

2001-02

**LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY****NOTICE PAPER**

No. 40

Tuesday, 10 December 2002

The Assembly meets this day at 10.30 am

EXECUTIVE BUSINESS**Orders of the day**

- 1 CEMETERIES AND CREMATORIA BILL 2002: *(Minister for Urban Services)*: Detail stage – Clause 1 – Resumption of debate *(from 6 June 2002 – Mr Quinlan)*.
- 2 CRIMINAL CODE 2002: *(Attorney-General)*: Agreement in principle – Resumption of debate *(from 21 November 2002 – Mr Stefaniak)*.
- *3 HEALTH AND COMMUNITY CARE SERVICES (REPEAL AND CONSEQUENTIAL AMENDMENTS) BILL 2002: *(Minister for Health)*: Agreement in principle – Resumption of debate *(from 21 November 2002 – Mr Smyth)*.
- 4 REVENUE LEGISLATION AMENDMENT BILL 2002 (NO. 2): *(Treasurer)*: Agreement in principle – Resumption of debate *(from 14 November 2002 – Mrs Dunne)*.
- 5 STATUTE LAW AMENDMENT BILL 2002 (NO. 2): *(Attorney-General)*: Agreement in principle – Resumption of debate *(from 14 November 2002 – Mr Stefaniak)*.
- *6 REHABILITATION OF OFFENDERS (INTERIM) AMENDMENT BILL 2002 (NO. 2): *(Minister for Police, Emergency Services and Corrections)*: Agreement in principle – Resumption of debate *(from 21 November 2002 – Mr Smyth)*.

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

- *7 PLANNING AND LAND BILL 2002: (*Minister for Planning*): Detail stage – Clause 1 – Resumption of debate (*from 21 November 2002 - Mrs Dunne*).
- *8 PLANNING AND LAND (CONSEQUENTIAL AMENDMENTS) BILL 2002: (*Minister for Planning*): Detail stage – Clause 1 – Resumption of debate (*from 21 November 2002 - Mrs Dunne*).
- *9 ADMINISTRATIVE APPEALS TRIBUNAL AMENDMENT BILL 2002: (*Attorney-General*): Detail stage – Clause 1 – Resumption of debate (*from 21 November 2002 – Mrs Dunne*).
- 10 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 papers.

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*).

Orders of the day - continued

- 11 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.
 - 12 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.
 - 13 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.
 - 14 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.
 - 15 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*).
 - 16 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.
 - 17 NATIONAL ENVIRONMENT PROTECTION COUNCIL AMENDMENT BILL 2002: (*Minister for Urban Services*): Agreement in principle – Resumption of debate (*from 14 November 2002 – Mrs Dunne*).
 - *18 CONFISCATION OF CRIMINAL ASSETS BILL 2002: (*Attorney-General*): Agreement in principle – Resumption of debate (*from 21 November 2002 – Mr Stefaniak*).
 - *19 DISCRIMINATION AMENDMENT BILL 2002 (NO. 2): (*Attorney-General*): Agreement in principle – Resumption of debate (*from 21 November 2002 – Mr Stefaniak*).
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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 MS GALLAGHER: To move – That this Assembly:
 - (1) notes that Telstra's Asynchronous Digital Subscriber Line (ADSL) service is generally unavailable in Gungahlin resulting in significant negative impacts on residents, families, and local businesses; and
 - (2) calls on the Chief Minister to write to the Federal Minister for Communication, and the CEO of Telstra to request an explanation for how this situation has arisen and a timeframe for the issue being resolved. (*Notice given 7 May 2002*).
- 3 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*).
- 4 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*).
- 5 MS GALLAGHER: To move – That this Assembly:
 - (1) acknowledges that there is a serious problem with suicide and deliberate self-harm by young people in the ACT;
 - (2) notes that 28 % of all injuries resulting in the hospitalisation of young women in the ACT were due to deliberate self-harm; and

