change in the local, national and global contexts. To a large extent, the achievement of the vision is not predicated on the correctness of these assumptions. However, achieving the preferred future is heavily dependent on the determination and industry of current and future residents. The future set out in this document needs to be worked at and created; it will not just happen.

Second, the report has been developed at an opportune time. Self-government is still in its early years in Canberra, and we will be involved in difficult transitions for several years to come. The financial transition is proving particularly difficult but is by no means the only element of transition. For example, we are also involved in the development of workable relationships with the Commonwealth and regional governments. It is therefore important that the report look beyond these pressing current issues, past the barriers we see in front of us today, to a future that we want to create. This will greatly assist us in setting priorities and assessing directions and actions for today.

However, the report would lack validity if it did not contain an indication of how Canberra could build an economy that was productive and sustainable. The report suggests that this can occur through gradual changes in the revenue and expenditure environments. Continued economic development and activity, together with a growing population, will increase the potential revenue for Canberra. In turn, the patterns of expenditure can be altered through several factors, including a renewed focus on preventative action regarding health, violence and social dependency. Maintaining the appropriate balance between revenue and expenditure while moving forward to achieving the preferred future will provide Canberra with significant challenges over the decades. Further, the report sets out a process for progressing the work that has gone into its preparation. It sets the foundation for integrated strategic planning in Canberra by providing the framework under which such planning can evolve.

The study looks a long way into the future and does not attempt to anticipate all of the changes and challenges that will confront Canberra over that period. It therefore sets out implementation principles rather than a detailed action plan. These principles will allow us to assess progress towards the preferred future. The directions set out in this report will be reflected in corporate and management decision making and integrated into the mainstream planning and consultation processes undertaken by government agencies. The broad directions established in this report, backed by regular reviews of progress, will also be taken into account in the next comprehensive review of the Territory Plan.

Finally, the report sets a vision which I hope will inspire and motivate the people of Canberra. However, I wish to emphasise that the preferred future of 2020 will not be achieved by chance or circumstance. It will become a reality only if the community and the Government work together to meet the challenges and overcome the inevitable obstacles to ensure the best future possible for Canberra. I commend the final report of the Canberra in the Year 2020 study to the Assembly.

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

**Sitting suspended from 12.33 to 2.30 pm**

## QUESTIONS WITHOUT NOTICE

### Tourism Commission - Advisory Board

**MR HUMPHRIES:** Madam Speaker, my question is to the Chief Minister. I refer the Chief Minister to her comment yesterday, quoted in the *West Australian* in fact, that Mr Charles Wright had been appointed to the ACT Tourism Commission advisory board on the basis that - and I quote - "He has an excellent record as a businessman and is well respected". Can she confirm that that Mr Wright is the same Charles Wright who was a director of Canberra Publishing and Printing and Canberra Mail and Print Pty Ltd? Did those companies go into liquidation? Did they, at the time, owe the ACT Government hundreds of thousands of dollars in unpaid payroll tax, general rates, water rates or sewerage rates? Had the same companies not paid group tax to the Australian Taxation Office for their employees? Did the employees of those companies not receive accumulated long service and recreation leave entitlements as a result of the companies' collapse? Does the Government believe that a person who has run two companies into the ground owing hundreds of thousands of dollars is a fit and proper person to advise the ACT Government on the business of tourism?

**MS FOLLETT:** I thank Mr Humphries for the question, Madam Speaker. Clearly, I will have to take the first part of the question on notice and provide as much of an answer as I can. I am sure that members will be aware that tax matters to do with individuals are not the subject of public debate, certainly not on my part, and this will be no exception. I will take the tenor of Mr Humphries's question on notice, Madam Speaker.

The second part of Mr Humphries's question relates to Mr Wright's fitness to hold a position as chair of the tourism advisory board. I repeat what I said yesterday; that in my view Mr Wright is doing an excellent job. Members have only to look at the recent performance in tourism in the ACT to see that that is the case. I should note, Madam Speaker, that the rest of the tourism advisory board includes some of the most senior tourism figures in this town. It includes people like Betty Churcher, the director of the National Gallery; it includes Mr Harmouche from the Hyatt Hotel; it includes representatives from the Canberra Visitor and Convention Bureau; and, as I say, a range of people who are amongst the most significant players in tourism in this Territory. With Mr Wright at the helm of that board, Madam Speaker, I really do believe that the tourism board has been able to achieve a new spirit of cooperation between the industry and the Government. He has been able to achieve new cooperation between this Territory's tourism activities and the national institutions' activities, particularly the Australian War Memorial and the National Gallery.

Mr Wright, since his time on the board, has introduced some new initiatives into this Territory. The most recent of them was the winter sizzlers campaign for tourism, which did significantly lift the occupancy rates in our tourism industry through what traditionally has been a very low season, the winter season. I think that is a remarkable achievement by him. That campaign attracted the support of some 53 industry participants in the Territory. I think that that is an extremely encouraging sign, Madam Speaker.

Mr Wright, through his activities with the Australian War Memorial, also has been able to involve this Territory much more closely in the events and functions that are generated by the War Memorial. I think that the dedication of the Tomb of the Unknown Soldier, which is coming up, is only one example. The Vietnam veterans dedication previously was another example.

Madam Speaker, Mr Wright and his board also will be exploring the opportunities in this Territory to develop ecotourism. This is a field of tourism which we have not previously been strong in, although, with our environment and with our assets in this Territory, it is a field that we ought to be strong in. So, again, there will be new initiatives coming out of this present tourism board under the chairmanship of Mr Wright.

**MR HUMPHRIES:** I ask a supplementary question, Madam Speaker. I thank the Chief Minister for taking on notice that part of the question related to Mr Wright's companies; but I ask whether, in light of her comment yesterday that Mr Wright had an excellent record as a businessman - I assume that she was accurately quoted - she was aware of any of the difficulties that his companies, the companies that he was associated with, had been in when she made the appointment of him as head of the tourism advisory board.

**MS FOLLETT:** Madam Speaker, of course I was generally aware of matters to do with business in this Territory, as I am aware of business difficulties that, say, Mr Westende has had also and which are not entirely irrelevant in this case, I suggest.

**Mr Lamont:** And not unrelated.

**MS FOLLETT:** And not unrelated. Madam Speaker, I am all too aware that a great many businesses have had difficulties in recent years. You would have to have had your eyes shut throughout the recession not to know that. Madam Speaker, as far as I am aware, it is not against the law, unless there is some specific law broken, for a company of any description to have a difficult time.

**Mr Humphries:** He is hardly an excellent businessman, is he?

**MADAM SPEAKER:** Order!

**MS FOLLETT:** Madam Speaker, I repeat that I consider Mr Wright to be a businessman in good standing in this community. I believe that his company, the Wright corporate group, is a company in good standing.

**Mr Berry:** Good enough for Mr Westende to deal with.

**MS FOLLETT:** Exactly. I regard this continual slur as being detrimental not only to the operation of this Assembly but also to tourism in this Territory. I think it is regrettable that the Opposition have continued in this vein. Mr Wright is on the board of the Australian War Memorial and he is the national director of the RSPCA, in addition to the appointment which I have made. I repeat that his standing is high and I believe that he deserves the chance to get on with the good work that he is doing on behalf of this Territory's tourism industry.

### **Australian Capital Auctioneers**

**MRS CARNELL:** My question without notice is to the Treasurer. Can the Treasurer inform the Assembly as to the amounts of money lost by the ACT Government in the collapse of Australian Capital Auctioneers? Can she also confirm that the assets registers of various ACT government agencies are completely deficient, despite the recommendations of the Auditor-General, and that the true extent of the loss may never be known?

**MS FOLLETT:** Madam Speaker, I thank Mrs Carnell for the question. I certainly have noted with concern the recent reports on the company which has gone into liquidation. There is, as members may well know, a review under way at the moment of the Agents Act, and included in that review is the issue of licensing for auctioneers. There will be a discussion paper released shortly on this matter and I will certainly draw it to members' attention at the time. There are matters before the courts dealing with this particular question, and for that reason I think it is probably best if I take the substance of Mrs Carnell's question on notice and, again, provide her with substantive replies as soon as I can.

**MRS CARNELL:** I ask a supplementary question, Madam Speaker. Is the Treasurer aware that no dividend is expected to be paid from the liquidation of Australian Capital Auctioneers? Taking this into account, will the Treasurer refer the matter to the Auditor-General for investigation? If not, why not?

**Mr Connolly:** It is a private sector company that went bust. The lesson is that we should use public sector companies, not private sector companies, because they do not go bust.

**Mrs Carnell:** Yes, with a lot of our stuff, a lot of our money.

**MADAM SPEAKER:** Order!

**Mr De Domenico:** And the question was not to you.

**Mr Connolly:** So you get a free answer - two for the price of one.

**MS FOLLETT:** Go for your lives. Madam Speaker, given the amount of debate that has already gone on here, I think that I will also take that part of the question on notice and deal with the substance of the question.

### **Territory Plan**

**MR LAMONT:** My question is directed to the Minister for the Environment, Land and Planning. Minister, what now is the status of the Territory Plan tabled in the Assembly on 16 June?

**MR WOOD:** It is noteworthy and the question is worth answering. The six sitting days during which a motion of disallowance could have been moved about the plan expired yesterday. So the plan that so many people have worked on, that I have worked on and that members of this Assembly have given so much attention to, has passed through this house. It will be brought into operation on a date yet to be gazetted. Obviously, now, the Planning Authority is

printing, I believe, 1,000 copies of the plan. It was not prepared to do that until those six sitting days had expired. In this period, too, there has been a process of working out development guidelines for the B1 areas and for other areas of Canberra where there will be some attention. We are putting into place the appeal system. I think that date of gazettal will be fairly soon, certainly as soon as we can manage it.

### **Betterment Tax**

**MR MOORE:** My question is also directed to Mr Wood as Minister for the Environment, Land and Planning. It refers to his statement on betterment made here on Tuesday. The Minister said in his ministerial statement:

Certainly, if potential were excluded, a greater return could be expected. In a recent instance a before value of \$900,000 was levied on a consolidation of four blocks to enable a medium density development. If potential had been excluded, the before value would have been \$600,000 - a difference of some \$300,000.

Could the Minister confirm that he was referring to section 22, Braddon? If that is the case, would the Minister please provide the after value and then explain how those before and after values were arrived at?

**MR WOOD:** Yes, it would be a fair assumption to make that that was Braddon, which was the source of a lot of discussion. I will provide Mr Moore with the details of how that estimation was made.

### **Australian Capital Auctioneers**

**MR DE DOMENICO:** My question without notice is to the Treasurer. In light of the collapse of Australian Capital Auctioneers, the extent of the loss to the ACT government revenue and the losses incurred by individual members of the ACT community, is the Treasurer aware that principals of the failed Australian Capital Auctioneers are seeking auctioneer licences in the ACT?

**MS FOLLETT:** Yes, I was aware that they were seeking auctioneers licences; but, as I say, the matter of the issue of auctioneers licences is under review as part of a review of the Agents Act. That is about as much information as I can offer to Mr De Domenico on the subject. I would again say that there are matters before the courts and I am not in a position to be as fulsome as I usually am in answer to members' questions on matters to do with business. I will take the broader question on notice and provide as much information as I can.

**MR DE DOMENICO:** I have a supplementary question, Madam Speaker. In light of the Chief Minister's answer to that question, seeing that she is aware that applications for licences have been put in again, has the ACT Government made representations to the court in respect of the suitability of the former principals to hold auctioneers licences?

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**MS FOLLETT:** Madam Speaker, as I say, matters which are before the courts have a certain standing in this Assembly, as well as elsewhere, and to the best - - -

**Mr De Domenico:** But have you contacted the courts? They owe us heaps of money.

**MS FOLLETT:** To the best of my knowledge, no, we have not; but, as I say, we will be - - -

**Mrs Carnell:** They do not even know how much they were owed. That is the problem, because their records are awful.

**Mr Berry:** Madam Speaker, I raise a point of order. These people opposite ask questions and refuse to allow people to answer them. I know that they have called upon Bronnie to come and give them some ugly lessons, but they do not need any. They are ugly enough already. She will probably go away after getting a lesson or two herself from these people. Would you ask them to be quiet after they have asked their question, in order that people can answer the question.

**MADAM SPEAKER:** I remind members today to have a good look at standing order 61 and to keep that in mind as question time proceeds.

**MS FOLLETT:** Madam Speaker, to conclude, I would remind Mr De Domenico of what I have said. I am aware that these people have applied for licences. The matter is before the courts and I cannot comment on it. Nevertheless, the question of issuing auctioneers licences is under review. Of course, a crucial part of that review is what controls need to be put in place to ensure that auctioneers are above board in all of their dealings. The precise purpose of the review is to ensure that the consumer, the Government, everybody, is protected in their dealings with auctioneers.

### **Libraries - Opening Hours**

**MS SZUTY:** Madam Speaker, my question without notice is to the Minister for Urban Services, Mr Connolly. I gave Mr Connolly notice this morning that I would be asking this question this afternoon.

**Mr Cornwell:** That is not a question without notice.

**Mr De Domenico:** Did he answer it when you gave him notice?

**MADAM SPEAKER:** Order!

**MS SZUTY:** In the *Canberra Times* on 30 June the Minister was reported as saying that Woden and Belconnen libraries would be open for four hours on Sundays for a trial period. How successful has the trial been and is the Minister considering extending library opening hours on Sundays to other Canberra libraries in addition to Woden and Belconnen?

**MR CONNOLLY:** I thank Ms Szuty. Obviously she has a genuine interest in this. She wanted an answer on a detailed issue of administration and she gave me some indication that she wanted the matter researched. We were able to do that.



**Mr Humphries:** It is not the idea of question time.

**MR CONNOLLY:** Mr Humphries will indicate that the idea of question time is to score cheap political points. Ms Szuty thinks the idea of question time is for members representing members of the community to gain information. The public can decide which of you has the better approach to question time.

In fact the article in the *Canberra Times* referred to the report and said that we would be looking at this. I was not sure whether we had started the trial opening or not when I spoke to her this morning. In fact, we have not yet. It is a goal. We would like to get some libraries opening on a Sunday because we know that young people, particularly college students, would find that extremely useful. As part of the planning process for the next financial year, we are going to look at a range of options. The consultant's report that this was based on actually recommended opening the libraries on Sundays with a trade-off for some other matters, like closing the Civic library on Saturday afternoon and closing the Kippax library altogether. I have already made it clear that the Government will not be closing the Kippax library and the option of closing the Civic library on Saturday afternoon is obviously very unattractive. Given that the goal is to make it easier for, particularly, college students who may wish to use a library, chopping out Saturday afternoon in Civic would be very counterproductive.

We are rejecting some of the things that they were looking for us to trade off for Sunday opening. However, we are looking at a wider assessment of opening hours and business planning for the Library Service. This will include seeking user and non-user views about the most appropriate opening hours, cost implications and the impact on staffing. I should point out that the discussions with the staff are important because, in the context of enterprise bargaining with the unions, it may be possible to come up with some arrangements for the library staff that allow us to have more flexible opening hours within the constraints of our budget.

**MS SZUTY:** I have a supplementary question, Madam Speaker. Given that the trials have not commenced yet, when does the Minister expect that libraries will be open on Sundays for a trial period?

**MR CONNOLLY:** I cannot give you a specific date, Ms Szuty. As I say, the recommendations were based on some offsets that we have rejected. We are looking at ways of doing it without those offsets.

### **Canberra Airport**

**MR WESTENDE:** My question is also directed to Mr Connolly, the Minister responsible for transport. What recent steps has the Government taken in furthering debate on developing an international airport in Canberra? If Australia wins the Olympics in the year 2000, would it not be to the great advantage of the ACT to have an international airport? Would the Minister agree that, as the national capital, Canberra should have an international airport? Would the Minister further agree that, in order to benefit most from the forthcoming visit to Japan of the Chief Minister, we do need an international airport?

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**MADAM SPEAKER:** Mr Connolly, I think that does range into the hypothetical, but I will leave you to make what you want of it.

**MR CONNOLLY:** Yes. I would also say that, while I am responsible for land transport, and the ever more efficient ACTION bus fleet in particular, this issue falls within the portfolio responsibilities of the Chief Minister in respect of economic development.

**MS FOLLETT:** I can say to Mr Westende, Madam Speaker, that I consider that it would be of enormous benefit to the Territory if we did have an international airport here. It would be of benefit to our tourism industry, without any doubt, and it would be of benefit also to our wider economic development. As members will know, for some time we have been working towards creating an international freight hub at Canberra Airport and we have done some studies in connection with that ambition on behalf of the Territory. Madam Speaker, Mr Westende referred in particular to the Olympics. It is quite clear that if Sydney is successful in its bid for the Olympics it would be of enormous benefit to this Territory if we had an international airport. It would mean, for instance, that we could bring visitors direct to Canberra and then on to Sydney for the Olympics or vice versa. I do expect that the Olympics will generate tourism to this Territory. Indeed, that is a large part of the reason why, as a government, we have supported the Sydney bid for the Olympics - because of the spin-offs to the Territory.

I can advise Mr Westende that I have recently formed a small working party aimed at furthering our wish to have an international airport in the Territory. I had discussions in very general terms some time ago with the Federal Airports Corporation, which is in charge of our airport. I believe that we need now to take a rather more proactive stance on the issue; so I have formed a small working party. They will be pursuing the issue with the Federal Airports Corporation. They will be seeking to gain support from ACT industry, in particular the tourism industry, and generally developing a case for our airport to become international. In developing that case, Madam Speaker, I believe that members will realise that we really are in competition with a number of other centres in Australia and that it will be a very tough battle to get Canberra upgraded to an international airport. Nevertheless, we are working on it and, as far as I am concerned, the sooner it occurs the better.

**MR WESTENDE:** I have a supplementary question, Madam Speaker. Is the Chief Minister aware that we have some 26 international airports in Australia and that we would be about the only national capital in the world that does not have an international airport?

**MS FOLLETT:** I am aware of that, Madam Speaker, and I think it makes the case for this Territory to have a international airport all the more pressing. As I have outlined to Mr Westende, it is not something that we have just put on a wish list and hoped to achieve; it is something that we are actively working upon. I am sure that the move will be welcomed by ACT industries and ACT business people because, as I say, it opens up our economic opportunities to an extent that has not been possible so far.

### **ACTION - Fraud Allegations**

**MS ELLIS:** My question is directed to the Minister for Urban Services. What does the Minister say to allegations that fraud is tolerated in the ACTION system?

**MR CONNOLLY:** I thank Ms Ellis for the question. I was concerned to see a newspaper report yesterday which suggested in relation to a Merit Protection and Review Agency decision that it was said that fraud was tolerated within ACTION, and I think it is important that the record be set straight. That may well have been a reflection of past practice under previous governments; but, certainly, in the period of this administration, we have made it very clear that fraud is not tolerated within the bus system. Since 1991 there have been three occasions, Madam Speaker, when the police have been called in and matters such as the theft of bus tickets have been dealt with as a police matter, have been brought before the courts and guilty pleas obtained or convictions obtained. So it has been made abundantly clear that fraud will not be tolerated within ACTION; that fraud will not be tolerated in any area of this administration.

The members opposite have often been very enthusiastic, one would almost say rabid, in relation to fraud by blue-collar workers, claiming that the Government must crack down on fraud by blue-collar workers and take a tough approach and criminal action, but they have been noticeably silent on the findings of the Auditor-General in relation to visiting medical officers, Mrs Carnell even being quoted as saying, despite reading the report, that there is no evidence of problems. Madam Speaker, I hope that members opposite will be as enthusiastic in relation to this Government's crackdown on fraud by white-collar professionals as they have been in relation to this Government's crackdown on fraud in blue-collar areas.

### **Education Budget**

**MR CORNWELL:** My question is directed to the Minister for Education and Training, Mr Wood. Is it a fact that teacher award conditions are covered by industrial awards? If so, how do you propose to vary such conditions in order to make the education funding cuts in the 1993-94 budget as you indicated on 12 July?

**MR WOOD:** Madam Speaker, perhaps Mr Cornwell can show me what I indicated on 12 July. If he quotes a newspaper report he should be very careful to see that he attributes to me the exact words that I have spoken. I recall that a little time ago I had a discussion with a reporter about the costs and where expenses arise in our education system. I do not believe that I gave any indication, as Mr Cornwell suggests, of what may or may not happen in the budget. His question is based on an assumption and I think he should wait until after the budget before asking questions.

**MR CORNWELL:** I have a supplementary question, Madam Speaker. Perhaps Mr Wood needs some clarification on this matter. I would not like to misquote him. Perhaps he would like to comment on the highlighted section.

**MR WOOD:** Madam Speaker, what I said was absolutely correct.

### Water-skiing

**MRS GRASSBY:** My question is directed to the Deputy Chief Minister in his capacity as Minister for Sport. What is the Government doing to assist the ACT Water-ski Association to accommodate elite training?

**MR BERRY:** There is a solid squad of water-skiers in the ACT and there are limitations on the water space which is available to them to practise their sport. There are some amongst that squad of recreational water-skiers who aspire to elite level and there are some elite level water-skiers in the ACT.

**Ms Follett:** We had a world champion, I think.

**MR BERRY:** Indeed. We have access to waterways in the Molonglo River, at Molonglo Reach; but there is not much that we can do to create more water space, except use those areas which would be rejected because of their incompatibility with the management of water supplies and so on. I think that for some time we may hear of some frustration amongst those water-skiers about water space. I guess we have to say that we will never have an unlimited amount of water space for water-skiers and we have to call on them to use whatever we have sparingly, so to speak, to ensure that those people who do aspire to elite level continue to get access to water space in order that they can practise their sport and represent the ACT and Australia at elite level.

Those of you who have been out on the Molonglo River know that it can get very busy because there are recreational boat owners, there are recreational skiers, and, of course, there are people who are trying to train for elite level. We cannot just automatically close down areas of water space because elite skiers want access to it. The community also has rights of access in relation to it.

**Mr Cornwell:** Give them a little more time. You could do that.

**MR BERRY:** As the Liberals always - - -

**Mr Cornwell:** I have written to you on this, Minister, and you are aware of that. I have not had an answer yet.

**MR BERRY:** It is never enough. It is too much, too fast, too slow, too high, too low, not enough, too much. Mrs Carnell is an artist at it. As I said, they get quite ugly about these issues any time that they are unable to convince somebody that it ought to be more or less, or more time or less time. We can never satisfy you people. There are some factors that are never going to go away, and one is the shortage of water space. There was a proposal by water-skiers to open up parts of Lake Ginninderra for water-skiing. I can say to you categorically, no; that is not going to happen. There will be no water-skiing on Lake Ginninderra. It was never intended that it would be there, and this Government will not allow it. Neither would the community accept it. I know that there was some strong lobbying to have access to Lake Ginninderra. There would also be strong resistance from all quarters of the community to expanding water-skiing on Lake Ginninderra and Lake Burley Griffin to a full-time basis.

Madam Speaker, I regret to say that there will be some tension, for as far into the future as I can see, about the water space that is going to be available for water-skiers. Regrettable though that might be, it is a fact of life; it is something that we are going to have to live with and make sure that we manage what we do have in a way that provides access that people see as reasonable in the circumstances. I guarantee that we will do everything to ensure that what is supplied is reasonable in all the circumstances, and wherever we can find more water space which might be available we will work towards providing more space; but there are limitations.

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

### **HEALTH COMPLAINTS LEGISLATION - EXPOSURE DRAFT Paper**

**MR BERRY** (Minister for Health, Minister for Industrial Relations and Minister for Sport) (3.02): For the information of members, I present an exposure draft of the health complaints legislation, which includes a draft of the proposed Health Complaints Bill and Ombudsman (Amendment) Bill, together with draft explanatory memoranda. I move:

That the Assembly takes note of the paper.

The draft Health Complaints Bill has been prepared as a result of the Government's election platform and release of the discussion paper, "An Independent Health Complaints Unit for the ACT". So, Madam Speaker, this is another stage of the Government's very strong commitment to consultation with the community about the things that affect the community. The purpose of this Bill is to provide for the oversight, review and improvement of public and private health services by establishing an accessible independent facility that will preserve and promote health rights of the users of public and private health services; will receive and resolve health service complaints; will enable users and providers to contribute to the review and improvement of health services; and will provide education and advice in relation to health rights and responsibilities and encourage the resolution of complaints about health services.

The long title of the Bill further captures the purpose of the Bill. It states:

An Act relating to the rights and responsibilities of users and providers of health services and to provide for the resolution of complaints arising out of the provision of those services.

The legislation is at the forefront of health consumer protection. It is watchdog legislation for consumers, and I have no doubt that it will help lead the way to the enhancement of health consumer rights.

The Bill provides for the establishment of the position of Commissioner for Health Complaints to receive complaints over a range of public and private health services, and to assist in the resolution of disputes between users and providers with the aim of improving complaint resolution processes, and, as a consequence, the standard and quality of services. The establishment of the Commissioner for Health Complaints honours a pre-election commitment of this Government and responds to community demand for greater accountability in the provision of health services and for recognition of the rights of consumers to participate

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effectively in decisions about their health care. The Bill therefore is an integral part of the reform of health services undertaken by this Government to make health service providers more accountable, effective and responsive. Community needs and community participation in the delivery of health services underpin this draft legislation.

Madam Speaker, the majority of health consumers appreciate the health care they receive and only a small percentage feel that they need to comment on their experience. However, the reality is that things can and do go wrong. Systems are not perfect and there are some health professionals who, for all kinds of reasons, do not provide health care of the highest quality. Consumers have a right to expect that the service they receive is a quality one. There are also services provided outside the mainstream health system where the level of training, supervision or overall control of these services is not as effective. These services will also come within the jurisdiction of the Commissioner for Health Complaints.

The Commissioner for Health Complaints will be equally committed to promoting and protecting the rights of both providers and health consumers. The Commissioner for Health Complaints will be a statutory officer and totally independent of ACT Health. The Commissioner for Health Complaints will be statutorily obliged to act impartially, in the public interest, and to observe the principles of natural justice. The functions of the Commissioner for Health Complaints are specified in the draft legislation. The Commissioner for Health Complaints will report to the Assembly through the responsible Minister. Matters upon which the Minister can direct the Commissioner for Health Complaints are clearly set out in the draft legislation. Any direction the Minister gives the Commissioner for Health Complaints will be included in the report of the Commissioner for Health Complaints to the Assembly and will provide clear accountability of the Minister to the Assembly in relation to the independence of the Commissioner for Health Complaints.

The Bill provides for the development of a code of health rights and responsibilities for both users and providers of public and private health services. Madam Speaker, only one other State specifically articulates a code of health rights and responsibilities or provides a mechanism to deal with any breach of those rights. It is recognised that the exercise of the powers and functions under the draft legislation, and the protocols developed by the Commissioner for Health Complaints, will be critical to the eventual acceptance of the Commissioner for Health Complaints and the unit among providers and the public generally. The Bill therefore provides for an oversighting advisory body, the Health Rights Advisory Council, to be established. This council will be responsible for providing advice to the Minister and the Commissioner for Health Complaints on the redress of grievances relating to health services and will also advise the Minister on the general operation of this Act. The membership of the council will include representatives of users and providers.

In relation to the handling of health services complaints, the emphasis in the Bill is on assisting users and providers to resolve matters locally or by way of conciliation. We are all aware that the vast majority of complaints are due to poor communication between consumers and providers, and that, by the simple process of bringing the two parties together, most problems can be resolved. Conciliation will enable a complainant and provider to resolve a matter with the assistance of a mediator who will be skilled in dispute resolution.

The integrity of conciliation is preserved in the draft legislation by requiring the conciliator to perform this function separately from other activities of the unit. A conciliator will not be involved in the investigation of complaints. Anything said or admitted during conciliation is privileged and confidential information, as are any documents created for the purposes of this process. There is a penalty for unlawful disclosure of information arising out of the conciliation process. There are exceptions to the legal privilege of conciliation which are clearly defined in the draft legislation, and they include specified court proceedings for the purpose of having an agreement, made between a complainant and provider, set aside. Health service providers will therefore be able to place their confidence in the system of conciliation to be established under the draft legislation. The rights of all persons involved with the health complaints process have been recognised and comprehensively protected in the Bill.

The draft legislation gives a central role to the Commissioner for Health Complaints in providing assessment of all health service complaints, including those made against registered providers. The discretionary power of the Commissioner for Health Complaints to determine which authority has the most appropriate functions and powers to investigate a complaint will establish a special relationship between registration boards and the Commissioner for Health Complaints. Once the Commissioner for Health Complaints has determined that a complaint should be dealt with by another agency, the complaint must be referred and the Commissioner for Health Complaints cease action on the complaint unless it is referred back. However, Madam Speaker, it is important to note that registration boards will retain all their present functions and powers in relation to disciplinary matters. This emphasises the fact that the Commissioner for Health Complaints will not have a prosecutory function in respect of registered providers.

Following any investigation or inquiry, the role of the Commissioner for Health Complaints will be to decide when a complaint is justified, to recommend in a written report what actions should be taken to remedy the complaint, and to obtain a response from the provider on any action or actions to be implemented. A penalty applies should the provider not respond to a report. The Commissioner for Health Complaints may also make a report to an authority that has the ability to take action on matters raised in the report. The Commissioner for Health Complaints will have the very important function of facilitating the resolution of complaints between users and providers of health services. Madam Speaker, the Bill is also designed to provide the Commissioner for Health Complaints with the opportunity for systems problems to be identified and for appropriate action to be taken. Therefore, he or she will also have a key function in identifying areas of health policy, administration or service delivery arising, as they may, out of health service complaints that can be changed or improved for the benefit of the community.

In summary, Madam Speaker, the Bill enables the development of a health service system of the highest quality by enshrining the development of a code of health rights and responsibilities; establishing a special relationship between registration boards and the Commissioner for Health Complaints; focusing on the public interest and the improvement of health services; and the requirement for consultation and a close working relationship with consumers and providers.

