

GENERAL PURPOSE STANDING COMMITTEE No. 1

Friday 22 June 2001

Examination of proposed expenditure for the portfolio areas

THE LEGISLATURE

The Committee met at 4.00 p.m.

MEMBERS

Reverend the Hon. F. J. Nile (Chair)

The Hon. J. H. Jobling
The Hon. J. M. Samios
The Hon. A. B. Kelly

The Hon. P. T. Primrose
The Hon. H. S. Tsang
The Hon. Dr P. Wong

PRESENT

The Hon. Dr Meredith Burgmann, *President of the Legislative Council of New South Wales*

Mr J. Evans, *Clerk of the Parliaments*

Ms L. Lovelock, *Deputy Clerk*

Mr G. McGill, *Financial Controller*

Mr M. Wilkinson, *Clerk Assistant-Procedure and Administration*

Mr W. Cahill, *Clerk Assistant-Committees and Usher of the Black Rod*

Mr R. Brian, *Parliamentary Librarian*

Mr R. Walker, *Manager, Building Services*

Mr A. Shariat, *Manager, Information Technology Services*

Ms Y. Andrews, *Executive Officer, Office of the President*

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CHAIR: I welcome you to this public hearing of General Purpose Standing Committee No. 1. I thank the President for her attendance as well as officers of Parliament, particularly Mr Greg McGill, Financial Controller. At this meeting the Committee will examine the proposed expenditure for the portfolio areas of The Legislature. Before questions commence, some procedural matters need to be dealt with. Paragraph 4 of the resolution referring the budget estimates to the Committee requires that evidence be heard in public. The Committee has previously resolved to authorise the media to broadcast sound and video excerpts of its public proceedings. Copies of the guidelines for broadcasting are available from the attendants.

I point out that in accordance with the Legislative Council's guidelines for the broadcast of proceedings, only members of the Committee and witnesses may be filmed, photographed or recorded. People in the public gallery should not be the primary focus of any film or photos. In reporting the proceedings of this Committee, you must take responsibility for what you publish or what interpretation you place on anything that is said before the Committee.

The Committee has agreed to allocate 20 minutes to the Opposition, 20 minutes to the Government, 10 minutes to the Hon. Dr Peter Wong and 10 minutes to the Chair. There is no provision for members to refer directly to their own staff while at the table. Witnesses, members and their staff are advised that any messages should be delivered through the attendant on duty or the Committee clerks.

I declare the expenditure open for examination. Are there any questions?

The PRESIDENT: May I please make a statement?

CHAIR: An opening statement, yes.

The PRESIDENT: On page 1-12 of the Budget Papers, under subprogram 1.2.1, Joint Services, there is an error under the line item "Retained Revenue" relating to the line item "Minor sales of goods and services". In the second column the amount \$408,000 should be \$908,000. The additional amount of \$500,000 represents the inclusion of House Committee accounts in the operating statement for The Legislature from 1 July 2001. There was some confusion in the budget preparation process with the elimination of intercompany transactions between the House Committee and Parliament which was only recently discovered. This also affects the projected revenue for functions in the line above, which should read \$450,000. The budgeted figure of \$950,000 for 2001-02 represents estimated income from the House Committee of \$750,000, and \$200,000 for telecommunications rebates, parking space levy, sale of publications, State Government familiarisation programs and sale of library books. I apologise for that being brought to members' attention only now, but it was only very recently brought to our attention too, namely today.

The Hon. JAMES SAMIOS: Madam President, the budget for The Legislature over the past two years has been reduced noticeably. Would you care to comment?

The PRESIDENT: You are right, the amount that The Legislature has received this budget year compared to last budget year is less than the consumer price index increase. If you look at the movement in recurrent allocation from 2000-01 to 2001-02 you will see the difference goes from \$64,975,000 to \$67,793,000. Obviously, that is an additional amount that really does not keep up with escalating costs. As you know, there is pressure on all public service departments to find productivity savings and there is generally a reduction in the amounts of money for most government departments. Unfortunately, The Legislature has also been part of that process.

The Hon. JAMES SAMIOS: How has that affected the operation of the running of Parliament?

The PRESIDENT: I think everyone has his or her own views about which areas of Parliament have been affected. My own view is there are some staffing issues that are most seriously affected, and I know the joint Library Committee feels that the services in the Library have been very badly affected.

The Hon. JOHN JOBLING: President, looking at subprogram 1.1.1, which includes secretarial services for members, I would like to know what is happening in relation to staffing for members; what proposals you have with specific reference to overcoming the problem of single-member staff leave, holidays and generally sickness; and what you may propose or would like to propose to overcome this difficulty, which finds members without staff in some cases for between four and six weeks each year.

The PRESIDENT: Yes. Unlike the Legislative Assembly, Legislative Council members who do not have another office of the Parliament or who are not crossbench members—I really mean Government and Opposition

backbenchers—have only one member of staff. Unlike the Legislative Assembly, Legislative Council members do not get a relief person when that staff is on recreation leave, maternity leave or sick leave.

This puts unbelievable stress on the member of staff and the actual Legislative Council member because when only one person is in the office and that person is off sick or on maternity leave it means that the member has to do all his or her own office work for quite long periods of time. Why that puts enormous stress on the staff is that these people are normally extremely loyal and they feel obligated, for instance, never to take their holidays except at exactly the same time as the member, and that is often very inconvenient. It puts enormous pressure on them never to take sick leave, even when they are really sick. How members operate if their staff member is off on maternity leave I do not know. It must be very difficult. I remember the eight years when I had one member of staff—it was very difficult.

