

2001-2002-2003-2004

LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

NOTICE PAPER

No. 99

WEDNESDAY, 5 MAY 2004

The Assembly meets this day at 10.30 a.m.

PRIVATE MEMBERS' BUSINESS

Notices

- *1 MRS DUNNE: To present a Bill for an Act to streamline approval procedures for projects of territorial significance and for related purposes. (*Notice given 4 May 2004*).
- *2 MRS DUNNE: To present a Bill for an Act to amend the *Water and Sewerage Act 2000* and the *Water and Sewerage Regulations 2001*. (*Notice given 4 May 2004*).
- *3 MR STEFANIAK: To present a Bill for an Act to reform the law about sentencing, and for other purposes. (*Notice given 4 May 2004*).
- *4 MR STEFANIAK: To present a Bill for an Act to amend the *Animal Welfare Act 1992* and the *Animal Diseases Act 1993*. (*Notice given 4 May 2004*).
- *5 MR STEFANIAK: To present a Bill for an Act to amend the *Discrimination Act 1991*. (*Notice given 4 May 2004*).
- *6 MS DUNDAS: To present a Bill for an Act to amend the *Gaming Machine Act 1987*. (*Notice given 4 May 2004*).
- *7 MRS DUNNE: To move – That this Assembly:
 - (1) expresses its concern at the Government's failure to provide for the security of the A.C.T. water supply; and

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

- (2) condemns the:
 - (a) A.C.T. Government for its failure to show leadership through the development of a comprehensive water strategy for the A.C.T.;
 - (b) delay in commissioning ACTEW to investigate options; and
 - (c) Government for delaying the decision about future water storage until after the next election. (*Notice given 4 May 2004*).

*8 MS TUCKER: To move – That this Assembly:

- (1) recognising the:
 - (a) value of live music to youth and wider cultural development;
 - (b) importance of viable live music venues to that activity; and
 - (c) need to encourage live music and performance through appropriate licensing and environmental protection regulations;
- (2) calls on the A.C.T. Government to consult with relevant stakeholders to:
 - (a) develop a program to support and encourage youth music with particular focus on:
 - (i) the provision of resources and opportunities, such as access to public address equipment and rehearsal space; and
 - (ii) a review of licensing controls to provide incentives for venues to conduct ‘all-age gigs’;
 - (b) develop options for encouraging live music and performance activity, including consideration of:
 - (i) amendments to building, planning and environmental (sound) regulations in the light of increased residential accommodation in city, group and town centres; and
 - (ii) existing rights protection for live music venues, identifying live music as a public benefit; and
 - (c) report back to the Legislative Assembly in the first sitting week of August. (*Notice given 4 May 2004*).

*9 MR SMYTH: To move – That this Assembly:

- (1) notes:
 - (a) with grave concern the refusal of the Chief Minister to answer questions in the Assembly about the breakdown in Government advisory processes during the bushfires of January 2003;

- (b) that the Chief Minister refused to answer several questions from Mr Smyth on 11 March 2004 about the failure of the Government to warn the people of Canberra about the impending disaster, but undertook in a letter one month later to answer those questions at the Coroner's inquiry; and
 - (c) that despite the Chief Minister's promise, those questions remain unanswered; and
- (2) calls on the Chief Minister to account to the Assembly for:
 - (a) his failure to answer questions asked in the Assembly on 11 March 2004; and
 - (b) the failure of the Government to advise the people of Canberra of the potential serious impact of the bushfires on the suburbs and their homes. (*Notice given 4 May 2004*).
- *10 MRS CROSS: To move – That this Assembly calls upon the Chief Minister to write to the Prime Minister to express disappointment at the apparent readiness of the Australian Government to criticise specifically the Greek Cypriots of Cyprus as being responsible for the failure of the recently held referendum on the reunification of Cyprus. (*Notice given 4 May 2004*).
- 11 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*).
- 12 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*).
- 13 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*).

- 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*).
- 15 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*).
- 16 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*).
- 17 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*).
- 18 MS DUNDAS: To move – That this Assembly calls on the ACT Government to develop a loan scheme to encourage more ACT households to purchase rainwater tanks, for implementation in the 2004-2005 financial year. (*Notice given 26 August 2003*).
- 19 MRS DUNNE: To move – That this Assembly:
- (1) recognises the importance of addressing issues relating to the safety of children;
 - (2) acknowledges the duty of care towards children especially in and around schools;
 - (3) calls on the Government to conduct a safety audit of access to all ACT schools; and
 - (4) further calls on the Government to set up a priority program for improvement with special emphasis on primary schools. (*Notice given 10 December 2003*).

20 MS DUNDAS: To move – That:

- (1) the A.C.T. Government develop in consultation with stakeholders, including students, a plan to address the shortage of affordable student accommodation, recognizing the statements in the Economic White paper that ‘... we must ensure that our universities have the capacity to maximize their impact on our economy and our future’ and the Building Canberra’s Economy Discussion Paper that ‘The availability of student accommodation is a major constraint on growth that could be addressed by the A.C.T. Government’; and
- (2) this plan be tabled in the Assembly by the second sitting week in March. (*Notice given 10 February 2004*).

21 MR BERRY: To move – That this Assembly:

- (1) notes:
 - (a) the 2001 Labor promise to deliver a protected portability scheme for the long service leave entitlements of private sector workers in the Australian Capital Territory (A.C.T.) on an industry-by-industry basis;
 - (b) that the A.C.T. Labor Government has yet to deliver such a scheme to any group of workers; and
 - (c) that a majority of the Assembly Standing Committee on Legal Affairs endorsed in principle the Long Service Leave (Private Sector) Bill 2003, which seeks to establish a universal scheme for the protection and portability of long service leave for A.C.T. private sector workers; and
- (2) acknowledges that the development of industry-by-industry schemes will be time consuming and will further delay the portability and protection of private sector long service leave entitlements for many workers. (*Notice given 1 April 2004*).

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 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.
- 6 PROPOSED TIMETABLE FOR THE COMPLETION OF THE GUNGALHIN 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.
- 7 COMMUNITY REFERENDUM BILL 2002: (*Mr Humphries*): Agreement in principle – Resumption of debate (*from 28 August 2002 – Mr Stanhope*).
- 8 BUILDING (WATER EFFICIENCY) AMENDMENT BILL 2002: (*Mrs Dunne*): Agreement in principle – Resumption of debate (*from 13 November 2002 – Mr Corbell*).
- 9 LITTER AMENDMENT BILL 2002: (*Ms Tucker*): Agreement in principle – Resumption of debate (*from 20 November 2002 – Mr Corbell*).
- 10 PUBLIC ACCESS TO GOVERNMENT CONTRACTS AMENDMENT BILL 2002 (NO. 2): (*Ms Dundas*): Agreement in principle – Resumption of debate (*from 11 December 2002 – Mr Quinlan*).
- 11 COSTING OF ELECTION COMMITMENTS BILL 2002: (*Mr Humphries*): Agreement in principle – Resumption of debate (*from 11 December 2002 – Mr Quinlan*).
- 12 FINANCIAL LEGISLATION (INTEGRITY AND RESPONSIBILITY) AMENDMENT BILL 2002: (*Mr Humphries*): Agreement in principle – Resumption of debate (*from 11 December 2002 – Mr Quinlan*).

- 13 BUSHFIRE RECONSTRUCTION AUTHORITY BILL 2003: *(Mrs Dunne)*: Agreement in principle – Resumption of debate *(from 5 March 2003 – Mr Stanhope)*.
- 14 ELECTORAL AMENDMENT BILL 2002: *(Ms Tucker)*: Agreement in principle – Resumption of debate *(from 20 August 2003 – Mr Hargreaves)*.
- 15 DRUGS OF DEPENDENCE AMENDMENT BILL 2003: *(Mr Stefaniak)*: Agreement in principle – Resumption of debate *(from 24 September 2003 – Mr Stanhope)*.
- 16 GMO (ENVIRONMENT PROTECTION) BILL 2003: *(Ms Tucker)*: Agreement in principle – Resumption of debate *(from 26 November 2003 – Mr Corbell)*.
- 17 DISCRIMINATION (GENETIC STATUS) AMENDMENT BILL 2003: *(Mrs Cross)*: Agreement in principle – Resumption of debate *(from 10 December 2003 – Mr Quinlan)*.
- 18 CORRECTIONS REFORM AMENDMENT BILL 2003: *(Mr Smyth)*: Detail Stage – Clause 1 – Resumption of debate *(from 10 December 2003 – Mr Stanhope)*.
- 19 CRIMES AMENDMENT BILL 2004: *(Mr Cornwell)*: Agreement in principle – Resumption of debate *(from 11 February 2004 – Mr Stanhope)*.
- 20 LONG SERVICE LEAVE (PRIVATE SECTOR) BILL 2003: *(Mr Berry)*: Resumption of debate – Agreement in principle *(Ms Gallagher)*.
- 21 LAND (PLANNING AND ENVIRONMENT) AMENDMENT BILL 2004: *(Ms Tucker)*: Agreement in principle – Resumption of debate *(from 3 March 2004 – Mr Corbell)*.
- 22 SALE OF WILLIAMSDALE QUARRY: Resumption of debate *(from 3 March 2004 – Ms Dundas)* on the motion of Mr Smyth – That this Assembly calls on the A.C.T. Government to provide, by close of business today, details of:
 - (1) the process by which the sale of Williamsdale Quarry was achieved, including details of any public tenders that were sought and the responses to those tenders;
 - (2) the sale of the Williamsdale quarry business and assets, including the sale price;
 - (3) all parties who expressed interest in buying Totalcare's share of the Williamsdale Quarry joint venture;
 - (4) all parties who expressed interest in buying the Williamsdale Quarry joint venture business and assets;

- (5) the reasons why various parties were unsuccessful in their offers to purchase the Williamsdale Quarry business; and
 - (6) any involvement and undertakings by Totalcare in the Williamsdale Quarry business after 30 June 2002.
- 23 COMMISSIONER FOR THE FAMILY BILL 2004: *(Mrs Burke)*: Agreement in principle – Resumption of debate *(from 31 March 2004 – Mr Wood)*.
- 24 RESIDENTIAL TENANCIES (ASSISTED TENANTS) AMENDMENT BILL 2003: *(Mrs Burke)*: Agreement in principle – Resumption of debate *(from 31 March 2004 – Mr Wood)*.
- 25 PHARMACY AMENDMENT BILL 2004: *(Mrs Cross)*: Agreement in principle – Resumption of debate *(from 31 March 2004 – Mr Smyth)*.
- 26 FINANCIAL MANAGEMENT AMENDMENT BILL 2003 (NO. 3): *(Ms Dundas)*: Resumption of debate – Agreement in principle *(from 26 November 2003 – Mr Quinlan)*.

EXECUTIVE BUSINESS

Orders of the day

- 1 ENVIRONMENT LEGISLATION AMENDMENT BILL 2004: *(Minister for Environment)*: Detail Stage – Clause 1 – Resumption of debate *(from 4 May 2004 – Mrs Cross)*.
- 2 ELECTORAL AMENDMENT BILL 2003: *(Attorney-General; presented by Manager of Government Business)*: Agreement in principle – Resumption of debate *(from 20 November 2003 – Ms Dundas)*.
- 3 ROAD TRANSPORT (GENERAL) AMENDMENT BILL 2003: *(Minister for Urban Services)*: Agreement in principle – Resumption of debate *(from 11 December 2003 – Mr Cornwell)*.
- 4 APPROPRIATION BILL 2003-2004 (NO 3): *(Treasurer)*: Resumption of debate – Agreement in principle *(from 11 March 2004 – Mr Smyth)*.
- 5 ANNUAL LEAVE AMENDMENT BILL 2003: *(Minister for Industrial Relations)*: Agreement in principle – Resumption of debate *(from 25 September 2003 – Mr Pratt)*.
- 6 OCCUPATIONAL HEALTH AND SAFETY AMENDMENT BILL 2004: *(Minister for Industrial Relations)*: Agreement in principle – Resumption of debate *(from 12 February 2004 – Mr Pratt)*.

- *7 APPROPRIATION BILL 2004-2005: (*Treasurer*): Agreement in principle – Resumption of debate (*from 4 May 2004 – Mr Smyth*).
- 8 STRUCTURE OF COMMUNITY HOUSING CANBERRA LTD – REVIEW – MINISTERIAL STATEMENT – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 20 November 2003 – Mrs Burke*) on the motion of Mr Wood – That the Assembly takes note of the paper.
- 9 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.
- 10 VICTIMS OF CRIME (FINANCIAL ASSISTANCE) ACT – REVIEW OF OPERATION – GOVERNMENT RESPONSE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 17 June 2003 – Mr Stefaniak*) on the motion of Mr Stanhope – That the Assembly takes note of the paper.
- 11 CHILDREN AND YOUNG PEOPLE ACT – REVIEW – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 17 June 2003 – Mrs Bourke*) on the motion of Ms Gallagher – That the Assembly takes note of the paper.
- 12 RESPITE CARE PROJECT – MET AND UNMET NEEDS – FINAL REPORT – SUSTAINING CARING RELATIONSHIPS – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 24 June 2003 – Mr Cornwell*) on the motion of Mr Corbell – That the Assembly takes note of the paper.
- 13 FUTURE OF BURNIE COURT LAND – MINISTERIAL STATEMENT – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 28 August 2003 – Mrs Burke*) on the motion of Mr Wood – That the Assembly takes note of the paper.
- 14 A.C.T. GAMBLING AND RACING COMMISSION – REVIEW – GAMING MACHINE ACT – GOVERNMENT RESPONSE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 23 October 2003 – Mr Stefaniak*) on the motion of Mr Quinlan – That the Assembly takes note of the paper.
- 15 ACT TAXI SUBSIDY SCHEME – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 9 December 2003 – Mr Stefaniak*) on the motion of Mr Wood – That the Assembly takes note of the paper.
- 16 INVESTIGATION INTO ADVERSE PATIENT OUTCOMES OF NEUROSURGICAL SERVICES PROVIDED BY THE CANBERRA HOSPITAL – FINAL REPORT – COMMUNITY AND HEALTH SERVICES COMPLAINTS COMMISSIONER – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 9 December 2003 – Mr Smyth*) on the motion of Mr Corbell – That the Assembly takes note of the paper.

- 17 STATEMENT OF PLANNING INTENT FOR THE A.C.T. – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 9 December 2003 – Mrs Dunne*) on the motion of Mr Corbell – That the Assembly takes note of the paper.
- 18 CIVIL LAW (WRONGS) (THRESHOLDS) AMENDMENT BILL 2003: (*Attorney-General*): