

2001-2002-2003

**LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

NOTICE PAPER

No. 59

Tuesday, 17 June 2003

The Assembly meets this day at 10.30 am

ASSEMBLY BUSINESS

Orders of the day

- *1 LEGAL AFFAIRS – STANDING COMMITTEE: Presentation of report on the Crimes (Industrial Manslaughter) Amendment Bill 2002 pursuant to order of the Assembly of 12 December 2002, as amended 1 April 2003.
- *2 PUBLIC ACCOUNTS – STANDING COMMITTEE: Presentation of report on the Rates and Land Tax Amendment Bill 2003 pursuant to order of the Assembly of 3 April 2003.
- *3 ESTIMATES 2003-2004 – SELECT COMMITTEE: Presentation of report on the Appropriation Bill 2003-2004 pursuant to order of the Assembly of 3 April 2003.

EXECUTIVE BUSINESS

Orders of the day

- 1 BUSHFIRE RECONSTRUCTION LEVY BILL 2003: *(Treasurer):* Agreement in principle – Resumption of debate *(from 6 May 2003 – Mr Stefaniak)*.

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

- *2 BUSHFIRE INQUIRY (PROTECTION OF STATEMENTS)
AMENDMENT BILL 2003: (*Attorney-General*): Agreement in principle – Resumption of debate (*from 8 May 2003 – Mr Stefaniak*).
- 3 GAMING MACHINE (CAP) AMENDMENT BILL 2003: (*Minister for Sport, Racing and Gaming*): Agreement in principle – Resumption of debate (*from 3 April 2003 – Mr Stefaniak*).
- 4 ROAD TRANSPORT (PUBLIC PASSENGER SERVICES) AMENDMENT BILL 2003: (*Minister for Urban Services*): Agreement in principle – Resumption of debate (*from 3 April 2003 – Mrs Dunne*).
- *5 NURSES AMENDMENT BILL 2003: (*Minister for Health*): Agreement in principle – Resumption of debate (*from 8 May 2003 – Mr Smyth*).
- *6 PLANNING AND LAND LEGISLATION AMENDMENT BILL 2003: (*Minister for Planning*): Agreement in principle – Resumption of debate (*from 8 May 2003 – Mr Smyth*).
- 7 APPROPRIATION BILL 2002-2003 (NO. 3): (*Treasurer*): Agreement in principle – Resumption of debate (*from 6 May 2003 – Mr Smyth*).
- 8 REVENUE LEGISLATION AMENDMENT BILL 2003: (*Treasurer*): Agreement in principle – Resumption of debate (*from 6 May 2003 – Mr Stefaniak*).
- 9 LAND (PLANNING AND ENVIRONMENT) (COMPLIANCE) AMENDMENT BILL 2003: (*Minister for Planning*): Agreement in principle – Resumption of debate (*from 20 February 2003 – Mrs Dunne*).
- 10 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.
- 11 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.
- 12 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.

- 13 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*) on the motion of Mr Stanhope – That the Assembly takes note of the paper.
- 14 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.
- 15 GENE TECHNOLOGY BILL 2002: (*Minister for Health*): Agreement in principle – Resumption of debate (*from 21 February 2002 – Mr Smyth*).
- 16 FULL RETAIL COMPETITION – IMPACT ON ACT LOW INCOME EARNERS – GOVERNMENT RESPONSE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 20 February 2003 – Mr Cornwell*) on the motion of Mr Quinlan – That the Assembly takes note of the paper.
- 17 INDIGENOUS EDUCATION – FOURTH SIX MONTHLY REPORT – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 4 March 2003 – Ms Gallagher – in continuation*) on the motion of Mr Stanhope – That the Assembly takes note of the paper.
- 18 INQUIRIES ACT – BOARD OF INQUIRY INTO DISABILITY SERVICES – IMPLEMENTATION OF THE GOVERNMENT RESPONSE – FIRST SIX MONTHLY REPORT – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 1 April 2003 – Mrs Burke*) on the motion of Mr Wood – That the Assembly takes note of the paper.
- 19 TERTIARY ACCREDITATION AND REGISTRATION BILL 2003: (*Minister for Education, Youth and Family Services*): Agreement in principle – Resumption of debate (*from 3 April 2003 – Mrs Burke*).
- 20 VOCATIONAL EDUCATION AND TRAINING BILL 2003: (*Minister for Education, Youth and Family Services*): Agreement in principle – Resumption of debate (*from 3 April 2003 – Mrs Burke*).
- 21 ANIMAL AND PLANT DISEASES AMENDMENT BILL 2003: (*Minister for Environment*): Agreement in principle – Resumption of debate (*from 3 April 2003 – Mrs Dunne*).