It is an issue we have looked into. I was particularly interested in looking at those members of the Legislative Council who have only one member of staff—that is 22 members, because excluded are Ministers, the President and Deputy-President, the Opposition leader and crossbench members. If you are looking at an amount of money for at least one member of staff for those 22 members for an approximate five weeks per year, which is what we considered a reasonable time, that would come to only \$116,000, and that includes 10 per cent on costs. The funding sought in the budget submission was for 37 staff at a cost of \$194,000 per annum, but no funding was provided. I see it as the most important issue facing Legislative Council members. That bid will continue to go forward each year. I can only urge members to continue to put pressure on where the money comes from.

The Hon. JOHN JOBLING: With the number of relief staff to which you refer, have you also sought from the Treasurer a special allocation for supplementation to enable you to have at least, shall we say, four to six staff who can be shared between members who have only one person? That extra staff could then be used for other purposes when the members have their staffer back.

The PRESIDENT: Our budget submission each year, where we ask for the money for this relief staff, is really quite detailed. But the idea of a floating pool, which is what you seem to be suggesting, is certainly a second-best option. But that is also something that we could put forward.

The Hon. JOHN JOBLING: It has been raised with me—I cannot notice anything in the operating statement of expenses or for new equipment—that the video cameras operating in the Legislative Council are clearly inferior to those in the Legislative Assembly for any journalistic purposes or for taking an extract later in a news service. Is there any proposal, or is there funding in there that I could not find, to seek to upgrade the video equipment along with the speaker systems in the Chamber, which have been failing more and more, as I am sure you are aware.

The PRESIDENT: The difference between the two Chambers, as I understand, is that we have one fixed camera and the Legislative Assembly has an operator to upgrade its camera at times when there is a particular interest in the proceedings. That is more or less nine to five during the day, and certainly during question time. We put in a bid. There was an asset acquisition program proposal to advance the video camera capability of the Chamber, and that was submitted in November 2000 at an estimated cost of \$150,000. However, no funding was given for that proposal, that is for a much more upmarket system than we have now and more along the lines of what the Legislative Assembly has. However, we have also looked at funding that we might need to get a better quality camera than we now have, and that would cost only about \$10,000.

We are also looking at perhaps getting a better quality fixed camera because, as you all know, you cannot identify who the people are until you hear them speak. That brings me to the microphones. As you know, we have been having trouble in that regard in the Chamber. There are dead spots where it is very difficult to hear, and I might say that the President's chair is one of those dead spots. I have had professional advice from John Tingle, who says that his many years as a sound engineer come in handy. He has suggested a number of things that we can do to make the sound better, including something that stops feedback, which occurs in the President's chair. Anyone who has sat in the President's chair knows that you cannot hear and speak at the same time, and it is very difficult. We are looking at ways of improving the sound system, and we asked for a costing.

The Hon. JOHN JOBLING: I would like to briefly deal with the purchase of electronic equipment by the Legislative Council; I suppose it could apply to the Legislative Assembly also. In the purchase of equipment do we have a list of preferred tenderers?

Mr EVANS: Any capital equipment purchases that are made by the Parliament would be sourced through government contracts, and in respect of computer purchases there is a list of preferred suppliers which Information Technology Services use to seek quotations for supply of equipment.

The Hon. JOHN JOBLING: How does one get onto the list of preferred tenderers?

Mr EVANS: That would be through contracts that the State Contracts Control Board let for the whole of government.

The Hon. JOHN JOBLING: Is there a figure at which the tender process is not used?

The PRESIDENT: You mean a small figure?

The Hon. JOHN JOBLING: Yes. At what dollar value do you not proceed via tender?

Mr EVANS: There are public sector purchasing guidelines for buying a single piece of equipment.

CHAIR: Are you referring to items that the Parliament purchases or that individual members purchase?

The Hon. JOHN JOBLING: The Parliament.

Mr SHARIAT: It is normally required that any purchase above \$100,000 for the Parliament go to tender. However, if you use the State Contracts Control Board you do not have to go to tender for purchases over \$100,000. I believe the figure for that is \$1 million.

The Hon. JOHN JOBLING: Obviously the purchase of the Gateway laptop computers for members followed that process. Are you aware of who supplied the parts for the Gateway computers? Was that known at the time of tendering?

Mr SHARIAT: I will have to come back to you on that because I was not employed by the Parliament at the time the supplier was chosen. However, I know that the President and the information technology [IT] advisory group were involved in the selection and purchase of this equipment.

CHAIR: Will you take that question on notice?

The PRESIDENT: I will take that question on notice, but I reiterate that the IT advisory group was deeply involved in that decision.

The Hon. JOHN JOBLING: As you are taking that question on notice, can someone also advise me whether, as has been suggested to me, a company called Power Plan was the supplier of the parts? I would like to know that when we take a contract tender from an assembler, so to speak, we have some conceptual basis of who supplied the individual parts. That is where my question was leading. I would appreciate it if you could incorporate that.

The PRESIDENT: Do you want that answered on notice as well?

The Hon. JOHN JOBLING: Yes.

The PRESIDENT: That is fine.

The Hon. JOHN JOBLING: In view of recent comments made in the Legislative Assembly relating to 93 Hewlett Packard ScanJet 6300C laser scanners, which it is alleged are in store gathering dust and have not been made available to members, does the Legislative Council have any equipment held in storage for distribution to members?

The PRESIDENT: No. All our scanners have been installed and are working fine.