- (3) calls on the Ministers for Health and Education Youth and Family Services to report to the Assembly on what action is being taken to address mental health issues for young people in the ACT. (*Notice given 7 May 2002*).
- 6 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*).
- 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 GALLAGHER: To move – That the Assembly:
 - (1) notes the findings of the report *Needs Analysis of Homelessness in the ACT 2002* relating to the impact of Commonwealth Government welfare reform on homelessness and poverty;
 - (2) notes the effect of breaching policies by Centrelink on homelessness and poverty in the ACT;
 - (3) recognises that these policies shift the burden of support for disadvantaged Canberrans from the Commonwealth to the ACT Government; and
 - (4) calls on the Minister for Disability, Housing and Community Services to write to the Federal Minister for Family and Community Services, Senator Amanda Vanstone, to request a review of policies relating to social security penalties. (*Notice given 29 August 2002*).
- 11 MR HARGREAVES: To move – That the Assembly:
 - (1) notes the rapid growth in commercial office space of approximately 30 000 square metres adjacent to the Canberra Airport;

- (2) considers that such growth has the following effects:
 - (a) subverts the integrity of the Territory Plan as a strategy for the development of commercial space in designated employment centres in Civic and the Town Centres;
 - (b) denies revenues to the ACT Budget by undermining land sales of ACT land suitable for commercial development;
 - (c) denies investment opportunities for individuals and corporations who have supported the economic growth of Canberra by commercial developments in diversified locations; and
 - (d) has the potential to undermine the economic viability of specialist locations such as Fern Hill;
- (3) calls on the Government to:
 - (a) seek the agreement of the National Capital Authority to place a three-year moratorium on further commercial building approvals at the airport;
 - (b) enter into discussions with the National Capital Planning Authority to assert the primacy of the Territory Plan as the basic strategy for commercial office development; and
 - (c) seeks assurances from the Minister for Regional Services, Territories and Local Government that the Commonwealth Government will adhere to employment location policies in the ACT;
- (4) refers to the Standing Committee on Planning and Environment for inquiry and report by 12 December 2002 the use and need for commercial office space adjacent to the Canberra Airport. (*Notice given 24 September 2002*).

12 MS DUNDAS: To move – That this Assembly calls on the ACT Government to:

- (1) expand its program to promote farm forestry in the ACT; and
- (2) improve coordination with the NSW Government to promote new softwood plantations in the area surrounding the ACT;

to secure a future for the ACT's softwood plantations and softwood processing industry. (*Notice given 25 September 2002*).

13 MS MACDONALD: To move – That the Assembly:

- (1) recognises the disparities in provision of long service leave in the ACT between different industries;

- (2) also recognises that the ACT Long Service Leave Act provides pro-rata long service leave at seven (7) years, whereas pro-rata long service leave is provided at five (5) years in NSW;
 - (3) calls on the ACT Government to investigate implementing a consistent model for provision of Long Service Leave for all ACT Workers that takes into account:
 - (a) the disparities between different industries;
 - (b) that some industries within the ACT have portable long service leave;
 - (c) the differential between pro-rata long service leave in the ACT and NSW, recognising the important role that ACT employment practices play in relation to the Australian capital region;
 - (d) the impact of female earnings caused by the lack of wide scale access to portable long service leave;
 - (e) the possibility of portable long service leave for Territory workers;
 - (4) calls on the ACT Government to reject the underlying proposition put forward by the Cole Royal Commission in relation to construction industry long service leave. (*Notice given 12 November 2002*).
- 14 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*).

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 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 PUBLIC PLACE NAMES AMENDMENT BILL 2002: *(Ms Dundas):* Agreement in principle – Resumption of debate *(from 20 November 2002 – Mr Corbell).*
- 18 LITTER AMENDMENT BILL 2002: *(Ms Tucker):* Agreement in principle – Resumption of debate *(from 20 November 2002 – Mr Corbell).*
- 19 LEGISLATIVE ASSEMBLY (BROADCASTING) AMENDMENT BILL 2002: *(Mr Berry):* Agreement in principle – Resumption of debate *(from 20 November 2002 – Mr Stanhope).*
- 20 LEGISLATIVE ASSEMBLY PRECINCTS AMENDMENT BILL 2002: *(Mr Berry):* Agreement in principle – Resumption of debate *(from 20 November 2002 – Mr Stanhope).*