- *22 ELECTORAL AMENDMENT BILL 2003: (*Attorney-General; presented by Manager of Government Business*): Agreement in principle – Resumption of debate (*from 8 May 2003 – Ms Dundas*).
- *23 REGISTRATION OF DEEDS AMENDMENT BILL 2003: (*Attorney-General; presented by Manager of Government Business*): Agreement in principle – Resumption of debate (*from 8 May 2003 – Mr Stefaniak*).
- *24 STATUTE LAW AMENDMENT BILL 2003: (*Attorney-General; presented by Manager of Government Business*): Agreement in principle – Resumption of debate (*from 8 May 2003 – Mr Stefaniak*).
- *25 BUILDING (RESIDENTIAL BUILDING WARRANTY AMENDMENT BILL 2003: (*Minister for Planning*): Agreement in principle – Resumption of debate (*from 8 May 2003 – Mr Smyth*).
- *26 AFFORDABLE HOUSING TASKFORCE FINAL REPORT – STRATEGIES FOR ACTION – GOVERNMENT RESPONSE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 8 May 2003 – Ms Tucker*) on the motion of Mr Wood – That the Assembly takes note of the paper.
- *27 INQUIRY INTO EDUCATION FUNDING IN THE ACT – REPORT – GOVERNMENT RESPONSE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 8 May 2003 – Mr Cornwell*) on the motion of Ms Gallagher – That the Assembly takes note of the paper.

Notice

- 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;
 - (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*).

PRIVATE MEMBERS' BUSINESS

Notices

- 1 MS TUCKER: To move – That this Assembly:
 - (1) commends the Government for proposing a rebate scheme for owners of houses reliant on wood burning heaters;
 - (2) calls on the Government to develop a comprehensive strategy and timetable to eliminate the problem of wood smoke pollution in the ACT, incorporating such measures as:
 - (i) implementing enhanced air quality monitoring, including both airborne particles (PM10) and smaller airborne particles (PM 2.5), as recommended as the top priority in the State of the Environment Report 2000;
 - (ii) introducing mobile air monitoring of the Tuggeranong Valley and other wood smoke affected areas of Canberra.
 - (iii) commissioning a study into the long-term health effects of wood smoke pollution on Canberra residents;
 - (iv) replacing wood burning heaters in government-owned homes in Canberra;
 - (v) resourcing Environment ACT to enforce the penalty provisions contained in part 13 of the Environment Protection Act applying to excessively smoking chimneys;
 - (vi) providing regular information for broadcasting daily winter air pollution levels for the Tuggeranong Valley and other parts of Canberra as part of the weather forecasts on daily television and radio news bulletins;
 - (vii) working with rental property owners to encourage them to convert their properties to cleaner and more efficient forms of heating;
 - (viii) further public education initiatives on the proper use of wood-burning heaters; and

- (3) calls on the Government to include in the Spatial Plan process an investigation of the possibility of sustainable wood supply in the ACT. (*Notice given 6 May 2003*).
- 2 MR SMYTH: To move – That this Assembly, noting that the Government’s proposed new land rating system:
- (1) has not been adequately tested or modeled;
 - (2) is unfair and regressive;
 - (3) will lead to wildly different rates being levied on owners of properties of equivalent value.

Calls on the Government to:

- (4) not introduce the new system in the 2003-04 financial year;
 - (5) undertake full assessment and modeling of the proposed new system;
 - (6) report the findings of this assessment and modeling to the Assembly by the end of 2003. (*Notice given 1 April 2003*).
- 3 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*).
- 4 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*).
- 5 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*).

- 6 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*).
- 7 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*).
- 8 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*).
- 9 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*).
- 10 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*).
- 11 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*).