The Hon. JOHN JOBLING: Bearing in mind the difficulty of the question—and someone may want to take this on notice—I am advised that the Hewlett Packard ScanJet 6300C scanners are in fact now obsolete. Is that correct? You may want to take that question on notice, or perhaps Mr Shariat may be able to answer.

The PRESIDENT: No, they are not obsolete.

The Hon. JOHN JOBLING: I have been led to believe that the scanners were purchased some 12 months before installation. Is it not an unusual situation to have about \$700,000 worth of scanners held for 12 months and not installed?

The Hon. TONY KELLY: You are not talking about our scanners; you are talking about the Legislative Assembly scanners.

The Hon. JOHN JOBLING: Yes. I want to make the point that that does not happen in our House. I simply want to know why it happened in the other House which, whether we like it or not, is still part of The Legislature.

The PRESIDENT: You are absolutely right. As soon as the scanners were purchased they were installed for Legislative Council members. I cannot answer for issues that arise for lower House members.

The Hon. JOHN JOBLING: I appreciate that. I am quite sure that you would have been more than grilled if it had happened in our House.

CHAIR: That has been put on the record.

The Hon. JOHN JOBLING: Mr Chairman, you are right in as much as if we are spending \$700,000 and the equipment sits there for 12 months, we would be justifiably entitled to seriously quiz members of staff as to why the expenditure was made and the equipment not installed. I simply want to clarify that that has not occurred in the Legislative Council.

The Hon. TONY KELLY: Last year issues relating to the cost and quality of Internet services for country members were raised. Can you inform the Committee of what has been done to reduce communication costs to members, especially those with offices in country areas?

The PRESIDENT: The Parliament has outsourced its data network management to AAPT. Under a three-year contract signed in February 2001, AAPT will deploy and manage a frame relay-based Virtual Private Network [VPN] for the Parliament to increase network reliability, security and cost effectiveness. The responsibility for total network management, including monitoring and support, will be with AAPT. Security and speed will be enhanced by AAPT's remote access service, *DialPoint*, providing members with a faster connection speed—56K, which is 2.5 times faster than the current connection—and secure and private remote connection to the Parliament's network from anywhere in Australia.

Connection will be through a single toll free 1300 number, with an additional data transmission cost of 65¢ for metropolitan Sydney or \$1.80 for country areas per hour, charged per second. Installation and testing is currently under way, and the roll-out of the new set-up will be at the same time as the migration to the new operating environment, Windows 2000, in the first half of the 2001-02 financial year, which unfortunately is later than originally expected. However, the benefits are considerable cost savings for members, particularly those in rural and regional New South Wales, a much faster connection speed, and security of connection.

The Hon. PETER PRIMROSE: What is being done to assist members with young children in this Parliament?

The PRESIDENT: The fight to get a parenting room—sometimes erroneously called a mother's room—in the Parliament has a long and somewhat turbulent history. We asked Parliamentary Building Services to look at providing a suitable area where parents may attend to the needs of their young children. A number of locations were looked at but they were all deemed unsuitable for various reasons. It was decided that a room would have to be constructed specifically for the express purpose of a parenting room. The area that is presently used for pamphlets, located on level 7 of the Fountain Court, was deemed the best location. It will allow access to both the public and visitors to the Parliament, as well as members.

All of the necessary services—that is, plumbing and drainage—are in close proximity, thus minimising costs. We have set up a small informal committee to help with planning what goes into the room, and we hope it will be ready in this calendar year. The transferring of funding from IT communications infrastructure has been approved by both Houses, and our quote for the construction of the parenting room is \$23,000. So at last the saga might be concluded.

The Hon. HENRY TSANG: I am very impressed with the new ramp in the Legislative Council. What was the cost of the ramp, and what do people think of it?

The PRESIDENT: First, I shall deal with the issue of why the ramp was necessary. The Legislative Council Chamber was the only area of the Parliament not accessible to people with a physical disability. That includes members who are less able than others. The original access ramp had been secured behind a permanent security door and filled with office space.

As you realise, we were using a temporary ramp. Not only was it demeaning for people to have to ask for the ramp to be pulled out; it was not terribly steady. The wheelchair ramp was installed in that position because there was insufficient space on the carpet side near the members' lounge to provide the correct incline and thereby comply with the building code. The ramp was installed in January-February 2001, at a time that did not impede members or the public.

Rapid Constructions was chosen after a common tendering process was carried out, because it was the lowest tenderer. The cost was \$69,938. You might wonder why it cost that much. The major part of the cost was the marble, which was required to match the marble in the Fountain Court floor and which is now quite rare. The marble had to be sourced from Bungonia in order to match the existing marble, which is Bungonian marble. It is an Australian marble, but it is also a very beautiful marble.

Everyone agrees that it is a beautiful ramp and fits in with the heritage nature of that whole area. It has been very successful, in that the parliamentary attendants all report that, noticeably, more people use the ramp automatically than use the stairs. It is not just the disabled or less able bodied members of Parliament or the public who use the ramp.

The Hon. HENRY TSANG: When the bell rings on level 11, I am able to run all the way down to the Chamber without difficulty. However, if I am in the Parliamentary Library I have to wait for a lift. Is there a way of opening up some of the fire staircase so that members can walk through the fire staircase and along to the Chamber?

The PRESIDENT: I do not know if there is a way members can get from the Library to the Chamber without using the lift.

The Hon. HENRY TSANG: Without going outside into the courtyard.

The PRESIDENT: The honourable member could go through the press gallery corridor, through the forecourt and up the stairs to the Legislative Council entrance.

