

2001-2002-2003

LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

NOTICE PAPER

No. 43

Thursday, 30 January 2003

The Assembly meets this day at 10.30 am

ASSEMBLY BUSINESS

Orders of the day

- 1 STANDING COMMITTEES: Presentation of reports on annual and financial reports for the calendar year 2001 and the financial year 2001-2002 pursuant to order of the Assembly of 26 September 2002.

EXECUTIVE BUSINESS

Notices

- 1 MR STANHOPE: To move – That the Legislative Assembly for the Australian Capital Territory, having noted that:
 - (1) subsection 8(2) of the *Australian Capital Territory (Self-Government) Act 1988* (the Act) provides that the Assembly shall consist of 17 members;
 - (2) subsection 8(3) of the Act provides that the Governor-General may make regulations under the Act to fix a different number of members;

**Notifications to which an asterisk (*) is prefixed appear for the first time*

- (3) regulations may only be made for this purpose in accordance with a resolution passed by the Assembly; and
- (4) regulations would need to be made no later than April 2003 so that the necessary electoral redistribution can be conducted in time for the ACT election scheduled for October 2004;

hereby resolves that the number of members of the Legislative Assembly should be increased from 17 to 25 by regulations made by the Governor-General for the purposes of subsection 8(3) of the Act; and

calls upon the Chief Minister to communicate this resolution to the Commonwealth Government with a request that the regulations increasing the number of members be made at the earliest opportunity but no later than 31 March 2003. (*Notice given 25 September 2002*).

ASSEMBLY BUSINESS

Orders of the day - continued

- 1 PLANNING AND ENVIRONMENT – STANDING COMMITTEE – REPORT NO. 4 – DRAFT VARIATION NO 174 TO THE TERRITORY PLAN – HUNGARIAN-AUSTRALIAN CLUB SITE AND COMMUNITY FACILITY LAND – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 22 August 2002 – Mr Corbell*) on the motion of Mrs Dunne – That the report be noted.
- 2 LEGAL AFFAIRS – STANDING COMMITTEE – REPORT NO 3 – OPERATION OF THE *DANGEROUS GOODS ACT 1975* WITH PARTICULAR REFERENCE TO FIREWORKS – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 22 August 2002 – Mr Corbell*) on the motion of Mr Stefaniak – That the report be noted.
- 3 COMMUNITY SERVICES AND SOCIAL EQUITY – STANDING COMMITTEE – REPORT NO 2 – ACCOMMODATION AND SUPPORT SERVICES FOR HOMELESS MEN AND THEIR CHILDREN – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 22 August 2002 – Mr Stefaniak*) on the motion of Mr Hargreaves – That the report be noted.