- 12 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*).
- 13 MS DUNDAS: To move – That this Assembly, recognising the need for a Youth Night Shelter in Civic to provide safe overnight accommodation for young people unable to return home late at night, calls on the ACT Government to make the establishment of a youth night shelter a high priority for the 2003-2004 financial year (*Notice given 4 March 2003*).
- 14 MR STEFANIAK: To move – That the Assembly calls on the Government to commemorate the achievements and contributions made by the Cannons, Capitals and Brumbies by means of honour plaques laid on London Circuit similar to the honour plaque already laid to commemorate the contribution made by the Canberra Raiders. (*Notice given 4 March 2003*).
- 15 MRS BURKE: To move – That this Assembly calls upon the government to establish suitable community support mechanisms for illicit drug dependent parents to assist them in moving away from a drug dependent lifestyle to ensure the well being and safety of their children. (*Notice given 4 March 2003*).
- 16 MRS CROSS: To move – That the Assembly calls on the Chief Minister:
- (1) to table Howard McBeth’s 1994 report into the adequacy of the Territory’s fire prevention strategies;
 - (2) to incorporate the McBeth report into the Government’s operational response to the 18 January 2003 bushfires. (*Notice given 5 March 2003*).
- 17 MS DUNDAS: To move – That this Assembly calls on the Government to empower the Gaming and Racing Commission to reduce the current number of gaming machines in the ACT to 3000, in line with the national per capita average, during the financial year 2003-2004. (*Notice given 11 March 2003*).
- 18 MS DUNDAS: To move – That this Assembly calls on the ACT Government to audit the superannuation and workers compensation entitlements of all fire-fighters who have been transferred from the NSW Fire Brigade to the ACT Fire Brigade, and report to the Assembly by 19 August 2003. (*Notice given 1 April 2003*).

- 19 MS DUNDAS: To move – That this Assembly calls on the ACT Government to immediately establish a Taskforce reporting directly to Cabinet, with parent, principal, teacher and Government representation, to evaluate and implement recommendations from the Connors Inquiry into ACT Education Funding. (*Notice given 1 April 2003*).

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 GUNG AHLIN 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 INQUIRIES AMENDMENT BILL 2002 (NO 2): *(Ms Dundas)*: Agreement in principle – Resumption of debate *(from 21 August 2002 – Mr Quinlan)*.
- 9 COMMUNITY REFERENDUM BILL 2002: *(Mr Humphries)*: Agreement in principle – Resumption of debate *(from 28 August 2002 – Mr Stanhope)*.
- 10 INSURANCE COMPENSATION FRAMEWORK BILL 2002: *(Mr Smyth)*: Agreement in principle – Resumption of debate *(from 25 September 2002 – Mr Quinlan)*.
- 11 LEGAL PRACTITIONERS AMENDMENT BILL 2002: *(Mr Smyth)*: Agreement in principle – Resumption of debate *(from 25 September 2002 – Mr Quinlan)*.
- 12 ADVENTURE ACTIVITIES (LIABILITY) BILL 2002: *(Mr Smyth)*: Agreement in principle – Resumption of debate *(from 25 September 2002 – Mr Quinlan)*.
- 13 CRIMES AMENDMENT BILL 2002: *(Mr Pratt)*: Agreement in principle – Resumption of debate *(from 13 November 2002 – Mr Stanhope)*.
- 14 BUILDING (WATER EFFICIENCY) AMENDMENT BILL 2002: *(Mrs Dunne)*: Agreement in principle – Resumption of debate *(from 13 November 2002 – Mr Corbell)*.
- 15 LITTER AMENDMENT BILL 2002: *(Ms Tucker)*: Agreement in principle – Resumption of debate *(from 20 November 2002 – Mr Corbell)*.
- 16 PUBLIC ACCESS TO GOVERNMENT CONTRACTS AMENDMENT BILL 2002 (NO. 2): *(Ms Dundas)*: Agreement in principle – Resumption of debate *(from 11 December 2002 – Mr Quinlan)*.
- 17 COSTING OF ELECTION COMMITMENTS BILL 2002: *(Mr Humphries)*: Agreement in principle – Resumption of debate *(from 11 December 2002 – Mr Quinlan)*.
- 18 FINANCIAL LEGISLATION (INTEGRITY AND RESPONSIBILITY) AMENDMENT BILL 2002: *(Mr Humphries)*: Agreement in principle – Resumption of debate *(from 11 December 2002 – Mr Quinlan)*.
- 19 BUSHFIRE RECONSTRUCTION AUTHORITY BILL 2003: *(Mrs Dunne)*: Agreement in principle – Resumption of debate *(from 5 March 2003 – Mr Stanhope)*.
- 20 SENTENCING REFORM AMENDMENT BILL 2003: *(Mr Stefaniak)*: Agreement in principle – Resumption of debate *(from 2 April 2003 – Mr Stanhope)*.