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Madam Speaker, this is further evidence of Labor's commitments to improved health systems in the ACT. It accompanies, of course, the vast improvements that already have been made. I think the people of the ACT will be satisfied that there is an independent person provided by government to ensure that their complaints are adequately surveyed and settled where possible.

I commend the exposure draft of the Health Complaints Bill, together with the amendments to the Ombudsman Act 1989, to the Assembly and present the draft explanatory memoranda for the Bills. Madam Speaker, this is part of an important process of consultation and one which we value. I look forward to receiving the comments - - -

**Mr De Domenico:** Gee!

**Mr Humphries:** Oh, yes!

**MR BERRY:** Don't they get agitated about the consultative nature of this Government? Every time you mention the consultative nature of this Government they get a little bit of a twitch up, but it is usually - - -

**Mr De Domenico:** Freedom of information.

**Mr Humphries:** Yes, the hospice, North Watson.

**MR BERRY:** You want to teach Bronnie about this; teach Bronnie about these ugly little habits of yours. It is something she might be able to take away from here. Madam Speaker, I look forward to receiving the comments of the public and my fellow Assembly members, and I invite and encourage members, even members of the Liberal Party in the Assembly, to contact my office should they be interested in receiving a thorough briefing on the Bills.

Madam Speaker, I turn to the Ombudsman (Amendment) Bill, which also relates to this matter. The establishment of the draft legislation concerning health complaints necessitates some consequential amendments to the Ombudsman Act. There will be a Bill providing for those amendments. It irks you people opposite to see these great things coming out of a Labor government, does it not? The amendments are designed to ensure that the Ombudsman does not have jurisdiction over the Commissioner for Health Complaints or staff of the Health Complaints Unit. Further, the Ombudsman will no longer have jurisdiction to investigate the actions of agencies in respect of health service matters. Madam Speaker, I commend that to the Assembly as well. This is part of the comprehensive package of improvements to health services in the ACT that Labor has been involved in and will continue to improve. The report this morning from the PAC, I think it was, noted the very significant improvements which have been made in health management in the ACT. It will continue. This is just a small part of it.

Question resolved in the affirmative.



## PAPER

**MR CONNOLLY** (Attorney-General, Minister for Housing and Community Services and Minister for Urban Services): Madam Speaker, for the information of members, I table draft regulations under the Criminal Injuries Compensation Act that I referred to this morning when introducing the Bill.

### HOUSEHOLDER SURVEY REPORT Ministerial Statement and Paper

**MS FOLLETT** (Chief Minister and Treasurer): Madam Speaker, I ask for leave of the Assembly to make a ministerial statement on the 1993 ACT householder survey report.

Leave granted.

**MS FOLLETT:** Madam Speaker, I am pleased to announce the launch of the 1993 ACT householder survey report. The report marks the conclusion of the consultation process which began in March this year. At that time survey questionnaires were distributed to all Canberra households. As with its predecessor, the 1993 householder survey was well received by the community. Over one-third of all households participated. This exceeded the response received by the 1991 ratepayers survey. Data from the survey was made available to relevant agencies in June of 1993 and it is being drawn on in the development of their 1993-94 management plans.

The report provides a detailed analysis of the survey results. It includes an examination of the findings on a regional basis. The report provides important information on the community's views on major issues such as community safety and the quality of ACT health services. It presents valuable baseline data that will assist future planning and policy development in many other areas, including housing, energy use, water conservation, control of domestic pets, the use of ACTION bus services and ACT government shopfronts, the cleaning of public places and participation in organised sport.

Madam Speaker, I know that all Assembly members will read through the report with considerable interest and I would like now to highlight some of the findings. Energy use patterns have changed over the past five years. There has been a clear move away from wood as a primary heating source in both new and existing homes. ACTEW estimates that the resultant savings in carbon dioxide emissions is around 100,000 tonnes per annum in the local area. The analysis, however, also points to a reduction in the use of electricity and solar power for heating water in favour of gas. There may well be a need to increase awareness of the benefits of solar power. In relation to water conservation practices, the report points to the need for greater education and awareness of the benefits of indoor water conservation practices. The information provided on domestic pets is particularly valuable. It represents the first formal estimate of the ACT's dog and cat population. It also suggests that, on the whole, stray pets were not seen as a problem among respondents.

The survey results represent the first comprehensive data on the proportion of the community which use ACTION services. Around two-thirds of Canberra's households have at least one member who uses ACTION and, of these households, 40 per cent have members who use the service between five and seven days a week. The report also indicates that, on a proportional basis, Belconnen respondents use ACTION services the most. The busiest of our shopfronts is Civic, servicing the large working population in the city and handling a significant amount of business from Weston Creek and Woden Valley. The findings on keeping public places clean suggest that areas around shopping centres and parks should be the top priority. The report provides a comprehensive breakdown on perceptions of community safety. It indicates that less than a third of respondents felt that community safety was a major problem in Canberra. The report, however, points to particular forms of community safety and regions in Canberra where clearly there are concerns and where householders believe that attention is warranted.

Data on participation in organised sport suggests a need to target future programs at getting more adults actively involved in sport as competitors. It was pleasing to see that there is broad equality in sport participation between females and males. The findings on the ACT health services suggest that, of those people who used the services in the past year, 46 per cent regarded the service quality as high, 34 per cent as average and 20 per cent as low. The services with the highest profile were community nursing and Calvary Hospital in-patient services.

Madam Speaker, the householder survey plays an important role in allowing the people of Canberra to participate in the future planning and management of the ACT. It is a cost-effective means of obtaining information on the community's use of and views on ACT government services. It also provides a means of informing the community on the range of ACT government services as well as on policies being pursued by the Government. The success of the survey this year indicates continuing community support for this type of consultation process. The survey will continue to be a part of the Government's consultation program in the future, with the next survey to be held in 1995. Madam Speaker, copies of the report will be made available throughout the ACT Library Service and for sale to the public through ACT government shopfronts from Monday, 30 August, at a cost of \$8. I present the report and a copy of this statement. I move:

That the Assembly takes note of the papers.

**MR DE DOMENICO (3.20):** Madam Speaker, the Liberal Party looks forward to having a good look at this current survey. I want to make a couple of comments on previous surveys. The 1991 survey of ratepayers and Housing Trust tenants, I think it was called, had a very good response rate. Let us have a look at what those people had to say. In relation to ACTION buses, for example - this is the 1991 survey - almost 60 per cent of respondents were not using ACTION because of the need to catch two or more buses and the travel time involved. This was significantly higher, according to the survey, in Belconnen, Tuggeranong and Weston Creek. To give the lie to the claim of the social justice argument, Madam Speaker - that is, that it is mainly low income earners who use ACTION - it was the case that 58 per cent of Housing Trust tenants mainly travel to work by car. That is an interesting result of that survey as well.

In respect of community safety and the level of rates and charges, which I note the Chief Minister did not mention in relation to this survey, in previous surveys, except for community policing - and that is an interesting point - the majority of households responding did not indicate a willingness to pay higher rates and charges. That was in the previous survey prior to the recent hikes in rates and charges. One wonders what the people of Curtin think, now that their rates have gone up - some of them by 61 per cent. Many pensioners, superannuants, single parent families and other low income earners are saying that they had difficulty paying the present level of rates. In relation to the Housing Trust, previous surveys have said that tenants indicated a significant concern about the time taken to get maintenance work done.

In relation to the efficiency of the ACT Government - something else that the Chief Minister did not mention - previous surveys have suggested that there were numerous complaints about the large number of ACT public servants and that the same jobs should be done with a smaller and more productive ACT work force. Complaints of improper use of government vehicles come up from time to time, as do the use of vehicles for private purposes and excessive numbers of government vehicles. In relation to the roads and road maintenance, the previous surveys showed numerous comments about instances of money being wasted on unnecessary works, and that was actually damaging traffic arrangements. One wonders now, since this survey, whether anything has been said about that wonderful edifice, the \$6.9m one-and-a-quarter kilometre lane on Athllon Drive. Many suggestions were put forward, Madam Speaker, for improving government administration, including the use of cost-efficient private contractors and the corporatisation of government authorities. We know that since that survey the Government has done the opposite by taking the ACTTAB. So, that is good consultation and really doing what the community wants you to do!

The survey said that there should be more corporatisation of government authorities. What did the Government do in light of this wonderful consultative thing? They brought things back into statutory authorities and into the public service. The surveys have also said that the Government should improve the efficiency of the Housing Trust. Mr Berry should take note that the surveys have said that there is megabureaucracy and megainefficiency in Health. But, once again, Mr Berry, about 10 minutes ago, stood up and said that he is doing all these wonderful things. The community is telling you that there is megabureaucracy and megainefficiency in Health.

The very people whom you are asking questions of are telling you what is wrong. Mr Connolly should take note because the surveys have said to Mr Connolly that he should be continuing to improve ACTION work practices - smokos, card playing, roster arrangements, overtime payments and strikes. These are words out of the survey. It also says to sell high priced Housing Trust sites in inner areas and to buy sites in outer areas.

**Mr Connolly:** Yes, they were Liberals that were responding to the survey.

**Mrs Carnell:** Oh, so they are no use. We do not consult them. We consult only the ones who agree with us.

**MR DE DOMENICO:** No, we do not consult with them. When the Chief Minister stands in this place and waxes lyrical about two or three positive things that surveys say, she should also say what she has done about taking note of what previous householder surveys have said, particularly the most important one, Madam Speaker - that, except for community policing, the majority of householders responding did not indicate a willingness to pay higher rates and charges. Some of them got slugged 60 per cent on top of that anyway. As I said, Madam Speaker, my colleagues in future will be responding to the current householder survey report.

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

### **FOSTER CARERS** **Discussion of Matter of Public Importance**

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

The failure of the Follett Labor Government to adequately subsidise foster carers in the ACT.

**MR CORNWELL (3.25):** Madam Speaker, many Assembly members were advised in June of this year of a decision to close the residential alternatives for teenagers, or RAFT, program conducted by Barnardo's in the ACT, which is currently looking after 12 teenagers. These 12 teenagers are part of a total of 71 currently in foster care by the department and by other private agencies as well as Barnardo's. There are other teenagers in residential care, again including departmental care. They total throughout the ACT 130 persons, on departmental figures.

Essentially, the difference between the two types of care - foster and residential - is that the former is in a family situation, while the latter is more institutionalised and is a group setting. I make no comparison between the two in terms of care and attention. I am sure that both are as good and as loving as can be provided. However, commonsense alone, I suggest, would indicate that on a one to one basis the care that could be provided in a fostering family situation would be more directly personal. This, indeed, is what the then ACT Welfare Branch of the department also thought in 1985, because it approached one agency, namely Barnardo's, to set up a professionally run adolescent fostering program for emotionally disturbed teenagers. Lack of community based placement facilities prompted this approach.

So enthusiastic was the Welfare Branch of the department to obtain support from non-government agencies that it paid \$220 per week, rising to \$240 a week in 1990, per child, to the carers for the service. However, in 1991, following a review by the same Welfare Branch, the foster payment was reduced by \$140 to only \$100 per week. Faced with the unpalatable choice of either abandoning the program and the teenagers involved or subsidising the costs, Barnardo's elected to subsidise. In fact, it was very much a Hobson's choice if one had any compassion whatsoever.

This situation has continued for the past 23 months, at heaven knows what annual expense to Barnardo's, with the Government's contribution in that period rising by only \$6 to \$106 per week. However, faced with a 1993-94 subsidy of \$70,000 - it is significant that this money is coming from New South Wales, not ACT, sources - Barnardo's have said, "Enough; we can no longer fund the project". That is the background. Unless the government subsidy is increased, the 12 teenagers currently in the RAFT program ultimately will be uprooted and moved into residential care, even if in the short term these adolescents and their foster families do stay together. I understand that this decision will be taken by Barnardo's as from 1 October this year.

What this might do to already fragile and vulnerable young people only just beginning to develop relationships with foster families is anyone's guess. And why? According to the Minister, the original RAFT program funding of \$240 was for young people with "special needs and problems". The 1991 review decided that such payments for young people with special needs should be attached to the young person rather than to the program itself. Effectively, this creates two types of young people - those with special needs and those without them. Those without them have the government subsidy for care under the RAFT program reduced, and that process has the advantage that it saves the Government money. It also has the disadvantage that it is transparently unfair. The very fact that these young people find themselves in a situation that seeks placement in foster or residential care would indicate that they all have special needs and problems. Why do you attempt to differentiate? If some of these young people do have "special needs and problems" over and above those shared with their unfortunate peers, they surely should attract extra resources. They should not have to borrow resources from others in foster or residential care.

Further, and apart from the basic unfairness, the payment rate is unrealistic. Has any member of this Assembly attempted to feed, let alone keep, a growing teenager on \$106 per week? How then is a foster carer expected to do so? This rhetorical question makes even less sense when one examines the scope of the expenses to be met by the standard foster care subsidy of \$106 per week: Food and shelter, heating, electricity, gas, general clothing and footwear, school clothing and footwear other than items specified in the payment of contingency items, schoolbooks and stationery, school excursions other than those specified in the payment of contingency items, pocket-money, leisure and hobby activities, non-school social and sporting activities, toys and presents, outings and entertainment, haircuts, travel costs other than those specified in the payment of contingency items, general expenses relating to personal hygiene items, and basic general medical and dental treatment and pharmaceutical expenses. All this has to be paid from \$106 per week - and for a teenager.

In the unlikely event that all those who set these subsidies have no children, let alone teenage children, there are some respectable references we can check as to how much it may cost to keep a teenager. I refer specifically to an Australian Institute of Family Studies publication of May 1993 and, at page 39, a table entitled "Expenditure Survey Approach Based on Lee 1989". This is adjusted to the average weekly earnings figure for the September quarter of 1992, so it is reasonably up to date. This indicates that the cost of keeping a child of 11 to 13 years of age - I would suggest an absolutely junior teenager; never mind a strapping 17-year-old with hollow legs - - -

Government members interjected.

**MR CORNWELL:** I am just waiting so that the Government can listen to this figure. The cost of keeping a child of 11 to 13 years of age is \$210.98 per week. How, then, can anyone, least of all the Minister for Community Services and his Family Services Branch, possibly justify a miserly \$106 per week per teenager, irrespective of age?

How can the Minister, in trying to justify this derisory weekly payment, argue as he did that the fee of \$100 per week, that is, Barnardo's own subsidy to this Government pittance, was a commitment by Barnardo's to the concept of "professional foster care"? Minister, should there be any other type of foster care? Are you suggesting that these adolescents seeking some stability, a decent home life, even love, should settle for something less than professional foster care, or perhaps no foster care at all? The carers, despite their commitment, their willingness, their compassion, cannot afford to keep a teenager for \$106 a week. Indeed, who can? Are we trying to reduce a few more people to the poverty level, to join the many thousands already there as a result of at least Federal Labor's policies?

Let me ask you: Is this your much vaunted social justice? I suggest to you that it is not. It is, however, a mean and mean-spirited approach which shamelessly abuses individual families and well-known charities, for Barnardo's is but one graphic example, in the full knowledge that these decent, compassionate citizens will do all in their power, and their purse, to avoid handing back, and thus disappointing and disillusioning, teenagers who already have seen enough of life's negatives.

For a government that I understand pumps a total of \$4.1m per annum into foster care and child support, you are getting a bargain on what I would regard as Dickensian funding of \$716,000 per annum for 130 children. If this is social justice, I would hate to see social injustice. But perhaps we have seen it. How, when you are exploiting these carers at \$106 per week, can you possibly justify the refurbishment costs of the Civic abortion clinic at \$100,000?

**Mr Connolly:** Here we go.

**MR CORNWELL:** Just listen to this, Mr Connolly. Do you realise that \$100,000 represents 943 weeks at \$106, or 18 years of funding, or 1,000 weeks or 20 years of funding at \$100 per week for one teenager? It is certainly more than any would ever need, I suggest. Perhaps that extra expenditure, which is a relatively small amount of money per annum, might just stop some of the adolescent girls ending up in the very clinic you say is necessary. Perhaps, too, the expenditure of a realistic amount of money - say, \$240 per week, which was the figure up to 1990 - would ultimately save money.

I argue this because, if the foster carers decided that they could no longer subsidise the Government's welfare services from their own pocket, and at the expense of their own children - bear in mind that most foster parents also have natural children - then all foster children, the entire 130, would have to be accommodated in residential care. If those 130 teenagers all stayed in foster care at the realistic figure of \$240 per week, that total account would be \$1.6m.

However, if they were all obliged to go into residential care from government sources, the figure I have been given, again from government sources, is an estimated \$1,200 per week. This is a total annual bill not of \$1.6m but of \$8.1m for 130 children. You can see the bargain the Government receives, even at the realistic \$240 per week rate.

Faced with the obvious impossibility of keeping someone on \$106 a week and the horrendous expense of residential care at \$1,200 a week, I find it puzzling that the Minister would even bother, as he has indicated he is doing, to compare rates paid elsewhere in Australia. This seems to me to be mixing apples and oranges, ignoring the Institute of Family Studies definitive study and failing to accept the higher costs of living in the ACT. I suggest to you, however, that it is the ultimate cop-out in conducting a review. I believe that we have a responsibility to our own disturbed teenagers and that we should address that problem and that responsibility on Canberra grounds, not by comparisons with somewhere else, particularly when we do not even know whether the level of payment elsewhere is adequate or not for that area.

We will not achieve the optimum assistance we should be providing by starving those who want to help of the basic funds they need to do the job of foster carers. By denying these good people a realistic financial subsidy, you are not only failing them and those they seek to help; I suggest that you are also failing yourselves. The Government's commitment to assisting troubled young people, to caring and to social justice is, with the evidence of this beggarly \$106, shown to be empty talk. The Government seems to see these tragic adolescents as being in *Oliver Twist* rather than in foster care, and it stands condemned accordingly. I think the Government has made a silly mistake in cutting back on the realistic subsidies for foster carers, and I would urge them to reconsider as a matter of urgency - and certainly before the 1 October deadline set by Barnardo's, to withdraw from the program.

**MR CONNOLLY** (Attorney-General, Minister for Housing and Community Services and Minister for Urban Services) (3.41): Mr Temporary Deputy Speaker, the Liberal Party's newfound commitment to spending more money on welfare is touching. One hopes that it will continue and we will see bipartisan support for the Government's well above average effort in welfare expenditure. It is a welcome change from the approach I saw during the last election campaign, when Mr Stefaniak was running around the town speaking at meetings organised by people lobbying on the police budget and saying, "We spend too much on welfare. We can cut back on welfare and spend more on police".

**Mr De Domenico:** Were they his exact words?

**MR CONNOLLY:** He said, "We spend too much on welfare. We can get more money on police".

**Mrs Carnell:** Were you there?

**MR CONNOLLY:** Yes, I was, at a meeting at Tuggeranong last year. It is also a refreshing change from the words of Ms Lucinda Spier, who I understand is a member of the executive of the Liberal Party and currently is fronting what we affectionately refer to as the Red Hill ratepayers association; the Canberra Rates Association. What Ms Spier, a member of the executive of the Liberal Party, was

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saying only this week on Canberra radio was, "Shock, horror! Some of our rates money goes to welfare. This is a terrible thing. We pay too much rates because we have to pay for welfare". I hope, from Mr Cornwell's impassioned plea for social justice here, that the Liberal Party is abandoning its past record in the ACT of criticising us for spending too much money on welfare and will be joining the Labor Party and Independents, who place social justice and welfare high on their agenda.

We heard a lot about the miserly rate of \$106, which is the ACT rate for the 17-year-old with hollow legs Mr Cornwell was fond of referring to. The miserly \$106 in the ACT compares to the generous \$91.50 in New South Wales. Mr Cornwell said that there are cost-of-living factors here. It is well known that Sydney is the cheapest place in which to live in Australia! What a joke! It compares to the generous \$90 in Western Australia. We are, I must confess, slightly behind Victoria, which is \$107. The rate at which foster care rates are paid - - -

**Mr De Domenico:** What about Mogadishu?

**MR CONNOLLY:** I am sorry?

**Mr De Domenico:** What does all that mean?

**MR CONNOLLY:** Mr De Domenico, this Government is trying to have a modicum of uniformity and fairness in relation to its rates of payment.

**Mr De Domenico:** Right. So forget about the individual needs of the people in the ACT.

**MR CONNOLLY:** I am glad that you mentioned individual needs. That is the basic rate of payment. What happened was that some years ago Barnardo's set up a new and innovative program known as RAFT - it was indeed a new and innovative program when it was first established - and higher rates than the general rate were being paid for people who were in special need. It has clearly emerged, though, over recent years that most of those young people who are in foster care can properly be described as having special needs. From an assessment done as part of a review of foster care payment rates in 1991, which was undertaken by the branch and the community foster care agencies, including Barnardo's and also groups like Marymead, Open Family and Richmond Fellowship, it was abundantly clear that the type of young person who was being cared for in the Barnardo's program had no more or less severe needs than the type of young person who was being cared for by Marymead or by Richmond Fellowship or by Open Family.

It was considered by the Government, and it is a decision I stand by, to be quite inappropriate to say that we would pay a high rate to Barnardo's but a lower rate to Richmond Fellowship or Open Family or Marymead for a teenager with precisely the same needs. That is clearly an inequitable approach. What we have done as a government is introduce a basic category, a standard category, for foster payment rates which, when they were set in 1991, as I have said, were very generous and compare quite favourably with rates interstate. It is always a valid basis of comparison, if a government is attacked as vehemently as we were by Mr Cornwell for being miserly and nasty and uncaring - - -



**Mr Cornwell:** Dickensian.

**MR CONNOLLY:** Dickensian - it is a valid basis of comparison to ask what happens elsewhere. When we look at what happens elsewhere, we see that we fit pretty much in the middle of the rates of payment.

**Mr Humphries:** That makes it all right then - "Other people are bastards too. We can do that".

**MR CONNOLLY:** This is the cheapness of the current opposition strategy. You are all things to all people. You can stand there at your ratepayers meetings and get your executive member to say, "It is terrible that the ACT Government is spending rates money on welfare. That is an awful thing". Then you go around to Barnardo's and say, "It is terrible that we are not spending enough money on your program". Any politician can get cheap brownie points by promising all things to all people. "Yes, I will double the expenditure to Barnardo's", says Mr Cornwell, "if I get into office". He no doubt promises that to everybody. We do have to operate within a budget, and within that budget we are providing a rate of assistance that is quite comparable with other States' rates.

Mr De Domenico's comment, though, when I demonstrated that our rates of payment are comparable with, indeed in some cases more generous than, other States' rates was, "Yes, but you have to look at special needs". Indeed you do, Mr De Domenico. So we have differing rates of payment for special needs categories. For example, in the 12- to 17-year-old category, that can be elevated to \$188. So we can go from \$106 as the standard payment up to \$188. In the case of a younger child, from 0 to 11, our standard rate is \$72, and it is \$64.50 in New South Wales, \$55.50 in Victoria, and \$70.75 in South Australia. Again, our payment is very comparable; in fact, it is the most generous. However, for 0 to 11 years in a special needs category that can go up to \$107.

We do not say that because Barnardo's run a nice program we will pay them at a higher rate. We say to each of the excellent providers - and I am not disparaging Barnardo's efforts; they have provided for many years a very high-quality service in the ACT, as have Marymead, Richmond Fellowship and Open Family - "We will pay you a basic rate. If you have a child with special needs, we will pay you at a higher rate". In addition, there is a further category available for young people with severe difficulties. Payments in this category are at the discretion of the director of family services and range between \$200 and \$350 per week. In fact, Barnardo's have several of these latter arrangements in place at the moment, as do some of the other programs. Our approach, rather than this sort of arbitrary one - - -

**Mr Cornwell:** Is cheap.

**MR CONNOLLY:** It is so easy for an opposition to say, "It is cheap". It is a level of payment which compares favourably with payments in other States. You, in your opposition mode, can run around saying, "You are cheap. You are cheap. Spend more. Spend more". How do you pay for what we spend, Mr Cornwell? You pay for it by taxes. What happens when we impose taxes, given that the rates revenue is our basic mode of taxation? What does the Liberal Party say when we impose taxes? Listen to Ms Spier, your executive member, on

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the radio: "It is terrible. We pay too high a level of rates because money is being wasted on welfare". It is a very cheap position for opposition members to say, "Spend more, spend more; tax less, tax less". Mrs Carnell, you are the past expert at this particular philosophy of public finance. It is an extraordinarily apt one for an opposition but an extraordinarily irresponsible one for a government.

**Mr Humphries:** Did you ever use it when you were in opposition, Mr Connolly?

**MR CONNOLLY:** No, it is an approach we tended to avoid because we knew when we were in opposition that we would be back in government. We take a long-term and responsible view. The rates were reviewed in 1991. We are currently conducting a comparable study of rates in all Australian jurisdictions to see whether our base rates and special rates remain appropriate. Preliminary inquiries show that those rates are still generally comparable, but we are pursuing that further.

I should point out that we have also taken steps to organise the foster parents in the ACT. In the past there was no body representing foster parents; it was rather difficult for such a body to be organised because privacy limitations dictate that the list of foster parents is not publicised. What we did as a government was contact all the foster parents and facilitate a meeting. We have now, out of that, got up a foster parents organisation, which is operating as a lobbying base for foster parents, and that is appropriate.

**Mrs Carnell:** That is why we are having this discussion - because they lobbied us.

**MR CONNOLLY:** Well, no. I think the lobbying here is coming from Barnardo's.

**Mr De Domenico:** No, from the parents themselves.

**MR CONNOLLY:** And the Barnardo's parents. The other groups do not say, "Barnardo's should be paid more than us". It is only Barnardo's who say, "We should have a special rate of payment". So you need to be a little bit careful here.

**Mr Cornwell:** We do not either. We are saying that they should all be paid a decent weekly rate.

**MR CONNOLLY:** As to the so-called decent weekly rate that Mr Cornwell speaks of, it is double what other States and we pay. Again, interstate comparison is relevant, Mr Cornwell. It is relevant to ask what other States do. If you criticise this Government for being Dickensian, it is a legitimate defence for us to ask how we compare with other States, and we compare well.

That estimate you based your \$240 on is the Institute of Family Studies estimate of what parents actually spend on their children, regardless of whether that is excessive or inadequate by objective standards. That funding includes issues like mortgage payments and household capital repayments, so it is not really an adequate basis for foster care payments. It is what families are spending to support themselves. It is not really an adequate basis for what is the additional cost of taking on an additional child in foster care.

I would love to pay foster carers \$240 a week. I would love to pay every citizen of this Territory \$1,000 a week. I would love to have a situation where we had unlimited funds available for community services; but we do not. We are in a situation where we have real budgetary difficulties. Wherever this Government seeks to raise additional revenue, we get cheap carping from Liberal Party members or their outside supporters saying, "You cannot impose new taxes. Taxes are too high". Then we get Mr Cornwell parading around and saying that we should be spending more money on welfare. You just cannot do that. If this Government were shown to be providing an inadequate basis of payment for foster care arrangements in this Territory in comparison with other parts of Australia, I would legitimately accept a criticism. But, when this Government can demonstrate that its basis of payment for foster care compares well with what is going on in other parts of Australia, criticism of the Government is unfair, unless the Opposition can point to new revenue sources - and the Opposition is always very keen to avoid new revenue sources.

We are currently running 104 foster care places in the Australian Capital Territory. That is up from 76 in 1991-92. Of the children in support by the branch, we have a total of 147. We have a very high proportion of children in foster care in the ACT. A conscious decision was taken about four years ago to move away from residential care into foster care. We have been able to increase foster care places. I am advised by my officials from the Family Services Branch that it is very rare for us not to be able to find a foster care place for a child for whom foster care is appropriate. That is not to say that foster care can be arranged for every child, because there are some children who have particularly severe behavioural or other difficulties that make foster placement almost impossible, although again I pay tribute to the community agencies involved. In particular, I pay tribute to Open Family, which has established quite a reputation for taking on some of the foster children with particular behavioural difficulties.

I had hoped that we would not see opposition members beating a drum of NIMBYism when organisations like Open Family have foster care placements in Housing Trust houses and residents say, "We do not want these awful people in our street", and opposition members say, "You should not have these awful people in your street". Again, you nod your heads and say, "Hear, hear! Open Family does a great job with these very behaviourally difficult kids", as they do; but, when we had an Open Family house recently in South Canberra where there was a disturbed individual, we had opposition members beating the drum and saying, "Shock, horror! You have to do something about getting these people out of this street".

Opposition members have the luxury of having it both ways. Governments have to make the system work, and our system of foster care is working well in this Territory. We are getting placements in virtually every case where a placement is appropriate, and we have a remarkably good ratio of foster care placements to residential care placements. We will not be uprooting the individuals involved in the Barnardo's program and moving them into residential care. I am advised by my officers, who have again spoken to the relevant parents, that the placements will be continuing with the same carers until they are completed. There will not be new placements. New placements will be coming from the other three organisations that continue to operate and offer foster care in the ACT.

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The Government was placed in an extraordinarily difficult position by Barnardo's. Barnardo's said, "We will not continue our program unless you pay us the higher rate". That forced us into a position of either paying a higher rate to Barnardo's than is generally paid or saying to Barnardo's, "You must comply with the standard rates that everybody else complies with. We offer to review those rates to see whether they are unfair, to see how they compare with other jurisdictions; but we cannot bend to your demand that we effectively double the rate to one agency". That was the position the Government found itself in. It acted in the only way it could.

**MS SZUTY (3.56):** I would like to commence by commenting on a number of the issues that both Mr Cornwell and Mr Connolly have raised this afternoon. Firstly, I should place on the record that I do not endorse Mr Cornwell's comments about the funds needed for the establishment of the abortion clinic. I think that is a completely different issue from this current debate, and I certainly do not endorse the sentiments he expressed.