ASSEMBLY BUSINESS

Notices

- *1 MS DUNDAS: To move – That notwithstanding Standing Order 16, the Standing Committee on Administration and Procedure inquire and report on each of the following:

- (1) the role of InTACT as the Legislative Assembly IT service provider;
- (2) the status of volunteers working in members' offices; and
- (3) the appropriateness of a code of conduct for members and their staff.
(*Notice given 21 November 2002*).

Orders of the day

- 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.

First sitting day of 2003

- 11 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.

Referred to Standing Committee on Health on

7 March 2002

GENE TECHNOLOGY BILL 2002: (*Minister for Health*): Resumption of debate –
Agreement in principle (*Mr Smyth*).

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*.

12 November 2002

Redirected and answered question

- 309 Question on notice No. 309 asked by Mr Cornwell has been redirected to the Minister for Economic Development, Business and Tourism and has been answered.

Unanswered questions

12 November 2002

(Redirected questions - 30 days expires 12 December 2002)

- *329 MR CORNWELL: To ask the Minister for Urban Services:
- (1) How much money was raised by ACT-based registered charities in the ACT in (a) 1999-2000 (b) 2000-2001 (c) 2001-2002.
 - (2) What was the total number of charities engaged in this enterprise in each of these years.
 - (3) What was the figure and number at (1) and (2) above for non-charitable groups, eg. Service Clubs, in such fundraising.
 - (4) If the information sought at (1) and (3) above is not available, why not.
- *333 MR CORNWELL: To ask the Minister for Health – Further to your reply on Question on notice No 151 that regarding lump sum compensation payments “the ACT is presently considering an innovative scheme whereby long-term care costs would be removed from common law damaged awards in favour of ... long term care ...” have there been further developments on this proposal.

12 November 2002

(30 days expires 12 December 2002)

- 300 MS DUNDAS: To ask the Minister for Industrial Relations – In relation to the regulation of the fireworks industry and the statement by the Minister for Industrial Relations in his answer to Question on notice No 107 (14) regarding the amounts of compensation and/or damages of these claims stated that “One matter has been finalised. The finalised matter was found in favour of the Government.”.

- (1) Does this answer the original question as to the amounts of compensation and/or damages of these claims.
- (2) Could you please provide information on what are the total amount of compensation and/or damages of these claims or the estimated amounts.
- (3) Are there any contingency plans in the Government's budgetary process to cover the cost of this litigation and any resultant damages ordered by the courts. (*Redirected 18 November 2002*).

303 MRS DUNNE: To ask the Minister for Planning – In relation to problems affecting properties in Golden Grove, Red Hill and the surrounding area:

- (1) What action does Planning and Land Management (PALM) propose in regard to problems arising in relation to complaints about structural damage to the property at Block 17 Section 14 Red Hill.
- (2) Are you satisfied that PALM exercised its responsibilities in regard to (a) the initial construction on this site and (b) subsequent complaints lodged.
- (3) Was proper procedure followed in ensuring appropriate certification of the building.
- (4) Was the builder involved a properly licensed and accredited builder under ACT regulations.
- (5) Is any action being taken against the builder by PALM.
- (6) What action has been taken by PALM to mediate in this matter.
- (7) What action was recommended by PALM after meeting the complainants.
- (8) How many other properties are similarly affected by (a) watercourse and (b) landfill in this immediate vicinity.
- (9) What action has been taken to ensure that no further new buildings will be constructed over the creek and landfill.
- (10) Is the Territory exposed to compensation claims over this issue.