- 21 GAMING MACHINE (POLITICAL DONATIONS) AMENDMENT BILL 2003: (*Mrs Cross*): Agreement in principle – Resumption of debate (*from 7 May 2003 – Mr Quinlan*).

ASSEMBLY BUSINESS

Orders of the day - continued

- 4 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.
- 5 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.
- 6 PLANNING AND ENVIRONMENT – STANDING COMMITTEE – REPORT NO 13 – DRAFT VARIATION NO 187 TO THE TERRITORY PLAN – HERITAGE PLACES REGISTER – RED HILL HOUSING PRECINCT – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 3 April 2003 – Mr Wood*) on the motion of Mrs Dunne – That the report be noted.
- 7 PLANNING AND ENVIRONMENT – STANDING COMMITTEE – REPORT NO 14 – DRAFT VARIATION NO 175 TO THE TERRITORY PLAN – INDUSTRIAL B3 LAND USE POLICIES – INDUSTRIAL AREA POLICIES AND DEFINITIONS: FYSHWICK, SYMONSTON, MITCHELL AND HUME – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 6 May 2003 – Mr Corbell*) on the motion of Mr Hargreaves – That the report be noted.
- 8 PLANNING AND ENVIRONMENT – STANDING COMMITTEE – REPORT NO 15 – VARIATION TO THE TERRITORY PLAN, NO. 200, GARDEN CITY VARIATION – RESIDENTIAL LAND USE POLICIES, MODIFICATIONS TO RESIDENTIAL CODES, AND MASTER PLAN PROCEDURES – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 6 May 2003 – Mr Corbell*) on the motion of Mr Hargreaves – That the report be noted.

- *9 HEALTH – STANDING COMMITTEE – REPORT NO 4 – LOOKING AT THE HEALTH OF SCHOOL-AGE CHILDREN IN THE ACT – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 8 May 2003 – Mr Cornwell*) on the motion of Ms Tucker – That the report be noted.

23 September 2003

- 10 LEGAL AFFAIRS – STANDING COMMITTEE: Presentation of report on the Long Service Leave (Private Sector) Bill 2003 pursuant to order of the Assembly of 7 May 2003.

**Referred to Standing Committee on Administration and Procedure on
7 May 2003**

PROPOSED AMENDMENT TO STANDING ORDER 118 – ANSWERS TO QUESTIONS WITHOUT NOTICE: Resumption of debate (*from 7 May 2003 – Ms Tucker*) on the motion of Mr Cornwell – That this Assembly amends Standing Order 118, in accordance with the Australian Labor Party's *Labor's 2001 ACT Election Commitments* (page 35, paragraph 8 'We will limit Ministers' answers to Questions to five minutes), by adding a new sub-section (c) shall not be longer than five minutes in length, and amends existing sub-section (b) by adding 'and' after 'refers'.

Referred to Standing Committee on Legal Affairs on

12 December 2002

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

7 May 2003

LONG SERVICE LEAVE (PRIVATE SECTOR) BILL 2003: (*Mr Berry*): Resumption of debate – Agreement in principle (*Ms Gallagher*).

**Referred to the Standing Committee on Public Accounts on
3 April 2003**

RATES AND LAND TAX AMENDMENT BILL 2003: (*Treasurer*): Resumption of debate – Agreement in principle (*Mr Smyth*).

**Referred to the Select Committee on Estimates 2003-2004 on
8 May 2003**

APPROPRIATION BILL 2003-2004: (*Treasurer*): Resumption of debate –
Detail stage.

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*.

Redirected and answered questions

The following questions asked by the Member indicated have been redirected to the Ministers indicated and answers have been received:

- 643 Minister for Police and Emergency Services (*Mr Pratt*).
- 657 Minister for Planning (*Mr Smyth*).
- 672 Treasurer (*Mr Stefaniak*).
- 677 Minister for Environment (*Ms Dundas*).
- 690 Treasurer (*Mr Smyth*).
- 692 Minister for Police and Emergency Services (*Mr Pratt*).

Unanswered questions

6 May 2003

(30 days expires 5 June 2003)

- 626 MR CORNWELL: To ask the Minister for Planning – What were the specific reasons for the Gungahlin Development Authority rejecting the Town Square proposal for the Gungahlin Town Centre.

- 654 MR SMYTH: To ask the Minister for Planning – In relation to rural leases:
 - (1) Can the Minister advise how many fire affected rural lessees are not eligible for 99 year leases and what are the reasons for non-eligibility.
 - (2) Over what length of time are those only eligible for short-term leases being offered.

