

2004-2005

LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY

NOTICE PAPER

No. 10

TUESDAY, 15 MARCH 2005

The Assembly meets this day at 10.30 a.m.

EXECUTIVE BUSINESS

Orders of the day

- 1 **LEGAL AID AMENDMENT BILL 2005:** (*Attorney-General*): Agreement in principle—Resumption of debate (*from 17 February 2005—Mr Stefaniak*).
- 2 **RESIDENTIAL TENANCIES AMENDMENT BILL 2005:** (*Attorney-General*): Agreement in principle—Resumption of debate (*from 17 February 2005—Mr Stefaniak*).
- 3 **DOMESTIC VIOLENCE AND PROTECTION ORDERS AMENDMENT BILL 2005:** (*Attorney-General*): Agreement in principle—Resumption of debate (*from 17 February 2005—Mr Stefaniak*).
- 4 **UTILITIES AMENDMENT BILL 2005:** (*Minister for Urban Services*): Agreement in principle—Resumption of debate (*from 17 February 2005—Mr Stefaniak*).
- 5 **FAIR WORK CONTRACTS BILL 2004:** (*Minister for Industrial Relations*): Agreement in principle—Resumption of debate (*from 9 December 2004—Mr Mulcahy*).
- *6 **UNIT TITLES AMENDMENT BILL 2005:** (*Minister for Planning*): Agreement in principle—Resumption of debate (*from 10 March 2005—Mr Seselja*).
- *7 **LONG SERVICE LEAVE AMENDMENT BILL 2005:** (*Minister for Industrial Relations*): Agreement in principle—Resumption of debate (*from 10 March 2005—Mr Smyth*).

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

- 8 **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.
- 9 **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.
- 10 **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.
- 11 **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.

PRIVATE MEMBERS' BUSINESS

Notices

- 1 **MR GENTLEMAN:** To move—That this Assembly:
- (1) notes the Government's:
 - (a) commitment to the future of Canberra through the introduction of the Canberra Plan; and
 - (b) progress with implementation of the Plan; and
 - (2) commends the Government for its demonstrated commitment to the future of Canberra. (*Notice given 17 February 2005*).

2 **MS PORTER:** To move—That this Assembly:

(1) notes that:

- (a) the *Crimes (Restorative Justice) Act 2004* commenced on 31 January 2005;
- (b) the Act achieves the Government's election commitment to expand restorative justice options in the ACT and that it also meets a key crime prevention and sentencing strategy of the ACT Criminal Justice Strategic Plan 2002-05;
- (c) the scheme is considered by academics and practitioners to be innovative and progressive in its attempt to encompass the widest range of cases possible for restorative justice;
- (d) the ACT scheme will be introduced in two phases, with young offenders being eligible in the first year and adult offenders in the second year; and
- (e) ACT Policing will continue to conduct diversionary conferencing under the new administrative arrangements; and

(2) recognises the achievement of the Government in establishing a restorative justice scheme in the ACT that will enhance the rights of victims by ensuring they are given high priority in the administration of justice. (*Notice given 17 February 2005*).

3 **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*).

4 **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*).

5 **MR GENTLEMAN:** To move—That this Assembly:

- (1) expresses its concern about the Office of the Employment Advocate's advocacy of employment contracts that distinguish between voluntary and compulsory overtime and calculate weekly hours by average, rather than consideration of actual hours worked;
- (2) notes that these moves undermine efforts by the ACT Government, unions and the community to achieve a balance between work and life;

- (3) recognises some of the benefits of flexibility, particularly incorporating family friendly conditions into Canberra's workplaces; and
 - (4) reaffirms the importance of workers having access to secure employment, regular working hours and appropriate remuneration for work performed. (*Notice given 15 February 2005*).
- 6 **MS MACDONALD:** To move—That this Assembly:
- (1) notes that:
 - (a) the Office of Fair Trading continues to enhance its activities to the benefit of the ACT community;
 - (b) successful prosecutions have been undertaken of traders in the fitness, real estate, motor vehicle and credit provider industries that have acted against the interests of consumers; and
 - (c) a wide ranging licensing and enforcement regime has maintained a high level of professionalism amongst businesses and has resulted in increased protection to ACT consumers; and
 - (2) recognises the achievements of the Office of Fair Trading and acknowledges the important contribution made by the Office to the well-being of the Canberra community. (*Notice given 17 February 2005*).