- 4 PLANNING AND ENVIRONMENT – STANDING COMMITTEE – REPORT NO 8 – DRAFT VARIATION NO 190 TO THE TERRITORY PLAN – HANNAH PARK (PART BLOCK 1 SECTION 332 FADDEN AND BLOCKS 16 AND 17 SECTION 226 GOWRIE) – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 27 August 2002 – Mr Corbell*) on the motion of Mrs Dunne – That the report be noted.
- 5 HEALTH AND COMMUNITY CARE – STANDING COMMITTEE (FOURTH ASSEMBLY) – REPORT NO. 11 – ELDER ABUSE IN THE ACT – GOVERNMENT RESPONSE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 26 September 2002 – Mr Cornwell*) on the motion of Mr Stanhope – That the Assembly takes note of the paper.
- 6 LEGAL AFFAIRS – STANDING COMMITTEE – REPORT NO. 4 – THE APPROPRIATENESS OF THE SIZE OF THE LEGISLATIVE ASSEMBLY FOR THE ACT AND OPTIONS FOR CHANGING THE NUMBER OF MEMBERS, ELECTORATES AND ANY OTHER RELATED MATTER – GOVERNMENT RESPONSE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 26 September 2002 – Mr Stefaniak*) on the motion of Mr Stanhope – That the Assembly takes note of the paper.
- 7 PLANNING AND ENVIRONMENT – STANDING COMMITTEE – REPORT NO. 9 – PLANNING AND LAND BILL 2002 AND ASSOCIATED LEGISLATION – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 14 November 2002 – Mr Corbell*) on the motion of Mrs Dunne – That the report be noted.
- 8 PLANNING AND ENVIRONMENT – STANDING COMMITTEE – REPORT NO. 9 – PLANNING AND LAND BILL 2002 AND ASSOCIATED LEGISLATION – GOVERNMENT RESPONSE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 19 November 2002 – Mr Cornwell*) on the motion of Mr Corbell – That the Assembly takes note of the paper.
- 9 STATUS OF WOMEN IN THE ACT – SELECT COMMITTEE – REPORT – THE STATUS OF WOMEN IN THE ACT – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 21 November 2002 – Mr Stanhope*) on the motion of Ms Gallagher – That the report be noted.
- 10 COMMUNITY SERVICES AND SOCIAL EQUITY – STANDING COMMITTEE – REPORT NO. 2 – ACCOMMODATION AND SUPPORT SERVICES FOR HOMELESS MEN AND THEIR CHILDREN – GOVERNMENT RESPONSE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 21 November 2002 – Mr Stefaniak*) on the motion of Mr Wood – That the Assembly takes note of the paper.

- *11 LEGAL AFFAIRS – STANDING COMMITTEE – REPORT NO. 3 – THE OPERATION OF THE DANGEROUS GOODS ACT 1975 WITH PARTICULAR REFERENCE TO FIREWORKS – GOVERNMENT RESPONSE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 12 December 2002 – Mr Cornwell*) on the motion of Mr Corbell – That the Assembly takes note of the paper.
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1 April 2003

- *12 LEGAL AFFAIRS – STANDING COMMITTEE: Presentation of report on the Crimes (Industrial Manslaughter) Bill 2002 pursuant to order of the Assembly of 12 December 2002.
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EXECUTIVE BUSINESS

Orders of the day

- 1 INQUIRIES ACT – BOARD OF INQUIRY INTO DISABILITY SERVICES – GOVERNMENT RESPONSE – PAPERS – MOTION TO TAKE NOTE OF PAPERS: Resumption of debate (*from 26 September 2002 – Mr Smyth*) on the motion of Mr Wood – That the Assembly takes note of the paper.
- 2 INDIGENOUS EDUCATION – FOURTH SIX MONTHLY REPORT – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 29 August 2002 – Mr Pratt*) on the motion of Mr Stanhope – That the Assembly takes note of the paper.
- 3 STATE OF THE TERRITORY'S FINANCE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 7 March 2002 – Mr Smyth*) on the motion of Mr Quinlan – That the Assembly takes note of the paper.
- 4 INDEPENDENT COMPETITION AND REGULATORY COMMISSION - INVESTIGATION INTO COMPETITION IMPLICATIONS OF PROVISION OF WHEELCHAIR ACCESSIBLE TAXI SERVICES BY A SINGLE NETWORK – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 13 December 2001 – Mr Wood*) on the motion of Mr Quinlan – That the Assembly takes note of the paper.
- 5 FINANCIAL MANAGEMENT ACT – CONSOLIDATED FINANCIAL MANAGEMENT REPORT – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 15 May 2002 – Mr Smyth*) on the motion of Mr Quinlan – That the Assembly takes note of the paper.