I was very interested in Mr Connolly's comments about the rates of payment for foster carers across Australia. That is all very well, but I think we fail to take into consideration the cost-effectiveness of paying foster carers as opposed to supporting residential care programs. That is the risk we run. If we reduce the rates to the extent where foster families are not prepared to take placements, we are in real difficulties in terms of the much higher costs that will need to be paid to support those teenagers in other environments. That is a very important consideration that we have to take on board.

Mr Connolly also said that he would be reviewing the arrangements over the next little while to ensure that our rates of payments continue to be in line with other States' rates. We must not forget that should the program suffer a downturn across the board, not only with Barnardo's but also with some of the other community agencies who are supporting teenagers with families, we run the risk of much higher expenditure in the ACT. I do not believe that that is cost-effective, and I think at this time we need to look very carefully at what organisations like Barnardo's are providing for their foster carers, to make sure that that level of support is maintained.

I wish to place on the record my support for the RAFT program as it has been established and conducted by Barnardo's in the ACT. There is no doubt that the program has provided many teenagers with the support they need because of their personal difficulties and dysfunctional family situations and has provided a number of Canberra families with the opportunity to contribute to the community in a unique way by becoming foster carers. RAFT now faces closure because of a lack of recognition of the need to adequately fund such programs. I agree with Mr Cornwell that a payment of \$100 a week for a family supporting such teenagers across the board is probably not enough, and we need to consider seriously whether it would be more cost-effective to raise them across the board.

We know that for the past two years the Government has allocated \$100 per placement per week for financial support for parents who take on the responsibility of caring for a teenager in the program. We know that in 1985, at the request of the then Welfare Branch, the Government subsidised Barnardo's between \$220 and \$240 per week for each adolescent in the program.

It is interesting to consider what families who have been in that program for that length of time have seen happen to their foster care payments. They are now being asked to accept a much lower level of payment, around \$100 per week per placement, than they were receiving five years ago, and I imagine that many parents in that program would question the level of that assistance.

Above and beyond financial assistance, Barnardo's has provided support, counselling and other forms of assistance necessary for these families. Financial support, of course, makes the emotional and physical support possible. Barnardo's has continued to fund the program, believing in the ability of the participants to achieve the best outcomes for the adolescents involved. However, that is no longer financially possible, and it appears at this time that calls for a more realistic level of funding for Barnardo's have not been heard. Barnardo's has been informed that parents participating in the program can now transfer to the Family Services Branch of the Housing and Community Services Bureau at the higher level of support for their current placement and then have the opportunity to participate again in foster care placements under the department's supervision at the lower rate. Again, I question, from the family's point of view, how they would feel about such a situation.

What RAFT and Barnardo's have achieved in the area of support of teenagers with high emotional needs is a high-quality program with heartening success stories. I had the pleasure of interviewing several foster carers in my office some weeks ago and I heard the very heartening way in which they talked about their foster care placements. I do not seek to lessen the contribution of other families who foster other teenagers under other programs, as all of these programs are important and meet the different needs of the various young people who have been supported and accommodated by the families which take part in each program. It is important to recognise that parents and teenagers should not be shuffled from one organisation to another. This notion places at risk the very components that are important in such programs - stability and reliability.

Once the current group of teenagers have grown up and left their placements and foster families, it is also important that a program which has shown itself to be successful is retained. Programs in many areas of community services are moving towards being home and community based as opposed to institutionally based services. If we choose not to continue to support the Barnardo's RAFT program, we remove one option for potentially keeping young people out of institutionalised care. We place them in homes with families who have demonstrably more to give them than what is defined in their duty statements. The carers involved in foster placements bring additional assets to the lives of the teenagers they care for. They provide their homes, their vehicles, their neighbourhood connections, their extended families and their life knowledge of experience with the intention of providing a stable and caring environment for teenagers in the program.

With the anticipated closing of the RAFT program, it is important to assess what we potentially lose as a community as a result. Firstly, we stand to lose experienced carers who may have been able to support more young people or to support other carers. I do not feel certain, as the Government obviously does, that carers would finish their current placements at the high level of reimbursement and then accept a lesser amount to continue to participate in additional foster care placements. These parents are currently being informed that their contribution is worth only a little more than \$100 a week.

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Why should these people accept the emotional, personal and financial burdens involved in providing a home to a teenager with high emotional needs for the equivalent amount currently paid to a day care mother for 45 hours' care a week? Teenagers in the RAFT program are a 24-hour-a-day, seven-day-a-week responsibility. Parents who choose to care for them are not going to have weekends off; nor are they going to see their charges go home at the end of a long day. I do not share the current optimism of the Government that current carers would consider staying on after their current placements are finalised.

Secondly, we stand to lose financially. As I have pointed out, the cost of providing alternative models of care is much more than the cost of providing adequate funding for foster care placement. Research indicates that, if young people do not develop life skills such as those exemplified and supported in foster placements, then their chances of being forced to rely on the social security system as adults are greatly increased. Thirdly, we lose emotionally. This latest failure to support a successful program makes carers, support workers and members of the community in general contract their efforts on behalf of others. If genuine effort is not going to be adequately supported and rewarded and the Government offers itself as an alternative service provider, we all move further away from a shared view and vision of community service.

I note that the Government's Family Services Branch of the Housing and Community Services Bureau feels that raising payments to Barnardo's foster parents, even if funds were available, would be a tacit acceptance of the concept of professional foster care, as Mr Cornwell has already said. I can only wonder at the philosophy which underlies these words. In conclusion, I urge the Government to rethink its current position with regard to the RAFT program and to assess its long-term goals before any precipitate action is taken.

**MS ELLIS (4.05):** I am always happy to debate in this Assembly questions of social justice which have been raised by the Opposition, particularly by Mr Cornwell. Mr Cornwell has highlighted foster care in the ACT. I am pleased that he has done this, as there are a considerable number of issues relating to foster care which I would like to bring to the attention of those opposite, who every now and then find themselves getting onto the social justice band wagon. We need to put this whole question into perspective. The ACT Government spent more than \$3m in the 1992-93 financial year providing substitute care places to the at-risk children of the ACT. These services form part of the response to the 1,751 notifications of children at risk of abuse or neglect in 1992-93. Some of these children obviously cannot return to their homes because the risk to their safety is too great, so the ACT Government provides a range of different sorts of services to meet different children's needs. Foster care is a very important type of substitute family care, and the ACT Government is committed to providing good foster care.

The provision of these services is set within a broad policy framework which recognises the importance of the role families have in the community for the nurturing and caring of children. The development of this policy framework and its implications for ACT services occurred during 1989 as a result of the Callaghan review. At that time ACT services to children who required out-of-home care were dominated by campus-style and cottage residential programs. It was recognised that this form of care is often detrimental to the needs of children, who require ongoing nurturing and normality within a supportive family environment.

In light of these new policy directions, a major restructure of the ACT substitute care services occurred, in consultation with community agencies involved in service delivery to children. This involved the closure of several residential programs and the establishment of several programs to provide home based foster care services. This restructure resulted in the ACT being able to more adequately meet the needs of children. It was also a much more efficient and effective model of service delivery.

ACT government funds support four residential services, six foster care programs and three family support programs. Together, the residential and foster care services provide over 140 places. The family support programs can assist over 145 children and their families at any one time. Between them, the branch programs and the non-government organisations provide a range of placements that enable the diverse needs of the at-risk children of the ACT, who are of all ages, from infants through to adolescents, to be met.

There are in total five non-government organisations that are funded by the Family Services Branch to provide these substitute care services. Galilee operates a foster care program, known as the family placement scheme, for 10 adolescents. Richmond Fellowship operates Outreach House, a residential service for six 14- to 18-year-olds with behavioural difficulties. They also offer a family support program.

Marymead Children's Centre provides both a residential service for six young people aged six to 17 and an emergency shelter for another six young people of the same age range. They also operate a foster care program providing long-term care for 14 young people of similar ages to those in their other programs. Finally, they also provide a family support program. The Open Family Foundation provides 12 foster care places for adolescents aged 13 to 16, as well as operating the residential service of CANA. Barnardo's, as we have heard, operates both the RAFT program and the special family care, providing 12 and six places respectively. In addition, Barnardo's operates a family support program which also provides respite foster care and emergency placements.

The ACT Government is committed to this policy of family based support and care of children. It also has the full support of the range of agencies involved with children and young people who may be at risk. This funding commitment demonstrates that the ACT Government is providing a broad range of services which are up to the minute in child protection practice. We have reduced our residential care places to a minimum and redirected these funds into well-supported foster care, supported at rates of payment equivalent to those of the other States and Territories as outlined.

**Mr Cornwell:** Rubbish! Irrelevant.

**MS ELLIS:** It is not rubbish; it is true. We should not necessarily be venturing into more expensive types of care for the sake of it.

The MPI today relates to foster carers in the ACT. However, Mr Cornwell has targeted specifically Barnardo's and the RAFT program. There is no problem with that, but we need to keep this discussion in context. In no way does this debate reflect on the quality of services that Barnardo's have provided in the ACT. The organisation not only is involved in the substitute care field, but also

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operates services in the field of youth homelessness. Members of Barnardo's staff have worked tirelessly for a number of years on government advisory bodies such as the Children's Services Advisory Council and the SAAP Ministerial Advisory Committee. The ACT Government fully appreciates the valuable work that has been undertaken by Barnardo's over the years.

Mr Cornwell mentioned in his speech today the term "professional foster care". I would like to take him to task slightly. The concept of professional foster care leads us down a path that presents difficulties for the carers themselves. If the foster care payment is to substitute for a wage forgone, this opens up questions of taxation, award structures and industrialisation. This seems to me to be at odds with the concept of foster care as an alternative to a child's family.

This issue of foster care payments is a problem facing all States. Even in the preliminary research undertaken by Family Services, other States have indicated that they are looking to us, the ACT, as a basis for a review of their own rates. The concern for adequate reimbursement for foster carers is a common one amongst all States. Given the current situation in regard to Commonwealth-State funding, it would be inappropriate for any one State or Territory to move totally out of line or to take unilateral action without serious consideration and extensive consultation with their State counterparts. It is important to note here that there is no threat of a reduction in the number of foster care places in the ACT.

One other comment I would like to make relates to a remark Mr Cornwell made during his speech, I think; if not, it was by way of interjection. Forgive me; I do not recall exactly. It reflected on young people, and particularly young girls, in other or less well-funded placements than Barnardo's, in terms of the risk or outcome they may face in their life as a result of that ill-placed placement. Forgive my choice of words, but I find it very difficult to address this issue. I found it incredibly upsetting and a possible slur on all of those young girls who are placed in areas other than Barnardo's, and I say that with the greatest of respect to Barnardo's.

Foster care in the ACT and, indeed, Australia-wide is a very important part of developing a safe, stable and caring environment for those children and young people in need. The ACT Government will continue to support these children and young people in the most appropriate and supportive way possible. Members opposite could learn, I imagine, from the Government's commitment to our foster care program. I trust that members opposite take the comments that have been made in the most constructive fashion possible. I trust also that the people from Barnardo's take the comments I have made today in relation to their services in the spirit in which they have been made.

**MR DE DOMENICO (4.14):** Madam Speaker, I will try to be as brief as possible. I would like to take up one point the Minister made when he was on his feet. He mentioned that the amount of \$210.98 included mortgage payments. For the information of the Minister, he was not right. That figure did not include expenditure on the mortgage.

Ms Ellis said that she is always delighted to stand up and talk about social justice, especially after Mr Cornwell has been on his feet. After the happenings of the last Federal budget, I am going to take delight also every time a Labor member of parliament gets up to talk about social justice - - -



**Ms Ellis:** I said that quite sincerely.

**MR DE DOMENICO:** And I am saying this quite sincerely. I want to remind them, quite sincerely, of what the Labor Party federally did about social justice. I suggest that there is no social justice in the amount of money that people have to pay for petrol.

**Mr Berry:** Madam Speaker, I take a point of order. I think the issue is about foster care, not what the Federal Government did in the last budget. We hear enough of it - - -

**Mr Humphries:** It is a sensitive subject.

**Mr Berry:** No, it is not very sensitive; it is just getting a bit boring.

**MR DE DOMENICO:** I would be bored if I were you, too.

**MADAM SPEAKER:** Mr De Domenico, I will leave it in your hands, but you do know that the subject before us is foster care.

**MR DE DOMENICO:** Yes, I do, Madam Speaker. Reflecting on what was said by former speakers, Madam Speaker, I thank you for the liberty you have given me. I remind Mr Berry and others that there is no social justice in the increasing petrol price.

**Mr Berry:** What you ought to do is remind us about foster care. That is what I have come here to listen to.

**MADAM SPEAKER:** Order, Mr Berry! Continue, Mr De Domenico.

**MR DE DOMENICO:** Mr Berry, it would be social justice if the foster care families we are talking about did not have to pay an extra 10c for petrol. It would be no social justice if foster care families who happen to be public servants were to be taxed on their accumulated long service leave. It is in fact unjust for foster care families - - -

**Mr Lamont:** Madam Speaker, I rise on a point of order, in particular in relation to relevance. Mr De Domenico seems to have forgotten, although it is not unusual, that all of the items he has just raised are in the purview of the Commonwealth Government. The MPI this afternoon is quite specific in the words used. I presume that that is because it was done by Mr Cornwell and not by Mr De Domenico. I draw your attention to these words: "The failure of the Follett Labor Government to adequately subsidise foster carers in the ACT". It is not the failure of the Federal Government to implement a proper social justice strategy. If Mr De Domenico would care to address the MPI, we might learn something, although I doubt it.

**MADAM SPEAKER:** Mr De Domenico, I remind you of the topic of the MPI. Please continue.

**MR DE DOMENICO:** Thank you, Madam Speaker. I am prepared for Mr Lamont to take another point of order in about two minutes, when I repeat that, in the light of the fact that we are debating how much it costs ACT families to provide foster care for ACT children, they - - -

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**Mr Lamont:** The MPI, Mr De Domenico - read the words.

**MR DE DOMENICO:** Madam Speaker, has there been a change in the speakership of this Assembly? I repeat: ACT families are not - - -

**Mr Wood:** Mr De Domenico has not much to say, so he is happy for the time to be wasted.

**MR DE DOMENICO:** Mr De Domenico will say a lot, Mr Wood, if he is given a chance to do so. I know that it hurts people opposite to hear this, but hear it they will. There is no social justice - - -

**Mr Berry:** You always speak a lot, but you do not say much. You speak a lot and say little.

**Mr Wood:** You have been there for four minutes and you have not said it yet.

**Mr Berry:** Come on; hurry up.

**MR DE DOMENICO:** Are you right?

**Mr Berry:** Come on; we are waiting. It's the pause that refreshes.

**MR DE DOMENICO:** You are a dill; do you know that? You are a complete and utter fool, and no-one finds any sense in what you say, anyway. The Labor Party has increased by 10c the cost of petrol to foster families in the ACT.

**Mr Lamont:** Madam Speaker, I again raise the same point of order. The question in relation to the MPI is quite specific. If Mr De Domenico continues to fail to observe the normal form in this Assembly and address himself to the MPI, I believe that he should no longer be heard.

**MADAM SPEAKER:** Perhaps you could rephrase your sentence, Mr De Domenico, so that what you are saying becomes a bit more apparent.

**MR DE DOMENICO:** One of the reasons the ACT Government has to give more money to foster care families is that they have been pillaged by their colleagues in the Federal Labor Government, who have increased petrol prices by 10c a litre, who have taxed accumulated long service leave payments, who have increased wholesale sales taxes across the board, on every product bought by ACT families who happen to have foster kids in their homes, and who have taken off the Medicare schedule things like optometry fees. That is one of the reasons why the ACT Government ought to be considering giving more money to those families.

We allowed Mr Connolly, when he was on his feet, to take pleasure in talking about the ratepayers association.

**Mr Lamont:** The Red Hill ratepayers association.

**MR DE DOMENICO:** Mr Lamont, as usual, is wrong when he uses the words "Red Hill", but we are used to Mr Lamont being wrong. Mr Connolly was suggesting that Lucinda Spier was some sort of highfalutin member of the Liberal Party. Ms Spier is a member of the Liberal Party. She is also a ratepayer in the ACT, and she has every right to express concern about the way this Government handles foster families and the way it handles all sorts of things.

The other thing I did not hear members opposite talk about was the role of women in foster families. We are told by this Government, which exudes social justice all the time - and we believe them - that women who choose to stay at home, in this case to look after foster children, should not be treated any differently from women who decide to go to work. That being the case, my colleagues, and Ms Szuty as well, have brought out the fact that over the past two years there has been a 150 per cent decrease in the amount of money given to Barnardo's families for foster care. If people do not believe that, I point out that it has gone from \$240 two years ago to \$106. Where is the social justice in a decrease of 150 per cent in the payments? There is no social justice in that.

There is another point I did not hear anybody stress - except Ms Szuty, I must admit. What would it cost the Government and the taxpayer to have these children looked after anywhere but in foster care? What about in residential groups? Whilst we know that for one child in a foster home it costs roughly \$450 a week, including support workers and administration, it would cost in a residential group \$1,200 a week. What we are saying to members opposite is that it is more cost-effective to provide that \$240 a week and encourage people to be looked after in foster families at home than to spend \$1,200 a week in residential care.

Mr Lamont, had he wanted to, could have given us a diatribe on social justice. But he prefers to mock people who have a real concern, because we are bringing forward in this Assembly not only our point of view but also the point of view of the very people who are at home looking after these children, who are doing the job that otherwise would have to be done by the Government at about three times the cost. That is what this MPI is all about, if Mr Lamont wants to listen. Are we spending our taxpayers' dollars in the most cost-efficient way possible?

Mr Cornwell raised the issue of the \$100,000 for the abortion clinic, and he made a very valid point. That is where the priorities of this Government are. The priorities of this Government are not for the real concerns of the community but purely and simply to satisfy some ideological bent of a certain member of the Cabinet, namely, Mr Berry. Not all of them agree with that, by the way. We see on television night after night Mr Connolly talking about it. As far as he is concerned, none of his money is going to be used on an abortion clinic. Then Mr Berry, just like the one-eyed cat peeping at the seafood store, says, "Oh, we will see about that".

We know that Mr Berry wins every time, and that is why that subsidy has gone down from \$240 a week to \$106 a week - a 150 per cent reduction in the amount of money going to families looking after foster kids in the ACT, from a government that talks in this house over and over again about social justice. As I have said, Mr Keating does not believe in social justice. Mrs Kelly, the Minister for whatever she is, who talks about social justice all the time, imposes a 10c a litre slug on those foster families who need petrol. It seems to me that you are all right if you do not have a car; you are all right if you are not a public servant; you are all right if you do not buy toilet paper and toothpaste and everything else on which wholesale sales tax has gone up; and you are all right if you do not need glasses.

**MADAM SPEAKER:** The discussion has concluded.

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### **OZONE PROTECTION (AMENDMENT) BILL 1993**

Debate resumed from 19 August 1993, on motion by **Mr Wood**:

That this Bill be agreed to in principle.

**MR WESTENDE** (4.24): We on this side of the house support the latest amendment to this Act. This Bill, as it stands at present, provides for the renewal, on an annual basis, of three types of licences. These are the wholesale licence, which controls bulk storage, supply and recycling of CFCs; the business licence, which allows for the purchase, storage and selling of CFCs; and the service licence, for the purpose of servicing items containing CFCs wherein a person is required to have trade qualifications and to have satisfactorily completed an approved ozone awareness course.

We have had consultations regarding the amendment with various companies dealing with air-conditioning units and refrigerators, and they expressed their full support for the granting of indefinite licences and the imposition of an equitable licence fee. The Minister has briefed us on the implications of the amendment and we commend his efforts in this area. As we find it an eminently suitable piece of legislation, we support the amendment to the Act.

**MR WOOD** (Minister for Education and Training, Minister for the Arts and Minister for the Environment, Land and Planning) (4.26), in reply: Madam Speaker, I thank Mr Westende for his support. It is a simple matter. I will let the Assembly get on with it.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

### **EVIDENCE (AMENDMENT) BILL (NO. 2) 1993**

Debate resumed from 25 March 1993, on motion by **Mr Connolly**:

That this Bill be agreed to in principle.

**MR HUMPHRIES** (4.26): Madam Speaker, the Evidence (Amendment) Bill (No. 2) 1993 is a machinery Bill. In effect, it amends the Evidence Act to recognise its new status as a Territory law rather than a Commonwealth ordinance. It takes out a lot of sexist language and makes it gender neutral. I must say, Madam Speaker, that if it were not for all that nasty sexist language in legislation we would have far fewer Bills passing through the Assembly. We have that to thank for keeping us here late into the afternoon.

The Bill eliminates redundant provisions in the existing evidence legislation and it applies some modern drafting standards. It shuffles some legislation from one place to another to make it easier to read and I suppose that in that sense it is deserving of some support. It also significantly repeals the Evidence (Laws and Instruments) Act 1989 - one of the pieces of legislation made, I think, at the very early stages of self-government. It might have been made just prior to self-government.

Madam Speaker, there is not much to say about this legislation, except that it does take a number of small steps to making legislation slightly more comprehensible and fixes up a few glitches. Until now, curiously, there has been no mechanism under self-government which permits our courts to take judicial notice of the making of laws and of instruments made under laws in the ACT. The courts of the Territory presumably have taken that judicial notice. I suppose that as a matter of course they have had to do so. I suppose that this issue would be capable of being ventilated by a party in proceedings before a court and would put the Government Law Office or some other party to those proceedings to the trouble and expense of proving that a particular law was, indeed, made by the ACT Legislative Assembly, or was an ordinance that became a law under the ACT self-government regime. This now avoids that by creating an environment where courts can take notice of laws made in this Assembly.

There is also a rather curious anomaly which is being fixed up by this Bill, Madam Speaker. Until now, courts of the Territory have not been capable of taking judicial notice of the signature of Mr Berry. The old Evidence (Laws and Instruments) Act of 1989, which I referred to a moment ago, says that the courts shall take notice of:

... ..

(a) the signature of each person who holds, or has held, any of the following offices:

... ..

(iii) the Chief Minister;

(iv) Minister (other than the Chief Minister or the Deputy Chief Minister);

... ..

So Ms Follett's signature can be taken judicial notice of, Mr Connolly's signature can be taken judicial notice of, and Mr Wood's signature, similarly; but not Mr Berry's. Madam Speaker, I must say that I do not take much notice of Mr Berry and I do not suppose that the courts should either, but at this point perhaps it is appropriate to fix up an anomaly whereby Mr Berry is being shamefully judicially ignored. I am sure that we will all be much happier knowing that Mr Berry's signature will not in future be questioned in the courts of our Territory. Madam Speaker, as I said, this is a Bill which provides for a number of fairly mechanical measures, and it has the support of the Liberal Party.

Debate interrupted.

### ADJOURNMENT

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

That the Assembly do now adjourn.

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

Question resolved in the negative.

### EVIDENCE (AMENDMENT) BILL (NO. 2) 1993

Debate resumed.

**MR HUMPHRIES:** Madam Speaker, that was the conclusion of my remarks. The Liberal Party will support this Bill.

**MR CONNOLLY** (Attorney-General, Minister for Housing and Community Services and Minister for Urban Services) (4.30), in reply: I thank Mr Humphries for his support. As he said, this Bill is fairly technical stuff. It is not earth-shattering legislative change at all. It is really setting the Evidence Act clearly on the footing of an ACT enactment. I can advise the Assembly and Mr Humphries that there is quite a lot of work being done between the New South Wales, Queensland and Commonwealth governments with a view to creating a uniform Evidence Act across the eastern States. That is an initiative that the ACT is playing some small part in and I would hope that before very long we may be in a position to be taking part in a substantial re-enactment of our Evidence Act. It currently bears quite striking similarities to the New South Wales Act, as Mr Humphries would know. We are part of a process for a uniform Evidence Act to apply in the Commonwealth and each of the eastern States' jurisdictions. This is laying the groundwork to the Evidence Act being clearly an ACT enactment with a view to some very substantial change to come in due course.

Question resolved in the affirmative.

Bill agreed to in principle.

**Detail Stage**

Bill, by leave, taken as a whole

**MR CONNOLLY** (Attorney-General, Minister for Housing and Community Services and Minister for Urban Services) (4.32): Madam Speaker, I move:

Page 6, clause 6, line 11, proposed new subparagraph 10H(1)(a)(xii), omit "Youth", substitute "Community".

There was an error detected in this Bill. I think it was detected by the Scrutiny of Bills Committee, but I am not entirely sure. There was reference in new paragraph 10H(1)(a)(xii) to the position of Youth Advocate, which has been abolished. We now have a Community Advocate. It is necessary to omit "Youth" and substitute "Community". I present the supplementary explanatory memorandum.

Amendment agreed to.

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

Bill, as amended, agreed to.

**REGISTRAR-GENERAL BILL 1993**

[COGNATE BILL:

REGISTRAR-GENERAL (CONSEQUENTIAL PROVISIONS) BILL 1993]

Debate resumed from 17 June 1993, on motion by **Mr Connolly**:

That this Bill be agreed to in principle.

**MADAM SPEAKER**: Is it the wish of the Assembly to debate this order of the day concurrently with the Registrar-General (Consequential Provisions) Bill 1993? There being no objection, that course will be followed. I remind members that in debating order of the day No. 4 they may also address their remarks to order of the day No. 5.

**MR HUMPHRIES** (4.33): Madam Speaker, I indicate my party's support for these two Bills. Members may be aware from their dealings with various arms of the ACT Government over a period that there is a multiplicity of different sorts of registrar in the ACT. We have a Registrar of Births, Deaths and Marriages. We have a Registrar of Unclaimed Moneys, a Registrar of Business Names, a Registrar of Securities, a Registrar of Incorporated Associations, and, of course, the Registrar of Titles, which is a significant office. There is some overlap between these various functions, but there is no exact overlap between the various titles.

Arguably, Madam Speaker, a place as small as the ACT does not need a separate office and a separate function and a separate enactment for each of these public roles. For that reason, Madam Speaker, this legislation quite appropriately seeks to do away with that variety of titles and to create a single position, that of Registrar-General. The Registrar-General Bill 1993 creates that position and accords to it the usual sorts of powers for a position of that kind, the capacity for the Minister to make acting appointments, a definition of the powers and functions of that office and the liability of the Registrar-General and officers under him or her.

This is important to make sure that there is a reduction in the duplication which occurs in the Territory in the way of offices and places one has to go to to get things done. It is certainly simpler and easier to understand than the present arrangements. Although the explanatory memorandum does not make reference to this, it may even result in some cost savings to the Territory as we reach a position where these sorts of additional letterheads and so on do not have to be printed in future. These two Bills clearly provide for a sensible strategy, a sensible scheme, for reducing that duplication, and my party supports them.

**MR CONNOLLY** (Attorney-General, Minister for Housing and Community Services and Minister for Urban Services) (4.35), in reply: I thank Mr Humphries for his support for this legislation. It is, as he said, a fairly straightforward piece of minor tidying up which may result in some minor cost saving in the future. The legislation has given rise to a fascinating little point that I have been trying to get the answer to in the last half-hour or so, which Mr Humphries raised with me.

I have circulated to members some amendments to be moved to the Registrar-General (Consequential Provisions) Bill which correct an error which, this time, I am sure was picked up by the Scrutiny of Bills Committee. There was reference to the old Adoption of Children Act, and that should be a reference to the Adoption Act of 1993. Also, there was reference to the Adoption of Children Regulations, which should in fact be a reference to the Adoption Regulations.

Mr Humphries said to me, "Is it not a bit unusual that we are, by an enactment, amending a regulation?". We looked into that matter, and there have been a number of precedents where that has occurred in this Assembly, where a Bill doing something like this Bill - a consequential provisions Bill which does the tidying up of other legislation as a result of a major change - goes through and tidies up the Acts affected and also tidies up regulations affected. It raised the very interesting point of what is the source of power for the Assembly passing an amendment to a regulation, because the general position is that the regulations are disallowable. They are brought into this Assembly and they may be disallowed; but the general opinion would have been that they are not amendable. While we can have private members Bills, no-one has ever heard of such a thing as a private members regulation.

When I sought the advice of our Chief Parliamentary Counsel, Mr Hunt, QC, he advised me that there are a number of precedents for this occurring not only in this place but also at the Commonwealth level and in some other States. The source of power for a parliament to amend a regulation under a Bill goes back to the first principle that the parliament is superior to the subordinate law-making body, the Executive, and therefore the parliament has authority to amend a regulation. It has been a custom and practice to do this in this type of



consequential provisions Bill as an administrative convenience, I suppose, on the one hand; but also, to some extent, as a courtesy to the parliament, because it allows the parliament to see the full extent of the changes that are necessary. It actually brings the regulatory changes in, rather than the Executive simply making the regs and bringing them in for disallowance.

I have asked Mr Hunt to prepare me a formal advice to that effect which I will table in this place at our next sitting. I am quite satisfied that the advice I have received is accurate from first principles; that is, that this place is superior in its authority to the Executive, and therefore, even absent a specific provision in the Subordinate Laws Act or the self-government Act which says that the Assembly can make a regulation, it would follow from its superior status that it can amend a regulation. It follows from that, of course, that it may amend a regulation, and, heaven forbid, we have probably opened up the prospect of private members regulations - something which gives me no joy at all, but no doubt Mr Humphries's fertile mind will be looking for mischief to be caused by private members regulations. It appears that that must be the position. It has been done on a number of occasions in the past, and it has been done in other parliaments, and in all cases the source of authority is the simple basis that the parliament is superior to a subordinate regulation-making power.

Madam Speaker, the amendments that have been circulated in my name look rather long. In fact, they are very simple. They just correct reference to the appropriate Act, but they have a little more significance in that they have alerted us to the possibility of this Assembly making regulations.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

### **REGISTRAR-GENERAL (CONSEQUENTIAL PROVISIONS) BILL 1993**

Debate resumed from 17 June 1993, on motion by **Mr Connolly**:

That this Bill be agreed to in principle.