- (3) Why is there an outstanding number of rural lessees that have not taken up the 99 year lease offer.
- (4) Can the government provide any details about the reasons why some rural lessees have not taken up the 99 year lease offer to date.

7 May 2003

(30 days expires 6 June 2003)

668 MR SMYTH: To ask the Minister for Health – In relation to mental health funding:

- (1) The Government promised to allocate an additional \$1m to mental health. Was that commitment fulfilled on the 2002-03 Budget, if not, why not and when will this commitment be filled;
- (2) Where in the Budget was this additional money, ie was it in an overall increase to health or through other programs that you can point to in the Budget Papers;
- (3) This funding was supposed to ‘improve discharge procedures, ensure support at that stage and examine post discharge accommodation’. Was this achieved, if so, please provide supporting documentation, if not, why not;
- (4) The Government was also going to provide additional resources for mental health particularly for proactive early intervention and multiple diagnosis patients, has this been achieved, if so, please provide supporting documentation, if not why not;
- (5) The Government also said that training and recruitment of additional staff was a pre-requisite to improved services, have you increased staff numbers in the mental health area, if so please provide supporting documentation, if not, why not.

671 MR STEFANIAK: To ask the Attorney-General – In relation to Community Services Orders (CSO) and your reply to Question on notice no. 504:

- (1) In the response the Attorney gave the budget figure for CSO’s for 2001-02, what is the total figure for 2002-03;
- (2) Labor committed to providing an additional \$60,000 to CSO’s in 2001, was an additional \$60,000 placed in the Budget for this purpose, if so, please provide supporting documentation and advise where in the budget this funding is allocated, if not, why not.

674 MR STEFANIAK: To ask the Attorney-General – In relation to the Youth Legal Services and further to your reply to Question on notice no 488:

- (1) How many requests for assistance has the Youth Legal Referral Service received in its second month of operation;
- (2) In what percentage of requests has the service been able to (a) assist, (b) not assist, (c) cases are still in progress;
- (3) Are any of the issues discussed during this month different to those discussed in the first month (as indicated in the response to Question on notice no. 488) if so please provide details;
- (4) How long will this pilot project run for.

684 MR CORNWELL: To ask the Minister for Health – In relation to Pshyco Geriatric Care:

- (1) \$300,000 was provided in the 2002-03 Budget for 'psycho geriatric capacity' with increasing out year funding. How much of this funding had been expended at 30 April 2003 and what was delivered for that expenditure;
- (2) In 2001 your Government's commitment for psycho geriatric care was to *'provide adequate housing and care for elderly people exhibiting challenging behaviour, often as a result of dementia or related health problems'*. Has this been achieved in any way, if so please provide supporting documentation, if not, why not and when will this commitment be met.

8 May 2003

(30 days expires 7 June 2003)

687 MR SMYTH: To ask the Minister for Health – In relation to Attention Deficit Disorder:

- (1) How many medical specialists in the ACT are skilled with diagnosing Attention Deficit Disorder (ADD) and Attention Deficit Hypertensive Disorder (ADHD);
- (2) How many medical specialists in the ACT are skilled with treating ADD and ADHD;
- (3) How many paediatricians in the ACT are skilled with treating ADD and ADHD;
- (4) What is the average waiting time for ADD or ADHD diagnosis;

- (5) What is the average waiting time for ADD or ADHD treatment;
- (6) What is the average waiting time for a family to have their child seen by a paediatrician who treats ADD or ADHD;
- (7) What support mechanisms are funded by the Government to assist ADD or ADHD sufferers;
- (8) What support mechanisms are funded by the Government to assist families that have a member who suffers from ADD or ADHD;
- (9) What is the Government doing to address concerns raised by the Canberra and Queanbeyan ADD Support Group regarding the shortage of paediatricians to cope with the number of families seeking treatment.

New questions

(30 days expires 17 July 2003)

- *703 MR CORNWELL: To ask the Minister for Urban Services – The quarterly performance report (March 2003) at Output 5.2 (Property) lists three new surplus properties (Note 3):
- (1) Could you please advise what strategic management the ACT Government has introduced to “ensure sustainable use and best return to the community” in respect of surplus properties;
 - (2) How many surplus properties are there among the 59 properties listed;
 - (3) How many of these surplus properties are:
 - (a) under sale or rent;
 - (b) empty;
 - (c) under consideration for other use.
- *704 MR CORNWELL: To ask the Minister for Urban Services – In relation to the Gungahlin Town Centre:
- (1) When the new shops including Coles and Big W come on line in Gungahlin where will extra parking be located;
 - (2) How many car parking spaces are planned for the Gungahlin Town Centre upon completion of the new shops;
 - (3) Will residents have to pay for any of these car parking spaces.