- 6 CIVIL LAW (WRONGS) AMENDMENT BILL 2002: (*Minister for Urban Services; presented by Chief Minister*): Agreement in principle – Resumption of debate (*from 26 September 2002 – Mr Stefaniak*).
- 7 GAMING MACHINE ACT – ACT GAMBLING AND RACING COMMISSION – REPORT ON COMMUNITY CONTRIBUTIONS MADE BY GAMING MACHINE LICENSEES – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 26 September 2002 – Mr Humphries*) on the motion of Mr Stanhope – That the Assembly takes note of the paper.
- 8 NATIONAL ENVIRONMENT PROTECTION COUNCIL AMENDMENT BILL 2002: (*Minister for Urban Services*): Agreement in principle – Resumption of debate (*from 14 November 2002 – Mrs Dunne*).
- 9 CONFISCATION OF CRIMINAL ASSETS BILL 2002: (*Attorney-General*): Agreement in principle – Resumption of debate (*from 21 November 2002 – Mr Stefaniak*).
- 10 DISCRIMINATION AMENDMENT BILL 2002 (NO. 2): (*Attorney-General*): Agreement in principle – Resumption of debate (*from 21 November 2002 – Mr Stefaniak*).
- 11 PUBLIC RENTAL HOUSING ASSISTANCE PROGRAM – AMENDMENT TO RESTORE SECURITY OF TENURE TO PUBLIC TENANTS – STATEMENT BY MINISTER – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 10 December 2002 – Mr Stefaniak*) on the motion of Mr Wood – That the Assembly takes note of the paper.
- *12 JUSTICE AND COMMUNITY SAFETY LEGISLATION AMENDMENT BILL 2002 (NO 2): (*Attorney-General*): Agreement in principle – Resumption of debate (*from 12 December 2002 – Mr Stefaniak*).
- *13 SECURITY INDUSTRY BILL 2002: (*Attorney-General*): Agreement in principle – Resumption of debate (*from 12 December 2002 – Mr Stefaniak*).
- *14 LEGISLATION (GAY, LESBIAN AND TRANSGENDER) AMENDMENT BILL 2002: (*Attorney-General*): Agreement in principle – Resumption of debate (*from 12 December 2002 – Ms Dundas*).
- *15 DUTIES AMENDMENT BILL 2002 (NO 2): (*Treasurer*): Agreement in principle – Resumption of debate (*from 12 December 2002 – Mr Smyth*).
- *16 TAXATION (GOVERNMENT BUSINESS ENTERPRISES) BILL 2002: (*Treasurer*): Agreement in principle – Resumption of debate (*from 12 December 2002 – Mr Smyth*).

- *17 COMMUNITY BASED SENTENCES (TRANSFER) BILL 2002: (*Minister for Police, Emergency Services and Corrections*): Agreement in principle – Resumption of debate (*from 12 December 2002 – Mr Smyth*).
- *18 CEMETERIES AND CREMATORIA BILL 2002 (NO 2): (*Minister for Urban Services; presented by Deputy Chief Minister*): Agreement in principle – Resumption of debate (*from 12 December 2002 – Mr Cornwell*).
- *19 HAWKERS BILL 2002: (*Minister for Urban Services; presented by Deputy Chief Minister*): Agreement in principle – Resumption of debate (*from 12 December 2002 – Mr Cornwell*).
- *20 ACTION AUTHORITY AMENDMENT BILL 2002: (*Minister for Planning*): Agreement in principle – Resumption of debate (*from 12 December 2002 – Mrs Dunne*).
- *21 GENE TECHNOLOGY BILL 2002: (*Minister for Health*): Resumption of debate – Agreement in principle.
- *22 AFFORDABLE HOUSING IN THE ACT: STRATEGIES FOR ACTION – PAPERS – MOTION TO TAKE NOTE OF PAPERS: Resumption of debate (*from 12 December 2002 – Mr Stefaniak*) on the motion of Mr Wood – That the Assembly takes note of the papers.