Question resolved in the affirmative.

Bill agreed to in principle.

**Detail Stage**

Bill, by leave, taken as a whole

**MR CONNOLLY** (Attorney-General, Minister for Housing and Community Services and Minister for Urban Services) (4.40): Madam Speaker, I seek leave to move the amendments together.

Leave granted.

**MR CONNOLLY:** Madam Speaker, I formally move the following amendments circulated in my name, and I table the explanatory memorandum:

Page 5, Schedule 1, lines 1 to 7, item referring to *Adoption of Children Act 1965*, omit the item, substitute the following item:

*Adoption Act 1933*

**Section 58 (definition of "Registrar of Births, Deaths and Marriages") -**

Omit the definition.

**Paragraph 62(3)(a) -**

Omit "Registrar of Births, Deaths and Marriages", substitute "Registrar-General".

**Paragraph 62(3)(b) -**

Omit "Registrar", substitute "Registrar-General".

**Subsection 62(3) -**

Omit "Registrar" (last occurring), substitute "Registrar-General".

**Paragraph 67(1)(a) -**

Omit "Registrar of Births, Deaths and Marriages", substitute "Registrar-General".

**Subsection 67(2) -**

Omit "Registrar of Births, Deaths and Marriages", substitute "Registrar-General".

**Subsection 68(6) -**

Omit "Registrar of Births, Deaths and Marriages", substitute "Registrar-General".

**Subsections 104(1) and (2) -**

Omit "Registrar of Births, Deaths and Marriages", substitute "Registrar-General".

**Section 105 -**

Omit "Registrar of Births, Deaths and Marriages", substitute "Registrar-General under the *Registration of Births, Deaths and Marriages Act 1963*".

**Section 106 -**

- (a) Omit "Registrar of Births, Deaths and Marriages", substitute "Registrar-General".
- (b) Omit "Registrar", substitute "Registrar-General".

**Subsection 109(2) -**

Omit "Registrar of Births, Deaths and Marriages", substitute "Registrar-General".

Pages 20 to 21, Schedule 2, lines 6 (page 20) to line 11 (page 21), item referring to the *Adoption of Children Regulations*, omit the item, substitute the following item:

*Adoption Regulations*

**Subregulations 22(1), (2) and (3) -**

Omit "Registrar of Births, Deaths and Marriages", substitute "Registrar-General".

**Subregulations 23(2), (3), (4) and (5) -**

Omit "Registrar of Births, Deaths and Marriages", substitute "Registrar-General".

**Subregulation 24(1) -**

Omit "Registrar of Births, Deaths and Marriages", substitute "Registrar-General".

**Paragraph 24(1)(b) -**

Omit "Registrar", substitute "Registrar-General".

**Subregulation 24(2) -**

Omit "Registrar of Births, Deaths and Marriages", substitute "Registrar-General".

**Paragraph 24(3)(a) -**

Omit "Registrar of Births, Deaths and Marriages", substitute "Registrar-General".

**Subregulation 25(1) -**

Omit "Registrar of Births, Deaths and Marriages", substitute "Registrar-General".

**Paragraph 25(1)(b) -**

Omit "Registrar", substitute "Registrar-General".

**Subregulations 25(2), (3), (4) and (5) -**

Omit "Registrar of Births, Deaths and Marriages", substitute "Registrar-General".

**Subregulations 26(1) and (2) -**

Omit "Registrar of Births, Deaths and Marriages", substitute "Registrar-General".

**Subregulations 27(1) and (2) -**

Omit "Registrar of Births, Deaths and Marriages", substitute "Registrar-General".

**Subregulation 28(2) -**

Omit "Registrar of Births, Deaths and Marriages", substitute "Registrar-General".

**MR HUMPHRIES** (4.40): Madam Speaker, although I have said that the scheme put forward in this Bill is a good one, I must say that I am less than impressed with the way in which a great raft of amendments have come forward today, virtually at the death-knock. It is also disturbing, frankly, that all these amendments relate effectively to a fairly simple oversight concerning the fact that in this Bill we have been dealing with a quite major piece of legislation, that is the adoption legislation - which we would all remember very well - which was entirely superseding the old Adoption of Children Act 1965; yet we had here presented in the Assembly a piece of legislation which extensively sought to amend a repealed Act, the Adoption of Children Act 1965. I think, Madam Speaker, it is really pretty poor.

I sincerely hope that the Government does not in future come into this place with amendments as major as this and expect to achieve cooperation on all occasions from members of this Opposition. We are entitled to a little bit of notice. There are a good dozen Bills on the table today for debate. I know that Mr Berry never makes a mistake. It does not apply to him, so he would not have to worry about this.

**Mr Berry:** Yes, I do.

**MR HUMPHRIES:** I hope that that is on the record, Madam Speaker. "Yes, I do", he said. Madam Speaker, it is not really appropriate and I do hope that the Minister makes the effort to ask his department to be a little bit more diligent in getting these sorts of things before the Assembly in better time.

**MR CONNOLLY** (Attorney-General, Minister for Housing and Community Services and Minister for Urban Services) (4.42): Mea culpa; I can say no more. Obviously it is unfortunate that today I have had to circulate two sets of amendments to government Bills, both of which were picking up some oversights that were picked up by the Scrutiny of Bills Committee. I guess that that is what we have the Scrutiny of Bills Committee for. But these matters should not be occurring and I have raised it with senior officers of my department. I have to accept Mr Humphries's comments as fair criticism.

Amendments agreed to.

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

Bill, as amended, agreed to.

**ADMINISTRATIVE DECISIONS (JUDICIAL REVIEW)  
(AMENDMENT) BILL 1993**

Debate resumed from 25 March 1993, on motion by **Mr Connolly**:

That this Bill be agreed to in principle.

**MR HUMPHRIES** (4.43): Madam Speaker, as members will surely know, the Administrative Decisions (Judicial Review) Act is a very important piece of legislation because it provides for the review of administrative decisions by courts of law. It was a landmark piece of legislation which provided for that important capacity for people to challenge decisions made effectively by governments and by their agencies. The Supreme Court in the ACT is specifically empowered to test decisions, or in some cases a failure to make a decision, by Ministers and bureaucrats against certain criteria. The criteria includes a decision being in a proper form, made by a person empowered to make a decision under the legislation, whether improper motives were employed in the making of a decision, whether a decision was ultra vires. All of that kind of thing is included in that head.

These rights are very important in respect of land use in the ACT. It may be, although I do not really have any figures on this, that ADJR has been of more importance in respect of land use than any other area in the ACT. People understandably are very keen to defend the integrity of their homes and of their neighbourhoods. A certain standing to challenge decisions is built into the Land (Planning and Environment) Act and the Heritage Objects Act of this Territory but, strangely, until now, not into its sister legislation, the Buildings (Design and Siting) Act. It seems quite logical that if one has locus standi to take action against a zone determination, for example, land across the street, one should have it also in respect of the house built under that zoning determination. Of course, this is what this Bill seeks to do. It allows, in effect, a person who would be aggrieved and would have standing under the ACT's Land (Planning and Environment) Act or the Heritage Objects Act similarly to have standing to make an application to the court under the Buildings (Design and Siting) Act. Therefore, Madam Speaker, this Bill is certainly supported by the Opposition.

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I note that the grounds for application to the Supreme Court or for a statement of reasons are not affected by this Bill. Only the question of standing is covered by this Bill. The Territory Plan, which the Minister referred to today as having been set in stone or at least in reasonably quick drying concrete - - -

**Mr Wood:** Nearly there.

**MR HUMPHRIES:** Almost there - the concrete is drying very rapidly. The plan has some considerable bearing on the question of the grounds on which one makes an application to the court.

I note also, Madam Speaker, that the financial impact of this Bill is not considered in the explanatory memorandum. It would seem to me, Madam Speaker, that there would be, as a result of this legislation, some increase in the number of people who would be empowered to make application to the Supreme Court under the design and siting legislation. It would seem to me also that it follows from that that there would be some impact, some not insignificant impact, even on the basis of a small number of people making application to the court, on the ACT budget. I do not know whether that is an oversight or an optimistic outlook; but I would ask the question, perhaps rhetorically, whether this would not entail some considerable change in the financial position of the Territory, as a result of this new right in people to have standing in front of the courts in design and siting applications.

**MR CONNOLLY** (Attorney-General, Minister for Housing and Community Services and Minister for Urban Services) (4.48), in reply: Madam Speaker, I thank the Opposition for their support. As Mr Humphries says, this extends the standing for people to challenge certain decisions of agencies under this Government. It is just another example, Mr Humphries, of this open, accountable Government bringing forward measures in this Assembly to make ourselves more open and more accountable. I am pleased that it has Opposition support.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

### **BIRTH (EQUALITY OF STATUS) (AMENDMENT) BILL 1993**

Debate resumed from 25 March 1993, on motion by **Mr Connolly**:

That this Bill be agreed to in principle.

**MR HUMPHRIES** (4.49): Madam Speaker, when we first saw the Birth (Equality of Status) (Amendment) Bill we had great hopes. We thought that this might be a wonderful landmark piece of legislation ushering in major reforms, striking a blow against the stigma of illegitimacy in the Territory; but I am afraid, Madam Speaker, that we have been disappointed. Even in the most fevered fantasy of a ministerial speech writer, it would be hard to describe this as a major reform.

What this Bill does, Madam Speaker, is to expand the list of officials and functionaries before whom an acknowledgment of paternity can be declared. That really says most of what one would have to say about the Bill. The old list of authorised witnesses includes the Registrar of Births, Deaths and Marriages, now, of course, the Registrar-General; a commissioner for declarations under the Commonwealth Statutory Declarations Act; a legal practitioner; a registrar or clerk of the court, or a minister of religion. That is a fairly wide list. The list has been expanded beyond that and now includes, for example, members of the Commonwealth Parliament, members of State parliaments, and members of the Legislative Assembly.

I might make a small observation here. I am reading from the Statutory Declarations Act 1991 and the Schedule to that Act, according to the version that I have been given. It refers to a member of the Legislative Assembly of the Australian Capital Territory. It is a very small point, but I think that members will find that this body is the Legislative Assembly for the Australian Capital Territory. I do not know whether that makes it impossible for us to attest these documents. Perhaps the Minister can tell us. He has some advisers out the back there and he can go and ask them. The list includes sheriffs' officers, dentists, pharmacists and veterinary surgeons. We seem not to have firemen here. I do not know why that is, Madam Speaker. They seem to have been left off. It also includes warrant officers, bank managers, bank officers and so on. So, Madam Speaker, those wishing to get their paternity attested to can now go to any of those people to have that document witnessed. The Bill is quite commendable. I commend it to the house.

**MR CONNOLLY** (Attorney-General, Minister for Housing and Community Services and Minister for Urban Services) (4.52), in reply: I can assure Mr Humphries that I have just obtained a queen's counsel's opinion that says that a reference to the Legislative Assembly of the Australian Capital Territory would be read to refer to the Legislative Assembly for the Australian Capital Territory. Fortunately, Mr Hunt was present and the Chief Minister - - -

**Mr Berry:** How much did that cost?

**MR CONNOLLY:** It did not cost us any particular additional amount. That is perhaps the quickest example of a queen's counsel's opinion that members will ever see. I thank Mr Humphries for his support. This is a comparatively minor piece of legislation. The significant amendments in relation to the status of persons who were once referred to as persons who were illegitimate were achieved in 1988. The principal Act says that all children are of equal status whether they were the issue of married or non-married persons. This Government is taking that reform strategy further with the major discussion paper and draft legislation that it tabled some little while ago on de facto relationships. When that package is finessed through our extensive process of community consultation, which is another hallmark of this Government, we will be leading Australia in this type of social justice reform.

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Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

### **ADJOURNMENT**

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

That the Assembly do now adjourn.

**Assembly adjourned at 4.53 pm until Tuesday, 14 September 1993, at 2.30 pm**



**ANSWERS TO QUESTIONS**  
**MINISTER FOR EDUCATION AND TRAINING**  
**LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION 784**

**Schools - Needs Based Funding**

MR CORNWELL - asked the Minister for Education and Training on notice on 15 June 1993:

In relation to the Working Party arising from the Berkeley Report into "Needs Based Funding" established in November 1992 to report in March 1993

- (1) Has the Committee reported and, if not, why not.
- 2) Will a copy of the Report now be provided to me.

MR WOOD - the answer to Mr Cornwells question is:

- (1) The Working Party has now finalised its report.
- (2) A copy of the Report will be provided as soon as the Government has had time to consider its implications, if any, for the forthcoming budget.

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**MINISTER FOR HEALTH  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION 806**

**Abortion Clinic**

Mr Humphries - asked the Minister for Health

- ( 1 ) Has the Government announced any plans for a community based abortion clinic: if so what are the details.
- (2) Is consideration being given to funding a community-based non-government abortion clinic.

Mr Berry - the answers to Mr Humphries questions are as follows

- (1) The Family Planning Association has announced that they intend to set up an organisation to be called Reproductive Health Services which will operate a clinic to be based in the ACT Health Building. This clinic will provide a range of services relating to reproductive health including vasectomies and pregnancy terminations. The Government has agreed to provide the Family Planning Association with refurbished space for this clinic.
- (2) No

2802

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

**QUESTION NO. 818**

**Department of the Environment, Land and  
Planning - Air Travel Purchase Order**

Mr HUMPHRIES - asked the Minister for the Environment, Land and Planning - In relation to Purchase Reference Number 6626 -

- (1) For whom were air fares to the value of \$5,363.00 paid.
- (2) When did this persons trip take place.
- (3) When was the ticket purchased.
- (4) What class of travel was utilised.
- (5) What routing was travelled
- (6) What carriers were used.
- (7) Why was the Departments normal contracted travel agency not used for the organisation of this itinerary.

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

Purchase Reference Number 6626 was raised for payment of air fares to bring a witness for the Department from Africa. No money was expended against this Purchase Reference as the case was settled without the need to have this witness appear. In respect to each of your points the answers are;

- (1) The air fares were-for Ms Clara Dias Panguana.
- (2) Ms Panguana was scheduled to travel from 27 November 1992 to 5 December 1992. Ms Panguana was on exchange from Mozambique working in the Department when she witnessed an incident leading to allegations of assault against a departmental officer and counter claims by the Lessee. Legal advice was that Ms Panguana was required to give evidence to support the evidence of the officer of the Department. The possibility of taking evidence from a sworn statement was considered but was not viable. Ms Panguana was flying over to be a witness in the ensuing court case. However, the case was settled without the need for Ms Panguana to give evidence.

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- (3) The ticket was purchased on 17 November 1992 and subsequently cancelled and the cheque re-banked 19 November 1992.
- (4) Ms Panguana was booked Tourist Class.
- (5) The proposed route was Maputo/Johannesburg/Sydney/ Canberra and return.
- (6) QANTAS Australian arranged all travel .
- (7) The unusual nature of the travel, originating in Africa, and the need to liaise directly with Ms Panguana made it desirable that the travel be arranged directly with the airline.

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

**QUESTION NO. 819**

**Department of the Environment, Land and  
Planning - Advertising Purchase Order**

Mr HUMPHRIES - asked the Minister for the Environment, Land and Planning - In relation to Purchase Reference Number 6613

- (1) In what publication, or on what TV/radio stations, was advertising purchased under this purchase agreement.
- (2) What products and/or services were advertised.
- (3) How many advertisements were placed.
- (4) When were they scheduled to appear.
- (5) Is this the only amount to be spent on advertising this product and/or service.

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

- (1) Advertising space in the "Canberra Book" was purchased.
- (2) Various activities of the Department and its outriders were advertised, such as Floriade, Yarralumla Nursery, ACTTAB, ACT Life. Be in it, ACT Parks and Conservation Service and the Canberras Street Names books.
- (3) Six full page advertisements were purchased. However, the Book included articles and other advertisements for Departmental and its outriders activities which were provided at no cost to the Department.
- (4) Not Applicable.
- (5) The Department advertises its services in a range of publications.

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

**QUESTION NO. 820**

**Department of the Environment, Land and Planning -  
Senior Executive Retreat Workshop**

Mr HUMPHRIES - asked the Minister for the Environment, Land and Planning - In relation to Purchase Reference Number 6560 -

- (1) What was the nature of the expenditure on the Senior Executive Retreat Workshop.
- (2) How many SES officers participated in the retreat.
- (3) Where did the retreat take place.
- (4) When did the retreat, or retreats, take place.
- (5) What was the program for the retreat.
- (6) Were any other expenses incurred by officers attending the retreats. If so, what were they.

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

- (1) The expenditure on the Senior Executive Retreat Workshop was for the engagement of a facilitator, independent from Departmental operations to lead the Workshops and provide independent input, advice and counselling. The expenditure included ancillary costs for the conduct of the Workshop, such as printed materials etc.
- (2) All SES (10) officers from the Department attended together with ten (10) senior officers from the Department whose duties related to the subject matter of the discussion.
- (3) The Retreat was held at the Carrington in Bungendore.
- (4) The Retreat was hold on 18 and 19 December 1992.
- (5) The program for the Retreat was to analyse the operations of the Department and develop a Corporate Plan and Vision Statement for the Department which would encompass all operations and provide a sounder basis for reports to the Assembly and developing budget documentation.
- (6) Other expenses relating to attendance at the Retreat including accommodation and meals for participants were also incurred. These costs amounted to \$4,553.40.

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

**QUESTION NO. 821**

**Department of the Environment, Land and Planning -  
Access Economics Consultancy**

Mr HUMPHRIES - asked the Minister for the Environment, Land and Planning - In relation to Purchase Reference Number 6543 -

- (1) What was the nature of the consultancy services provided by Access Economics Pty Ltd.
- (2) Has any final report been presented to the Department yet. If not, when will it be presented.

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

- (1) Access Economics Pty Limited were contracted to conduct a review of the betterment arrangements in the Territory.
- (2) Yes

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

**QUESTION NO. 822**

**Department of the Environment, Land and Planning -  
Purchases from Sokkia Pty Ltd**

Mr HUMPHRIES - asked the Minister for the Environment, Land and Planning - In relation to Purchase Reference Number 6877 -

- (1) What products were purchased from Sokkia Pty Ltd.
- (2) For what purpose are the products used.
- (3) What quantity of the products were purchased.
- (4) Has delivery taken place.
- (5) Did any ACT suppliers tender for delivery of these products.

Mr Wood - The answer to the Members question is as follows: (1) The products purchased from Sokkia Pty Limited were three SET 2C Total Stations one SET 4C Total Station four SDR 33 Data Recorders, and four WOA TRIBRACHs

- (2) The products are used in surveying operations and are part of the ongoing process to introduce new technology and replace aged equipment inherited from the Commonwealth.
- (3) Refer (1) above.
- (4) Yes.
- (5) No. The equipment is highly specialised with few suppliers Australia-wide. The equipment was purchased through Sokkia Pty Ltd as they are the suppliers of the workstations and the Department was able to trade-in the obsolete equipment as part of the purchase arrangement.

2808



**MINISTER FOR HEALTH  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION NO. 838**

**Public Hospital Bed Numbers**

Mrs Carnell - asked the Minister for Health:

1. How many public hospital beds at Woden Valley Hospital were there at (a) the end of May 1993 and May 1992; (b) the end of March 1993 and March 1992 and (c) the end of January 1993 and January 1992.
2. How many public hospital beds at Calvary Hospital were there at (a) the end of May 1993 and May 1992; (b) the end of March 1993 and March 1992 and (c) the end of January 1993 and January 1992.
3. What are the projected numbers of public hospital beds in each hospital for the end of June 1993 and end of December 1993.

Mr Berry - the answer to Mrs Carnells question is:

The concept that the physical number of available beds gives a true indication of a hospitals performance is a fallacy. This issue is of particular note since the Assembly Committee on Bed Numbers, under the Labor Government, concluded that the counting and reporting of bed numbers does not reflect hospital performance. Instead, the Committee decided that a hospitals throughput better indicates performance.

These days our hospitals use beds much more efficiently than in the past. For example, same day inpatient activity has increased by 9.3% from 1991-92 to 1992-93. Further, the length of stay of patients has reduced from 5.5 days in 1990-91 to 5.08 days in 1992-93.

This improvement in efficiency can be further illustrated by the fact that, although the numbers of available beds has declined slightly over the reported periods (illustrated in the table below), the number of public hospital admissions in the ACT (1992-93) has increased by 5.35% over 1991-92. This involved increases in admissions at Woden Valley and Calvary Public Hospitals of 4.76% and 9.43% respectively.

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For your information, however, outlined below are the bed numbers requested.

Monthly Average Number of Public Hospital Beds - Selected Months: 1992 and 1993

1992

1993

WVH

Calvary Public

WVH

Calvary Public

January

528

150

497

149

March

628

182

618

177

May

624

182

622

182

June

618

182

December \*

624

182

\* The December 1993 average number of beds is a projection based on current information. The projection, however, does not consider the likelihood of bed closures due to the holiday period during December 1993 and January 1994. This practice ensures maximum efficiency of resource utilisation given the normal Australian holiday period for both staff and patients.

The bed numbers reported above include the 20 Nursing Home Type beds at Calvary Public Hospital and the 13 beds in the Detoxification Ward at Woden valley Hospital.

2810

**MINISTER FOR HOUSING AND COMMUNITY SERVICES  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION ON NOTICE NO. 839**

**Intellectual Disability Services**

Mrs Carnell asked the Minister for Housing and Community Services -

- (1) How many people are presently under the control of Intellectual Disability Services.
- (2) How many people are: (a) living in hostel facilities; (b) living in group houses; and (c) cared for by other residential services.
- (3) What is the relative cost of maintaining clients in each of these types of accommodation.
- (4) What reviews have been undertaken of the process of deinstitutionalisation to date and what findings have these reviews had.
- (5) Have the budgeted amounts of money been sufficient to support deinstitutionalisation, and what savings have been made in this area.
- (6) What increased demands have been placed on the other agencies such as the Independent Living Centre for support.
- (7) What increased demands have been placed on the police in respect of now deinstitutionalised people.

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

- (1) 132 residents live in houses or hostels, of which there are 2 share care residents (occupying one bed alternately). There are approximately 172 users of respite care services.
- (2) (a) There are 47 people living in hostels.
- (b) There are 85 people living in group houses.
- (c) There is a capacity for 16 people to live in respite care facilities at any one time. Non-government agencies are also funded to provide residential support to 140 people with a range of disabilities. These

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agencies are: Calyan, Woden Community Services, Focus, Hartley Court, Hartley House, LArche, and the Mental Health Foundation.

(3) The average annual cost of providing accommodation support in hostels is approximately \$46,750 per resident.

The annual cost of providing accommodation support in group houses varies considerably. For example, in one group house the average cost is as low as \$26,600 per resident while in another the average cost is \$67,000 per resident. This variation occurs because some residents require additional staff support because of their challenging behaviour.

Respite care is provided to 120 consumers at Birralee each year. The average annual cost is approximately \$4,000 per consumer.

Respite care is provided to 50 consumers at Finniss Crescent each year. The average annual cost is approximately \$6,000 per consumer.

Average costs also vary as a consequence of changing circumstances. For example, work practice reforms have been introduced at John Knight Hostel and Chapman Hostel. Staff sleepovers have replaced night duties at John Knight Hostel while cleaning procedures have been changed at John Knight Hostel and Chapman Hostel. These reforms will achieve savings of approximately \$168,000 in a full year, thus lowering the average cost.

Grants totalling \$1,819,191 are to be paid during 1993/94 to the non-government agencies listed at 2 (c) above. This is equivalent to an average annual cost of approximately \$14,000 per consumer. The actual amount each consumer receives varies according to their support needs.

(4) IDS Residential Services has commissioned a study of the effects of group house living on the former residents of Bruce Hostel. Preliminary indications suggest that a general improvement in well-being has been experienced by all former residents of Bruce Hostel since their transfer to group houses. No other review is planned at this stage.

(5) Yes. The closure of Bruce Hostel has enabled the following savings to be made: ceasing the employment of kitchen staff - \$126,000 per annum; ceasing the employment of cleaners - \$120,000 per annum.

(6) The Independent Living Centre is also part of the Disability Services SubProgram and was involved in the design and early transition stages of the move from Bruce Hostel. This work has not placed increased demands on the Centre.

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(7) The former residents of Bruce Hostel now live in a number of dispersed group houses and are provided with levels of staff support similar to that provided in the Hostel. There is therefore no reason to suppose that increased demands are being placed on the police by these former residents of Bruce Hostel.

2813

**MINISTER FOR HEALTH  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION 842**

**Abortion Clinic**

Mrs Carnell - asked the Minister for Health

- (1) What rent is the Family Planning Association paying for the premises to be used as an abortion clinic.
- (2) What is the market rent for this accommodation, and what is the basis of rentals charged for other tenants of this Government owned building.
- (3) Why is the Government providing \$100,000 towards the cost of the fitout of the facility, when the private company that will operate the clinic will be funded by way of Medicare rebates and patient contributions.

Mr Berry - the answers to Mrs Carnells questions are

- (1)-(3) The Reproductive Health Services Clinic will occupy the space on a yet to be determined lease anangement. The rental charged will be a notional amount.

Market rent for space within the ACT Health building is determined by the Australian Valuers Office, and this is normally adjusted in line with CPI. Commercial tenants in ACT Health buildings are expected to pay normal market rents. Other organisations, that are not for profit, are provided with space at concessional or even no rent.

The ACT Health building is undergoing a progressive refurbishment. Money to be spent on the space allocated to Family Planning would have been expended on refurbishment in any case. The Reproductive Health Services Company is a not for profit organisation, and aims to provide a service to women at little or no cost to the individual. Medicare rebates will provide money to meet recurrent expenditure incurred in providing the service.

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

**Question No. 843**

**Canberra in the Year 2020 Study**

MR CORNWELL - Asked the Chief Minister, upon notice on 17 August 1993:

What has been the cost to 17 August 1993 of the Canberra in the Year 2020 Study.

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

The cost of the Canberra in the Year 2020 Study from its initiation until 17 August

1993 is as follows:

General costs: (consultancy fees and expenses,  
meeting expenses, printing costs etc) \$33,798

Salaries:

Project Officer \$31,800

TOTAL \$65,598

In addition to these costs, several officers from different Agencies periodically undertook short-term tasks related \_ to Agency coordination for the 2020 Project. Such work is not able to be costed accurately and is not included in the total above.

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**MINISTER FOR HOUSING AND COMMUNITY SERVICES  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION NO. 844**

**Housing Trust - Waiting List**

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

- (1) What has been the result of the review of the waiting list for ACT public rental housing.
- (2) How many applications were removed following the deadline of 28 May 1993.
- ( 3 ) How many people did this represent.
- (4) How many applications and how many people now remain upon the waiting list following the review.

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

- (1) The waiting list for new housing applicants has been reduced by over 30% following the review.
- ( 2 ) 3,405 applications were removed where no reply to the review questionnaire was received.
- ( 3 ) Assuming the average Canberra family size is 2.32 persons this represents 7,900 people.
- (4) The list of new housing applicants was 5,529 following the review. Assuming the Canberra average family size of 2.32 persons, this represents 12,827 people



**MINISTER FOR HOUSING AND COMMUNITY SERVICES  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION NO 845**

**HomeBuyer and HomeBuyer Plus Programs**

MR CORNWELL: To ask the Minister for Housing and Community Services - In relation to the HomeBuyer and HomeBuyer Plus programs of the ACT Housing Trust-

- (1) What are the amounts, rates and terms of any loans from ACT Borrowing and Investment Trust to these two programs in 1992-93.
- (2) What guarantee is there that clients will not have escalating debts in the event of (a) dwelling appreciation being less than CPI; (b) clients finding themselves unemployed and (c) forced sale by either of the programs.
- (3) What income figures are used, subsequent to granting of loans, to ensure higher income earners are not subsidised by either program.
- (4) What remedies are available if successful applicants are found to have materially misrepresented their circumstances to obtain a loan under either program.

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

- (1) The amounts and rates of loans to the Commissioner for Housing from the ACT Borrowing and Investment Trust Accounts in 1992-93 were:

Date	Amount	Rate
2 February 1993	\$1,079,343.73	6.36%
1 April 1993	\$3,353,306.36	5.83%
4 May 1993	\$3,060,324.78	5.67%
1 June 1993	\$5,527,895.05	5.74%
28 June 1993	\$6,313,078.42	5.83%

The Commissioner for Housing has a 5 year contract which commenced on 21 January 1993 with the ACT Borrowing and Investment Trust Account to borrow funds for home lending programs at the rate of the 90 day bank bill rate plus 50 basis points on the day funds are drawn. The contract provides the funds for the period these are required by the Commissioner for Housing for onlending to mortgagors.

The Commissioner for Housing will usually seek funds for the first working day of each month. The ACT Borrowing and Investment Trust Account will also roll over previous borrowings as their terms expire

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(2) Mortgagors face the same benefits, expenses and risks of home ownership as any home buyer.

Under the HomeBuyer and HomeBuyer Plus programs, mortgagors are provided protection in that their monthly payments are income geared. Currently, monthly payments are limited to 27 per cent of the gross household income. This means that mortgagors are assisted during those periods they need loan repayment assistance (for example, low income and high interest rates) and repay the assistance when their income and financial circumstances improve.

Therefore, mortgagors will accumulate a debt, called deferred assistance, during those periods their monthly payments are below the standard loan instalment (that is, the amount required to pay the principal credit foncier loan at the prevailing interest rate). This occurs in the early part of the loan term and during periods when there is a loss of income or an increase in the interest rate. Unlike bank loans, the deferred assistance is not fully capitalised onto the principal loan. Instead, there is currently no interest charge on HomeBuyer deferred assistance and a rate equal to CPI (currently 1%) is charged on HomeBuyer Plus deferred assistance.

In relation to specific events:

- (a) the total debt on HomeBuyer and HomeBuyer Plus loans is not related to movements in the CPI but are influenced by changes in the home loan interest rates and household incomes; however, growth in property values will be offset against the increase in the total debt;
  - (b) mortgagors can seek a repayment review when their income decreases, including periods of unemployment, which will reset their monthly payments to 27% of the gross household income; deferred assistance will be provided if the new monthly payment is below the standard loan instalment; and
  - (c) where mortgagors are faced with a long term financial difficulty and the prospect of losing their equity in the property, the ACT Housing Trust will examine alternative housing solutions with them that will more appropriately meet their current housing need.
- (3) As the HomeBuyer and HomeBuyer Plus programs are income geared, the ACT Housing Trust reviews the gross household income each year on the anniversary of the loan and resets the monthly payment to 27% of the income. This process is applied while deferred assistance remains outstanding.

Where mortgagors have repaid the deferred assistance, their home loan is managed in the same way financial institutions manage credit foncier loans. The interest rate is based on the prevailing rate charged by the Commonwealth Bank of Australia for standard variable rate home loans.

- (4) The HomeBuyer Housing Assistance Program provides for the Commissioner for Housing to cancel an application. The provisions under the HomeBuyer mortgage allow the Commissioner for Housing to require the discharge of the loan if it has already been issued.

The Commissioner for Housing can reassess the loan application if the misrepresentation was made by error. However, where an applicant has knowingly misrepresented their circumstances, it may be necessary to seek an investigation by the appropriate authorities.

As a preventative measure, and where the applicant is a single person, the Commissioner for Housing will not approve the transfer of the property title or the mortgage into joint names.

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26 August 1993

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

**Question No. 846**

**Agents - Statutory Interest Account**

MR CORNWELL - Asked the Minister for Housing and Community Services (Question on Notice transferred to the Chief Minister) upon notice on 17 August 1993:

In relation to the Statutory Interest Account established under clause 71N of the

Agents Act 1968

(1) How much money was in the Account at :

(a) 30 June 1992 and

(b) 30 June 1993.

(2) How much of these funds at (1) has been allocated to each category as set out at

clause 71Q (1)(a) and (b) and 2(a) and (b) of the Agents Act 1968.

(3) In respect of funds applied under 71Q (2)(b) (a) how many persons were assisted; and (b) how many were assisted to (i) acquire; and (ii) rent dwellings.

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

(1) (a) The Statutory Interest Account did not exist on 30 June 1992. It

commenced with a zero balance on 1 July 1992 following the commencement of the relevant provisions of the Agents (Amendment) Act 1992.

(b) The cash balance in the account at 30 June 1993 was \$600,000.

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(2) The cash balance of \$600,000 in the Statutory Interest Account at 30 June 1993

was allocated as follows:

\* Section 710 (1)(a) - a transfer of \$550,000 to the Administration Account was made to pay for the following operating costs:

\* 1992-93 \$249,000

\* 1993-94 \$301,000

Transitional arrangements applied during the financial years 1992-93 & 1993-4. In future, operating costs in each year will be met by transfer from the prior years income.

\* Section 710 (1)(b) - a transfer of \$50,000 has been made to the Agents Fidelity Guarantee Fund.

The transfer of \$50,000 represents the initial payment to be transferred to the Agents Fidelity Guarantee Fund since its establishment on 1 July 1992.

On current projections, it is anticipated that approximately \$150,000 will be available for transfer to the Fund in 1994/95.

\* Sections 710 (2) (a) and (b) - No surplus funds were available to be used for the purposes of these two subsections.

(3) (a) and (b)

\* Refer to my answer to part, (2) above.

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26 August 1993

**MINISTER FOR HOUSING AND COMMUNITY SERVICES  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION NO 847**

**Housing Trust - Home Purchase Loans**

MR CORNWELL: To ask the Minister for Housing and Community Services - In relation to the statement in the ACT Submission into the Industry Commission Inquiry into Public Housing (page 22) that: "The ACT Housing Trust will commence home purchase lending via off budget sources during January 1993: -

- (1) How much money has been loaned from these sources to 30 June 1993.
- (2) How many properties have been purchased by these loans.
- (3) Were any of these properties Trust properties purchased by their tenants and, if so, how many.

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

- (1) \$18,680,172 has been loaned to mortgagors This does not include amounts drawn and not settled by 30 June 1993.
- (2) There were 152 loans issued to mortgagors through off budget funds (ie the ACT Home Loan Trust Account) to finance the purchase of residential properties and 21 loans to assist home buyers refinance an existing home loan.

There were a further 195 loans issued through the ACT Home Purchase Assistance Trust Account in 1992-93.

- (3) Yes, there were 8 loans to public tenants to finance the purchase of their government home.

The HomeBuyer and HomeBuyer Plus loans programs, which are financed off budget through the ACT Home Loan Trust Account, are provided to applicants seeking to finance the purchase of a residential property.

The home loan financing arrangement is a separate transaction to the sale of a government home to a public tenant. However, this does not preclude public tenants from applying for loan finance from the Commissioner for Housing.

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**MINISTER FOR URBAN SERVICES  
LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO 848**

**Kingston Library**

Mr Cornwell - asked the Minister for Urban Services:

- (1) What was the cost of recent renovations to the Kingston Library building, including the entrance
- (2) What was the purpose of the renovations
- (3) When will the Kingston Branch move to the Griffith Primary School site s
- (4) Will renovations be required to the Griffith site and,, if so, what renovations and at what cost

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

- (1) The Kingston Library occupies a privately owned building, and is leased by the ACT Government. The cost of renovations is not known.
- (2) See answer to (1)
- (3) Planning for the move to Griffith Primary School site is currently under way.
- (4) Renovations will be required to the Griffith site, and the Government will consider the extent of renovations and the cost in the budget context

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**MINISTER FOR HOUSING AND COMMUNITY SERVICES  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION NO 849**

**Housing Trust - Kambah Property Leased to YMCA**

MR CORNWELL: Asked the Minister for Housing and Community Services In relation to the ACT Housing Trust property at 2 Ortloff Street, Kambah recently vacated by YMCA supervised occupants

- (1) What was the cost of any maintenance carried out or any improvements such as window furnishings etc in order to prepare the property for occupation by the YMCA program.
- (2) After vacation by the YMCA tenants, was maintenance necessary to prepare the house for occupation by its next tenants.
- (3) If so, what was necessary and what was the cost of such maintenance for each job type.
- (4) Who pays the cost of the necessary maintenance in this instance.

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

- (1) Nil. Window furnishings were provided by the YMCA themselves. External repairs and painting were completed as part of the 1992/1993 cyclical repairs and maintenance program
- (2) Yes.
- (3) Electrical Repairs \$ 168.24  
Plumbing Repairs \$ 103.68  
Internal Repairs \$1092.17  
Internal Paint \$2091.49
- (4) Costs for the internal repairs and painting have been raised as a charge to the tenants. Electrical and plumbing repairs are fair wear and tear maintenance.

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**MINISTER FOR HOUSING AND COMMUNITY SERVICES  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION NO 850**

**Housing Trust - Garran Property**

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

- (1) What was the cost of the five bedroom house constructed at block 24, section 11, Garran (15 Gilmore Crescent).
- (2) What was the value of the three bedroom house at that site destroyed by fire.
- (3) What was the cause of the fire.

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

- (1) The final estimated cost will be approximately \$120,000.
- (2) The market value of the house prior to the fire was estimated to be approximately \$135,000 - \$140,000 (including land).
- (3) An ACT Fire Brigade investigation stated the cause of the fire was believed to have been heat from a fuel fired, fuel powered object

**MINISTER FOR HOUSING AND COMMUNITY SERVICES  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION NO: 852**

**Housing Trust Properties - Auctions**

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

- (1) How are agents chosen to auction ACT Housing Trust Properties.
- (2) How many 3 bedroom properties have been auctioned in 1992-93 and in what suburbs were they located.
- (3) Who was the agent by name in each case.
- (4) What were the auction prices paid in each case.
- (5) What was the reserve or "serious bidding" figure in each case.
- (6) What was the reason for selling in each case.

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

- (1) The ACT Housing Trust advertises for expressions of interest by Real Estate Agents in the ACT. The expressions of interest are then assessed against the guidelines for selection. The Housing Trust will shortly be calling for new expressions of interest.
- (2) Sixteen 3 bedroom properties were auctioned over the 1992-93 financial year and the location is documented on the table on the following page.
- (3) See attached table.
- (4) See attached table.
- (5) For the purpose of setting a reserve figure the Housing Trust auction procedure is to obtain a valuation from the Australian Valuation Office. The actual reserve is established by Housing Trust staff based on the valuation and an assessment during marketing.
- (6) The dwellings in Griffith and Barton were sold in order to release funds for the construction of urban renewal projects in other inner areas of Canberra. There are high concentrations of public housing in Charnwood and Kambah and housing is sometimes sold in these suburbs when no longer required. The properties listed in the inner suburbs, were sold following judgement that it would not be economic for the Housing Trust to spend additional funds upgrading the dwellings. The proceeds from sale are reinvested in providing new dwellings for tenants

Table included in printed Hansard.

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**MINISTER FOR URBAN SERVICES  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION No 856**

**Environment, Land and Planning Portfolio -  
Travel Agency Arrangements**

Mr Cornwell asked the Minister for Urban Services: What are the names of the travel agencies or airlines through which the departments, agencies or any statutory bodies responsible to the Minister for the Environment, Land and Planning make their reservations and where are these companies located.

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

Departments, agencies and statutory bodies responsible to the Minister for the Environment, Land and Planning access the Government contract which is with Qantas - Australian. Qantas - Australian is located in Northbourne Avenue.

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**MINISTER FOR URBAN SERVICES  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION No 857**

**Sport Portfolio -Travel Agency Arrangements**

Mr Cornwell: asked the Minister for Urban Services: What are the names of the travel agencies or airlines through which the departments, agencies or any statutory bodies responsible to the Minister for Sport make their reservations and where are these companies located. , .

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

Departments, agencies and statutory bodies responsible to the Minister for Sport access the Government contract which is with Qantas - Australian. Qantas -Australian is located in Northbourne Avenue.

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**MINISTER FOR HOUSING AND COMMUNITY SERVICES  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION NO 859**

**Home and Community Care Program**

MR CORNWELL: Asked the Minister for Housing and Community Services on 17 August 1993:

- (1) How many organisations or agencies in the ACT are engaged in the provision of services under the Home and Community Care Program.
- (2) What service does each organisation of agency provide.

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

- (1) 23.
- (2) The range of service types funded in the ACT include respite care, home help, home maintenance, food services, transport, information and advocacy, home nursing and program support.

At attachment A is a list of individual agencies and the specific services provided.

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Attachment A

SERVICE DESCRIPTION

Canberra Senior Citizens & HACC Community Worker provides counselling,

Woden Senior Citizens information and referrals to other agencies and home and hospital visits for frail aged people.

Belconnen Community Service A Community Worker provides information,

Northside Community Service co-ordination, support and referral for people in the Southside Community Service HACC target group in the area. Transport services for Tuggeranong Community Service the frail aged and younger people with disabilities Weston Crk Community Service and some drop-in respite services are also

Woden Community Service provided.

Home Help Inc. Provides home care and housekeeping services, such as washing, cleaning, ironing for HACC clients. The service also provides home care assistance to families in times of crisis. A personal care service is available for HACC clients who require such assistance.

Australian Red Cross Society

- Meals on Wheels Delivers hot and frozen meals to frail aged and younger people with a disability.
- Heavy Linen The service provides a daily change of linen for elderly people or those with disabilities affected by incontinence.

ACT Health Provides Community Nursing, Extended Community Nursing, Paramedical Services and centre based Respite Care at Narrabundah Day Centre.

Totalcare Industries Inc. Provides transport for HACC clients, primarily to day centre activities.

Independent Living Centre Provides a comprehensive equipment display and assessment service as well as information covering a range of resources to assist HACC clients to achieve and maintain independence.

Respite Care Service Respite care is provided in the clients home and offers regular or occasional relief for a carer who has responsibility for a frail aged person and/or a younger person with a disability (26-60 years) requiring constant care.

Carers Association ACT Inc. Offers guidance, counselling, information and support to a spouse, relative or friend who is caring for an elderly person or younger person with a disability.

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#### Uniting Church

- Mirinjani Provides a centre based day care program of social/diversional therapy.
- North Belconnen Day Care Provides centre-based day care sessions for HACC clients. Also provides home and hospital visiting, counselling, transport and assistance and support to carers of the confused elderly.

Focus ACT Inc. Provides support to assist people who have an intellectual disability living in the community.

Handyhelp ACT Inc. Offers home maintenance, spring cleaning and lawn mowing to HACC clients at a reduced rate.

FaBRIC ACT Inc. This respite care program is a home based support service which provides regular time-out for families with a young person (aged 0-25 years) who has a disability or severely disabling medical condition.

Sharing Places Inc. Independent community access/living training service with a respite care component. The main objective is to maintain living, social and recreational skills while enhancing dignity and ensuring a safe environment for adults with a severe/profound intellectual, physical and/or behavioural disability.

Croatian Community Welfare Centre Community worker assists frail aged people and people with a disability from Croatian communities and other mid-European backgrounds who require assistant to remain in their own homes.

Community Options Assists people to stay living in their homes by co-ordinating and purchasing services to meet the individual needs of frail aged people, people with a disability or dementia and their carers.

ADACAS Provides support, referral, information and advocacy to people with a disability, people who are ageing and care givers.

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**MINISTER FOR URBAN SERVICES  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION No 860**

**Housing and Community Services Portfolio -  
Travel Agency Arrangements**

Mr Cornwell asked the Minister for Urban Services: What are the names of the travel agencies or airlines through which the departments, agencies or any statutory bodies responsible to the Minister for Housing and Community Services make their reservations and where are these companies located.

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

Departments, agencies and statutory bodies responsible to the Minister for Housing and Community Services access the Government contract which is with Qantas -Australian. Qantas -Australian is located in Northbourne Avenue.

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**MINISTER FOR URBAN SERVICES  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION NO. 863**

**ACTION Bus Drivers - Smoking**

Mrs Carnell - asked the Minister for Urban Services

- (1) Are bus drivers allowed to smoke while in buses on duty in unenclosed cabins; if so, why.
- (2) Does the Government accept that passive smoking is a health hazard.

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

- (1) Drivers are exempt from the non-smoking rule on ACTION buses by Section 25A of the Motor Omnibus Service Regulations which were introduced in the early 1980s.

However ACTION management and employees recognise that there are Occupational Health & Safety policy benefits by not permitting drivers to smoke while there are passengers on the bus. The operating agreement negotiated between management and drivers- prohibits drivers smoking when passengers are on the bus.

ACTION has adopted a policy of encouraging its staff in their efforts to give up smoking through sponsoring QUIT Smoking Courses:

- (2) Yes. The Government is moving towards eliminating smoking from all public places.

**MINISTER FOR URBAN SERVICES  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION NO. 864**

**ACTION Bus Drivers - Hats**

Mrs Carnell - asked the Minister for Urban Services -

(1) Are hats supplied to ACTION bus drivers?

(2) If so: (a) what is the cost of these hats and (b) why are they supplied?

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

(1) Yes.

(2) (a) Approximately \$50.

(b) Hats, of various designs, have been part of the ACTION uniform issue, for both Occupational Health and Safety reasons and for smart appearance, for at least 20 years, although drivers have the option of whether or not they take a hat.

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**MINISTER FOR THE ENVIRONMENT, LAND AND PLANNING**

**LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO 865**

**Macgregor Property - Lease Variation**

Mrs Carnell - asked the Minister for the Environment, Land and Planning

- (1) Has a section 10 lease variation been applied for or granted to the occupier of Section 37 Block 21 Macgregor; if so, when. .
- (2) Have complaints been received from neighbours about the operation of a business at this address; if so, what action has been taken.
- (3) How many applications for a section 10 have been applied for by the resident owner..
- (4) If section 10 variations have been granted (a) when were they applied for; (b) when were they granted; (c) over what properties were they granted; (d) were the usual procedures followed and neighbours contacted and (e) which neighbours (block and section) were approached.
- (5) What restrictions, if any, are pursuant to section 10 approvals/operations.
- (6) Does a section 10 variation permit the storage of oils and flammable liquids on the premises.

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

- (1) The occupier of Section 37 Block 21 MacGregor has not sought approval under section 10 of the City Area Leases Act 1936 to conduct a business from the residential premises.
- (2) No. complaints have been received from neighbours about a business operating from Section 37 Block 21 MacGregor. However, in early February 1992, an anonymous complaint was received. Following an inspection of the property, Departmental officers were unable to establish any breach of the conditions of the Crown lease.
- (3) No applications for section 10 approval have been received from the resident owner.
- (4) Not applicable.

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(5) The applicant must be a bona fide resident of the premises.

Proposals are assessed against the respective Land Use Policy and other agencies considered to have an interest in the activity are asked for comments on the application. Specific conditions are laid out in a Gazetted Instrument of Approval. The approval is for a specified period of twelve months.

(6) The Dangerous Goods Inspectorate of the Department of Urban Services would be asked to comment on any proposal regarding the storage of oils and flammable liquids on the premises.

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**MINISTER FOR URBAN SERVICES  
LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO 866**

**Disaster Plan**

Mrs Carnell - asked the Minister for Urban Services:

- (1) Does the ACT have a Disaster Plan; if so (a) how recently was it updated; (b) are copies available and (c) how are copies distributed.
- (2) Are regular training sessions for disaster workers (paid and volunteer) held.
- (3) What is the retention rate of volunteers in the disaster/search and rescue area.
- (4) Has this rate declined over the past six months.

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

- (1) Yes. (a) The Disaster Plan was updated in 1991 and distributed as photocopies. As indicated in the interim report on the review of Fire and Emergency Services, which I tabled in the Assembly on 11 May 1993 the Emergency Management Committee are currently revising the plan. (b) Yes. (c) Yes, by, ACT Emergency Service.
- (2) Yes. These are conducted by the Central Exercise Writing Team from all emergency services in the ACT, The volunteer units train each Thursday evening and at least one weekend each month.
- (3) Emergency Service volunteers operate on a regional basis. The retention rates over the past year have been 95% for the South region and 100% for the North region.
- (4) There have been no losses in either the North or South, region over the past six months. Registered volunteers number around 300. Active membership has increased from 120 to 160 over the past six months.

**MINISTER FOR HEALTH  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION NO 867**

**Ambulance Service - General and  
Search and Rescue Training**

Mrs Carnell - asked the Minister for Health:

- (1) What is the level of training required for general ambulance officer duties.
- (2) What form does this training take.
- (3) Over what period of time does this training occur.
- (4) What accreditation does this training have. -
- (5) Do ambulance officers undertake any search and rescue training.
- (6) What form does this training take.
- (7) Over what period does this training occur.
- (8) What accreditation does this training have.
- (9) Is there a psychological profile required for search and rescue work.

Mr Berry - the answer to Mrs Carnells question is:

- (1)-(4) The level of training required for an Ambulance Officer is the Associate Diploma of Health Science (Ambulance Officer). This is a Canberra Institute of Technology course accredited by the ACT Accrediting Agency. The training is conducted as an integrated on and off the job, supervised program over a three year period.
- (5) Yes, but it has a rescue focus only. -
- (6) The Patient Extrication subject of the Associate Diploma is dedicated to Rescue Techniques in a variety of settings and is both theory and practically based  
Ambulance Officers do not actively participate in search operations other than to provide patient care to the individuals once located.
- (7) Patient Extrication is an 80 hour subject conducted over 2 weeks with both Fire Rescue and Police Search and Rescue techniques being taught.
- (8) It is an accredited component of the Associate Diploma.
- (9) No, not from the ambulance perspective

**Question No. 869**

**Police Force - General and Search and Rescue Training**

Mrs Carnell: To ask the Attorney General

- (1) What is the level of training required for general police duties.
- (2) What form does this training take.
- (3) Over what period of time does this training occur.
- (4) What level of training was required by the Police Search and Rescue Unit.
- (5) What form does this training take. -
- (6) Over what period does this training occur.
- (7) What accreditation does this training have.
- (8) Was there a psychological profile required to join the Police Search and Rescue Unit.
- (9) Did police officers volunteer or were they conscripted to the Police Search and Rescue Unit.
- (10) How many officers were there in the Police Search and Rescue Unit.
- (11) Has the Police Search and Rescue Unit equipment been disposed of, if so, how.

Mr Connolly: the answer to Mrs Carnells question is as follows:

- (1) The Australian Federal Police (AFP) has not conducted any new member training courses since June 1991. New members undertook approximately 16 weeks general training, followed by further training in Local Procedures. New members deployed to the ACT Region completed an additional 8 weeks Local Procedures training encompassing ACT laws, practices and procedures before commencing duty in the ACT. After the completion of this initial 24 weeks training, new members were placed on 12 months probation while they undertook supervised on-the-job training. This period was also used to assess the new members ability to apply the theory and practical exercises provided in their initial training.
- (2) & (3) The initial new member training was mainly theory based and designed to familiarise members with, inter alia, the role and functions of policing, police powers, the law, evidence, conflict resolution and practical aspects of policing.



The new members were examined approximately once a week on all areas studied. The examinations were set by the course co-ordinators and marked by their instructors, all of whom were AFP personnel. New members were required to have a sound knowledge of the areas studied. Those members who did not meet the required standard undertook remedial instruction and were later re-examined.

The ACT Local Procedures course provided new members with knowledge of ACT laws, offences and practices. The training had a more practical orientation and new members were again examined on all areas studied.

After the probationary period, the constable undertakes training as necessary to keep up-to-date with any changes in legislation and instructions which may affect their powers and the discharge of their duties. These Law and Practices courses, which are currently of three weeks duration, also reinforce the AFPs commitment to ethics and conduct; and address changing community attitudes to policing in the ACT.

The structure and duration of the new member training course is currently under review by AFP National Training and it is likely that the course structure will change prior to the next intake of AFP new members.

(4) to (6) The Basic Rescue Course, conducted by the AFP Search and Rescue Squad, is of six weeks duration and covers 10 main introduction modules. These are:

- Search Team Leader
- Navigation
- First Aid
- Bushcraft
- Casualty Handling
- Vertical Rescue Techniques
- Helicopter Procedures
- Swift Water Rescue
- Self Contained Breathing Apparatus
- Road Accident Rescue

Basic Rescue Course training was designed to give potential members of the Rescue Squad (both full-time and part-time members) theoretical and practical training in the main areas of search and rescue activities carried out by police in the ACT. Those members who successfully completed the course were deemed competent to act as team leaders during search and rescue operations. Full-time members of the Squad completed two years on-the-job-training as Rescue Operators, and, on completion, were assessed by Rescue Supervisors as to their suitability for Senior Rescue Operator status.

Training undertaken by part-time and full-time members of the Search and Rescue Squad was on an ongoing basis

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Following completion of the basic course, members underwent a wide variety of internal and external training of an advanced or specialist nature. Some of the courses conducted by the AFP include:

Improvised Disaster Rescue Course (2 weeks)

Heavy and light truck and 4 x 4 wheel driving  
Swift water boat handling  
Abseiling/Rappelling (helicopter)  
Snow rescue/skidoo handling  
Chainsaw operators course

Some of those conducted by the Australian Emergency Management Institute, Mt Macedon, Victoria, include:

Counter Disaster Planning  
Response Management  
Recovery Management  
Civil Defence  
Disaster Victim Identification

One member also attended the National Police Search and Rescue Coordination Course which is held annually and is of three weeks duration. The course is hosted by a different force each year and allows for a national co-ordination of search and rescue duties.

Members of the Police Response Group, which replaced the Search and Rescue Squad upon the ACT Fire Brigade assuming responsibility for road, domestic and industrial rescue, continue to undertake the abovementioned training.

(7) AFP National Training Division determined the curriculum design and objectives of all AFP internal rescue related training from Search and Rescue Squad Standard Operating Procedures. These procedures are based on standards detailed in The Australian Emergency Manual - Land Search Operations. The ACT Police Response Group is an accredited rescue unit in New South Wales under that States legislative requirements.

(8) No. However, all members were required to undergo a full medical examination.

(9) All members, part-time and full-time, volunteered to join the Police Search and Rescue Squad.

(10) Prior to the transfer of road, domestic and industrial rescue duties to the ACT Fire Brigade, the Police Search and Rescue Squad had thirteen fulltime members, consisting of two sergeants and eleven constables, and thirty part-time members.

(11) A leased 7 tonne Hino vehicle has been returned to the Department of Administrative Services. The remainder of the equipment is still required for the Police Response Groups current functions.

**MINISTER FOR HEALTH  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION NO 870**

**Ambulance Service - Statistics**

Mrs Carnell - asked the Minister for Health:

(1) What were the operational hours worked by each officer for the months of (a) February 1992; (b) March 1992; (c) April 1992; (d) May 1992; (e) June 1992; (f) July 1992; (g) August 1992; (h) September 1992; (i) October 1992; (j) November 1992; (k) December 1992; (l) January 1993; (m) February 1993; (n) March 1993; (o) April 1993; (p) May 1993 and (q) June 1993.

(2) How many calls were received for assistance by the ACT Ambulance Service for the period 1 February 1992 to 30 June 1993 inclusive.

(3) What was the total number of hours worked in overtime to the period 1 February 1992 to 30 June 1993 inclusive.

(4) What number of officers received overtime for the same period.

Mr Berry - the answer to Mrs Carnells question is:

(1) I am not prepared to authorise the use of the considerable resources that would be involved in providing the detailed information required to answer the Members question.

(2) 16 494

(3) 15 313 hours.

(4) The total number of officers who worked overtime was 58.

**Question No. 871**

**Police Force - Statistics**

Mrs Carnell: To ask the Attorney-General - In relation to the Australian Federal Police

- (1) What are the operational hours worked by each officer for the months of  
(a) February 1992; (b) March 1992; (c) April 1992; (d) May 1992;  
(e) June 1992; (f) July 1992; (g) August 1992; (h) September 1992;  
(i) October 1992; (j) November 1992; (k) December 1992; (l) January 1993;  
(m) February 1993; (n) March 1993; (o) April 1993; (p) May 1993 and  
(q) June 1993.
- (2) How many calls were received for assistance by the AFP for the period  
1 February 1992 to 30 June 1993 inclusive.
- (3) What was the total number of hours worked in overtime to the period  
1 February 1992 to 30 June 1993 inclusive.
- (4) What number of officers received overtime for the same period.

Mr Connolly: the answer to Mrs Carnells question is as follows:

- (1) 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 this part of the Members question.
- (2) There were 92,322 incidents reported to police during the period  
1 February 1992 to 30 June 1993 inclusive. Of this figure, 64,213 incidents required the attendance of a police patrol.
- (3) I am advised that it would be an extensive and resource intensive exercise to provide the exact number of hours of overtime worked for the period 1 February 1992 to 30 June 1993, as this would entail manually checking roster sheets for each member. Furthermore, it is not possible to determine an exact figure from the total expenditure on overtime because of the nature of the AFP industrial award which has several overtime rates, viz 150%, 175%, 200% and 250%. In addition to these rates, officers called out to duty receive a minimum overtime payment which is also in accordance with the award.

However, an average or best estimate of the number of overtime hours worked can be provided by using an average figure of \$32.50, which the AFP ACT Region uses when costing other exercises. This figure has been derived from calculations which take into consideration the four overtime rates, and the salary range of the three work levels which are entitled to payment for overtime.

For the period in question, \$2,565,345 was expended on overtime by the AFP ACT Region. This figure is taken from the Department of Finance Salary System, and includes overtime incurred by ACT Region personnel engaged in Commonwealth functions. When this amount is divided by \$32.50, it gives a figure of 78,934 hours overtime worked. The ACT Government share of this figure is approximately 87%, which is 68,672 hours.

It must be noted that the above figures include overtime incurred by both police officers and staff members.

(4) I am advised that it would also be an extensive and resource intensive exercise to provide the exact number of officers who received overtime for the said period, again because of the need to manually check roster sheets. However, given that the police are operational 24 hours a day, 365 days a year, it is highly likely that all of the eligible 667 personnel deployed in the ACT Region received at least one overtime payment during 1 February 1992 to 30 June 1993. Some operational officers would receive overtime on a regular basis, while others in administrative areas would receive such payments infrequently

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

**Question No. 875**

**Economic Development Division - Lunchtime Meetings**

MRS CARNELL - Asked the Chief Minister upon notice on 17 August 1993:

In relation to the Economic Development Division within the Chief Ministers Department -

- (1) Why, are a large proportion of Economic Development Division meetings and committees held during lunch-time rather than during normal business hours.
- (2) Is lunch provided to staff in attendance at such meetings.
- (3) If so, from which program within the program budgeting division of the Chief Ministers Department are such lunches paid.
- (4) If they are not paid from that program in (3), from where are they paid.
- (5) What was the total amount spent on such lunches during the last financial year.

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

- (1) A large proportion of Economic Development Division meetings are not held during lunch time. While resources do not permit an accurate count of the number of meetings involving people from outside the Division, it is estimated that between 1,200 and 1,500 such meetings would have been held in 1992-93. On 37 occasions in 1992-93, either because it suited the needs of private or community sector representatives for meetings to be held during lunch time, or because meetings went for most of the day, a light lunch consisting of sandwiches, cheese; fruit and fruit juice was provided. In-all cases, these meetings involved people from the private and/or community sectors. No lunches were provided for meetings at which only Divisional staff were present. The number of meetings at which lunch was provided represents less than 3 % of the estimated total number of meetings.
- (2) Lunch is provided to staff attending the meetings referred to above. Lunch is not provided at staff only meetings which may go through or be held at lunchtime.
- (3) The cost is charged against the sub-program which has responsibility for the function.
- (4) N.A.

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(5) The total amount spent on lunches in 1992/93 was \$4,905. This represents less than 0.05 % of the Divisions running cost budget.

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**MINISTER FOR URBAN SERVICES  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION No 887**

**Government Vehicles**

Mrs Carnell - asked the Minister for Urban Services: In relation to the 1992-93 financial year -

- (1) How many cars and other vehicles used by the ACT Government Service were (a) owned and (b) leased.
- (2) Of that total, how many are used by SES officers including Departmental Secretaries.
- (3) What was the average cost to run such vehicles on a weekly basis (including petrol and LPG gas).

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

- (1) (a) As at 30 June 1993 the ACT Government owned 1898 motor vehicles. The following is a breakdown of these vehicles:

Passenger 958  
Commercial & other 864  
(including motor bikes)  
Awaiting Disposal 76  
Short Term Hire 16  
Total 1898

- (b) As at 30 June 1993 the ACT Government leased from the Commonwealth Department of Administrative Services (DAS) 8 SES vehicles, 4 passenger vehicles and 17 light commercial vehicles.

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(2) As at 30 June there were 118 passenger vehicles used by SES and equivalent officers, this number includes Departmental Secretaries.

(3) ACT Fleet operates on a direct cash recovery basis. The current hire rates charged by ACT Fleet to recover costs in 1992-93 for SES officers including Departmental Secretaries were:

MODEL Rate per  
week

92193

SES Rates

1.61 Sedan \$92

2.01 & 2.21 Sedan (Camry) \$107

>2.41 Sedan \$126

1.61 S/Wagon \$95

2.01 & 2.21 S/Wagon (Camry) \$112

>2.41 S/Wagon \$131

SES Band 3 Equivalent \$175

Head of Administration \$195

S/Wagon, 4cyl 4x4 \$149

Bus 8 seat \$139

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**TREASURER FOR THE AUSTRALIAN CAPITAL TERRITORY  
LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO. 888**

**Rates Revenue and Expenditure**

MRS CARNELL - Asked the Treasurer upon notice on 17 August 1993:

- (1) What was the total value of rates collected for the 1991-92 financial year and the total for the 1992-93 financial year.
- (2) What programs were these funds then allocated to by program and a brief description of the use put to under each program.
- (3) How much was allocated to each program and the use to which the funds were put.

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

- (1) General Rates collected in 1991-92 were \$71.655m. This information is available in the 1992-93 Budget Paper No 2.

General Rates collected in 1992-93 were \$78.295m. This information is available in the Treasurers Quarterly Financial Statement for the period 1 April to 30 June 1993.

- (2) 1992-93 Budget Paper No 3 provides estimates of municipal expenditure by program with the largest component being general city services at \$43.8m in 1992-93. City services funds activities such as traffic control, road maintenance and waste management. Other descriptions are included in the section titled Municipal Estimates on pages 291 to 301 of 1992-93 Budget Paper No 3.

In 1992-93 municipal rates were estimated to fund approximately 50% of municipal expenditures. The remainder has been estimated to be funded by:

- Commonwealth payments (\$44m or 30% of expenditure in 1992-93);
- fees and fines (\$20m or 14% of expenditure in 1992-93); and
- notional borrowings from the Territorial level (\$7.4m or 5% in 1992-93).

- (3) This question is answered in (2).

**MINISTER FOR URBAN SERVICES  
LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO 890**

**Library Service - Fines Revenue and Book Plus System**

Mr Cornwell - asked the Minister for Urban Services:

- (1) What was the revenue from fines collected by the ACT Public Library Service in (a) 1991-92 and (b) 1992-93
- (2) Has the implementation concluded of the Services BOOK Plus system and, if so, what has been the reduction in lost or stolen books

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

- (1) (a) 1991 - 92 \$126,315
- (b) 1992 - 93 \$143,030

Note: The above amounts include fines for late books and the replacement cost and penalties for lost books.

- (2) The implementation of the ACT Library Service automated BOOK Plus system has been completed. The Library Service is currently planning to increase the system capacity to support an increase in the number of "public access" terminals.

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**MINISTER FOR URBAN SERVICES  
LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO 891**

**Road Signs - Height**

Mr Cornwell - asked the Minister for Urban Services:

(1) Has consideration been given to raising Canberras roadside directional signs to a height that would prevent defacement by vandals with pressure packs and, if not, why-not.

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

(1) No - guide signs in the ACT are designed in accordance with Australian

Standard practice to assist drivers. The height of the sign is determined so that it is clearly visible under headlight illumination at night.

On kerbed roads in urban areas the sign should be set a minimum of 2.0m above the top of the kerb to prevent obstruction by occasional pedestrians or to reduce the interference from parked vehicles.

The possible need for increased maintenance and cleaning, together with sight obstructions to pedestrians or oncoming traffic, should be considered as part of the design process. Signs which overhang a footpath should have a height of 2.5m minimum above the level of the footpath.

It is not possible or practical to eliminate all vandal defacement by design or construction methods alone.

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**MINISTER-FOR URBAN SERVICES  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION NO 892**

**Government Project Signs**

Mr Cornwell - asked the Minister for Urban Services

- (1) What is the average cost of signs identifying ACT Government projects. .
- (2) How much money per annum would be so spent.

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

- (1) The cost of these signs forms part of the tendered price for the work and would generally be in the range of \$500 to \$1200. As the cost of the sign forms part of the competitive tender price, contractors recycle them from one project to the next where it is economically and practically feasible to-do so.
- (2) The annual cost of these signs is directly related to the number of

. projects in the Capital Works programme and the nature of the projects

involved. Small non sensitive projects of short construction period may have no sign, projects covering extensive areas may require two or more signs. On the basis of a programme involving a variety of say 120 new projects, the cost of project signs would be in the order of \$100,000. The value of this cost needs to be measured in terms of public information on the public infrastructure and services being constructed and the benefits and efficiencies obtained by providing the public with relevant contacts for enquiries on specific projects.

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**MINISTER FOR THE ENVIRONMENT, LAND AND PLANNING**

**LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO. 893**

**Starlight Drive-In Site**

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

Has the Government determined the future use of the Starlight Drive-In at Watson;- if not, why not?

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

The Starlight Drive-In at Watson is the subject of a current lease and it is not the Governments entitlement to affect its future other than to deal with any application made by the lessee.

The lessee of the Starlight Drive-In is interested in redeveloping the site and obtained a lease variation to allow for the construction of commercial accommodation several years ago. He was in the process of finalising plans for the construction of commercial accommodation when proposals for a change in land use policy for North Watson was announced. It is now understood that the lessee is awaiting the outcome of the current Draft Variation to the Territory Plan before proceeding further with the currently proposed redevelopment. The Draft Variation, if approved, will allow the lessee a wider choice of uses; including both commercial and residential accommodation.

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**MINISTER FOR HOUSING AND COMMUNITY SERVICES  
FOR THE AUSTRALIAN CAPITAL TERRITORY**

**LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO 894**

**International Tenants Day**

MR CORNWELL - Asked the Minister for Housing and Community Services upon notice on 15 June 1993:

- (1) Is it a fact that the ACT Office of Rental Bonds is celebrating International Tenants Day on 5 October -
- (2) Is this day sanctioned by the United Nations
- (3) What activity is proposed by the Office of Rental Bonds and what is the proposed cost
- (4) From where will the funds for this celebration be obtained
- (5) What is the purpose of the celebration
- (6) Will an International Landlords Day also be celebrated and, if not, how will the Office of Rental Bonds avoid allegations of bias and discrimination

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

- (1) The ACT Office of Rental Bonds, in conjunction with the ACT Housing Trust and the Consumer Affairs Bureau, will be using International Tenants Day as a vehicle to promote information about tenants rights and responsibilities. International Tenants Day is celebrated on the first Monday in October of each year. This year International Tenants Day will fall on 4 October.
- (2) International Tenants Day is not a day that appears on the United Nations calendar. This does not preclude the use of International in the title of the day.

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- (3) The Office of Rental Bonds will be taking part in radio interviews and phone-ins and making press releases in local newspapers. These types of activities are part of the Offices educational and public relations program so no additional costs will be incurred.
- (4) No funds are required.
- (5) The Office of Rental Bonds is using International Tenants Day as an opportunity to promote information about tenants rights and responsibilities as they relate to bonds and to promote the functions of the Office of Rental Bonds.
- (6) If the Office of Rental Bonds received details of an International Landlords Day it would arrange a promotion for landlords similar to those arranged for tenants on International Tenants Day.

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**ATTORNEY GENERAL**

**LEGISLATIVE ASSEMBLY QUESTION  
QUESTION NO 896**

**Housing Trust Properties - Deaths and Suicides**

MR CORNWELL: Asked the Attorney General - How many

(a) deaths and

(b) suicides have been recorded in

(i) 1991-92 and

(ii) 1992-93 at

(A) Burnie Court

(B) Bega Flats

(C) Kanangra Court.

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

The only figures available in relation to this matter are those of the Australian Federal Police (ACT Region). These figures, however, exclude any deaths that were not reported to the police. The figures also exclude any deaths that occurred after the person concerned was transported to hospital. The format of ACT Department of Health records would make the identification of such matters almost impossible without an excessive amount of work.

According to Australian Federal Police ACT Region records:

(A) There were no suicides at Burnie Court during 1991-92 and 1992-93. However, there were five deaths at the complex during 1991-92 and two deaths during 1992-93.

(B) There were no suicides or deaths at Bega Flats during either of the financial years mentioned.

(C) There were no suicides at Kanangra Court during the periods

mentioned, and only one death in 1992-93.

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

**QUESTION NO 897**

**Yarralumla Woolshed Function**

Mr Cornwell - asked the Minister for the Environment; Land and Planning - In relation to a function in the last two months at the Yarralumla Woolshed

- (1) Did considerable damage occur.
- (2) If damage did occur was some damage structural and what was it. "
- (3) What was the cost of repairing all the damage.
- (4) Has legal or any action been taken to seek restitution for the damage and if not why not..
- (5) What organisation had hired the Yarralumla Woolshed when the damage occurred.
- (6) Was the Woolshed closed for several days while the damage was repaired.
- (7) Who manages and hires out the Yarralumla Woolshed.
- (8). Does the-Yarralumla Woolshed have heritage listing.

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

- (1) No.
- (2) During the course of the hiring, some minor damage occurred when a car struck one of the Woolsheds supporting pillars, knocking it out of alignment. The \_ . damage,e. was confined to the pillar and -did not affect the structural integrity of the building.
- (3). Approximately \$150. .
- (4) The cost of repairs was deducted from the security deposit. lodged by the hiring organisation; a group of students from the University of. Canberra. The lodging of a deposit is a normal part of the hiring agreement for the Woolshed.

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Furthermore, the unacceptable behaviour of the university students involved has been drawn to the attention of the Vice Chancellor and the Students Association by my Department. The Vice Chancellor has responded with an undertaking to investigate the matter further.

(5) The Woolshed was hired by a group of students from the University of Canberra.

(6) No

(7) The Woolshed is managed and hired out by the Facilities Section of the Office of Sport and Recreation.

(8) The Woolshed is on the Register of the National Estate and is to be assessed for inclusion on the ACT Interim Heritage Places Register.

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**MINISTER FOR SPORT**

**LEGISLATIVE ASSEMBLY QUESTION**

**Question No. 899**

**Swimming Centres - Fees and Attendances**

Entry fees to swimming, pools and effect of the opening of the Tuggeranong Pool on attendances at the Erindale pool.

. Mr Cornwell - asked the Minister for Sport -

(1) What is the entry fee to (a) Tuggeranong, (b) Erindale and (c) Civic swimming centres.

(2) Since the opening of the Tuggeranong Swimming Centre has there been any discernible fall-off in attendance at Erindale Pool. -

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

(1) The entry fees for all three pools are as follows:

Individual Entry: Adults \$2.50,  
Children/Students/Pensioners Benefit Recipients \$1.50,.  
Spectators \$1.00, Family visit \$6.00

Books of 20 Tickets: Adults \$35.00 (30% discount on individual entry fees),  
Children/Students/Pensioners/Benefit Recipients \$20.00

(33% discount-on individual entry fees). -

(2). Since the opening of the Tuggeranong Pool on

15 May 1993 Erindales attendance figures have shown decreases in the order of 30% against the equivalent monthly periods, in 1992. Both the Tuggeranong Vikings Swim Club and Aussie Masters have transferred their activities from Erindale to Tuggeranong accounting for some of the decreases. However, Swim School

enrollments at Erindale have been maintained with approximately 850 children being enrolled in June and July 1993.

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

**QUESTION NUMBER 903**

**Weston Creek Property - Lease Transfer**

Mr Cornwell - asked the Minister for the Environment, Land and Planning - In relation to block 664, Weston Creek

- (1) Did the lease of this block change hands earlier this year.
- (2) If this lease did change hands did any other block adjacent to block 664 also

change hands at the same time and if so, what are the details.

- (3) What (a) was the length of the lease granted to the new tenant; (b) type of

lease was granted and (c) are the terms of the purpose clause and the withdrawal clause.

- (4) Who is the new lessee and what use has been approved for the block.
- (5) Is the land classified as Designated Land under the National Capital Plan.
- (6) What is the average period of a lease granted to National Capital Plan

Designated Land.

- (7) Does such land usually carry with it any restrictions as to its usage.

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

- (1) No. Consent to transfer the lease of Block 664 Weston Creek was given in September 1991.

- (2) No. Blocks 1163, 677 and 1172, all of which are adjacent to Block 664, are designated Public Land and are unleased.

- (3)(a) During negotiations around the purchase of the lease, the prospective

purchasers sought advice from the Department of Environment, Land and Planning on extending the term of the lease. The prospective vendor, as well as the prospective purchaser, were advised of the support of both the National Capital Planning Authority and the Department of the Environment, Land and Planning for a 25 year term. After purchase of the lease by the new lessee, the existing lease was surrendered and a new lease issued for 25 years, commencing on 13 January 1992.

- (b) The lease, which is classified as rural with a commercial component, was granted under the Leases Act 1918.

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(c) The lease was granted for the following purpose:

"To use the premises for grazing stock agricultural horse riding school purposes and for a single unit private dwelling".

Consistent with the approach adopted for other rural/commercial leases, such as Fassifern Equestrian centre and the Gold Creek Homestead, the lease was issued without a withdrawal clause.

(4) The new lessees are Stephen John Dawn and Anne Veronica Dawn. The block

is used for stock grazing and agricultural purposes. A single unit private dwelling was already on the block.

(5) Yes.

(6) I am not able to provide advice on the average term of leases granted over

Designated Land. Each case is assessed on its merits where commercial interests are involved and leases of the order of 25 years are not unusual. For example, the lease recently issued over the site of The Boathouse restaurant was for 25 years.

(7) Planning intentions and restrictions for Designated Land are determined by the

National Capital Plan. The block therefore falls within the planning control of the National Capital Planning Authority. In accordance with normal practice, the Authority's views on the proposed term extension were sought. A 25 year term was supported.

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**MINISTER FOR HOUSING AND COMMUNITY SERVICES  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION NO 904**

**Housing Trust Properties - Dual Occupancy Redevelopments**

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

- (1) How many ACT Housing Trust properties have been identified for redevelopment for dual occupancy.
- (2) In what suburbs, and in what numbers in each suburb, is this taking place.
- (3) Do existing tenants have any say in whether or not another house is to be erected on the block and, if not, why not.
- (4) Are existing tenants offered the new house in exchange for their co-operation in agreeing to dual occupancy.
- (5) Why is the Trust developing dual occupancy.
- (6) Are all Design and Siting and/or Territorial Planning Authority requirements being met.

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

- (1) The ACT Housing Trust has built dual occupancy houses on 46 blocks to date, and has identified another 6 to be built in 1993/94.
- (2) These sites are distributed thus:

**BUILT PROPOSED BUILT PROPOSED**

Ainslie 19 3 Latham 1 1  
Bonython 1 - Macgregor 1 -  
Braddon - 1 OConnor 6 -  
Campbell 1 - Oxley 1 -  
Conder 4 1 Rivett 1 -  
Downer 2 - Scullin 1 -  
Fraser 1 - Theodore 2 -  
Kambah 2 - Yarralumla 3 -

- (3) Sitting tenants are consulted about whether or not a dual occupancy is built on their site, and their needs are taken into account. The timing and design may be altered to meet their needs.
- (4) Yes, if they are interested and eligible.
- (5) They are an efficient means of capitalising previously underutilised land resources.
- (6) Yes.

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**MINISTER FOR HOUSING AND COMMUNITY SERVICES  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION NO 905**

**Housing Trust Properties - Currong Flats Ground Floor**

MR CORNWELL: Asked the Minister for Housing and Community Services -  
In relation to accommodation leased to the Federal Department of Health on the  
ground floor of Currong Flats, Braddon -

- (1) What was the original purpose of Health's occupancy.
- (2) Were any toxic or dangerous substances in use.
- (3) How long have the premises been vacant.
- (4) What is the expiry date of the lease.
- (5) How much rent is paid per month for these premises.
- (6) Is any attempt being made to renegotiate the lease for earlier termination.
- (7) What future use, if any, is intended for the space.
- (8) How many square metres of space is involved and what equipment (eg air conditioning, kitchen equipment) is still in place and in serviceable condition.

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

- (1) The primary function was to check the sterility of pharmaceutical and biological goods supplied to the Australian community.
- (2) Not to the knowledge of the Housing Trust.
- (3) The premises are still occupied by the National Biological Standards Laboratory.
- (4) 60 days after alternative premises have been acquired by the Commonwealth for the National Biological Standards Laboratory.
- (5) \$2,490 per month.
- (6) No.
- (7) The Housing Trust is currently carrying out studies to determine the most feasible and cost effective usage of the area.
- (8) 391.6 square metres of space. There are 5 air conditioners, the property of the National Biological Standards Laboratory.



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

**QUESTION NO 908**

**Tenants Union**

MR CORNWELL: Asked the Minister for Housing and Community Services - In . relation to the new office opened by the Tenants Union (ACT) and its service offered, launched by the Minister on 19 July 1993

- (1) How much government funding has been provided for this service.
- (2) How much government funding, or other support or resources, is provided. annually to the Union.
- (3) Is equivalent funding to (1) and (2) provided to the Landlords Association and, if not why not.
- (4) How do the services provided by the Union differ from those provided by the Citizens Advice Bureau, Consumer Affairs or the Rental Bond Board in the Provision of services to tenants.
- (5) What is the difference in service to tenants provided by the Union and Welfare Rights and Legal Centre.
- (6) How many staff are employed by the Union and (a) who pays the salaries and (b) how much is each staff member, by position and duty paid.

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

- (1) The government provided a one-off establishment grant of \$13 000 in February this year. These funds were provided under the Community Services Grants Program.
- (2) The Tenants Union (ACT) does not currently receive recurrent funding from the ACT Government.
- (3) (1) No, (2) I am not aware that the ACT Landlords. Association has sought funding. If such a request was received it would be considered in the light of available funds and in terms of social justice principles.
- (4) The Tenants Union promotes information and education on the rights and obligations of both public and, private tenants in the. ACT. The service also. provides an information and referral service to individual tenants.

The Citizens Advice Bureau is anon-government organisation providing a broad range of community information, including the production of the Contact

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Directory. It provides a general community information service and referral to . appropriate agencies for people requiring additional support or assistance.

The Consumer Affairs Bureau aims to promote fair trading between consumers and traders in the ACT. The Bureau is responsible for the administration of the Landlord and Tenant Act 1949.

The Office of Rental Bonds provides an independent custodial service for residential rental bonds. It promotes better understanding between landlords and tenants concerning their rights and obligations as they relate to rental bonds.

(S) The Welfare Rights and Legal Centre provides legal advice and assistance to persons on a low income on matters affecting their consumer credit, income maintenance or housing. The Centre also undertakes research and education on these or related matters and promotes law reform.

(6) I am not aware that the Tenants Union employs any staff However, matters relating to the internal affairs of the Tenants Union should be raised with that organisation for their response.

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**MINISTER FOR HOUSING AND COMMUNITY SERVICES  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION NO 909**

**Housing Trust Properties - Rates and Land Tax**

MR CORNWELL: Asked the Minister for Housing and Community Services

(1) What average rates per annum is the ACT Housing Trust paying in 1993-94

for 3 bedroom houses in (a) Yarralumla; (b) Curtin; (c) Wanniasa; (d) Charnwood and (e) Calwell.

(2) What average rates for such properties in each of these suburbs did the Trust pay in 1992-93.

(3) What is the (a) unrebated and (b) maximum rebated rent for such properties in each suburb in (i) 1992-93 and (ii) the current year.

(4) Do unrebated Trust tenants pay rates and, if not, why not.

(5) Does the Trust pay "market rate" rates and land tax on its properties.

(6) What is the total paid by the Trust in (a) rates and (b) land tax in (i) 1992-93 and (ii) the current year.

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

(1) and (2) Information in relation to 3 bedroom houses is not available, however, the average general residential rates for public housing properties is as follows:

Suburb 1992-93 .n a.(\$) 1993-94 p.a.(\$)

Yarralumla 1,325 1566

Curtin 683 837

Wanniasa 408 483

Charnwood 377 463

Calwell 377 424

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(3) The range of 1992-93 unrebated dwelling rentals, for each of the five suburbs, is detailed in the table below. The review of rent levels for 1993-94 has yet to be finalised. Information on current rents paid by tenants of individual dwellings is not available.

Suburb Fortnightly Rent  
Range Yarralumla 327 - 351

Curtin 306 - 317  
Wanniassa 279 - 291  
Charnwood 296 - 302  
Calwell 296 - 308

Rental rebates will vary dependant on the individual tenants income, however, each tenant is subject to a minimum rent of \$40 per fortnight.

(4) In the ACT, general residential rates are levied on the owner or lease holder of each property, in this instance, the Commissioner for Housing. General residential rates are not levied on Housing Trust tenants.

(5) The Housing Trust pays full general rates on properties leased or controlled by the Commissioner for Housing. Land tax is not levied on these properties.

(6) (a) General residential rates

(i) paid in 1992-93: \$5,549,856;

(ii) this information is not available pending finalisation of the 1993-94 ACT Budget. (b) See answer (5) above.

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**MINISTER FOR THE ARTS ,**  
**LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO 910**

**New Childers Street Theatre**

Mr Cornwell - asked the Minister for the Arts - In relation to The Street, the new Childers Street Theatre.

- (1) What was the original cost of construction.
- (2) Has there been a cost overrun, if so, (a) how much and (b) why was there such an overrun.
- (3) What was the original cost of furnishing.
- (4) Has there been a cost overrun in furnishing, if so,  
(a) how much and (b) why was there such an overrun.
- (5) Will the theatre have a restaurant and will the restaurant be open to the public during normal business hours.

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

- (1) The original cost of construction was \$1,774,000.
- (2) The current cost of construction is \$1,794,014.
- (2a) Cost overrun is currently \$20,014.
- (2b) The overrun is attributable to variations normal to a construction project to make minor refinements to the buildings design, adjustment of provisional sums and an increased requirement for smoke detectors by the ACT Fire Brigade.
- (3) The cost of major furnishing items is \$43,000 for fixed theatre seating and \$33,000 for vinyl and carpet floor covering.

The Capital Works Budget does not include funding for items of furniture which-are not built-in. The provision of loose furniture is the clients responsibility.

- (4) No.
- (5) The theatre will not have a restaurant but will have a bar facility which will also provide snack food. Access to the public will be determined by the liquor licensing laws.

26 August 1993

**MINISTER FOR THE ARTS  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION NO 911**

**New Childers Street Theatre**

Mr Cornwell - asked the Minister for the Arts - In relation to The Street, the new Childers Street Theatre.

- (1) What were the tender criteria for managing the theatre.
- (2) Who are the members, by name, of Stagemaster Inc and what are their individual qualifications to manage a theatre (and restaurant) complex
- (3) Will funding be made by grant or by loan to operate The Street and has a time limit been set for such taxpayer assistance.

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

- (1) The criteria for assessing applicants who tendered to the theatre were:
  1. "Your reason for applying to manage the New Childers Street Theatre.
  2. Relevant experience, legal structure, key personnel.
  3. Your understanding of and methods of achieving the following objectives:
    - i. to provide continuous, diverse and balanced programming of performing arts activities, with an emphasis on innovative undertakings and ACT enterprises.
    - ii. to be a central focus and venue for ACT performing arts activity.
    - iii. to be a vibrant focus for community cultural activity.
    - iv. to be a financially viable enterprise."

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(2) The names of the members of The Stagemaster Inc., their position in the organisation and a brief outline of their qualifications and skills for managing a theatre are detailed below:

John McDonnell  
President

Economist and lawyer, with a history of involvement in performing arts and business management.

Andrew Pike  
Vice-President

Leading Australian film distributor and co-proprietor of Canberras popular cinema, Electric Shadows.

Michael Weston  
Treasurer  
and as a board member of theatre companies.

Jacob Beaton  
Secretary

Arts Administrator, with a career in professional performing arts as producer, director and manager.

Camilla Blunden  
Member

Actor, teacher and well-known in Canberras art scene as director with Women on a Shoestring and Eureka! Theatre Company

Stephanie Burrige  
Member

Dancer, choreographer, arts administrator and Artistic Director of the Canberra Dance Theatre.

Stephen Champion  
Member

Artistic Director of Jigsaw Theatre Company, performer and advocate for the arts in Canberra.

Francine Chin  
Member

Radio broadcaster, with special knowledge of youth culture and contemporary music.

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Josiah Li  
Member

Visual artist, business person and restaurateur of The China Tea Club fame.

Bruce Townsend  
Member

Freelance architect, original project designer for the venue with intimate knowledge of the Centre, its design and potential.

Michael White  
Member

Performer and actors union representative, with the Media, Entertainment and Arts Alliance.

Peter Rush  
Manager

Actor, director and arts administrator, with venue and company management experience.

(3) Funding for The Street will be through the ACT Cultural Development Grant Program.

The Stagemaster Inc has submitted a five-year business plan which indicates a gradual reduction in the level of government subsidy over this period.

It is expected that the theatre will become a viable, self-funding venture shortly thereafter.

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*26 August 1993*

ATTACHMENT A

EXPRESSION OF INTEREST

T92411

MANAGEMENT OF THE NEW CHILDERS STREET THEATRE

FOR

ARTS AND SPECIAL EVENTS

CLOSING TIME: 2PM CANBERRA TIME

CLOSING DATE: 4 FEBRUARY 1993

26 August 1993

## 1. NOTICE TO RESPONDENTS

### 1.1. GUIDELINES FOR RESPONDENTS

1.1.1. This is not a request for tender (RFT).

1.1.2 No commitment or guarantee is given that a respondent will be invited to provide the management service. . .

1.1.3. After examination and assessment of the submissions received a shortlist of company/companies who can best achieve the Territorys requirements will be prepared. Company/companies who are included on the shortlist will be invited to enter into negotiations to provide the required management service.

### 1.2. CONTACTS .

1.2.1. Interested parties are encouraged to discuss any aspect of the proposed management service arrangements with the following: -

for contractual enquiries - Mrs Susan Charlton, Telephone (06) 2075551

for technical enquiries - Mr John Stanwell Telephone (06) 2072377

### 1.3. LODGEMENT OF REGISTRATION OF INTEREST

1.3.1. Expressions of Interest shall be lodged and received no later than 2pm, Thursday 4th February 1993. .

1.3.2. Expressions of interest may be lodged either:

- a. by posting or hand delivery in a sealed envelope marked with a description of the Expression of Interest and the Expression of Interest number to;

The Tender Box  
Contracts Section  
Public Works & Services  
Department of Urban Services  
3rd Floor, John Overall offices  
BRADDON ACT 2620

OR

- b. by facsimile transmission, facsimile number (06) 2075543, provided that any Expression of Interest lodged by facsimile shall be confirmed by lodgement of the Expression of Interest not later than five (5) days after the closing time specified.

### 1.4. CONFIDENTIALITY

1.4.1 All information provided by the respondents will be treated as

COMMERCIAL IN CONFIDENCE.

## 1.5. FREEDOM OF INFORMATION

1.5.1. The ACT Freedom of Information Act 1989 gives members of the public rights of access to official documents of the Territory and its administrative units. The Act extends, as far as possible, the rights of the Australian community to have access to information (usually documents) in the possession of the Territory limited only by exceptions and exemptions (listed in the Freedom of Information Act 1989) necessary for the protection of public interests and the private and business affairs of persons in respect of whom information is collected and held by Territory administrative units. Tenderers are advised to seek independent legal advice on the effect of the Act on their Tenders.

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## PART 2 .

### SPECIFICATION FOR THEATRE MANAGEMENT

#### 2.1. SCOPE

This Expression of Interest is for the Management of the New Childers Street Theatre. for a period of five (5) years.

#### 2.2. NEW COMMUNITY THEATRE BLOCK 1 SECTION 30 CITY CNR UNIVERSITY AVENUE AND CHILDERS STREET

The ACT Government recognised the need for a new community based theatre facility to replace the inadequate facilities of the old Childers Street Theatre and the TAU Theatre at Braddon that was destroyed by fire.

The construction of a new Community Theatre was included in the Governments 199.1/1992 Capital Works Program. Construction commenced in June 1992. and is expected to be completed by July 1993.

The site is located on the corner of University Avenue and Childers Street, Canberra City. The project has been briefed to provide seating for an audience of 250 persons and to allow for the performance of music, dance and principally drama.

In recognising the many and varied prospective users of this facility, a design reference Group was established after an initial Public Meeting in August 1991.

The Group comprising key members of the ACT performing arts community, was established to assist in the development of the functional requirements and provide valuable input into the design of the building. The Group provided unique and detailed insights into the distinctive requirements of theatres and worked collaboratively with the architect throughout the whole design process to meet the ambitious brief.

The proposal includes generous stage and back-stage areas together with a rehearsal room, dressing rooms, box office, bar, foyer and associated facilities. The design is intended to offer the potential for performance spaces both inside and outside the building in addition to the auditorium.

In April 1992, the Childers Street Theatre Management Advisory Group was established to advise on the future management of the new theatre. This group recommended that the management of the new theatre be put out to tender and advertised both locally and nationally.

The building-is sited to address the diagonal approach from University Avenue to Childers Street and actively participate in this pedestrian precinct with the siting of the outdoor performance space on the University Avenue side of the site. The built form is clearly recognisable as a theatre and presents a prominent "night time" address to Childers Street.

Future plans for University Avenue include the development of this area as a vibrant commercial and community precinct that links the Australian National University to the rest of the city:.

The architectural character of the building is intended to create a feeling of "theatre" and "occasion". The approach to the building foyer rises through paved platforms to promote the feeling of expectation and the entry portico columns are deliberate references to the "curtain" through which one passes to reach the "stage". The foyer has small steps at each side so that, on entering the building and stepping on to this "stage"; the theatre-goer becomes a participant in the community theatre.

The foyer becomes a transparent object at night and shows people gathering in the foyer to present a dramatic image to the street and evoke expectation and excitement. The advertising "billboard" is mounted on the corner of the auditorium wall as a dynamic element in the building form to display forthcoming productions.

#### SPONSOR:

ACT Arts and Special events,  
Department of the Environment, Land and Planning

#### - DESIGN REFERENCE COMMITTEE:

Jacob Beaton, Mandy Brown, Stephen Champion, Judith Clingan, Christopher Cole, Mark Ferguson, Helene George, David Longmuir, Phil McKenzie, Lyn O'Brien, Stella Wilkie, Joe Woodward and ACT Government representatives. MANAGEMENT ADVISORY GROUP:

Jacob Beaton, Mark Ferguson, Helene George, Lyn O'Brien, Camilla Blunden, Bill Stephens, Andrew Pike, Aida Amirhanian, Catherine Mann, Vanessa Crimms, Fiona Kelly and ACT Government representatives. CONSTRUCTION AUTHORITY AND PROJECT-MANAGER:

ACT Public Works Department of Urban Services .

### 2.3. THEATRE MANAGEMENT

The Theatre Management will be responsible for managing the centre. The Theatre Management will be required to: pay all rates water, electricity and telephone rental costs pay for any, repairs under SSW. 00 .

- pay for all cleaning including the removal of rubbish .
- pay for ongoing maintenance of the grounds
- . pay for the salaries of all staff, including annual leave, superannuation etc

pay for insurance and safety contracts  
pay for all running costs other than those specified in the contract as-ACT

Arts and Special Events responsibility

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. to operate within the guiding principles drawn up by the Childers Street.

Theatre Management Advisory Group. Failure to do so will mean the

-. management will be given three (3) months notice and then asked to

vacate. - .

A formal process of evaluation will be established and a review panel will be set up to ..

consider the managements performance against the original criteria at the end of the first,

second and fifth year

#### 2.4. THEATRE DEVELOPMENT . \_.

In order to assist in the development of the Childers Street Theatre it is envisaged that

support offered in the form of rental concessions and the payment of all repairs and

maintenance over \$500.00 be made available-to the Theatre Management.

The Theatre was originally conceived as a "bare-walls, plug-in" facility, not unlike the two it replaces. However the Sponsor believes this may affect the artistic and financial viability of the venue. Strategies-are now in place to provide basic sound and lighting as soon as possible.

Furthermore funding is being sought through the Governments Capital Works process to build a Cafe/Restaurant (as envisaged in the Theatre plans) in the next two to three years. In the event of significant improvements that increase the venues financial viability up to a negotiated amount (such as a Cafe/Restaurant), there will be a review of the financial terms of the contract.

#### SCHEDULE OF AREAS

Table included.

PART 3.

3.1. SELECTION CRITERIA

The following criteria will be used to assess applications received from the Expressions of

Interest for the Management of the New Chillers Street Theatre in Canberra.

Please address, the following in your application:

1. Your reason for applying to- manage the New Childers Street Theatre .
2. Relevant experience; legal structure, key personnel
3. Your understanding of and methods of achieving the following objectives:
  - i. to provide continuous, diverse and balanced programming of performing arts activities, with an emphasis on innovative undertakings and ACT enterprises.
  - ii. to be a central focus and venue for ACT performing arts activity.
  - iii. to be a vibrant focus for community cultural activity. .
  - iv. to be a financially viable enterprise.

SERVICES

26 August 1993

**MINISTER FOR THE ENVIRONMENT, LAND AND PLANNING**

**LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO. 913**

**North Duffy-Holder Development - Environmental  
Impact Statement**

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

Will an Environmental Impact Statement be called for the proposed North Duffy/Holder development; if not, why not?

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

The Land (Planning and Environmental) Act 1991 provides for three levels of environmental assessment:

- a Preliminary Assessment (PA) is an analysis identifying potential issues and concerns relating to a proposals potential impact;
- a Public Environmental Report (PER) is a statement of the environmental impacts of a proposal where such impacts may be localised, short term and of small magnitude, and where the range of impacts is restricted; and
- an Environmental Impact Statement (EIS) is a statement of the environmental impacts of the proposal where such impacts may be widespread, long term and of great magnitude and where the range of impacts is broad.

The ACT Planning Authority has prepared a Preliminary Assessment for the proposed North Duffy/Holder development and has made this Assessment available for public inspection under the provisions of the Act. As the period for public inspection has now expired I will, in my capacity as Minister for the Environment, evaluate the Assessment and public comments to determine the need for any further environmental assessment. If further assessment is deemed necessary, it may take the form of either a Public Environmental Report (PER) or an Environmental Impact Statement (EIS).

2880



**MINISTER FOR HOUSING AND COMMUNITY SERVICES  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION NO. 914**

**Housing Trust Tenants - Rent Relief**

MR CORNWELL - Asked the Minister for Housing and Community Services - What provision, if any, exists for rent relief or deferment for ACT Housing Trust tenants in respite care.

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

There is currently no provision for rent relief or deferment for ACT Housing Trust tenants in respite care.

2881

26 August 1993

**MINISTER FOR HOUSING AND COMMUNITY SERVICES  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION NO 916**

**Scullin House**

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

- (1) What is the current status of the youth accommodation centre known as Scullin House.
- (2) What is intended to be done with the property.
- (3) Why was Scullin House closed.
- (4) How many residents did it accommodate.
- (5) Where are people previously accommodated at Scullin House now accommodated.
- (6) How many people are accommodated at Kaleen Cottage.

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

- (1) The residence formerly known as Scullin House has been closed.
- (2) The residence has been returned to the public housing pool, and has been altered into two dwellings which have been allocated to tenants.
- (3) The design was inappropriate for the clients of the Service.
- (4) Scullin House accommodated up to eight young people.
- (5) Kaleen Shelter.
- (6) Up to eight young people can be accommodated at the Kaleen Shelter.

2882

**MINISTER FOR THE ENVIRONMENT LAND AND PLANNING**

**LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO 918**

**Gungahlin - Golf Courses**

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

- (1) Are two golf courses planned for Gungahlin; if so, where are they to be located.
- (2) Why is it deemed necessary to establish two golf courses in the area.

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

- (1) Two golf courses are to be established in Gungahlin. Gungahlin Golf Course is being developed as part of the Gungahlin Golf Course Estate located in Ngunnawal and Nicholls.

The second course, Harcourt Hill, is to be located in Nicholls.

Both courses are located within areas specified for "Restricted Access Recreation" on the Draft Territory Plan and indicated at Attachment A.

- (2) The function and objectives of the two golf courses in Gungahlin are different.

The Gungahlin Golf Course is being constructed within the flood plain of Ginninderra Creek and on other land predominantly unsuited to residential development. When completed, the course including club house and associated facilities is to be leased by the Territory to a community based club and will provide a major recreational facility within the new town for local residents. It is expected to ultimately achieve a standard similar to our better existing courses.

The Harcourt Hill development is a tourist initiative designed to attract international tourists, visitors to the Territory and residents of the District. Its viability has also been established. The golf course is to be developed as part of an international tourist facility including a hotel, country club, conference, sporting and recreational facilities, associated with residential development in Nicholls. It will be constructed to international championship resort course standards and operated as a commercial enterprise, by the private sector. Gungahlin was chosen as the most appropriate location for such a facility.

*26 August 1993*

Electronic copy not available but it is in the printed Hansard.

**MINISTER FOR HOUSING AND COMMUNITY SERVICES  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION NUMBER 919**

**Housing Trust - Dwelling Constructions**

Mr Cornwell - asked the Minister for Housing and Community Services -

- (1) How many new ACT Housing Trust dwellings were provided for in the 1991-92 Budget.
- (2) What was the total Budget outlay.
- (3) How many of these dwellings actually were constructed and at what cost.
- (4) Why was there a shortfall in the number of dwellings constructed.
- (5) What happened to the unused funds.
- (6) Is it anticipated that the 262 new dwellings allowed for in the 1992-93 Budget will be constructed in the financial year, if not, why not.

MR CONNOLLY- The answer to the above questions are:

- (1) It was estimated that there would be 203 dwellings committed in 1991/92.
- (2) The total Capital Works Budget for 1991-92 was \$31.388m.
- (3) There were 267 dwellings committed in 1991-92. The total Capital Works expenditure for 1991-92 was \$32.116m.
- (4) There was no shortfall in the number of dwellings committed in 1991-92. The Government accelerated the program because of concerns about the level of activity within the housing industry.
- (5) There were no unused funds.
- (6) It was anticipated that 262 new dwellings would be completed in 1992-93. The final figure for 1992-93 was 207. The shortfall was due mainly to the slow performance of a house/land package; and delays in undertaking a spot purchase package and two joint ventures.

2885

26 August 1993

**MINISTER FOR THE ARTS**

**LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO 924**

**Multicultural Arts**

Mr Cornwell - asked the Minister for the Arts -

- (1) Are there proposals to establish the position of a Multicultural Arts Officer in ACT Arts and Special Events.
- (2) If so, when will this occur and if not, why not.
- (3) Is it the Government's intention to establish a Multicultural Arts Centre in the ACT.
- (4) If so, when and if not, why not.

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

- (1) There are no proposals to establish the position of a Multicultural Arts Officer in ACT. Arts and Special Events.
- (2) Cultural diversity is a central principle of ACT Government policy in all areas and is mentioned prominently in *SHARING THE VISION: a framework for cultural development*, the ACT Cultural Councils policy document released in May 1993.

Throughout 1992/93 ACT Arts and Special Events and the ACT Cultural Council each had a representative on the national working party responsible for developing *The Big Picture*, a framework for multicultural arts practice, which was recently endorsed by the Cultural Ministers Council.

One of the central tenets of *The Big Picture* and contemporary multicultural arts practice is that it should be mainstreamed and not marginalised and this is reflected in current ACT Government arts policy.

In its development of *SHARING THE VISION: a framework for cultural development*, ACT Arts and Special Events and the ACT Cultural Council sought the advice of its Multicultural Interests Working Group. Among other things, the group recommended that (in future) rather than having a separate group, Arts and Special Events, Council and each of its committees should reflect cultural diversity interests in their membership. As well, it was recommended that all Committees and staff involved in grant assessment should have regular cross cultural training. This is in keeping with current national thinking.

-2-

(3) No.

(4) See (2) above. Our approach is to assist current organisations/facilities to embrace cultural diversity in day-to-day activities.

Canberra has a range of current (and planned) facilities which could and should accommodate increasing levels of multicultural activity to more fully reflect the culturally diverse nature of the ACT community.

2887

26 August 1993

**MINISTER FOR THE ENVIRONMENT, LAND AND PLANNING**

**LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO 925**

**Rural Leases**

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

In relation to your reply to question on notice No. 793 concerning three departmental officers who hold more than one rural lease, how many leases do each of these hold.

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

The three departmental employees who hold more than one rural lease in either their own, family or company names and details of the holdings in question are as follows:

Kevin Southwell

The lease held over part Block 1 of Section 45 Mitchell and part Block 1 of Section 77 Lyneham is in the name of Mr Southwells wife who has been a race horse trainer in the region for many years. The part blocks are held on the same lease and are considered to be one holding. Block 139 Majura was purchased at a public auction on 18 February 1984. Mr and Mrs Southwell and their son are joint lessees.

Laurie Tong

Mr Tong is currently joint lessee, with his brother and mother, over Blocks 2 and 62 Booth. This holding has been in the Tong family since the 1800s.

Louie Margules

A family company by the name of "Mark Dallas Pty Ltd" holds Block 1466 Tuggeranong and Blocks 97 and 49 Jerrabomberra. Block 49 Jerrabomberra was purchased at a public auction on 10 December 1987.

2888



**MINISTER FOR HOUSING AND COMMUNITY SERVICES  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION NO. 926**

**Housing Trust - Bond Loans**

CORNWELL - Asked the Minister for Housing and Community Services - In relation to ACT Housing Trust loans made to tenants to help them pay bonds to private landlords -

- (1) How many loans were paid in each month of (a) 1991 and (b) 1992.
- (2) What was the monthly value of these loans in each year.
- (3) What is the average fortnightly repayment amount of a bond loaned by the Trust.

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

- (1) Information for the financial year 1991-92 is unavailable.

Information for the financial year 1992-93 is detailed below.

Month	Number	Amount	Av Mthly Val.
July	7 0	\$26,809.00	\$382.98
August	8 3	\$36,146.00	\$435.49
September	9 1	\$39,187.00	\$430.62
October	9 6	\$43,500.00	\$453.12
November	6 1	\$28,901.00	\$473.78
December	5 4	\$24,217.00	\$448.46
January	7 5	\$34,328.00	\$457.70
February	7 2	\$31,927.00	\$443.43
March	7 3	\$30,145.00	\$412.94
April	7 8	\$33,836.00	\$433.79
May	4 5	\$19,683.00	\$437.40
June	9 7	\$41,826.00	\$431.19
Total	8 9 5	\$390,505.00	\$436.74

- (2) Information pertaining to the monthly value of each loan for 1992-93 is included in above table.
- (3) The loan repayments are made on a monthly basis. The monthly average repayment is \$36.00.

26 August 1993

**MINISTER FOR HEALTH  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION NO. 928**

**City Health Centre - Picture of Queen**

Mr Cornwell - asked the Minister for Health:

1. Has the picture of Her Majesty The Queen recently been removed from the foyer of the City Health Centre.
2. If so, (a) why was the picture removed and (b) upon whose authority.
3. Is it intended to replace the picture and if not, why not.

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

1. Yes.
2. (a) Removed by person/persons unknown.  
(b) By no authority.
3. No. ACT Health is having dialogue with the Arts Council - ACT on a new theme for the building.

2890

**MINISTER FOR SPORT  
LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO 929**

**Sports Drug Tests**

Mr Cornwell asked the Minister for Sport -

What is the estimated cost of testing local sportsmen and women for use of illegal substances?

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

The Australian Sports Drug Agency does not test sportspersons for use of illegal substances. It tests for use of substances and methods which have been listed by the International Olympic Committee as having performance enhancing effects which are unacceptable in sport.

The cost of conducting these tests is clearly identified in the Explanatory Memorandum to the Sports (Drug Testing) Bill 1993. It is anticipated that it will cost an average of \$300 for each athlete tested by the Australian Sports Drug Agency. It is expected that there will be 50 tests a year.

2891

26 August 1993

**MINISTER FOR HOUSING AND COMMUNITY SERVICES  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION NO. 932**

**Housing Trust - Rental Bond Defaults**

MR CORNWELL - Asked the Minister for Housing and Community Services - In relation to your letter to me of 21 June 1993 -

- (1) How many rental bonds paid for by the ACT Housing Trust were not repaid to the Trust by the tenants in (a) 1991-92 and (b) 1992-93.
- (2) How much did this amount to in each of these years.
- (3) What steps are being taken to recover these amounts.

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

- (1) Number of rental bonds not repaid in full by applicants in:
  - (a) 1991-1992 was 651
  - (b) 1992-1993 was 1054
- (2) The value of rental bonds not repaid in:
  - (a) 1991-1992 was \$277,729.00
  - (b) 1992-1993 was \$448,240.00
- (3) All bond loan recipients are required to sign an agreement to repay the loans. Loans established prior to 30 June 1993 were given a 12 month period before commencement of repayment. From 1 July 1993 this period was reduced to 6 months. Repayments are then made over the next 12 months by instalments.

The ACT Housing Trust has recently sought tenders for a debt collection service to assist in the recovery of outstanding bond amounts.

2892

**MINISTER FOR URBAN SERVICES  
LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO 935**

**Holder High School Gymnasium**

Mr Cornwell - asked the Minister for Urban Services: In relation to the community use of school facilities -

- (1) What is the status of the ex-Holder High School gymnasium..
- (2) Is it in regular use? If not, why not.

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

- (1) The gymnasium is currently vacant. ,
- (2) No. My Department has received several proposals for use of the gymnasium and is now consulting with the ACT Planning Authority on land use policies and the suitability of the proposed uses.

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**MINISTER FOR HOUSING AND COMMUNITY SERVICES  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION NO 936**

**Housing Trust - Rent Deductions**

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

In relation to the statement in the Housing Estimates of 9 October 1992 (p1365) that "the fine details of a formal agreement with Social Security" was being negotiated concerning voluntary deductions of ACT Housing Trust rents -

- (1) Has this agreement been formalised; if so, when; if not, why not.
- (2) If it is in operation, how many tenants have opted to participate.
- (3) Has it reduced bad debts, say by pro rata comparison with 1992 and if so, by approximately how much.

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

(1) The agreement has not been formalised. The Government made an in principle agreement and commitment to the direct debit of social security pensions in October 1992. The formal agreement is being negotiated to address minor concerns raised by the ACT Government Solicitor.

The implementation has been delayed by the Victorian Governments action of giving the Scheme a low priority for the Victorian Department of Planning and Development, who administer public housing in Victoria. The ACT Housing Trust has reached agreement with Victoria that programming of the computer system, to run the ACT part of the Scheme on the shared ISIP system, will commence during the first half of 1993/94.

(2) See above.

(3) See above

**MINISTER FOR HOUSING AND COMMUNITY SERVICES  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION NO. 937**

**Housing Trust - Rent Arrears**

MR. CORNWELL - Asked the Minister for Housing and Community Services - In relation to rental arrears of ACT Housing Trust properties-

- (1) How much money is outstanding at end 1992-93 in  
(a) vacated accounts and (b) current accounts.
- (2) How many properties are represented in (1).
- (3) How much money has been written off in (1).
- (4) How many tenants were evicted in (1) and for what reasons were they so evicted.
- (5) In relation to arrears at (1) how many (a) vacated and  
(b) current accounts totalled (i) \$10,000 or more;  
(ii) \$5,000 - \$9,999; (iii) \$1,000 - \$4,999 and  
(iv) below \$1000.

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

- (1) The information as at 30 June 1993 is:

Vacated accounts - \$2,837,187 (net of write-offs).  
Current accounts - \$2,085,577.

- (2) The number of accounts represented in (1) is  
Vacated accounts - 2 6 92  
Current accounts - 6 7 4 8

- (3) Debts written off as at 30 June 1993 are as follows;

Vacated accounts - \$210,556.  
Current accounts - nil.

- (4) 22 tenants were evicted in 1992-1993 due to  
rent arrears

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(5) This information is only available as at 31 August 1993 and is as follows

Category Current account Vacated account Total

Over \$10,000 1 2 3

\$5,000-\$9,999 8 25 33

\$1,000-\$4,999 555 1017 1572

Under \$1,000 4 8 81 19 2 5 6806

Total 5445 2969

8414



**MINISTER FOR HOUSING AND COMMUNITY SERVICES  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION NO 938**

**HomeBuyer and HomeBuyer Plus Programs**

MR CORNWELL: To ask the Minister for Housing and Community Services - In relation to the HomeBuyer and HomeBuyer Plus programs of the ACT Housing Trust

- (1) How many loans have been provided in each program in 1992-93.
- (2) What was the total amount and what was the average amount of a loan in each program in 1992-93.
- (3) What have been the actual administrative costs and what were the projections of these costs in 1992-93.
- (4) What is the current formula for granting loans and granting repayments under each program.
- (5) Is priority given to Trust clients in granting loans.
- (6) What are the advantages to HomeBuyer Plus clients, ie people on moderate incomes, if they are paying bank interest rates and a CPI rate on the deferred amount.
- (7) Are surplus daily funds in both programs invested; if so, (a) with whom and (b) what has been the financial result of this activity in 1992-93.

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

- (1) HomeBuyer - 358 loans; and  
HomeBuyer Plus -10 loans.
- (2) HomeBuyer - \$35,567,192 and \$99,350; and  
HomeBuyer Plus - \$1,226,950 and \$122,695.
- (3) The home loans programs are accounted for in the ACT Home Purchase Assistance Account (HPA) and the ACT Home Loan Trust Account (HLT). The administrative costs charged to these Accounts include the operational costs for the issue and management of loans, providing information on home purchase and the research and development involved in developing home purchase programs and policies.

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The administrative expenses (including salary, administrative, legal and operational) in 1992-93 were:

(a) HPA - \$2,004,568; and (b) HLT - \$202,000.

The administrative expenses charged to the HPA include the cost of administering the existing portfolio of Commissioner for Housing mortgages, issuing new HomeBuyer and HomeBuyer Plus loans from this Trust Account and supporting home purchase assistance programs.

The administrative expenses charged to the HLT is the management fee for managing the loans issued under this Trust Account.

(4) In 1992-93, mortgagors were able to borrow 180 times their weekly income

under the HomeBuyer program and 150 times their weekly income under the HomeBuyer Plus program. The ACT Housing Trust uses a computer loan calculator to assist applicants in determining their maximum borrowing capacity.

At 30 June 1993, the maximum loan under the HomeBuyer program was \$120,000 and under the HomeBuyer Plus program was \$140,000. The actual loan amount depends on the maximum borrowing capacity of the applicant.

At 30 June 1993, the limits under the HomeBuyer and HomeBuyer Plus programs were:

HomeBuyer	HomeBuyer Plus
Maximum income \$790 per week	\$980 per week
Maximum property purchase price \$140,000	\$160,000
Minimum deposit 5% of purchase price	5% of purchase price

Mortgagors are provided assistance by having their loan repayments income geared. The current maximum repayment is limited to 27% of gross household income.

(5) Tenants joining the normal wait list for a home loan are interviewed in order with all applicants. However, tenants seeking loan finance to assist with the purchase of their government home, are granted an interview when they apply.

(6) Mortgagors assisted under the HomeBuyer and HomeBuyer Plus programs are unlikely to be able to secure sufficient loan funds through private sector sources to enable them to purchase a home. They are usually disadvantaged because of low income, low deposit or are not able to satisfy the strict lending criteria of financial institutions.

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Under the HomeBuyer Plus program, mortgagors are assisted at the time they apply for and receive a home loan and during the period of their loan.

Mortgagors require only a 5 per cent deposit without the added cost of mortgage insurance and pay an establishment fee of \$260 (this fee was \$250 in 1992-93). This is a saving on the costs and requirements set down by financial institutions.

During the period of the loan, mortgagors are benefited by having their loan payments income geared. This is currently 27 per cent. The difference between the loan payment and the standard loan instalment is provided as deferred assistance and is repaid when the income or financial circumstance of the mortgagor improves.

The deferred assistance attracts an interest charge equal to the CPI which maintains these funds in real value terms. However, unlike the financial institutions, the deferred assistance is not capitalised at the full home loan interest rate. Therefore, HomeBuyer Plus mortgagors are benefited by having a lower interest rate on the deferred assistance.

(7) There are no surplus funds against the HomeBuyer and HomeBuyer Plus programs. However, funds remaining unspent in the ACT Home Purchase Assistance Trust Account (HPA) and the ACT Home Loan Trust Account (HLT) are invested by the ACT Treasury through the ACT Borrowing and Investment Trust Account on behalf of the Commissioner for Housing.

As these funds are invested daily and are included with other Territory investments, specific details of the sources are not readily available for the I-IPA and HLT. The investment earnings for 1992-93 were:

- (a) HPA - \$385,610; and
- (b) HLT - \$58,026

**MINISTER FOR HOUSING AND COMMUNITY SERVICES  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION NO 939**

**Housing Co-operatives**

MR CORNWELL - Asked the Minister for Housing and Community Services - In relation to the Barton Co-operative Housing Society:

- (1) How many properties does the Co-operative own or administer.
- (2) How many people are accommodated.
- (3) Is Government funding involved; and if so, how much in (a) 1992-93; (b) 1991-92 and (c) prior to 1991.
  
- (4) Is the Government funding in the form of a grant or a loan and, if the latter, (a) what is the rate of interest and (b) the period of the loan.
- (5) Who are the members of the Board by name and qualification.
- (6) What rental rates are charged by the Co-operative.
- (7) Are there any other low cost housing co-operatives operating in the ACT and, if so, what are the details.
  
- (8) Where are these outlays identified in the annual Budget documents.

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

- (1) The co-operative has title to two properties and head leases four properties from the ACT Housing Trust.
- (2) Occupancy of these properties averages a total of twenty tenants at any given time.
- (3) 1992-93 nil  
1991-92 \$144,000  
prior to 1991 \$8,000
- (4) Government funding is in the form of a grant. No loans have been provided to the co-operative

(5) Members of the Board by name and qualification are:

(list of directors)

Name Oualification

IANSON Brian Retired

IANSON Warren Pensioner

TAYLOR Gordon Retired

ANDERSON Peter Public Servant

SMITH Tony Retired

SHAG Helen Student

DANIELS Patricia Unemployed

(6) The rental rate is 20% of the tenants income.

(7) There are eight other co-operatives operating in the ACT.

HOME Co-operative provides accommodation for families on low incomes. HOME own three properties and occupy another five.

SEGAIS Co-operative provides accommodation for women with stress disorders and physical disabilities. SEGAIS own two properties.

MEIDELANT Co-operative provides accommodation for women on low incomes and their children. MEIDELANT own one property.

PHOENIX Housing Co-operative provides accommodation for low income earners. PHOENIX occupy one property.

POACH Co-operative provides accommodation for low income earners. POACH own four houses and head lease one property from the ACT Housing Trust.

JUNO Womens Housing Co-operative provides accommodation for single women with children. JUNO occupy six ACT Housing Trust dwellings within close proximity to one another. Each resident is on a separate tenancy with the Trust.

SASWOW Co-operative provide accommodation for young people without adequate accommodation. SASWOW head lease one property.

WYUNA Co-operative provides accommodation for homeless people. WYUNA own one house.

(8) Outlays for the grants are identified under the budget for the Local

Government and Community Housing Program which was funded by the Commonwealth under the Commonwealth State Housing Agreement.

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**MINISTER FOR URBAN SERVICES  
LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO 944**

**City Services Group - Project Officer**

Mr De Domenico asked the Minister for Urban Services: In relation to the appointment of John Wilson as an AS06 in the Department of Urban Services -

- (1) When was Mr Wilson appointed.
- (2) What are his duties and title and is this a permanent appointment.
- (3) If it is only a short term appointment what are the terms\_ and conditions.
- (4) What was the selection process used to appoint Mr Wilson.
- (5) Did the appointment contravene an order by the head of ACT Administration,

Mr Bill Harris.

- (6) Was a position of Union Liaison Officer (ULO) abolished on 31 March 1993;

if so, (a) were consultative committee operations and information flow processes set up to replace the position of ULO; and (b) what process lead to the position being opened again.

- (7) Were two other ULO positions offered as well as the position filled by Mr Wilson; if so, who filled these positions.

- (8) Are there guidelines for the appointment of officers in the Department of Urban Services; if so, what are they.

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

- (1) 27 July 1993 .
- (2) Mr Wilsons duties are to design, plan, implement and report on a program of

structural and work place reform for the Waste Management Section of the ACT City Services Group. His title is project officer. It is not a permanent appointment.

- (3) The terms and conditions are as usual for short term temporary employees and include no possibility of long term temporary or permanent employment.

- (4) Normal selection procedures were followed in recruiting Mr Wilson, as described in the attached letter, sent to the Public Sector Union (PSU) on 13 August 1993, at the PSUs request.

- (S) No.

(6) Yes.

(a) Yes. A comprehensive structure of Local Union Management

Consultative Committees (LUMCCs) has been set up covering all work places in the Department. These meet regularly, and/or as required, and handle local issues. A peak committee, the Joint Union Management Consultative Committee, meets every two to three months and considers issues of importance to the whole Department. Local issues which cannot be solved at the relevant LUMCC may also be taken up to the Joint Committee.

(b) The position has not been opened again.

(7) No.

(8) Yes. They are the same guidelines that apply to all ACTGS agencies.

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ACT Department of Urban Services

GPO Box 158 Canberra ACT 2601. Telephones (06) 207 551.8

Public Sector, Professional, Scientific Research Technical, Communications, Aviation and.  
Broadcasting Union 28 Lonsdale Street

BRADDON ACT 2601. -

Attention : Sarah Schoonwater

IRC MATTER - C No 9074 OF 1993

During a meeting of -5 August 1993, you raised a number of questions in relation to the filling of a temporary and a permanent position in the Department of Urban Services (DUS), City Services Group, at the AS06 level. In particular, you asked DUS to respond to the following points:

to remove the current temporary officer from his position until this dispute is resolved

- to provide evidence that the proper merit processes and practices have been adhered to in relation to

- Stephen Hunters letter to Winsome Hall of 13 March 1992

- the Harris Directive of 30 July 1992

- the role of the Staff Placements Task Force (the Task Force) .

- the use of Templine

to provide documentary evidence for why the following staff were not acted in the short-term position



- all AS04-6s On the Task Force list
- all professional officers and all officers ranked above AS06 on the Task Force list
- all AS05-6s in the Department of Urban Services
- to provide individual, documented reasons for why each of the above officers was not considered suitable for the temporary position
- to provide a reason why S116A of the Public Service Act was not used in this instance.

#### Background

#### Permanent position

There is currently an AS06 permanent position under recruitment action in ACT City Services. This is Position Number (PN) 12551. You have a copy of the duty statement and selection criteria for this position.