Orders of the day

- 1 **GAMING MACHINE AMENDMENT BILL 2004 (NO 4):** (*Mr Stefaniak*) Agreement in principle—Resumption of debate (*from 8 December 2004—Mr Quinlan*).
- 2 **LAND (PLANNING AND ENVIRONMENT) (UNIT DEVELOPMENTS) AMENDMENT BILL 2005:** (*Dr Foskey*) Agreement in principle—Resumption of debate (*from 16 February 2005—Ms Gallagher*).
- 3 **ANIMAL LEGISLATION (PENALTIES) AMENDMENT BILL 2005:** (*Mr Stefaniak*) Agreement in principle—Resumption of debate (*from 16 February 2005—Ms Gallagher*).
- 4 **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.

ASSEMBLY BUSINESS

Orders of the day

- 1 **HEALTH—STANDING COMMITTEE—REPORT 9— THE ALLIED HEALTH CARE NEEDS OF PEOPLE IN RESIDENTIAL AGED CARE—GOVERNMENT RESPONSE—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 15 February 2005—Dr Foskey*) on the motion of Mr Hargreaves—That the Assembly takes note of the paper.

31 March 2005

- 2 **PUBLIC ACCOUNTS—STANDING COMMITTEE:** Presentation of report on Appropriation Bill 2004-2005 (No. 2) pursuant to order of the Assembly of 17 February 2005.

Referred to Standing Committee on Public Accounts on

17 February 2005

APPROPRIATION BILL 2004-2005 (NO. 2): (*Treasurer*): Agreement in principle—Resumption of debate (*from 17 February 2005—Mr Mulcahy*).

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

67-84, 89-94, 96, 97, 107, 110-112, 114-123, 128, 130-132, 135, 136, 142, 148-150, 153, 155-159, 161-165, 168, 170-174, 187, 189-191, 193-195, 197, 199-203, 207-210, 212, 214-252, 254-297.

15 March 2005

(Redirected questions—30 days expires 17 March 2005)

96 **MRS BURKE:** To ask the Chief Minister—Have linkages been established between ACT Government departments and local tertiary institutions aiming to encourage recruitment of people with a disability under the A.C.T. Public Service Graduate Recruitment process.

97 **MRS BURKE:** To ask the Chief Minister—Are pre-placement work visits in place and operating in ACT Government departments to assist new employees with a disability to settle into a new workplace and identify any work requirements.

(Redirected question—30 days expires 18 March 2005)

142 **MRS BURKE:** To ask the Chief Minister—Have partnerships been established with Disability WORKS Australia to assist in accessing the talent pool of people with a disability interested in employment prospects with the ACT Public Service; if not, why not.

(Redirected questions—30 days expires 7 April 2005)

214 **MRS BURKE:** To ask the Minister for Disability, Housing and Community Services—

- (1) How much money is the ACT Government set to receive from any insurance claim for the lost ACT Housing properties at Pierces Creek;
- (2) When will the claim be finalised and money be allocated to the reconstruction of the 12 properties lost in the 2003 bushfire;
- (3) When will construction begin on the 12 ACT Housing properties, that according to the National Capital Authority can be rebuilt on the original block and sections at Pierces Creek.

238 **MRS DUNNE:** To ask the Minister for Police and Emergency Services—How many times in (a) 2002-2003, (b) 2003-2004 and (c) 2004 to date have police been called out to incidents of (i) violence and (ii) property crime at ACT Government schools.

241 **MR SESELJA:** To ask the Minister for Urban Services—

- (1) What are the (a) total and (b) projected costs of cycle lanes;
- (2) Has there been an analysis of the usage of cycle lanes; if so, what are the costs benefits of this analysis;
- (3) If there has been an analysis, who conducted it and what were the outcomes.

New questions

(30 days expires 14 April 2005)

- *298 **MR STEFANIAK:** To ask the Minister for Urban Services—
- (1) What is the purpose of the stone wall recently constructed at the intersection of Coulter and Ginninderra Drives;
 - (2) Was any notice given to residents;
 - (3) What is the cost of construction of the wall to date;
 - (4) How was the tender process undertaken and which company was awarded the contract;
 - (5) Are any further works planned in relation to these building works; if so, what is the projected cost.
- *299 **MR SMYTH:** To ask the Chief Minister—
- (1) Further to the Business Delegations to China and the UK in March 2004 which were led by the Chief Minister, why did the then Functions Coordinator, Chief Minister's Support, Cabinet Office, described in the relevant travel report as "Executive Assistant", spend two days in Hong Kong before joining the Delegation to the UK;
 - (2) What official duties did the Functions Coordinator/Executive Assistant perform while in Hong Kong;
 - (3) Why did the Government pay for the Functions Coordinator/Executive Assistant's accommodation in the Kowloon Hotel in Hong Kong;
 - (4) Why did the Functions Coordinator/Executive Assistant stay in 4 star accommodation instead of 3.5 star accommodation as required by *Public Sector Management Standard No. 6, Part 2, Travel – Domestic and International* and the *CMD Guidelines for Corporate Travel and Related Services*.
- *300 **MRS DUNNE:** To ask the Minister for the Environment—How much money was (a) allocated for and (b) spent on weed control in the ACT in (i) 2002-2003, (ii) 2003-2004 and (iii) 2004-2005.

- *301 **MRS DUNNE:** To ask the Minister for the Environment—
- (1) How many noise complaints were received by the Environment Protection Authority in (a) 2002-2003, (b) 2003-2004 and (c) 2004-2005 to date;
 - (2) What is the breakdown (a) of reasons for and (b) by suburb of, complaints received by the Environment Protection Authority in (i) 2002-2003, (ii) 2003-2004 and (iii) 2004-2005 to date;
 - (3) How many warnings were issued by the Environment Protection Authority in (a) 2002-2003, (b) 2003-2004 and (c) 2004-2005 to date;
 - (4) What is the breakdown (a) of reasons for and (b) by suburb of, warnings issued by the Environment Protection Authority in (i) 2002-2003, (ii) 2003-2004 and (iii) 2004-2005 to date;
 - (5) How many court actions were issued against noise polluters in (a) 2002-2003, (b) 2003-2004 and (c) 2004-2005 to date;
 - (6) How many noise complaints about construction noise have been received from residents in town centre apartment buildings in (a) 2002-2003, (b) 2003-2004 and (c) 2004-2005 to date.
- *302 **MRS DUNNE:** To ask the Minister for Urban Services—
- (1) Further to the reply to question on notice No 124 in relation to graffiti, how long was the fax transmission line malfunctioning;
 - (2) When was the malfunction first noted;
 - (3) How long did the malfunction take to repair;
 - (4) How many complaints, excluding my own, were made to the Minister's office and on what days, in relation to the graffiti outside Sts Peter and Paul Primary School on Wisdom Street in Garran.
- *303 **MRS DUNNE:** To ask the Minister for Urban Services—Further to the reply to question on notice No 125 in relation to trainee parking inspectors, why do identifying badges worn by trainee parking inspectors not identify their status regardless of the fact that they are not issuing infringements or exercising delegations.
- *304 **MRS DUNNE:** To ask the Minister for Urban Services—
- (1) Further to the reply to question on notice No 167 in relation to mobile speed cameras, why was there such a large discrepancy between the number of invalid or incorrectly issued infringements for 2002-03 and 2003-04;
 - (2) Why does the Department of Urban Services not have a record of how many infringements considered by the Magistrates Court were set aside or determined to be invalid in (a) 2002-2003, (b) 2003-2004 and (c) 2004-2005.
- *305 **MRS DUNNE:** To ask the Minister for Urban Services—
- (1) Given the recent works in Civic and the removal of parking in and adjacent to section 84, Canberra City, what measures, if any, have been undertaken to provide new short-term parking places in Civic;

- (2) How many individual short-term parking places in and adjacent to section 84 have been lost as a result of these works;
- (3) What changes, if any, will be made to the current pricing structure for pay parking in Civic, given the loss of short-term parking places.

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*), Mrs Dunne, Dr Foskey, Ms MacDonald.

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 Stefaniak (*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.