*705 MR CORNWELL: To ask the Minister for Urban Services – In relation to the Gungahlin Town Centre:

- (1) Did the Government ever monitor the number of vehicles that used Hibberson Street passing in front of the Gungahlin Marketplace as a direct route to Flemington Road;
- (2) If so, what were the results, if not, why not;
- (3) Has the Government monitored the flow of traffic past the front of the Gungahlin Marketplace since the opening of Kate Crace Place and the extension of Anthony Rolfe Avenue which now diverts traffic away from the town centre;
- (4) If so, what were the results, if not, would the Government consider doing so.

*706 MR CORNWELL: To ask the Minister for Sport, Racing and Gaming – In the (a) 2002-03 and (b) 2003-04 Budgets, how much money was paid to ACT professional sporting teams by name.

*707 MR CORNWELL: To ask the Minister for Health – In relation to the Queen Elizabeth II Family Centre:

- (1) Is there a proposal to limit the availability of the Centre to three or four days per week;
- (2) If so, what is the rationale for such a proposal.

*708 MR CORNWELL: To ask the Minister for Health:

- (1) Is there a provider bond cap applied to nursing and retirement home entry requirements in the ACT;
- (2) If so, what is the cap and if not, why not.

*709 MR CORNWELL: To ask the Minister for Planning – In relation to a proposed aged care facility at Kaleen:

- (1) What is the status of the proposed 68 unit facility by and for the Chinese community;
- (2) For how long has this proposal been under consideration by PALM;
- (3) What is the reason for the delay in a decision being reached.

- *710 MR CORNWELL: To ask the Chief Minister – Further to your reply to Question on notice no. 52, dated 19 February 2002 regarding unaccounted for computers and the statement that “further advice on the outcome of this process of the stocktake will be provided when it becomes available”. Can you now advise the result of the stocktake.
- *711 MR CORNWELL: To ask the Chief Minister – Further to your reply to Question on notice no. 151 of 7 May 2002 that the ACT is considering a scheme whereby long term care costs would be substituted by long-term care and that you “would report back to the Assembly in due course on the proposal”. Can you now advise further developments.
- *712 MR CORNWELL: To ask the Minister for Urban Services – In Budget Paper 4 2003-04 page 178 a total of \$10.0 million has been allocated for the completion of the project, however in the press release dated 31 March 2003 you stated the total construction costs as \$10.4 million:
- (1) Is the total construction costs \$10.0 million or \$10.4 million;
 - (2) If the total cost is in fact \$10.4 million, could you please explain where the additional \$0.4 million appears in the Budget Papers.
- *713 MR CORNWELL: To ask the Minister for Planning – In respect of the Department of Urban Services Retail Activity Coordination Group, convened by Planning and Land Management to prioritise shopping centre refurbishment in the ACT:
- (1) What centres have been listed for consideration in (a) 2004-05 and (b) 2005-06;
 - (2) Where is the Hackett Shopping Centre in the refurbishment list.
- *714 MR CORNWELL: To ask the Chief Minister:
- (1) Are you aware that on the Canberra Connect site by providing name, address, birthday and signature it is possible to obtain an ID in someone else’s name;
 - (2) What can be done to prevent such a breach of privacy and will the Government consider requiring photographic identification to be added to the other particulars required for an ID.
- *715 MR CORNWELL: To ask the Minister for Arts and Heritage – In relation to the Tuggeranong Community Arts 2002 Annual Report to 31 December 2002 and given that the Tuggeranong Community Arts Association is in receipt of significant government grants:

- (1) Can an explanation be given as to why the Association's 'Receivables' increased from \$27,093 in 2001 to \$186,391 in 2002 (page 32 of 2002 Annual Report - Statement of Financial Position), an increase of almost 700%;
- (2) Can an explanation be given as to the factors that have caused the Association's 'Cash assets' to decrease from \$105,628 as at 31 December 2001 to \$27,267 as at 31 December 2002 (page 32 of 2002 Annual Report – Statement of Financial Position), a decrease of around 400%.