This position was first advertised in the Gazette of 3 September 1992. Insufficient applications were received and the position was re-advertised on 19 November 1992. Sufficient applications were received (previous applicants were reconsidered.) and a recommendation from the Selection Advisory Panel was sent to Personnel Section on 18 May 1993. The Personnel Section rejected the recommendation for technical reasons- The position was readvertised in the Gazette of 17 June 1993\_ Only one application was received for the position, so the selection advisory committee delayed interviews to allow a further three late applications to be submitted. Interviews were held-for the position on 12 and 13 July 1993. The report of the outcome of the interviews is in a late stage of draft but the first ranked applicant has not yet been identified. The report is expected to be finalised in the next two weeks and the normal process of notifying the transfer/promotion/appointment will ensue.

The permanent position was referred to the Task Force on the first two occasions (ie September and November 1992), and no potentially excess or excess officers applied for the position.

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Significant effort went into attempts to fill the permanent position on a short-term temporary basis (for example, on temporary transfer or HDA) and these efforts have been explained to you in detail in private discussions. You have all available documented evidence. However, to our knowledge, there were no suitable officers available in DUS at the time.

#### Temporary position

During the period in which City Services has been going through the process of filling the permanent AS06, position, the Waste Management. Section of the City Services Group failed to win an important cleaning contract in the Parliamentary triangle. This generated an urgent need for a short project to investigate ways in which Waste Management could be restructured to become more competitive. This is a project which would normally have fallen within the duties of the occupant of PN12551.

Since City Services had been unable to fill the position either permanently or temporarily, it was necessary to establish a short-term temporary position to be filled by a short-term temporary contract. Subsequently, City Services took the following steps to engage a temporary employee for a period of three months.

A request for a temporary employee was sent to Personnel on 20 July 1993 (you have a copy). Details of the duties of the position and skills required were sent to personnel on 21 July 1993 (you have a copy, along with a copy of the project brief). These are not the duties of PN12551; though PN12551 would include them.. As the position was short-term and temporary, there was no requirement for it to be referred to the Task Force. In addition; there is no requirement to advertise to fill a temporary employment contract of less than six months for any position above AS01 level.

In its letter to Personnel of 20 July,. City Services requested that a certain person be included in the list of potential people forwarded from Templine. This is common practice and does not mean that the requested name will be selected for the temporary contract: However, in this case, Templine was only able to nominate that particular person. Personnel then drew up a short-term

2906.

contract for three months which commenced on 27 July .1993.

Issues.

In-response to your specific points, the following -information is submitted.

Removal of temporary employee

Given the history of the situation, there are. no grounds .. upon which to terminate the contract. The incumbent is not and cannot be an applicant for the permanent position.

Evidence of proper merit processes

(a.) In relation to Stephen Hunter .s letter to Winsome

Hall on 13 March 1992 in which an agreement of 91/92 is

talked about. I understand that the ACTGS is about to enter into discussions with the PSU with a view to develop an agreement on the use of temporary employees, contractors and consultants within the ACTGS.

(b) The Harris Directive only covers the permanent filling of positions within the ACTGS and conditionally bans -agencies from advertising a range of positions in . the press. Where circumstances dictate, these arrangements may be waived. YOU have a copy of the

relevant document. In this case, the position has never -

. been advertised in the press. -

(c). The role of the Task Force is set out in the

i7framework Agreement and the Enterprise Bargaining

- Agreement. Both Agreements detail the processes that are

-applied by the Task Force. They are also both directly linked with the provisions of the RRR Award.. The RRR Award covers permanent transfer at or below the substantive level of the excess officer, but not higher duties arrangements or promotions. In addition, the Task Force is concerned primarily with. permanent placement. or a long-term temporary placement-where there is a strong indication that it will lead to a permanent placement, not short-term temporary placements.. it would not be in the best interests of an excess officer to be placed in a

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temporary position which has no prospects for permanent placement.

(d) The background to this case, outlined above, clarifies that City Services made use of Templine in appropriate circumstances and using appropriate procedures.

#### Documentary evidence

As you will be aware, and as was explained in the meeting of 5 August 1993, documentary evidence of the kind you are seeking is not available because arrangements for short-term temporary positions are not handled in writing, except for appointments through Templine. You have all relevant documentation for that case. The processes used have been detailed in the background sections above and in discussions

use of S116A

You stated that, in your opinion, S116A of the Public

Service Act should have been used to arrange the temporary transfer of an officer into the vacant AS06 (PN12551) position, pending permanent filling of the position- As was explained on 3 and 5 August 1993, only one suitable officer was potentially available for HDA. As this person was already acting at the AS06 level and as he was occupying an equally important and similar position within DUS, neither he nor City Services considered it in the best interests of the Department to seek a S116A transfer.

#### Conclusion

I trust that the details given above will satisfy any concerns outstanding after the IRC hearing on 3 August and your meeting with the Department on 5 August.

Craig Gamack  
Manager  
Industrial Relations  
Rehabilitation  
13 August 1993

**ATTORNEY GENERAL OF THE AUSTRALIAN CAPITAL TERRITORY  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION NO 945**

**Brothels and Escort Agencies**

Mr De Domenico - Asked the Attorney General upon notice on 18 August 1993:

In relation to the Prostitution Act 1992 which commenced on 7 May 1993 and requires brothels and escort agencies by law to provide information to the Registrar within seven days from 7 May 1993 -

- (1) How many brothels and escort agencies provided the required information by close of business (a) on 14 May 1993 and (b) after 14 May 1993.
- (2) How many brothels and escort agencies have not provided the required information.
- (3) How many provided reasonable excuses for not providing the required information.
- (4) What reasonable excuses were used and accepted for those who have not provided the information.
- (5) What action, if any, has been taken against unregistered brothels.
- (6) Has the Registrar signed any evidentiary certificates; if so, for which brothels.
- (7) Has any corporation nominated the name and residential address of each director and each shareholder as required by the Act.

Mr Connolly - The answer to the members question is as follows:

- (1) (a) 9; (b) 6 One brothel that came into operation after the 14 May 1993 has also been registered bringing the total number of registered brothels and escort agencies to 16.
- (2) The Registrar has no investigative capacity and he has no information relevant to this question. The police may suspect that some unregistered brothels or escort agencies may be operating but a thorough investigation would need to be conducted before this could be conclusively concluded in any case. Police policy is to pursue information regarding unregistered brothels as resources and other priorities allow. Should such inquiries disclose sufficient evidence, prosecution action would be initiated in consultation with the Director of Public Prosecutions.
- (3) Nil
- (4) N/A
- (5) Refer to answer for part 2.
- (6) No
- (7) Companies operating a brothel or escort agencies that have registered have provided the Registrar with relevant information on directors and shareholders.

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26 August 1993

**MINISTER FOR URBAN SERVICES**  
**LEGISLATIVE ASSEMBLY QUESTION**  
**QUESTION ON NOTICE 947**

**Hospice Project**

Mrs Carnell - asked the Minister for Urban Services

- (1) When were tenders called for the management of the hospice project on the Acton Peninsula and how was the invitation to tender advertised.
- (2) On what basis was the tender awarded to John Hindmarsh Pty Ltd.
- (3) How many other organisations tendered and why were they not selected.
- (4) If lower tenders were submitted by how much were they cheaper than the successful tenderer.
- (5) What was the value of the contract awarded to the successful tenderer.
- (6) Was the tender selected the one that was recommended by Departmental staff.
- (7) Did the Minister for Health have any involvement in the selection of the tender or the timing of the invitation to tender.

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

- (1) Submissions were sought on 3 March 1993 from a short list of 6 selected Project Managers in accordance with approved standard Capital Works procedures.

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(2) John Hindmarsh ACT Pty Ltd were engaged as Project Management for the design, documentation and construction of the facility. .

The firm was selected after an extensive evaluation of all submissions that their offered service provided the Government with the best value for money.

The selection criteria which- Capital Works used to assess each short listed Project Manager were as follows:

Understanding the task. and brief requirements Capacity to commit the necessary resources by way of an experienced project.team as soon as the Project is to proceed.

Ability to strictly scrutinise design proposals with a view to meeting budgetary constraints. .

Ability to gain a high performance from consultants and retain control of design development and documentation on a fast track program.

Flexibility to respond quickly and effectively to design changes during design, documentation and construction .

Ability to anticipate construction, cost or programming problems and to provide high quality, early advice and recommendations to Capital Works

Ability to-manage industrial relations -

Ability to manage the budget and construction program

Ability to be sensitive to the Clients requirements throughout the project: .

An attractive but realistic financial offer.

Confirmation of a willingness to, work with the nominated head consultant. .

(3) Five other firms were invited to provide Project Management submissions and all responded. They were not selected because. after evaluation of their responses to the selection criteria they were considered not to give as good value for money. as John Hindmarsh Pty Ltd.

(4) John Hindmarshs financial offer was the lowest submitted.

(5) \$3M. , .

(6) Yes.

(7) No.

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**MINISTER FOR URBAN SERVICES  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION NO 950**

**New Assembly Building -  
Electrical Services Contract**

Mr De Domenico - asked the Minister for Urban Services:

- (1) Has a contract for an energy/lighting management system for the ACT Assembly building. just been awarded.
- (2) If so, (a) when was it awarded; (b) who won this tender; (c) where is the equipment manufactured and (d) what was the tender price.
- (3) Is ACTEW involved in any way with the winning tender,- either in the past or currently.,
- (4) If ACTEW is involved what profit does it make from its involvement.
- (5) Was the winning tender the lowest price tendered; if not, why werent. lower bids accepted and what was the difference in bid prices.
- (6) Were there any Australian companies which tendered and why were their bids rejected. .

Mr Connolly - the answer to Mr De Domenicos question is as follows:

- (1) Yes.
- (2) (a) 23 June 1993.  
(b) ODonnell Griffin.
- (c) Components are manufactured in the United Kingdom and assembled in Australia, with only one item (Main Control Unit) being imported fully assembled.

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(d) The contract has been awarded as part of the Electrical Services package at a total cost of \$999,990.

(3) No.

(4) Not applicable.

(S) Yes.

(6) Yes. All six tenders were received from Australian companies. No bids were rejected. The lowest tender was accepted.

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**TREASURER FOR THE AUSTRALIAN CAPITAL TERRITORY  
LEGISLATIVE ASSEMBLY QUESTION**

**Question No 951**

**Residential Rates - Deferred Payments**

MRS CARNELL - Asked the Treasurer upon notice on 24 August 1993:

- (1) During the last financial year how many people requested deferment of their residential rates for payment from their estate.
- (2) During the last financial year how many people received approval to defer rate payments from their estate.
- (3) What annual interest rate is charged for the use of this facility.
- (4) What is the average duration of deferred payments.
- (5) What are the terms and conditions of this deferral.

MS FOLLETT - The answers to the Members questions are as follows:

- (1) During 1992-93 there were ten new applications for deferment of rates on hardship grounds under the provisions of the Rates and Land Rent (Relief) Act 1970. Two of these applications were from pensioners.
- (2) In the 1992-93 financial year nine new applications for deferment of rates were approved by the Delegate of the Minister (two pensioners applications and seven nonpensioners applications). As of 30 June 1993 there was still one case pending.
- (3) The deferred charges incur an interest of 12% per annum.
- (4) As of 30 June 1993 there were 64 current cases with deferred rates (including interest charges) totalling \$485,432.93. Deferments are approved for a set period that may vary from one or two financial years to an indefinite period. Of the current cases 41 are for an indefinite period, 10 are for periods of 1 to 3 years and 13 for periods between 4 to 6 years. Some determinations have been in force since 1983.

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- 5) Provisions are made in the Rates and Land Rent (Relief) Act 1970 for ratepayers who are suffering "substantial hardship" or who are on a full fringe benefits pension to apply to have all or part of their rates deferred. The applicants can only apply for a deferment of rates charges in respect of their principal place of residence and must, in cases involving hardship, supply documentation to substantiate income, assets and liabilities.

The deferred charges and interest become an encumbrance against the property and are either recovered at the end of the deferred period or upon disposal of the property.

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26 August 1993

**MINISTER FOR HOUSING AND COMMUNITY SERVICES  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION NO 952**

**Palmerston - Temporary Community Facility**

MS CARNELL: Asked the Minister for Housing and Community Services: In relation to the provision of a temporary community facility at Palmerston.

1. What is the projected costs of relocating the demountable from Ginninderra High School to Palmerston?
2. What will be establishment costs of the temporary facility including landscaping, refurbishment etc?
3. What would the cost of a permanent Community House in Palmerston be?
4. What community facilities will be available at Palmerston Primary School?
5. Why was the decision to establish a temporary community facility at Palmerston taken?

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

1. The estimated cost of relocating the demountable from Ginninderra High to Palmerston is \$95 000.
2. The cost estimate of \$95 000 includes landscaping, refurbishment and site establishment costs. Other options are currently being examined by my Department and no decision has been made at this stage to proceed with the relocation of the Ginninderra demountable.
3. Based on the cost of a community house currently under construction at Conder, a permanent community house would cost approximately \$180 000.
4. The Department of Education and Training has advised that a community storeroom has been provided as part of the general purpose hall and that there are rooms within the administration building that are suitable for smaller community meetings.
5. A temporary community facility was proposed to provide community space until permanent facilities become available with the opening of the Palmerston Primary School in 1995.

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**MINISTER FOR HOUSING AND COMMUNITY SERVICES  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION NO 953**

**Housing Trust - Computer System**

MR CORNWELL - Asked the Minister for Housing and Community Services - In relation to the computer system used by the ACT Housing Trust

- (1) What is the purpose of upgrade A2459A of the computer system (listed as contract IS-EP-UM (Gazette No. 32 of 11 August 1993)).
- (2) What is the projected cost of further computer system enhancement, maintenance and computer-use staff training in the financial year 1993-94.

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

- (1) The purpose of the upgrade (reference A2459A in Gazette No. 32 of 11 August 1993) was to enable the Housing Trusts minicomputer system to be upgraded to the current version of Ingres.

The Housing Trusts system is a modified version of the system used by the Victorian housing authority. The upgrade was required to preserve the ACT Housing Trusts access to improvements made to the Victorian version of the system, which was upgraded to the current version of Ingres in April 1993. Access to these improvements is of considerable benefit to the Housing Trust.

- (2) The projected cost during 1993-94 of maintaining and enhancing the ISIP computer system, and of computer training is \$1.2 million.

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**MINISTER FOR THE ENVIRONMENT, LAND AND PLANNING**

**LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO 957**

**Abattoir Holding Paddocks**

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

In relation to acreage known as the "Abattoir Paddocks" located between the Canberra Airport and Queanbeyan.

- (1) What block and section numbers apply to this area; (a) what is the total acreage and (b) if it is divided into separate entities, what-acreage apply to each block.
- (2) What yards, houses, sheds, water supply and other improvements are on this acreage.
- (3) What is the carrying capacity of this acreage in total and broken down by separate block if applicable.
- (4) From 1 January 1992 to 30 June 1993(a) what stock-by month has been accommodated on the total acreage or by block if applicable;(b) who owned the stock (c) has any of the stock been owned by Government employees.
- (5) Historically (a) what has been the purpose of the area and (b) the average length of stay,of groups of stock using these paddocks; and (c) who have been the owners (-eg butchers, individual graziers, impounded stock, government employees, stock agents etc).

Was all stock withdrawn from this acreage recently; if so when.

- (7) Was this block recently advertised for auction; if so, (a) what was the result of the auction and (b) why was it put up for auction.
- (8) What is the current status of this acreage and who is responsible for the upkeep of its paddocks and improvements.

How many Government employees were involved in supervision and maintenance of this acreage throughout 1992 and to date in 1993 and what were their duties.

- (10) What is the proposed future use of the paddocks.

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Mr Wood - the answer to the Members question is as

follows:

- (1) The block and section numbers that apply to this area are: Blocks 590, 592,596, 597,598 Majura district, Blocks 1035, 2067 Jerrabomberra district, Block 51 Fyshwick district, and Part block 1/18 Pialligo district.
  - (a) The total area is 614 hectares.
  - (b) The abattoir holding paddocks have always been managed as a single entity and the areas of each block have not been determined.
- (2) The improvements on this land include sheep and cattle yards, a cottage, 23 troughs on town water supply, 36 agricultural dams, a hay shed, a site shed, an enclosed machinery shed and a concrete bridge over the Molonglo River.
- (3) The total carrying capacity is 3000 Dry Sheep Equivalent.
- (4) (a) STOCK NUMBERS MONTH BY MONTH

MONTH SHEEP CATTLE

1992

JAN 2805 424

FEB 3352 208

MARCH 3081 142

APRIL 1972 256

MAY 1108 134

JUNE \_ 1598 155

JULY 1417 44

AUG 523 123

SEPT 984 156

OCT 1066 188

NOV 2147 158

DEC 1879 166

1993

JAN 189 4

- (b) The stock were owned by various butchers or stock agents.
  - (c) The only stock owned by Government employees were horses required to carry out work duties.
- (5) (a) Historically the use of the paddocks has been for the holding of stock prior to slaughter at the Canberra Abattoir.

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- (b) Stock held in these paddocks generally do not stay any longer than a month. Some may stay only a day as it depends on the abattoirs requirements.
- (c) Butchers are the main clients with stock agents also holding accounts. The facility was not available for use by other persons.
- (6) All stock was withdrawn from this area in January 1993.
- (7) The area has not been put up for auction.
- (8) The land is currently unleased and managed by the Agriculture and Landcare Section, Parks and Conservation Branch.
- (9) One ranger was employed in 1992 to run these paddocks and his duties were to manage the day to day movement of stock, liaise with the owners and the abattoir, manage the paddocks and maintain records. As the paddocks ceased operation in January 1993, the only supervision since has occurred through the ranger living on site and maintaining a presence to safeguard government assets. This ranger has been redeployed to other duties in the Agriculture and Landcare Section.
- (10) It is anticipated that the paddocks will be sold in early 1994 as a rural lease.

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**MINISTER FOR THE ENVIRONMENT, LAND AND PLANNING**

**LEGISLATIVE ASSEMBLY**

**QUESTION NO. 958**

**Rural Leases - Rent Reassessments**

MR CORNWELL - asked the Minister for the Environment, Land and Planning - In relation to rent reassessments on rural leases -

- (1) Is it a fact that the rent charged for a rural block is tied to the condition of improvements on that block.
- (2) If the condition of those improvements is poor or no better than at the previous reassessment, is it usual that the rent increase will be minimal.
- (3) If the lessee has improved the condition of the facilities on the block, is it usual that the rent increase will be significant.
- (4) Is ownership of the improvements, ie by the lessee or by your department, taken into account when rent is reassessed.
- (5) Is it a fact that a lessee frequently pays dearly in rent increase because he/she has gone to the trouble and personal expense of improving Government property.-

MR WOOD - the answer to the Members question is as follows -

- (1) Land rent for a rural lease is determined on the lease purpose clause, the carrying capacity of the land, whether improvements are Government owned or lessee owned and the location of the land.

If the improvements are owned by the lessee then there is no rental component in the assessed or reappraised rent. If the improvements are owned by the Government, then a rental is charged for those improvements based on their condition.

- (2) Where the market evidence at the time of reappraisal for Government owned improvements has generally been static since the previous reappraisal, then the component for those improvements remains unchanged.

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If the market evidence shows an increase or decrease, then rental levels move accordingly.

(3) As stated in (1), the condition of lessee owned assets is not a factor in determining rents.

(4) Yes.

(5) No. I refer the Member to my response to Question Number 959

**MINISTER FOR THE ENVIRONMENT, LAND AND PLANNING**

**LEGISLATIVE ASSEMBLY**

**QUESTION NO. 959**

**Rural Leases - Repair and Replace Clause**

MR CORNWELL - asked the Minister for the Environment, Land and Planning -

In relation to the Repair and Replace Clause under the Leases Act 1918 -

- (1) Is it a fact that rates valuations increase when lessees carry out such improvements but do not increase if no improvements are undertaken.
- (2) What penalties exist for lessees failing to carry out repair and replacement conditions.
- (3) How many actions have been undertaken in (a) 1991-92 and (b) 1992-93.

MR WOOD - the answer to the Members question is as follows -

(1) Valuations of rural leases in the ACT are undertaken by the Australian Valuation Office on behalf of the Territory Government. These valuations are for the purpose of determining rates and land rent.

The basis for rating valuations is set out in Section 5 of the Rates Act 1926-1985. In that Section the only improvements on or to the land which may be included in the assessment of unimproved value are (if any)

"by way of clearing, filling, grading, draining, levelling or excavating -(i) where the Commonwealth had, before that parcel of land became rateable as a separate parcel, granted a development lease of land that included that parcel of land - made by the lessee under that . lease or by the Commonwealth, or the cost of which was borne by the lessee or by the Commonwealth; or (ii) in any other case - made by the Commonwealth or the cost of which was borne by the Commonwealth."

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If improvements to the land have been carried out in accordance with any other legislation or condition of lease, and if such improvements meet the criteria for inclusion in the assessment of unimproved value, then any "added value" they provide must be considered. Improvements within this definition generally create "added value" to the unimproved value.

Valuations for land rent purposes specifically exclude the improvements to Government owned assets undertaken by lessees. Many lessees believe they are penalised by undertaking improvements. If the improvements are approved by the Government and clearly identified, lessees are not penalised in the valuation of land rent. However, I am aware that some improvements have been undertaken without prior approval and it is very difficult for valuers to determine the nature and state of the asset as if it were maintained by the Government.

In these latter circumstances, there may be some assets which are included in the valuation for rental purposes.

The Government has recently reviewed the rural lease policy in consultation with lessees and their representative groups. A new system for determining rent is being introduced. Rent will be calculated on a fixed percentage of the unimproved value of the land. That percentage will vary, depending on whether the assets on the land are owned by the lessee, the Government, or a combination of lessee and Government ownership.

There will be further discussions with rural lessees and the Australian Valuation Office on the determination of that percentage.

(2) A rural lease provides for lessees to maintain and repair and keep in repair the Government owned assets and allows for normal wear and tear. Should a lessee fail to adhere to this provision, and thereby breach the lease, the Government acts to warn the lessee. There is no penalty prescribed under the Land (Planning and Environment) Act 1991 and this is not an activity listed in Schedule 5 for which an Order could be issued.

Where my Department becomes aware that this provision is being breached, lessees are advised formally of their obligations and asked to undertake the repair work necessary.

Failing this, the Department may undertake the necessary repairs and recover those costs from the lessee.

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(3) No actions of this nature were undertaken in 1991-92 or 1992-93, though one action is under consideration at present.

A reduction of rent, under Section 215 of the Land (Planning and Environment) Act was granted to one rural lessee in 1993-94 to fund the lessee to carry out urgent repair work to a Government owned asset.

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**MINISTER FOR HOUSING AND COMMUNITY SERVICES  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION NO 961**

**Housing Trust - Computer System**

MR CORNWELL - Asked the Minister for Housing and Community Services - In relation to the computer system used by the ACT Housing Trust -

- (1) What total amount of money has been spent on (a) purchasing any equipment; (b) installing such new equipment; (c) purchasing new software; (d) installing such new software; (e) training staff to use new equipment and new software and (f) upgrades of the computer system (including contract IS-EP-UM (Gazette No. 32 of 11 August 1993)).
- (2) What increased capacity does the "new system" have as compared with the "old" system.
- (3) What greater efficiencies or improved management have been achieved by implementation of the new system.

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

- (1) The amount of money spent on the implementation of the /SIP computer system by the ACT Housing Trust during the three years to 30 June 1993 was:

ITEM

EXPENDITURE

1990/91 to 1992/93

New equipment

\$475,213

Equipment installation

Included in equipment purchase price

New Software

\$625,980

Installing and modifying software to suit

ACT requirements

\$2,352,344

Staff computer training for /SIP

\$30,720

Upgrades

\$140,951 late 1991/92

\$97,266 in July 1993

- (2) In 1990, when the Housing Trust decided to purchase the /SIP computer system from the Victorian Government, the Housing Trusts existing systems were over ten years old. The systems were being increasingly expensive to maintain, had grave limitations in their capacity to manipulate data, and were unable to support significant changes to the services provided to clients; in effect they had reached the end of their practical life.

To support future development of its programs the Housing Trust needed to replace its systems. After a detailed evaluation of its options the Housing Trust decided to purchase the /SIP computer system from the Victorian housing agency, which is now part of the Victorian Department of Planning and Development.

The Housing Trusts ISIP system has delivered the following benefits:

Clear benefits in terms of client service, productivity, and better management information;

Enabled new housing programs to be developed which better matched the needs of the Housing Trusts clients;

The purchase of existing software was clearly cost effective. The software modules used by the Housing Trust cost Victoria \$6.4 million to develop. It cost the Housing Trust half this amount to purchase and modify the software to suit the Trusts specific business requirements; and

The project has successfully demonstrated cooperation between Governments in the development and use of software, which is delivered by the use of outsourcing arrangements.

(3) The ISIP computer system has improved the efficiency and management of the Housing Trust in several ways.

The ISIP system has improved the quality of services to clients as a result of:

Reduction in the time required for routine administrative tasks, freeing staff for tasks such as arrears recovery and visiting clients;

Streamlining of property allocation and maintenance activities, giving a quicker turnaround of properties and more regular inspections;

Regular accounts and high quality, personalised correspondence.

The system has generated savings as a result of:

Streamlining existing clerical processes and eliminating the requirement for additional staff necessary to support anticipated increases in workloads;

The opportunity for the Housing Trust to absorb property maintenance functions previously subcontracted to the Public Works and Services Group.

The benefits which are able to be easily quantified include:

\$461,000 p.a. in asset maintenance overhead activities;

\$60,000 p.a. in tenancy management activities; and

\$420,000 in loans management.

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The following qualitative improvements in client services were anticipated and have been achieved, some of which involve savings or efficiency gains which have not been quantified.

Accurate and up-to-date account information.

Fewer interviews with clients involving less time. It is estimated that the average interview process has been reduced from two to three hours to one hour.

Personalised correspondence.

Improved response to maintenance requests.

Major improvement in client satisfaction in the Assets Management Section services.

Improved management information

Improved management of Housing Trust operations and particularly the ability to cost services more accurately.

Consistent and reliable data recording of the Housing Trusts critical business information. The property audit to be undertaken and recorded in the Property Management database will for the first time provide access to comprehensive and reliable information on properties.

The significant contribution of ISIP to the work of the Housing Trust has been acknowledged by the computer system winning an Australian Telecommunications and Computing Productivity Award, the ATAC Award, on September 7 1993.

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**MINISTER FOR URBAN SERVICES  
LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO 962**

**Parking Infringement Notices - Regional  
Shopping Centres**

Mr Moore - asked the Minister for Urban Services:

How many parking infringement notices have been issued at each of the regional shopping centres since 1 April 1993.

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

Between 1 April 1993 and 26 August 1993, a total of 6,804 parking infringement notices (PINs) were issued on the parking patrols which cover Canberras regional shopping centres.

Details for the patrols covering each of the regional shopping centres are as follows:

PATROL NO	SHOPPING CENTRES	NO OF PINS
35	Manuka/Griffith	2,407
36	Kingston	834
37	Dickson	3,270
38	Weston (Coolemon Court)	39
39	Holt (Kippax)	133
40	Macquarie (Jamison Centre)	50
42	Mawson (Southlands)	44
47	Wanniassa (Erindale Centre)	27
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APPENDIX 1:

(Incorporated in Hansard on 24 August 1993 at page 2572)

**TREASURER FOR THE AUSTRALIAN NATIONAL CAPITAL TERRITORY  
LEGISLATIVE ASSEMBLY QUESTION  
QUESTION WITHOUT NOTICE TAKEN ON NOTICE**

**19 AUGUST 1993**

MS FOLLETT: On 19 August 1993 Mr Cornwell asked me a question regarding the effect of the Federal Governments budget reduction on the adult literacy programs, particularly for the Canberra Institute of Technology and I undertook to provide him with an answer.

MY ANSWER IS: Your question indicated that the Commonwealth has decreased expenditure on adult literacy by \$5m in 1993-94. It has been difficult to reconcile your figures with specific announcements made by the Commonwealth on Budget night.

Advice from the Commonwealth is that funding on a national basis for adult literacy programs is being maintained at 1992-93 levels.

In respect of the ACT, the 1992 Resource Agreement with the Commonwealth provides the Canberra Institute of Technology with \$0.322m for adult literacy programs. The 1993 Resource Agreement increased this allocation by 17%, to \$0.376m.

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**CHIEF MINISTER FOR THE AUSTRALIAN CAPITAL TERRITORY**

**LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION WITHOUT NOTICE**

**19 AUGUST 1993**

MS FOLLETT: On 19 August 1993 Mr Kaine asked me a question regarding the effects of the increased cost of fuel/petrol on the ACT Government fleet and the cost of FBT on ACT Government vehicles that are driven home each night. He also asked whether a budget provision had been made for these items.

MY ANSWER IS: The increase in petrol/fuel taxes will add about \$80,000 in 1993-94 to the cost of ACT Fleets operations. The ACT Government is not exempt from additional charges and charges also apply to diesel. No explicit provision has been made for these increased taxes. I anticipate that these costs will be absorbed within programs existing budgets. It should be noted that the Governments vehicle fleet replacement program will ensure that all Government cars will be operating on unleaded fuel and further proposed increases on leaded fuel will not affect Government costs.

In relation to the level of FBT on ACT Government vehicles, each agency is responsible for its own arrangements concerning payment for these taxes. The amount of FBT paid depends upon a number of parameters, including total cost of the vehicle, running arrangements, kilometres travelled etc. ACT Government agencies are already paying FBT and the increased rates will only have a marginal effect on agencies operating costs. To consolidate this information for the whole ACTGS would be a very time consuming exercise and

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when put into perspective, the issue is not critical in addressing overall government costs

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Appendix 2: Pages 2934 to 2987 are not in electronic form but are in printed Hansard.