



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

2004-2005-2006

NOTICE PAPER

No. 83

WEDNESDAY, 22 NOVEMBER 2006

The Assembly meets this day at 10.30 a.m.

PRIVATE MEMBERS' BUSINESS

Notices

- *1 **MR STEFANIAK:** To present a Bill for an Act to amend the *Crimes Act 1900*, and for other purposes. (*Notice given 21 November 2006*).
- 2 **MS MACDONALD:** To move—That this Assembly:
- (1) recognises the ACT Legislative Assembly's right to make laws for the people of the ACT;
 - (2) calls on the Commonwealth Executive to:
 - (a) recognise Members of the ACT Legislative Assembly are democratically elected by the residents of the ACT; and
 - (b) respect the rights of the people of the ACT by allowing their democratically elected representatives to enact legislation and govern the ACT on their behalf; and
 - (3) calls on the Commonwealth Parliament to amend the *Australian Capital Territory (Self-Government) Act 1988* to remove the Commonwealth Executive's power to call on the Governor-General to disallow any Act which has been enacted by the ACT Legislative Assembly. (*Notice given 14 November 2006*).

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

- *3 **MRS DUNNE:** To move—That this Assembly:
- (1) notes the contribution made by ACT preschools to early childhood education;
 - (2) recognises that preschool education in the ACT has always been provided via a unique and historic collaboration between government and individual parent associations;
 - (3) further:
 - (a) recognises that individual parent associations are an essential prerequisite for the establishment and operation of preschools in the ACT; and
 - (b) notes that the current proposal called *Towards 2020* proposes to make small savings to the education budget by closing 22 of the ACT's preschools;
 - (4) declares that the ACT Government has made the proposals in relation to preschools with little understanding of their unique governance situation; and
 - (5) calls on the ACT Government to suspend all proposed closures and/or amalgamations of preschools until relevant governance and structural issues have been explored and the legality of the proposed actions has been clarified. (*Notice given 21 November 2006*).
- 4 **MR GENTLEMAN:** To move—That this Assembly notes:
- (1) the importance of recognising climate change;
 - (2) that there is policy developed to reduce greenhouse gas emissions; and
 - (3) that the Canberra public is educated about climate change and what they can do on a grass roots level to contribute to a cleaner world. (*Notice given 16 November 2006*).
- *5 **DR FOSKEY:** To move—That this Assembly:
- (1) notes:
 - (a) the threats of climate change to our environment, economy and society; and
 - (b) the failure of the Howard Federal Government to ratify the Kyoto Protocol on climate change; and
 - (2) calls on the ACT Government to:
 - (a) calculate and release an inventory of current ACT greenhouse gas emissions;
 - (b) adopt:
 - (i) the targets for greenhouse gas emissions reductions and strategies outlined in the Kyoto Protocol, understanding that this is a first, essential and minimal response to the problem; and
 - (ii) a mandatory renewable energy target at least equivalent to NSW;

- (c) ensure the Government's imminent Greenhouse Strategy incorporates:
 - (i) timelines and targets to achieve emission reductions at least equivalent to 60% by 2050; and
 - (ii) mechanisms to strengthen these targets if events require it; and
- (d) establish the ACT as a Centre of Sustainability Industries and a model for Australia and the rest of the world in sustainable urban planning and management. (*Notice given 21 November 2006*).

Orders of the day

- 1 **GUARDIANSHIP AND MANAGEMENT OF PROPERTY AMENDMENT BILL 2005:** (*Mr Stefaniak*) Agreement in principle—Resumption of debate (*from 19 October 2005—Mr Corbell*).