The Hon. HENRY TSANG: That door is often locked.

The PRESIDENT: It is quicker than going through the Fountain Court, if you think about it.

The Hon. HENRY TSANG: Through the press gallery corridor, across the front forecourt and up the steps?

The PRESIDENT: Through the forecourt from the members gallery side corridor, or you could go through the theatrette.

The Hon. Dr PETER WONG: Many Parliament House staff have expressed concern for their safety when leaving the building via the Hospital Road exit at night. A survey was conducted of the views of members of the Legislative Council on the use of the wicker gate as an egress for staff only after 6.00 p.m. What was the result of that survey?

The PRESIDENT: The issue to which the honourable member has referred is that the staff of members of the Legislative Council, particularly women staff, have complained about leaving Parliament House after dark on non-sitting days. In winter that means any time from about half past five onwards. It really is an issue only for Legislative Council staff, because on non-sitting days only members of the Legislative Council, and I think the Leader of the Opposition, and their staff—and, of course, parliamentary staff—use their offices in this building.

One suggestion to make it safer was that there be better lighting out in Hospital Road. We are implementing a lighting scheme. However, that will not solve the problem because staff who wish to travel on public transport have to come around to Macquarie Street. All the options of how to get from Hospital Road to Macquarie Street really mean walking through quite dark areas and areas where you cannot readily see other people at night. It has

been a real problem for women members of staff, and a number have complained to me. In fact, I have an email from one member who was attacked when walking between Parliament House and the State Library.

The suggestion was put forward that one solution would be to install an electronic button near the wicker gate to which, at the moment, only members of Parliament and senior members of staff of the Parliament have a mill key to allow them entry and exit from that gate. If we were to install an electronic button which allowed for after-hours exit only access by that gate, members of staff would be able to go to the gate, press the button and walk out to Macquarie Street. The button would be able to be set so that it operated only after, say, 5.30 or 6 o'clock at night.

I surveyed the members of the Legislative Assembly as to their views about this issue and no-one objected. Out of 40 responses we received everyone agreed to an egress-only button to allow staff out into Macquarie Street. Two people did not respond, but all of the 40 responses we did receive were favourable.

I spoke to Mr Speaker about the matter and he agreed that it was an issue that really affected the Legislative Council because on sitting nights, when his members are here, the front gate is open and access to Macquarie Street is easy and well lit. Mr Speaker undertook to survey his members by asking the Whips of the three major parties for their views. I received his response today. Unfortunately, the Whips of all three major parties have said they will not allow an electronic button to permit exit only to Macquarie Street for staff after dark.

The Hon. Dr PETER WONG: What are the objections to letting staff use the wicker gate? Why did the Whips object?

The PRESIDENT: The only reason I have ever been given was that, if members had had a few too many drinks, they would not want staff using the same gate and seeing them as they entered and exited the wicker gate. My view is that members of the Legislative Assembly rarely use that gate after dark on non-sitting days.

The Hon. TONY KELLY: Might I ask a supplementary question? I have often been concerned about that issue in relation to fire. Obviously, one reason people do not need to have a key to get out through the media gallery corridor is because it is in fact a fire exit. Persons could make their way from level 6, or wherever they happen to be, along the media gallery corridor and out through that way. One can go out through both doors, but cannot come back in. I would have thought it might be of concern to someone if all the front gates were locked and the building was on fire and dropping down on people who could not get out. I wonder whether it is not a fire issue not to have an exit button on that wicker gate?

The PRESIDENT: In that situation the members would all be saved but the staff would be burned to death.

The Hon. TONY KELLY: Would you take that question on notice and have the matter investigated as a fire issue?

The PRESIDENT: It has been raised by the Public Service Association [PSA] on several occasions, that in actual fact it is an occupational health and safety issue for that association's members not to have a secure exit from the building after dark.

The Hon. Dr PETER WONG: Also, is it not a work safety issue for The Legislature as an employer?

The PRESIDENT: That is my view entirely. I totally agree.

The Hon. Dr PETER WONG: I note from the joint library committee meetings that the New South Wales Parliamentary Library has removed two senior positions—Deputy Parliamentary Librarian and Manager of Information Services—due to over expenditure of its salary budget. Why has the Parliamentary Library wages budget for 2001-02 been increased by only \$23,000 over the 2000-01 budget when it is \$119,000 short of what is required to cover the increase in entitlements of the remaining staff positions in 2001-02?

The PRESIDENT: I will ask the Parliamentary Librarian, Rob Brian, to add to my answer, but the reason that the Parliamentary Library's budget—and consequently its staffing—has gone down is because the Library is being asked proportionately to take the pain. But certainly the Joint Library Committee believes that is bringing about a deterioration in library services and stress on the Library's staff in a way that is not very helpful to the very good service that the Library provides.

Mr BRIAN: I am not sure that I can add very much to that. Before the current year's budget, I put in a budget maintenance dispute to Treasury which I understand was passed on to Treasury. That showed that the allocation was \$300,000 short of what would be needed to keep the positions filled. Of course, 83 per cent of the Library's budget goes on salaries. We did not get the extra money, so when people retired we tended to keep positions vacant and we decided that it was better to look at management of the Library and keep the Indians, if one likes, or the workers, going so that members' services would suffer least. That means that there is less supervision. We have to rely more on the staff doing their own thing. With fewer managers it is not possible to supervise everything. My secretary retired more than two years ago and I have struggled on without a secretary. That has all been geared to try to maintain services to members. Although I was \$300,000 short, we finished the year being about \$54,000 short.