PRIVATE MEMBERS' BUSINESS

Notices

- 1 MR PRATT: To move – That the ACT Legislative Assembly condemns Labor for blocking the suspension of Downer Preschool in October 1998 and now having to admit that it was wrong to do so given that it wants to suspend Lyneham Preschool for the same reason. (*Notice given 24 September 2002*).
- 2 MR PRATT: To move – That this Assembly:
 - (1) notes that the Department of Education will vacate the O'Connell Education Centre of the site of the old Griffith Primary School site by the end of this school year;
 - (2) notes that the Blue Gum School is currently in unacceptable accommodation and needs to move into more acceptable accommodation at the end of the current school year;

- (3) calls on the Minister for Education to explore all educational options (Departmental, government and non government) for the O'Connell Centre before it is made surplus to requirement. (*Notice given 25 June 2002*).
- 3 MR SMYTH: To move – That the Government acknowledge the importance of openness and accountability and their election commitment to this end and calls on the Government to table the Canberra Hospital and Calvary Hospitals' information bulletin – patient activity data, monthly reports at the first Assembly sitting after they have become available to the Government. (*Notice given 7 May 2002*).
- 4 MRS DUNNE: To move – That this Assembly calls on the Minister for Planning to immediately recommence the master planning process for the Kippax Group Centre. (*Notice given 9 May 2002*).
- 5 MRS DUNNE: To move – That this Assembly calls on the Minister for Urban Services to immediately allocate funds for the site selection and design of a permanent library and community centre at the Kippax Group Centre. (*Notice given 9 May 2002*).
- 6 MRS DUNNE: To move – That the Assembly directs the Government to immediately remove heavy vehicle diversions from Chuculba Crescent, Giralang and any other suburban streets and ensure that all heavy vehicle routes avoid suburban streets. (*Notice given 27 August 2002*).
- 7 MRS DUNNE: To move – That the Assembly directs the Government to enter into immediate negotiations with the National Capital Authority about the duplication of Caswell Drive to ensure that unoccupied land to the east of the existing road reserve is utilised so that the road does not encroach unnecessarily on the amenity of Aranda. (*Notice given 27 August 2002*).
- 8 MS TUCKER: To move – That this Assembly:
- (1) having noted that under the *Australian Capital Territory (Self-Government) Act 1988* the size of the Assembly can only be altered by regulations in accordance with a resolution passed by the Assembly;
 - (2) hereby resolves that the number of members of the Legislative Assembly should be increased from 17 to 21, with 7 members elected from each of 3 electorates; and
 - (3) calls upon the Chief Minister to communicate this resolution to the Minister for Regional Services, Territories and Local Government with a request that the regulations increasing the number of members be made by no later than 31 March 2003 so that the necessary electoral redistribution can be conducted in time for the ACT election scheduled for October 2004. (*Notice given 19 November 2002*).

- 9 MRS CROSS: To move – That the Legislative Assembly dissents from Speaker Berry’s ruling that the matter of public importance lodged by Mrs Cross concerning the Katie Bender tragedy is out of order as it is sub-judice. (*Notice given 11 December 2002*).
- 10 MRS DUNNE: To move – That noting recommendation 4 of Report No 4 of the Standing Committee on Planning and Environment into Draft Variation No 174 to the Territory Plan, the Hungarian-Australian Club site and Community Facility Land, this Assembly calls on the Government to review the operation of all pre self-government concessional leases. (*Notice given 11 December 2002*).
- 11 MRS DUNNE: To move – This Assembly:
 - (1) notes the Minister for Planning’s decision of 27 November to extend the 5% interim limit on dual and triple occupancy, embodied in Draft Variation 192, until May 2003; and
 - (2) notes the creation of an overlapping and contradictory conditions between Draft Variation 192 and Draft Variation 200, which gained interim effect in September 2002;
 - (3) calls on the Minister to immediately suspend the operation of Draft Variation 192 as was initially intended. (*Notice given 11 December 2002*).