*716 MR CORNWELL: To ask the Chief Minister – What has the Government done to implement ACT Labor Party policy of the 2001 election in respect of Older Canberrans in relation to:

- (1) Mature age employment strategy;
- (2) Incentives to encourage employers to employ older people;
- (3) Opportunities for training and skills development for older unemployed people;
- (4) Increasing the capacity of organisations to develop effective and innovative volunteer opportunities.

*717 MR CORNWELL: To ask the Treasurer – In relation to the TOCTAX listed under 'Other Taxes' in Table 5.2.4, 2003-04 Budget Paper 3, page 91:

- (1) What is the source of this tax revenue;
- (2) What is the reason for the revised increase in revenue from this tax, from \$319,000 in 2002-03 (2002-03 Budget Paper 3, page 88) to \$415,000 in 2002-03 (2003-04 Budget Paper 3, page 91);
- (3) What is the reason for the revised increase in revenue from this tax, from \$329,000 in 2003-04 (2002-03 Budget Paper 3, page 88) to \$355,000 in 2003-04 (2003-04 Budget Paper 3, page 91).

*718 MR CORNWELL: To ask the Treasurer – In relation to the initiative for additional revenue from the increase in fees and charges for Parking and Traffic Penalties as per 2003-2004 Budget Paper 3, page 90:

- (1) What are the current charges per transaction and by type for the various parking and traffic penalties included in the above initiative, and including the use of a hand held phone whilst driving;

- (2) What are the proposed new charges per transaction and by type for the items listed in (1) above;
- (3) What percentage of the forecast increase in revenue from parking fines of \$0.447 million in 2003-04 (Budget Paper 3, page 99) is proposed to be from parking fines issued as the result of the introduction of pay parking in Belconnen, Tuggeranong and Barton.

*719 MR CORNWELL: To ask the Treasurer – In relation to the initiative for additional revenue from the increase in fees and charges for Regulatory Services as per 2003-04 Budget Paper 3, page 90:

- (1) What are the current charges per transaction and by type for births, deaths and marriages, land titles, and business names and associations;
- (2) What will the new charges be per transaction and by type for the items listed in (1) above;
- (3) What is the total estimated increase in revenue from 2002-03 to 2003-04 as a result of the increased fees and charges above.

*720 MR CORNWELL: To ask the Minister for Urban Services – Further to your reply during Estimates that “Under the Australian Road Rules cyclists are permitted to use traffic lanes in addition to marked bike lanes”:

- (1) Is use of traffic lanes only permitted when there are no bike lanes;
- (2) If not, what is the purpose of creating special bike lanes if cyclists are under no obligation to use them;
- (3) Who is required to give way in the situation where the driver of a motor vehicle may wish to turn left across a designated cycle lane upon which a cyclist may be moving straight ahead and across the path of the turning vehicle.

*721 MR CORNWELL: To ask the Minister for Urban Services – In relation to the bike path between Gungahlin and the City and further to your answer to part 4 of Question on notice no 576, where I asked what the new completion date for the project was. The response stated the reasons for the delay but did not given a completion date. What is the revised completion date for this project.

*722 MR CORNWELL: To ask the Minister for Health – Concerning the new Aged Care Advisory Council:

- (1) Was there any cost to the Government in relation to the formation of the Aged Care Advisory Council, and if so, what was that cost;

- (2) Will there be sitting fees paid to members of the Aged Care Advisory Council and, if so, what is the forecast cost;
- (3) In regards to the choice of members of the Aged Care Advisory Council, was any consideration given to ensuring an equal representation of males to females upon the Council, and if so, why is there a gender imbalance;
- (4) If no consideration was given in regards to gender equity, why not.

*723 MR CORNWELL: To ask the Minister for Urban Services – With reference to the proposed continuous registration of motor vehicles:

- (1) What is the situation if motor registration lapses and the vehicle owner subsequently decides to sell the vehicle, does the new owner have to pay the registration back to the lapsed date;
- (2) If so, why.

*724 MR CORNWELL: To ask the Minister for Environment:

- (1) Have the cattle been removed from the Red Hill Nature Reserve and if so, why;
- (2) Was the removal of these animals carried out at the behest of any person or party;
- (3) What steps now will be taken to reduce bushfire risk on Red Hill previously provided by these cattle and what will be the cost of the new steps compared with use of cattle.