CHAIR: Have there been any workers compensation claims by employees on level 11 of Parliament House who required medical treatment following possible exposure to asbestos or synthetic mineral fibres associated with an incident that occurred on 5 March this year? A follow-up question which is related to that question is: Are there any recurring asbestos problems in relation to Parliament House, or any other health risk associated with the airconditioning system?

The PRESIDENT: My answer to the first part of your question is that there have been no workers compensation claims. However, there has been the lodging of a notice of injury and that might result in a workers compensation claim. I might expand on the incident or number of incidents to do with the two separate fibres. I might say that there is the issue of the small amount of asbestos and there was also the issue of quite a large amount of what is known as synthetic mineral fibres [SMF]. I will expand on that. In March this year an incident occurred involving exposure of staff to synthetic mineral fibres in room 1103. The staff concerned attended Sydney Hospital for a medical examination and observation. It appears they suffered no long-term effects to this exposure. WorkCover examined Parliamentary Building Services procedures and was satisfied that they were all in order. WorkCover found that the contractor engaged by the Department of Public Works and Services had failed to clean the area sufficiently.

Following the required cleaning, two air quality surveys were conducted. Both surveys agreed that the air quality met the relevant standards. To ensure that this type of incident does not occur in future, the following steps have been taken. The contractor that was engaged will not be allowed to carry out work within Parliament House in future, and a system has been put in place whereby contractors requiring after-hours access to parliamentary offices will need to obtain approval from the office custodian prior to entering the office concerned. That means, Mr Chairman, that if it is your office that is going to be worked on during the weekend, your permission has to be obtained before that work can take place. A contractor induction program has been set up to ensure that contractors carrying out work within the Parliament have addressed all identified risks and are aware of all requirements and emergency procedures in place in the Parliament.

At present, the encapsulation program—otherwise known as bagging—has been suspended pending the outcome of investigations into the possibility of replacing SMF with a suitable alternative material. Parliament has engaged Pickford Consulting on this process. The more up-to-date report would be that a costing has been obtained. Removal of the asbestos from the building, mainly from the overhangs of the balconies, would cost \$1,061,170. Removal of the synthetic mineral fibres would cost \$3,338,830. The cost would be something like \$4.4 million to properly rid the building of those two problems. One of the suggestions is that the SMF be replaced with something called Tontine but there is a bit of an argument about whether the Tontine might in 20 years time be considered as problematic as SMF is now.

The Hon. TONY KELLY: It is a pillow, is it not?

The PRESIDENT: It is the same material that goes into pillows. This is certainly an area that we are looking at very carefully, but there is a big difference of opinion about the best way to handle it. There is also the suggestion of removing the metal tiling entirely, which would be more expensive and quite disruptive.

CHAIR: Another matter that has been raised in the House, and that has caused some tension, is the dress code for male members of the Legislative Council. The terminology that I think you used in your ruling was "neat and tidy and clean". It is not adequate in the sense that someone could still arrive perhaps in sporting gear, which obviously would not be proper. Madam President, would you consider some guidelines for a dress code to assist members, particularly new members of the House?

The PRESIDENT: I might be very technical and say that this is hardly a budget question, but, as I rarely get the chance to talk to members about these issues, I am very happy to answer it. As you know, I ruled in accordance with the decision of the Senate Committee which was set up in the early seventies to look at the issue of

members' clothing. Certainly, the precedents before the seventies were not very helpful. I had to look at the ruling recently because the Hon. Brian Pezzutti wishes to wear his military uniform. If we had been sitting on Monday, he was going to wear his military uniform. I had to draw his attention to a statement in Erskine May, where it was said that members cannot wear decorations and that it is not really appropriate to wear a military uniform or insignia. However, the Senate Committee decided that these sorts of standards have to move with the times, and the committee came down with the wording which I used in my ruling. I think that was neat, clean and decent.

The Hon. TONY KELLY: "Clean and tidy", perhaps?

The PRESIDENT: "Decency" was in there somewhere, I think. That was the ruling that I used. I might add that the Senate Committee also thought that safari suits were acceptable. I would have thought that safari suits were unacceptable at all times. Of course, I have to remind the Chairman that he in fact appeared in pyjamas on one occasion.

CHAIR: With special permission of the President.

The PRESIDENT: I intend to rely on the good sense and discretion of individual members to be dressed appropriately in the Chamber at all times. I am also very aware that, with the voting system used, the Legislative Council is much more representative of the broad community than the lower House is. There may well be a member of a party called the Wear Shorts at all Times Party elected to our Chamber. I would be loath not to allow such a member to come into the Chamber and vote if that member was carrying out the mandate of the people who voted for that member. It is a very complex issue. I am not happy about saying that certain members of the Chamber cannot participate in the Chamber's proceedings unless they are dressed in an eighteenth-century British way. Some people may wish to wear their national dress. Some people may wish to indicate certain differences of opinion about dress and they may well even have had that stipulated in their party platform. I feel unable to say that they cannot be part of the decision-making processes of the Chamber.

The Hon. JOHN JOBLING: President, you are aware of the recent determinations of the Parliamentary Remuneration Tribunal [PRT] and the need to complete documents. Members are required to fill in many more forms. What are the anticipated costs of meeting the requirements of the last determination? What staff increase will be required to perform the duties of collating the documents? Where may funding for this be found in the budget papers? I note that two staff are listed but at this stage, as the situation has not really begun and the documents have not been completed and we have a new determination coming in possibly on 1 July, I am extremely concerned about the costs to the Parliament and whether we may find a huge increase in the staffing to handle the bureaucratic requirements.