306 MR CORNWELL: To ask the Minister for Planning:

- (1) What controls exist to prevent construction sites damaging the surrounding environment by:
 - (a) scattering litter;
 - (b) breaking limbs from trees; and

- (c) dumping bricks, sand etc, on areas outside of the construction site.
 - (2) What penalties apply for such offences.
 - (3) How are these penalties enforced. (*Redirected 14 November 2002*)
- 325 MR CORNWELL: To ask the Minister for Health – What is the current situation with the Budget promises for the establishment of facilities for (a) respite care (b) convalescent care and (c) psycho-geriatric care:
- (1) In the event facilities have been provided, how many beds are available in each of (a) to (c) above.
 - (2) If nothing has been done in either (a), (b) or (c) above, why not.
- 328 MR CORNWELL: To ask the Minister for Planning:
- (1) Where is the report into the Phillip trades area carried out by Australian Marketing and Research Services.
 - (2) What was the cost of the report.
 - (3) Can a copy of the report be made available to interested parties, including myself and if not, why not. (*Redirected 14 November 2002*).
- 330 MR HUMPHRIES: To ask the Chief Minister – Given that the objective of the *Public Access to Government Contracts Act 2000* is to make public, as far as possible, the terms of Government contracts:
- (1) Why does the Canberra Tourism and Events Corporation include a confidentiality clause as a standard provision in all contracts over \$50,000.
 - (2) Does this Corporation give any consideration to the need to include such a clause in every contract over \$50,000.
 - (3) Have any contracts over \$50,000 been made by the Corporation since 21 December 2000 that have not contained a confidentiality clause.
- 331 MR CORNWELL: To ask the Minister for Planning – Why has a ten storey building been approved at Block 1, Section 43, Turner when the remainder of the block on Northbourne Avenue are three to five storeys.

- 332 MR CORNWELL: To ask the Minister for Planning – What is the current status of the request by St Andrews Retirement Village for an extension of the village on to Block 12, Section 28, Hughes.
- 336 MR CORNWELL: To ask the Minister for Health – Following the death of a local woman from eating poisonous mushrooms and the Coroner's recommendation that the public be regularly warned about the hazards of eating such mushrooms, what steps will the Government take to issue regular warnings.

13 November 2002

(30 days expires 13 December 2002)

- 338 MS DUNDAS: To ask the Treasurer – For each of the three segments of Totalcare Industries Ltd:
- (1) What was the total revenue received from ACT Government clients.
 - (2) What was the total revenue received from clients other than the ACT Government.
 - (3) What was the total cost of providing services to ACT Government clients.
 - (4) What was the total cost of providing services to clients other than the ACT Government.
 - (5) What was the total value of services performed by Totalcare for the ACT Government for which Totalcare was not required to compete with other companies.

19 November 2002

(30 days expires 19 December 2002)

- 340 MR CORNWELL: To ask the Treasurer:
- (1) When will the Commission of Audit report on Term of Reference No. 2, relating to the review of significant financial risks arising from the operations of certain business entities.
 - (2) Will this report incorporate a report on Term of Reference No. 3, relating to the review of the financial performance of the Territory in relation to its exposure to investments.
 - (3) If not, when will the Commission of Audit report on Term of Reference No. 3.

21 November 2002*(30 days expires 21 December 2002)*

- 342 MR CORNWELL: To ask the Minister for Disability, Housing and Community Services – Concerning Canberra Men’s and Children’s Services (CANFACS) and the Men’s Accommodation and Crisis Service (MAACS):
- (1) What is the annual government funding of CANFACS and what was the annual government funding for MAACS.
 - (2) Has CANFACS sought additional funding and if so, why.
 - (3) Did MAACS provide service over weekends and does CANFACS now provide weekend service.
 - (4) If service is not provided at weekends, why is this so.