Orders of the day

- 1 INQUIRIES AMENDMENT BILL 2002: (*Mr Humphries*): Agreement in principle – Resumption of debate (*from 15 May 2002 – Mr Stanhope*).
- 2 LAND (PLANNING AND ENVIRONMENT) LEGISLATION AMENDMENT BILL 2001: (*Ms Tucker*): Agreement in principle – Resumption of debate (*from 12 December 2001 – Mr Corbell*).
- 3 CRIMES AMENDMENT BILL 2001 (NO 3): (*Mr Stefaniak*): Agreement in principle – Resumption of debate (*from 12 December 2001 – Mr Stanhope*).
- 4 SUPREME COURT AMENDMENT BILL 2001 (NO 2): (*Mr Stefaniak*): Agreement in principle – Resumption of debate (*from 12 December 2001 – Mr Stanhope*).
- 5 ELECTORAL AMENDMENT BILL 2002: (*Ms Tucker*): Agreement in principle – Resumption of debate (*from 6 March 2002 – Mr Stanhope*).

- 6 STATISTICAL PROFILE ON THE ADMINISTRATION OF JUSTICE AND REVIEW OF THE OPERATION OF THE VICTIMS OF CRIME (FINANCIAL ASSISTANCE) ACT - MOTION TO TAKE NOTE OF PAPERS: Resumption of debate (*from 7 March 2002 – Mrs Dunne*) on the motion of Mr Stefaniak – That the Assembly takes note of the papers.
- 7 PROPOSED TIMETABLE FOR THE COMPLETION OF THE GUNGAHLIN DRIVE EXTENSION: Resumption of debate (*from 5 June 2002 – Ms Dundas*) on the motion of Mrs Dunne – That this Assembly:
 - (1) notes the ACT Government's commitment to build the Gungahlin Drive extension on time, on the western alignment, and to the same budget as that allocated to the eastern alignment; and
 - (2) directs the Minister for Planning, Mr Corbell, to table before the Assembly rises on Thursday, 6 June 2002 his proposed timetable for completing the Gungahlin Drive extension including but not limited to the:
 - (a) commencement and completion of environmental planning;
 - (b) commencement and completion of engineering planning;
 - (c) commencement of the draft variation process;
 - (d) timetable for the letting of tenders;
 - (e) commencement of works; and
 - (f) completion of works.
- 8 CONTRACT RELATING TO CANBERRA 400 V8 SUPERCAR EVENT: Resumption of debate (*from 26 June 2002 – Mr Hargreaves*) on the motion of Ms Gallagher - That this Assembly calls on the Minister for Economic Development, Business and Tourism to table the contract relating to the Canberra 400 V8 Supercar event.
- 9 INQUIRIES AMENDMENT BILL 2002 (NO 2): (*Ms Dundas*): Agreement in principle – Resumption of debate (*from 21 August 2002 – Mr Quinlan*).
- 10 COMMUNITY REFERENDUM BILL 2002: (*Mr Humphries*): Agreement in principle – Resumption of debate (*from 28 August 2002 – Mr Stanhope*).
- 11 INSURANCE COMPENSATION FRAMEWORK BILL 2002: (*Mr Smyth*): Agreement in principle – Resumption of debate (*from 25 September 2002 – Mr Quinlan*).
- 12 LEGAL PRACTITIONERS AMENDMENT BILL 2002: (*Mr Smyth*): Agreement in principle – Resumption of debate (*from 25 September 2002 – Mr Quinlan*).
- 13 ADVENTURE ACTIVITIES (LIABILITY) BILL 2002: (*Mr Smyth*): Agreement in principle – Resumption of debate (*from 25 September 2002 – Mr Quinlan*).