The PRESIDENT: As the honourable member correctly points out, there was an additional staffing number of two, but additional funding provided to the Legislative Council budget for expenses arising out of the Parliamentary Remuneration Tribunal changes are: auditing of members' entitlements, \$56,700; shadow Minister travelling entitlements, \$12,300; modifications to existing computer systems and report development, \$16,000—a total of \$85,000. The one that might need explanation is the shadow Minister travelling entitlements. Previously, shadow Ministers were given no extra travelling entitlement. Under the recent PRT decision shadow Ministers get that and also travelling allowances for the first time. So the \$12,300 is a budgeted amount for the extra amount that the shadow Ministers will get.

CHAIR: To make that clear, that money has been allocated over and above the normal budget?

The PRESIDENT: Yes.

The Hon. TONY KELLY: Does that sound adequate? It sounds okay for auditing but the shadow Ministers figure sounds a bit light.

The PRESIDENT: Are you asking whether it is adequate for the shadow Ministers or adequate for the accounting expenses?

The Hon. TONY KELLY: It just does not seem to be a lot of money compared with what I think the cost would be. I wonder whether you have a concern that there might be pressure on the budget in the future.

CHAIR: The administration of the scheme rather than payments under the scheme.

The PRESIDENT: We really have nothing to go on. We really do not know. But that is our proportionate share of the overall amount, which we share with the Legislative Assembly. But there has been no funding for additional staff for the Legislative Council for processing claims.

The Hon. JOHN JOBLING: Thank you. That is where I was ultimately heading. I refer to Budget Paper No. 3, Volume 1. Under 1.2.1 Joint Services it is stated that the program objective is to provide support services to the Legislative Assembly and the Legislative Council, et cetera. The list of activities includes accounting and financial, archives, building, catering, et cetera. On that basis may I assume that accounting is a joint service of both Houses of the Parliament and therefore may be questioned by the estimates committee?

The PRESIDENT: You may suppose that.

The Hon. JOHN JOBLING: Will it happen, President, or what will you do to make it happen?

The PRESIDENT: In these situations I feel that we should have a historical perspective and realise that we are part of a 500-year-old battle in these issues between the two Houses.

CHAIR: Which has not been resolved.

The PRESIDENT: Which has not been resolved, yes.

The Hon. JAMES SAMIOS: President, can you tell us how much money we have spent on advertising for The Legislature, especially the Legislative Council, in 2000-01, and can you please provide a list of each advertising campaign and the cost?

The Hon. TONY KELLY: Would that include all the committee advertising?

The PRESIDENT: I am assuming you mean advertising about staff vacancies and committee inquiries, which is the only advertising we ever do really.

The Hon. JAMES SAMIOS: Generally I would have said yes, but also there would be the advertising of the Legislative Council as a structure for people to visit—educational aspects.

The PRESIDENT: We do not pay for what you might call advertising out of the educational budget because the education department generates a lot of its own revenue and might therefore use some of that on what you might call advertising. But it is really educational material about the Parliament.

The Hon. JAMES SAMIOS: A better example might be program advertising, for advertising the Parliament as the House of the people, for example.

The PRESIDENT: We have not spent anything on that.

The Hon. JAMES SAMIOS: And the exhibitions we have?

The PRESIDENT: In the Fountain Court?

The Hon. JAMES SAMIOS: Yes.

The PRESIDENT: The exhibitions in the Fountain Court are nearly always community exhibitions. We are approached to allow them to be held in the Fountain Court. I cannot think of any that have been invited by The Legislature itself.

CHAIR: The costs of the exhibition are met by the exhibitor?

The PRESIDENT: Yes.

The Hon. JAMES SAMIOS: Does that include the setting up and dismantling of the exhibition?

The PRESIDENT: Yes. But those exhibitions are advertised on our web site.

The Hon. JAMES SAMIOS: There seems to be a lot of coverage of the parliamentary proceedings on the video screen near the Legislative Assembly Chamber. Where does the budget for that come from?

The PRESIDENT: That comes from the Legislative Assembly budget. They do not pay for it. We used to send them material, but I am informed that they never used it, so we no longer send it.

The Hon. JAMES SAMIOS: Who covers the cost of newspaper advertising relating to visits to the Parliament?

The PRESIDENT: We understand that it is a free service. They believe that what we do is important.

The Hon. HENRY TSANG: I notice that members must pay a fee to use the car park. Do members of the press who use level 6 pay any rent, or is it a free service? If they do not pay rent, could other press groups, perhaps the ethnic press, also have the same privilege?

The PRESIDENT: You are referring to the office space?

The Hon. HENRY TSANG: Yes, on level 6.

The PRESIDENT: You are not referring to the parking?

The Hon. HENRY TSANG: No. For every service that members use, they pay a levy. Why is it that people such as the press who use a whole floor do not pay anything?

The PRESIDENT: This is quite a contentious issue. In other State parliaments the press are asked to pay rent, and I understand that in the Federal Parliament they are now asked to pay rent. Given the problems we are having in meeting our budget, there have been serious discussions about asking the press to pay rent. I feel a little awkward about that, because the accommodation down there is not very good. My view is that once we ask for rent there would be issues to do with occupational health and safety, and we would then have to fix those problems.

We have had a quote that the normal rent for that space in a Macquarie Street building would be about \$90,000. We have thought about asking them to pay for the servicing of that area, including electricity, cleaning, and issues such as that. However, I think that amount turned out to be about \$10,000. We decided that the amount of angst we would go through in getting the \$10,000 would not justify charging that amount of rent. The issue of the press paying proper rent is still on the table. It is a rabbit warren down there, it is not a very pleasant place in which to work, and I think it would be a little difficult to ask for money for it unless it was fixed up first.

The Hon. TONY KELLY: That issue really comes about because of the pressure on the budget overall. If we had a reasonable budget, it would not be an issue.

The PRESIDENT: Yes. For instance, in the last two years we have instituted the process of asking Ministers to pay rent for their offices, and they now do so.

CHAIR: You referred to an allocation of rooms to AAP, News Ltd, and so on. There may be other news outlets that cannot use level 6 but who perhaps would be willing to make some contribution if they had the opportunity. I assume that that allocation has been the same for as long as I have been a member of this place, which is about 20 years. Are there any other media groups that should have access to that area?

The PRESIDENT: My understanding is that from time to time there are variations in the number of press members. For example, there might be three people from one newspaper and that number then goes down to two, but that is then taken up with one radio person. I am not aware that there is a clamouring to be a full-time member of the New South Wales press gallery. But if that became an issue, I would certainly have it addressed, because I think the press are crucial and it is important that they have a usable and convenient place in which to write their stories and gain their information.

The Hon. TONY KELLY: Investigations have been conducted over the last few years because of all these issues, including the pressure of accommodation and the fact that some staff are still in the rented building on the other side of Macquarie Street. Has the situation with the Nightingale Wing been finalised, and have inquiries been made about the State Library?

The PRESIDENT: I am loathe to suggest that members could get from the FAI building to the main Parliament building by way of a latex plane. However, the real situation is that we are still looking at all options. We desperately need more accommodation. The committee accommodation in FAI House is not very good; certainly there is overcrowding in some areas. We would very much like to look at other options, but it is extremely difficult

living in a heritage street and needing more space. The precinct behind the old law courts was going to be developed, but I now gather that that has fallen through. We certainly had a huge interest in that area.

The Hon. Dr PETER WONG: As the computers of many members of the Legislative Council are now outdated and slow, when will those computers be replaced with new ones?

The PRESIDENT: The good news is that we are purchasing new computers at the end of this year. They will then have to be configured, and so on, and they will be available early next year.

The Hon. Dr PETER WONG: As the Parliamentary Library was forced to raise more than \$30,000 this year by selling books, does the Government expect the Library to meet its long-term operational cost by selling its books, and how long does the Government think this will be a viable way of funding the Library?

The PRESIDENT: The Library is not be forced to fund itself by selling the books. The Librarian has made the professional decision that some books in the Library are not necessary for a parliamentary library to own. A large number of beautiful, old books have been handed as a gift to the State Library. I think they were worth almost \$0.5 million. The Librarian's view is that a parliamentary library should be a useful resource and an archive about parliamentary activity. The idea of it being a rare book collector does not really mesh with what it was set up to do.

The Hon. Dr PETER WONG: Nevertheless, the money raised by selling books is to subsidise the deficit, is it not?

The PRESIDENT: It is used to employ cataloguers so that the wonderful material that is there is more accessible to the people who use the Library. When it is all catalogued that will be the case. I will ask Rob Brian to add to that.

Mr BRIAN: That is substantially correct. Of course, the money we raise is not a huge amount. Over the past 18 months it would amount to about \$135,000. We are using three part-time cataloguers so that if one used one's computer one would be able to find books that no-one knew we had; sometimes we did not know we had them, either. The staff who shelve the books tell me that a lot of those books are now being used and asked for. We are keeping some rare books relating to Australiana generally, particularly to New South Wales. Some books need rebinding. We are very fortunate that the binder that we have on the premises, although not directly employed by us, is a rare-book binder, and came from the State Library. He does beautiful work for lots of outside clients. We have ordered some leather and acid-free paper and all that sort of thing, so that some of the really rare books that really belong to the history of New South Wales will be rebound and permanently kept. It is a self-funding project, and the idea was not that it should subsidise the budget, although I think the Treasurer would like that. The selling of books does not raise millions of dollars, but more in the tens of thousands. The sales raise enough to pay those people and get the preservation process going.

CHAIR: If those books have some historical value, but not a value to members of the Parliament, should they be transferred to the State Library of New South Wales?

Mr BRIAN: We have given the State Library first option on the books. The Library Committee vetted the guidelines on which we select books for sale or disposal. We are following that very conservatively, I would rather err on the side of conservatism. It was decided that Australiana would be kept and the State Library has most of those books anyway, maybe not as nice, perfect editions as we have, because ours do not get knocked around quite as much. For example, we have a first edition of *The Origin of Species* by Darwin, probably the most important book of the nineteenth century, and it has been valued at \$50,000. Our copy looks pretty ordinary, but it is very valuable. Similarly, we just found a first edition of *The Descent of Man*, which is worth quite a bit but perhaps not \$50,000. We are having that rebound. It was bound, but the leather looks very worn, and by rebinding it will be a treasure to have.

Of course, the State Library already has those books. So we are giving them first option. But the problem with the State Library is that it has had cutbacks and it does not have the staff to check our lists of books for disposal against its catalogues. That puts me in a bit of a quandary: I would like it to have first refusal, because I think it is responsible to keep things in public ownership if we can. But if they do not have the staff to do it, what do I do? I am running out of space. The books we have for sale are stored in boxes on top of the Compactus shelving and every time someone wants to look at the books, people have to go down to get the books out of the boxes and later put them back again. It has become quite a nuisance. I am glad to get rid of large numbers of books to the State Library, if they will take them, as long as we can keep enough to sell and keep the process going.