Notices—continued

- 6 **MRS DUNNE:** To move—That a committee may resolve to conduct deliberative meetings by electronic communications without the members of the committee being present in one place, provided that:
- (1) when a committee deliberates, members of the committee constituting a quorum are able to speak to, and hear, each other contemporaneously; and
 - (2) the Presiding Member of such a meeting takes care to ensure that a quorum is maintained during the meeting and that the standing orders and rules of the Assembly are observed. (*Notice given 22 August 2006*).
- 7 **MRS BURKE:** To move—That this Assembly calls on the ACT Government to exempt all Gold Card holders' payments under the *Veterans' Entitlements Act 1986* (Cwlth), from assessment as income when determining public housing rental rates, in accordance with the *Housing Assistance Act 1987*. (*Notice given 7 March 2006*).
- 8 **MR STEFANIAK:** To move—That this Assembly calls on the Government to improve the infrastructure and services in the West Belconnen area. (*Notice given 7 December 2004*).
- 9 **MRS DUNNE:** To move—That this Assembly:
- (1) notes recommendation 9 of Report No 34 of the Standing Committee on Planning and Environment entitled *Long-term planning for the provision of land for aged care facilities in the A.C.T.*; and
 - (2) directs the Planning and Land Authority to immediately commence a variation to the Territory plan to remove the residential overlay for the community land at section 87, Belconnen. (*Notice given 7 December 2004*).
- 10 **MR GENTLEMAN:** To move—That this Assembly:
- (1) acknowledges that live music should be accorded a recognised cultural value;
 - (2) recognises the importance of:
 - (a) live music and live music venues to the Canberra community; and

- (b) protecting live music venues in Canberra; and
 - (3) requests the Government investigate ways of ensuring the protection of live music venues in Canberra. (*Notice given 28 June 2005*).
- 11 **DR FOSKEY:** To move—That this Assembly:
- (1) commends the coalition of community groups and refugees for their work in keeping the tragedy of the SIEV X disaster in the public eye;
 - (2) notes:
 - (a) the National Capital Authority (NCA's) ostensible practice of waiting 10 years after an event before considering the installation of a memorial to it in the parliamentary triangle; and
 - (b) that this practise has not been observed in regards to the proposed memorial to Steve Irwin, who died suddenly a few weeks ago, and the Bali bombing;
 - (3) condemns the NCA for its politically based rejection of the SIEV X memorial request; and
 - (4) calls on the ACT Government to make every effort to gain the active and prompt support of the NCA for the SIEV X National Memorial Project. (*Notice given 17 October 2006*).

Orders of the day—continued

- 2 **AUSTRALIAN COUNCIL ON HEALTHCARE STANDARDS ACCREDITATION—THE CANBERRA HOSPITAL:** Resumption of debate (*from 16 February 2005—Dr Foskey, in continuation*) on the motion of Mr Smyth—That this Assembly:
- (1) notes:
 - (a) the failure of The Canberra Hospital to attain full four-year accreditation from the Australian Council on Healthcare Standards (ACHS);
 - (b) this failure indicates that The Canberra Hospital did not meet at least one of the 19 mandatory ACHS criteria; and
 - (c) the ACT Government was aware of this failure in mid-2004 and concealed this information from the public; and
 - (2) calls on the Government to table the full ACHS report by close of business today.
- 3 **PUBLIC SECTOR MANAGEMENT AMENDMENT BILL 2005:** (*Mr Smyth*) Agreement in principle—Resumption of debate (*from 16 March 2005—Mr Stanhope*).

4 **QUAMBY DETENTION CENTRE—WORKING GROUP:** Resumption of debate (*from 29 June 2005—Mrs Dunne, in continuation*) on the motion of Mr Seselja—That this Assembly:

- (1) expresses its concern over:
 - (a) the failure of the Minister for Children, Youth and Family Support to ensure that the working group recommended by the Standing Committee on Community Services and Social Equity to examine the adequacy and appropriateness of the programs currently available in Quamby, was established in a timely manner;
 - (b) the inability of the Minister or officials to indicate during Estimates Committee hearings whether the working group had been established;
 - (c) the misleading and evasive answers provided to questions on notice by the Minister in relation to this issue; and
 - (d) the ongoing breach of the *Human Rights Act 2004* in relation to the treatment of inmates at Quamby; and
- (2) calls on the Minister to table in the Assembly all relevant documents in relation to the establishment of the working group within the current sitting of the Assembly.