- 14 CIVIL LAW (WRONGS) AMENDMENT BILL 2002 (NO 2): (*Ms Dundas*): Agreement in principle – Resumption of debate (*from 13 November 2002 – Mr Stanhope*).
- 15 CRIMES AMENDMENT BILL 2002: (*Mr Pratt*): Agreement in principle – Resumption of debate (*from 13 November 2002 – Mr Stanhope*).
- 16 BUILDING (WATER EFFICIENCY) AMENDMENT BILL 2002: (*Mrs Dunne*): Agreement in principle – Resumption of debate (*from 13 November 2002 – Mr Corbell*).
- 17 LITTER AMENDMENT BILL 2002: (*Ms Tucker*): Agreement in principle – Resumption of debate (*from 20 November 2002 – Mr Corbell*).
- 18 PUBLIC ACCESS TO GOVERNMENT CONTRACTS AMENDMENT BILL 2002 (NO. 2): (*Ms Dundas*): Agreement in principle – Resumption of debate (*from 11 December 2002 – Mr Quinlan*).
- 19 COSTING OF ELECTION COMMITMENTS BILL 2002: (*Mr Humphries*): Agreement in principle – Resumption of debate (*from 11 December 2002 – Mr Quinlan*).
- 20 FINANCIAL LEGISLATION (INTEGRITY AND RESPONSIBILITY) AMENDMENT BILL 2002: (*Mr Humphries*): Agreement in principle – Resumption of debate (*from 11 December 2002 – Mr Quinlan*).

Referred to Standing Committee on Legal Affairs on

12 December 2002

CRIMES (INDUSTRIAL MANSLAUGHTER) BILL 2002:
(*Minister for Industrial Relations*): Resumption of debate – Agreement in principle.

QUESTIONS ON NOTICE

On the first sitting day of a period of sittings a complete *Notice Paper* is published containing all unanswered questions. On subsequent days, only new and redirected or revised questions are included on the *Notice Paper*.

Unanswered questions

10 December 2002
(30 days expires 9 January 2003)

- 354 MRS CROSS: To ask the Minister for Industrial Relations – In relation to the question I asked on 13 November 2002 regarding the Mugga Lane Fireworks depot, and your answer where you stated Workcover has recently had an audit undertaken which has identified that the facility is safe:
- (1) Who undertook the audit and when was it carried out.
 - (2) What qualifications did the person or persons carrying out the audit possess.
 - (3) What was the cost of the audit.
 - (4) Was the audit conducted under the guidelines and principles in the *Auditor-General Act 1996*.
 - (5) Was any independent auditor appointed pursuant to section 27 of the *Auditor-General Act 1996*.
 - (6) Was the letter and spirit of the *Auditor-General's Act 1996* complied with in this audit.
 - (7) Was a 'performance audit' of Workcover's facilities conducted pursuant to the definition on page 24 of the dictionary in the *Auditor-General's Act 1996*.
 - (8) Was the audit carried out by an independent body, and if so, is the Minister satisfied that the audit was truly independent.
 - (9) Does WorkCover hold all fireworks legally at the Mugga Lane facility.
 - (10) Who are the legal authorities for each holding.
 - (11) How many different individual holdings of confiscated fireworks does WorkCover currently hold.
 - (12) How many individual firework businesses have their property currently in WorkCover custody.
 - (13) How many parcels (by which I mean pertaining to one owner and being part of one seizure) does WorkCover hold.
 - (14) Is the Minister aware of any incidences where WorkCover had breached its own regulations.
 - (15) Is WorkCover subject to the same laws as the wider community.

- (16) What authority exists to monitor Workcover's compliance with its own regulations.
- (17) Is the Minister satisfied that the overseeing authority is independent.
- (18) What quantity of fireworks has been seized by WorkCover in the past five years.
- (19) Can WorkCover account for each seizure.
- (20) How much seized property has been returned to its owners and on what basis.
- (21) Is the 45 tonnes of fireworks stored at the Mugga Lane facility considered a large quantity of fireworks.
- (22) What are the requirements of the storage of such an amount at the one depot.
- (23) Is the Minister aware that Queensland authorities regard the transport or storage of 500kg gross weight or more of fireworks as a high quantity and views them as high explosives.
- (24) Can the Minister confirm that the Mugga Lane facility contains 90 times that amount.
- (25) Is the Minister aware that the fireworks explosion at Enschede in Holland two years ago killed many people and caused extensive damage to the surrounding area and that those fireworks were stored in steel shipping containers.
- (26) Are the fireworks at the Mugga Lane facility stored in steel shipping containers.
- (27) Is the Minister aware that Queensland and Western Australia explosives regulators have determined that fireworks which are transported or stored in large quantities could function similar to high explosives.
- (28) Is the Minister aware that under Regulation 19 of the Dangerous Goods Act, the licensee, which in the case of Mugga Lane is WorkCover, must take all precautions to prevent anyone entering the exclusion zone around the facility and the facility itself.
- (29) Does the Minister believe that a solitary security guard at the facility is sufficient to comply with this Regulation.
- (30) When was the security guard installed and at what cost.
- (31) Can the Minister confirm that the default classification for high explosives requires a distance of 817 metres from fireworks storage

facilities to any dwelling or place of work. Is the Minister satisfied that this requirement is complied with in the case of Mugga Lane.

- (32) Can the Minister confirm that no security guard, Mugga Lane quarry worker or any other employee, carries out his or her duties within the required safety distance from the facility.
- (33) Can the Minister confirm that the fireworks have not been modified, repacked or subjected to rough handling since their manufacture.
- (34) Can the Minister also confirm that the original manufacture labels are correct.
- (35) Have any of the fireworks at the Mugga Lane facility been tested.
- (36) Does WorkCover represent contingent liabilities in its annual report and financial statements.
- (37) Is the Minister satisfied that these contingent liabilities are accurate.

355 MRS CROSS: To ask the Minister for Industrial Relations – In a statement you made on 13 November 2002, you indicated that “...as soon as the Commissioner for Occupational Health and Safety became aware that some members of the fireworks industry had made public the location of the facility, she undertook a security assessment of the facility from an independent provider...”. You then went on to say “...the safety and security assessment cannot be made public for security reasons...”. You seem to indicate that a security assessment took place, whereas earlier in the day, you were stated as saying that “a safety assessment took place”.

- (1) Was there both a safety and security assessment carried out at Mugga Lane.
- (2) Who was the independent provider used.
- (3) If both were carried out, can you confirm that they were carried out by two separate, independent providers, or were both audits carried out by the same independent provider.
- (4) Are safety and security audits the same.
- (5) What are the parameters of each audit.
- (6) Can you confirm that both, or either, safety and security audits had been carried out by OH&S before the location of the facility had, as the Commissioner claimed, been made public.
- (7) If so, was there an audit or audits done by an independent provider, and if no such assessment or assessments had been done, why not.

- (8) Can you confirm that he has seen the Commissioner's reports of either or both audits.
- (9) When does the term of the current Commissioner expire.
- (10) Does the Minister still have full confidence in the Commissioner.

358 MR STEFANIAK: To ask the Minister for Planning – In relation to the Kippax Group Centre:

- (1) What is the current status in relation to the proposed development of the centre.
- (2) What is the current status in relation to a new and permanent library for Kippax.
- (3) What is the current status of the former Kippax Fitness and Leisure Centre that has been closed and unused now for over a year.
- (4) Can you advise whether you have received any advice as to whether there is any danger to adjoining buildings should the former closed Kippax Fitness and Leisure centre be damaged by fire, and specifically what danger would there be to the Kippax Library which is in very close proximity to that particular building.

11 December 2002

(30 days expires 10 January 2003)

360 MR CORNWELL: To ask the Minister for Planning:

- (1) Have you received any notification of any sort that another club was negotiating to purchase the Hungarian-Australian Club and if so, which Club.
- (2) Why did you not wait to see the result of these negotiations before proceeding with this decision.
- (3) How much was this club offering for the premises as opposed to the amount offered by a developer for residential redevelopment.
- (4) If (3) above is commercial-in-confidence can you provide a ratio (ie. 30/70) and if not, why not.
- (5) Where is the Suburb Master Plan for Narrabundah that shows that there is no need for this type of facility on this site now or in the future.
- (6) What is the outcome of the review into concessional leases.