The Hon. JAMES SAMIOS: If the Library has a first right of refusal and says no to this magnificent Australiana collection, how do you dispose of the books?

Mr BRIAN: We are keeping the Australiana collection; we have not offered it to the State Library.

The Hon. JAMES SAMIOS: What happens with anything of quality?

Mr BRIAN: If they do not take it, we put it up for sale through the Internet. Most of our sales come through the Internet. Mostly when people hear about it they telephone me. For example, someone is coming on Monday who will probably select thousands of dollars worth of books.

The Hon. JAMES SAMIOS: If some of the books are old and are of great historical value and quality, would you not do better financially by auctioning them through major auctioneers?

Mr BRIAN: No, we have had some experience auctioning books through Christie's.

The Hon. JAMES SAMIOS: And Sotheby's?

Mr BRIAN: With Christie's we had Michael Ludgrove, who is recognised as an expert. He has appeared on television and so on, and has been here for lunch. He valued a very substantial collection of valuable books, I do not know exactly how valuable. He gave us a minimum and a maximum quote. We put them to auction with appropriate approvals but when we eventually got the cheque, it was for less than half the minimum value that he had put on them. I thought, "Never again." We were taken for a ride. The booksellers colluded, they had one person buy the lot except one small set, and then they divided them amongst themselves and probably made a fortune. The Victorian Parliamentary Library sold its rare books, a similar collection to ours, as a job lot for \$30,000. At that rate I would have bought them myself and retired.

The Hon. TONY KELLY: As I suggested before, we should keep the books and take over the State Library building.

Mr BRIAN: Yes, that would be wonderful, but my colleague Dagmar Schmidmaier would not agree.

CHAIR: My question relating to security is based on information I have been given, and I am happy to be corrected. I understand that there has been a reduction of security staff through attrition. Therefore, are the parliamentary security officers refusing to work overtime and perform other duties such as manning the level seven security desk near the elevators? If that is the case, what action is being taken to secure sufficient numbers of security staff to carry out those duties?

The PRESIDENT: There has been no lowering of the number of security staff in real numbers. We continue to use Chubb Contracting for certain services, particularly on sitting days. The number of hours that we use Chubb Contracting has not changed essentially. The problem with staffing the desk near the lift wells has been resolved with the union. The issue had been whether that would be staffed by security staff or attendants. The Clerk will add to that.

Mr EVANS: Recently Russell Grove and I met with representatives of the Public Service Association over the issue of Parliament House security staff, the level 7 security desk and employment of the Chubb Contractors. During discussions and negotiations we undertook that over a period of time we would replace Chubb security officers with permanent Parliament House staff. That overall process will involve a working group comprising management and the unions, which will look at the whole system of employment arrangements of the security staff, rostering, hours of duty, staffing of various parts of the building from Macquarie Street to Hospital Road, and the level 7 security desk. Hopefully the outcome of that process, which we hope to be concluded in three months, will be a better arrangement for Parliament House security staffing. Other security in the building, such as assets including security devices, will be the subject of a separate review by the Manager of Security Services.

CHAIR: Following that question about the efficiency of security staff and others, how did the unauthorised person enter the Legislative Assembly Chamber this week? I gather the incident was without precedent. What action is being taken to prevent that from happening in either the Legislative Assembly or the Legislative Council Chambers?

The PRESIDENT: The man who entered the Legislative Assembly this week presented himself to the head of security today. He is a law student from one of the chambers over the road. He entered the Chamber for a bet of \$50. The matter is now with the Clerk of the Legislative Assembly. There is no enormous difficulty in getting

from the very public areas of the building into the actual Chambers. However, the metal detectors at the front of the building should mean that members of the public cannot possibly be armed when they are in the public areas of the building. I like the almost informal nature of the arrangements relating to the way people enter and leave the Chamber. I know other members of Parliament like that too. However, we may have to look at ways of making it slightly more difficult for unauthorised people to access the actual Chamber area.

CHAIR: I know that the blockade that occurred on Tuesday was probably without precedent. Would the President, through the security staff, investigate a serious allegation that some female staff members who were allowed to cross through the blockade were blocked at the security door by one of the uniformed security officers after they had been allowed through the blockade and had passed the fence? I can provide statements from the people involved. The security officer stood across the doorway and prevented them entering, physically pushed them back and verbally intimidated them. Should the security staff protect both members and staff? Was that action unacceptable?

The PRESIDENT: I have no knowledge of that incident.

CHAIR: The person was in uniform.

The PRESIDENT: I will ask the Clerk to investigate that issue.

CHAIR: I do not know whether the complaints have been passed on to the Clerks.

The PRESIDENT: Getting back to the issue of security, we wrote to request the provision of funding to allow adequate staffing at security checkpoints throughout the building in our submission for forward estimates and our asset acquisition program submission for this financial year. Whilst funding was provided to purchase scanning devices, no recurrent funding was provided to meet the cost of operating them. We were not in a position to reallocate resources from other areas, hence the budget for the security section was overexpended and that was part of the Parliament's overall budget shortfall. In that submission we sought \$105,000 to meet the cost of employing security staff so that an adequate security presence could be maintained in accordance with the findings of the security review.

CHAIR: We have concluded the hearing. One or two items were placed on notice. Is it acceptable that answers be provided within three weeks?

The PRESIDENT: Yes.

The Committee proceeded to deliberate.