New questions*(30 days expires 9 January 2003)*

- *343 MR CORNWELL: To ask the Chief Minister – In relation to the ACT Remuneration Tribunal – Determination No 108:
- (1) In respect of a similar level of vehicle to a Holden Berlina and its entitlement for “a Zone 2 Executive in the ACTPS”:
 - (a) What is the cost of a Holden Berlina; and
 - (b) What is the entitlement and the salary of a Zone 2 Executive in the ACTPS.
 - (2) In relation to air travel - What is the class of travel for senior ACTPS officers:
 - (a) Overseas;
 - (b) For domestic flights over three hours;
 - (c) For domestic flights under three hours;
 - (3) Is it permitted for members to upgrade at their own expense for domestic flights under three hours.
 - (4) How does one demonstrate medical or work related circumstances to warrant an upgrade.
- *344 MR CORNWELL: To ask the Speaker – In relation to the ACT Remuneration Tribunal – Determination No 8 and the travel conditions:
- (1) Do these conditions apply to our Australian CPA Representative, Ms Tucker, and if not, why not.

- (2) What has been the overall cost of Ms Tucker's travel upon CPA travel since her election to the position, what class did she travel, where, specifically, has she visited and for how long.

*345 MR CORNWELL: To ask the Chief Minister:

- (1) Has the Government's study into respite care, as advised to me by letter of 11 June 2002, and expected to take 4 to 6 months to complete, been completed.
- (2) If not, when is it expected to be publicly available.

*346 MR CORNWELL: To ask the Treasurer:

- (1) When is the Commission of Audit to Report into the Australian International Hotel School to be tabled.
- (2) Will the Report be tabled in the Assembly and if not, why not.

*347 MR CORNWELL: To ask the Minister for Planning – Where is the Woden Master Plan promised twelve months on from 2 November 2001.

*348 MR CORNWELL: To ask the Minister for Urban Services – Concerning the roundabouts on Curran Drive, Nicholls:

- (1) Are the plants overgrown to an extent visibility for traffic is threatened.
- (2) Will the foliage be cut down and how often will this work be undertaken as part of a regular maintenance schedule.
- (3) If not part of a regular maintenance schedule, why not.

*349 MR CORNWELL: To ask the Minister for Urban Services – Concerning current water restrictions:

- (1) What arrangements, if any, have been reached with:
 - (a) National Capital Authority;
 - (b) The Canberra Racecourse;
 - (c) Private gold courses;to abide by restrictions.
- (2) What are the penalties for breaches for those at (1) (a) to (c) above.

*MR HUMPHRIES: To ask the following Ministers:

- *350 Chief Minister, Attorney General, Minister for Health, Minister for Community Affairs and Minister for Women
- *351 Deputy Chief Minister, Treasurer, Minister for Economic Development, Business and Tourism, Minister for Sport, Racing and Gaming and Minister for Police, Emergency Services and Corrections
- *352 Minister for Urban Services, Minister for the Arts and Minister for Disability, Housing and Community Services
- *353 Minister for Education, Youth and Family Services, Minister for Planning and Minister for Industrial Relations

In relation to each of the portfolios for which you are responsible:

- (1) What final reports of any consultancies, inquiries or similar activities have been received since 12 November 2001 by any of these portfolios, or by the departments or agencies falling within these portfolios.
 - (2) Was a draft of any of the reports listed in (1) received prior to receiving the final report.
 - (3) Where a draft report was received, was this draft report tabled in the Legislative Assembly or otherwise promulgated prior to receiving the final report.
 - (4) If a draft report was received but was not promulgated, what was the reason for this decision.
- *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.

*356 MR STEFANIAK: To ask the Minister for Police, Emergency Services and Corrections – Would the Minister advise if there have been any acts of vandalism committed against the former Kippax Fitness and Leisure Centre and if so:

- (1) How many.
- (2) When did those acts occur.
- (3) What damage was actually done to the centre as a result of those acts of vandalism.
- (4) Were any other premises in the area affected by those acts of vandalism.

*357 MR STEFANIAK: To ask the Minister for Planning - In relation to the MacGregor Shops:

- (1) What was the cost of the access road that was recently installed off Osburn Drive.
- (2) What is the purpose of that access road.
- (3) What has occurred in relation to the proposed re-development of the MacGregor Shopping Centre and when will an announcement be made as to what is to occur to those shops.
- (4) What is the current status of the building formerly occupied by Dr Henry Berrington, Medical Practitioner.

*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.

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)*.