And on the amendment moved by Ms Gallagher—Omit all words after “That this Assembly”, substitute:

“acknowledges the:

- (1) *\$40 million commitment the ACT Government has made to building a new youth detention facility in the ACT;*
- (2) *efforts being undertaken by staff at Quamby and from other organisations to ensure the individual needs of young people living at Quamby are being met; and*
- (3) *significant increases in resources from the ACT Government to Quamby to address the challenges presented by the existing facility.”.*

5 **CIVIL LAW (WRONGS) AMENDMENT BILL 2005:** (*Mrs Dunne*) Agreement in principle—Resumption of debate (*from 17 August 2005—Mr Stanhope*).

6 **ANNUAL REPORTS (GOVERNMENT AGENCIES) AMENDMENT BILL 2005:** (*Mr Smyth*) Agreement in principle—Resumption of debate (*from 14 December 2005*).

7 **PUBLIC HOSPITALS—PERFORMANCE:** Resumption of debate (*from 7 June 2006—Ms Gallagher*) on the motion of Mr Smyth—That this Assembly:

- (1) notes that, despite the dedication and hard work of our nurses, doctors and allied health workers in the public hospital system:
 - (a) the recent report from the Australian Institute of Health and Welfare found that the ACT rated very poorly across a range of health indicators;

- (b) the rate of by-pass occasions at The Canberra Hospital has increased substantially during May 2006; and
 - (c) the elective surgery waiting lists show continuing increases in people waiting for surgery; and
- (2) calls on the ACT Government to take urgent action to improve the performance of the ACT's public hospitals.

EXECUTIVE BUSINESS

Orders of the day

- 1 **BUILDING AND CONSTRUCTION INDUSTRY TRAINING LEVY AMENDMENT BILL 2006:** (*Minister for Education and Training*): Agreement in principle—Resumption of debate (*from 21 September 2006—Mrs Dunne*).
- 2 **LONG SERVICE LEAVE (CONTRACT CLEANING INDUSTRY) AMENDMENT BILL 2006:** (*Minister for Industrial Relations*): Agreement in principle—Resumption of debate (*from 16 November 2006—Mr Stefaniak*).
- 3 **FAIR WORK CONTRACTS BILL 2004:** (*Minister for Industrial Relations*): Agreement in principle—Resumption of debate (*from 9 December 2004—Mr Mulcahy*).
- 4 **EDUCATION AMENDMENT BILL 2006:** (*Minister for Education and Training*): Agreement in principle—Resumption of debate (*from 4 May 2006—Mr Seselja*).
- 5 **PUBLIC INTEREST DISCLOSURE BILL 2006:** (*Chief Minister*): Agreement in principle—Resumption of debate (*from 8 June 2006—Mr Stefaniak*).
- 6 **STATUTE LAW AMENDMENT BILL 2006 (NO. 2):** (*Attorney-General*): Agreement in principle—Resumption of debate (*from 19 October 2006—Mr Stefaniak*).
- 7 **GAMING MACHINE ACT—COMMUNITY CONTRIBUTIONS MADE BY GAMING MACHINE LICENSEES—SEVENTH REPORT—ACT GAMBLING AND RACING COMMISSION—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 7 December 2004—Mr Stefaniak*) on the motion of Mr Quinlan—That the Assembly takes note of the paper.
- 8 **PORTFOLIO RESPONSIBILITIES—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 9 December 2004—Mr Mulcahy*) on the motion of Ms Gallagher—That the Assembly takes note of the paper.