- (7) Has the concessional lease now reverted to the ACT Government, in accordance with your position prior to the 2001 elections.
- (8) Will the ACT Government be holding an open and transparent sale of the site to allow the maximum amount of money to flow into ACT Revenue.

12 December 2002

(30 days expires 11 January 2003)

361 MR STEFANIAK: To ask the Attorney-General – In relation to several letters written to you by a constituent, Mr Bill Cape, commencing on 13 November 2001 where he made allegations concerning his treatment by an Officer of the ACT Supreme Court:

- (1) why, after receiving advice from you in January 2002 that the matter was being attended to and receiving no further correspondence from you, has no reply been received;
- (2) what is the cause of the delay;
- (3) when will Mr Cape receive a reply; and
- (4) given the serious nature of the allegations is the Attorney-General considering having an independent inquiry into the matter.

30 January 2003

Redirected and answered question

349 Question on notice No. 349 asked by Mr Cornwell has been redirected to the Treasurer and has been answered.

M J McRae

Clerk of the Legislative Assembly

COMMITTEES

Unless otherwise shown, appointed for the life of the Fifth Assembly. The dates of the amendments to the committees' resolution of appointment are reflected, but not changes in the membership.

Standing

Pursuant to standing order

ADMINISTRATION AND PROCEDURE: *(Formed 12 November 2001):* The Speaker *(Presiding Member)*, Ms Dundas, Mr Hargreaves, Ms MacDonald *(during the absence of Mr Hargreaves from 11-27 May 2002)* Mr Stefaniak, Ms Tucker.

Pursuant to resolution

COMMUNITY SERVICES AND SOCIAL EQUITY: *(Formed 11 December 2001; Amendment to resolution of appointment 21 November 2002):* Mr Hargreaves *(Chair)*, Mr Cornwell *(from 21 November 2002)*, Mrs Cross, Ms Dundas.

EDUCATION: *(Formed 11 December 2001):* Ms MacDonald *(Chair)*, Ms Dundas, Mr Pratt.

HEALTH: *(Formed 11 December 2001):* Ms Tucker *(Chair)*, Ms MacDonald, Mr Smyth.

LEGAL AFFAIRS: *(Formed 11 December 2001):* Mr Stefaniak *(Chair)*, Mr Hargreaves, Ms Tucker.

PLANNING AND ENVIRONMENT: *(Formed 11 December 2001; Amendment to resolution of appointment 21 November 2002):* Mrs Dunne *(Chair)*, Mrs Cross *(from 21 November 2002)*, Ms Gallagher, Ms Dundas.

PUBLIC ACCOUNTS: *(Formed 11 December 2001):* Mr Smyth *(Chair)*, Ms Gallagher, Ms Tucker.

Dissolved

ESTIMATES 2001-02: *(Formed 19 February 2002):* Mr Humphries *(Chair)*, Ms Dundas, Mr Hargreaves. *(Presented 9 April 2002).*

ESTIMATES 2002-03: *(Formed 6 June 2002):* Mr Humphries *(Chair)*, Mr Hargreaves *(Deputy Chair)*, Ms Dundas, Mrs Dunne, Ms Gallagher. *(Printing, circulation and publication authorised 19 August 2002; presented 20 August 2002)*

PRIVILEGES: *(Formed 6 June 2002):* Ms Tucker *(Chair)*, Mr Hargreaves *(Deputy Chair)*, Mr Smyth. *(Presented 14 November 2002).*

STATUS OF WOMEN IN THE ACT: *(Formed 11 December 2001):* Ms Gallagher *(Chair)*, Mrs Cross, Ms Dundas. *(Presented 21 November 2002).*