*725 MR CORNWELL: To ask the Minister for Economic Development, Business and Tourism:

- (1) Is it a fact that Canberra's International Airport has acted as a departure and arrival point for flights to New Zealand and if so, is it intended to develop this direct traffic;
- (2) Does Canberra Tourism and Events Corporation (CTEC) plan to market Canberra in New Zealand newspapers and if so, why has it not done so to date;
- (3) Does CTEC plan to advertise Canberra in monthly airline periodicals and if so, why has it not done so to date.

*726 MR CORNWELL: To ask the Minister for Health – Concerning Residential Aged Care Facilities:

- (1) Are ACT Residential Aged Care Facilities (RACF) inspected and if so, how regularly and by whom and, if not, why not;
- (2) If RACF's are inspected, what do inspections look for;
- (3) Given that these facilities are Commonwealth funded, what role does the ACT Government play in the operation of these facilities;
- (4) Is there a shortage of staff for these facilities and if so, how many more staff are needed and why is there a shortage.

*727 MR CORNWELL: To ask the Minister for Health – Concerning Residential Aged Care Facilities, is land set aside for such facilities:

- (1) Near John Knight Park, Belconnen;
- (2) Gungahling Town Centre.

*728 MR CORNWELL: To ask the Minister for Health – In relation to Residential Aged Care Facilities:

- (1) Does the Government have any intention to raise the eligible age for entry into Residential Aged Care Facilities under its control or funding from 55 years to 60 years;
- (2) If so, why is this being done;
- (3) If so, how will this be done.

*729 MR CORNWELL: To ask the Minister for Urban Services:

- (1) What ACT statistics are available to demonstrate there have been less deaths and injuries since the introduction of 50 km speed zones;
- (2) If no ACT statistics exist, how does the government demonstrate its pilot and subsequent decision to introduce 50 km speed zones was justified;
- (3) Of road fatalities, including pedestrians, in 2003 to date, how many took place in the following speed zones:
 - (a) 50 km;
 - (b) 60 km;
 - (c) 70 km;
 - (d) 80 km;
 - (e) 90 km;
 - (f) 100 km.

*730 MR CORNWELL: To ask the Minister for Planning – Further to your comments in *The Canberra Times* on 5 June 2003, page 6 that “PALM was in the process of developing guidelines for supportive housing but they were yet to be finalized”:

- (1) When is it anticipated these guidelines will be available;
- (2) Can a copy be provided to interested parties, including myself;
- (3) Why were these guidelines imposed upon the St Anne’s Convent development in Campbell before they were finalized and approved.

*731 MR CORNWELL: To ask the Chief Minister – Further to your reply to an Estimates question asked on 15 May 2003 that Environment Protection Officers (EPO’s) “regularly inspect building activities within the ACT”:

- (1) How many EPO’s are there in the ACT;
- (2) How many building sites were inspected in (a) 2000-01 (b) 2001-02 (c) 2002-03;
- (3) How many penalties have been issued in each of the years above and what was the annual total of penalties in each of the years in (2) above.

*732 MR CORNWELL: To ask the Chief Minister – Further to your reply to an Estimates question asked on 13 May 2003 in relation to a free plant issue for bushfire victims, how can the average number of plants issued be 20 (reply 7) given that the cost allocation per resident is \$110 (reply 1) when the smallest plants for sale at the Yarralumla Nursery are \$8.95 each, ie approximately 12 free plants.

*733 MR CORNWELL: To ask the Minister for Planning – In relation to provision of Residential Aged Care Facilities or Aged Care Units, what are the proposals for new or extension of existing such services including block and section and estimated number of people to be accommodated in:

- (1) Woden Valley;
- (2) Weston Creek;
- (3) Tuggeranong;
- (4) Belconnen;
- (5) Gungahlin.

T Duncan

Acting 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, Mrs Dunne *(from 18 February 2003)*, Mr Hargreaves, Ms MacDonald *(during the absence of Mr Hargreaves from 11-27 May 2002)*, Mr Stefaniak *(during the absence of Mrs Dunne on 6 May 2003)*.

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)*, Mrs Burke *(from 18 February 2003)*, Ms MacDonald.

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 Dundas, Mr Hargreaves *(from 30 January 2003)*.

PUBLIC ACCOUNTS: *(Formed 11 December 2001)*: Mr Smyth *(Chair)*, Ms MacDonald *(from 30 January 2003)*, Ms Tucker.

Select

ESTIMATES 2003-04: *(Formed 3 April 2003)*: Mr Smyth *(Chair)*, Mrs Cross, Mr Hargreaves, Mrs Dunne, Ms MacDonald.

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, 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, 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).*