- 9 **PORTFOLIO RESPONSIBILITIES—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 9 December 2004—Mrs Burke*) on the motion of Mr Hargreaves—That the Assembly takes note of the paper.
- 10 **THE TERRITORY AS PARENT—REVIEW OF THE SAFETY OF CHILDREN IN THE CARE OF THE ACT AND OF ACT CHILD PROTECTION MANAGEMENT AND THE TERRITORY'S CHILDREN—ENSURING SAFETY AND QUALITY CARE FOR CHILDREN AND YOUNG PEOPLE—REPORT ON THE AUDIT AND CASE REVIEW—IMPLEMENTATION OF THE GOVERNMENT'S RESPONSE—FIRST SIX MONTHLY REPORTS—PAPERS—MOTION TO TAKE NOTE OF PAPERS:** Resumption of debate (*from 17 February 2005—Mrs Dunne*) on the motion of Ms Gallagher—That the Assembly takes note of the papers.
- 11 **A.C.T. ASBESTOS TASKFORCE—PROGRESS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 17 March 2005—Mr Mulcahy*) on the motion of Ms Gallagher—That the Assembly takes note of the paper.
- 12 **FORDE JOINT VENTURE—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 28 June 2005—Mrs Dunne*) on the motion of Mr Corbell—That the Assembly takes note of the paper.
- 13 **HUMAN RIGHTS ACT—HUMAN RIGHTS AUDIT—QUAMBY YOUTH DETENTION CENTRE—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 18 August 2005—Mr Stefaniak*) on the motion of Mr Stanhope—That the Assembly takes note of the paper.
- 14 **SENTENCE AND RELEASE OPTIONS FOR HIGH RISK SEXUAL OFFENDERS—REPORT PREPARED FOR THE ACT GOVERNMENT—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 20 October 2005—Mr Stefaniak*) on the motion of Mr Stanhope—That the Assembly takes note of the paper.
- 15 **ACT CHILDREN'S PLAN AND YOUNG PEOPLE'S PLAN—PROGRESS REPORT—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 20 October 2005—Mrs Dunne*) on the motion of Ms Gallagher—That the Assembly takes note of the paper.
- 16 **LAND (PLANNING AND ENVIRONMENT) ACT—STATEMENT IN RELATION TO THE EXERCISE OF CALL-IN POWERS FOR DEVELOPMENT APPLICATION NO DA200400175, BLOCKS 8 AND 10 SECTION 26, AINSLIE—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 15 November 2005—Dr Foskey*) on the motion of Mr Corbell—That the Assembly takes note of the paper.

- 17 **HOMELESSNESS STRATEGY—BREAKING THE CYCLE—FIRST PROGRESS REPORT—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 24 November 2005—Dr Foskey*) on the motion of Mr Hargreaves—That the Assembly takes note of the paper.
- 18 **CANBERRA CENTRAL TASKFORCE REPORT—GOVERNMENT RESPONSE—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 15 December 2005—Mrs Dunne*) on the motion of Mr Corbell—That the Assembly takes note of the paper.
- 19 **ECONOMIC WHITE PAPER IMPLEMENTATION—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 9 March 2006—Mr Smyth*) on the motion—That the Assembly takes note of the paper.
- 20 **FORGOTTEN AUSTRALIANS REPORT—SENATE COMMUNITY AFFAIRS REFERENCES COMMITTEE—INQUIRY INTO CHILDREN IN INSTITUTIONAL CARE—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 30 March 2006—Dr Foskey*) on the motion of Mr Stanhope—That the Assembly takes note of the paper.
- 21 **FINANCIAL MANAGEMENT ACT—CONSOLIDATED FINANCIAL MANAGEMENT REPORT—MARCH QUARTER 2006—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 11 May 2006—Mr Mulcahy*) on the motion of Mr Stanhope—That the Assembly takes note of the paper.
- 22 **PLANNING SYSTEM REFORM—EXPOSURE DRAFT—PLANNING AND DEVELOPMENT BILL 2006—RELEASE FOR PUBLIC CONSULTATION—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 17 August 2006—Mrs Dunne*) on the motion of Mr Corbell—That the Assembly takes note of the paper.
- 23 **HUMAN RIGHTS ACT—TWELVE-MONTH REVIEW—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 22 August 2006—Mr Stefaniak*) on the motion of Mr Corbell—That the Assembly takes note of the paper.
- 24 **MURRAY-MACKIE STUDY—RECOMMENDATIONS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 21 September 2006—Mrs Burke*) on the motion of Ms Gallagher—That the Assembly takes note of the paper.
- 25 **CROSS BORDER WATER SUPPLY—AGREEMENTS—PAPERS—MOTION TO TAKE NOTE OF PAPERS:** Resumption of debate (*from 21 September 2006—Mr Stefaniak*) on the motion of Mr Stanhope—That the Assembly takes note of the papers.
- 26 **CRIMES (RESTORATIVE JUSTICE) ACT—RESTORATIVE JUSTICE—FIRST PHASE REVIEW—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 17 October 2006—Mr Stefaniak*) on the motion of Mr Corbell—That the Assembly takes note of the paper.

- 27 **GAMING MACHINE ACT—COMMUNITY CONTRIBUTIONS MADE BY GAMING MACHINE LICENSEES—NINTH REPORT BY THE ACT GAMBLING AND RACING COMMISSION—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 16 November 2006—Dr Foskey*) on the motion of Mr Stanhope—That the Assembly takes note of the paper.

ASSEMBLY BUSINESS

Notice

- *1 **MR PRATT:** To move—That, given the failure of the Government to consult appropriately with the Canberra community over the announced closure of the Griffith Library:
- (1) the closure of the Griffith Library be deferred until appropriate consultation has taken place;
 - (2) the proposal to close Griffith Library be referred to the Standing Committee on Planning and Environment for inquiry and report by 31 March 2007; and
 - (3) the Government wait for the report by the Standing Committee on Planning and Environment and respond to the Assembly before any decision is made. (*Notice given 21 November 2006*).

Orders of the day

First sitting day in October 2007

- 1 **WORKING FAMILIES IN THE AUSTRALIAN CAPITAL TERRITORY—SELECT COMMITTEE:** Presentation of report pursuant to order of the Assembly of 5 May 2005, as amended 8 June 2006 and 24 August 2006.

1 October 2007

- 2 **EDUCATION, TRAINING AND YOUNG PEOPLE—STANDING COMMITTEE:** Presentation of report on the lowering of the eligible voting age pursuant to order of the Assembly of 29 March 2006.

Referred to Standing Committee on Legal Affairs on

14 December 2005

COURT PROCEDURES (PROTECTION OF PUBLIC PARTICIPATION) AMENDMENT BILL 2005: (*Dr Foskey*): Agreement in principle—Resumption of debate (*from 29 June 2005—Mr Hargreaves*).

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

1249, 1315, 1323-1326, 1328-1337, 1346, 1349, 1350, 1353, 1355-1357, 1359, 1365, 1370, 1373-1409.

T Duncan

Clerk of the Legislative Assembly

COMMITTEES

Unless otherwise shown, appointed for the life of the Sixth 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 4 November 2004*): The Speaker (*Presiding Member*), Dr Foskey, Ms MacDonald, Mr Smyth.

Pursuant to resolution

EDUCATION, TRAINING AND YOUNG PEOPLE: (*Formed 7 December 2004*): Ms Porter (*Chair*), Mrs Dunne, Mr Gentleman.

HEALTH AND DISABILITY: (*Formed 7 December 2004*): Ms MacDonald (*Chair*), Mrs Burke, Ms Porter.

LEGAL AFFAIRS: (*Formed 7 December 2004*): Mr Seselja (*Chair*), Dr Foskey, Ms MacDonald.

PLANNING AND ENVIRONMENT: (*Formed 7 December 2004*): Mr Gentleman (*Chair*), Ms Porter, Mr Seselja.

PUBLIC ACCOUNTS: (*Formed 7 December 2004*): Mr Mulcahy (*Chair*), Dr Foskey, Ms MacDonald.

Select

WORKING FAMILIES IN THE AUSTRALIAN CAPITAL TERRITORY: (*Formed 5 May 2005*): Mr Gentleman (*Chair*), Mrs Burke, Ms Porter.

Dissolved

ESTIMATES 2005-2006: (*Formed 7 April 2005*): Ms MacDonald (*Chair*), Dr Foskey, Mr Mulcahy, Ms Porter, Mr Seselja. (*Presented 21 June 2005*).

ESTIMATES 2006-2007: (*Formed 4 May 2006*): Ms Porter (*Chair*), Dr Foskey, Mr Gentleman, Ms MacDonald, Mr Pratt, Mr Smyth. (*Presented 15 August 2006*).
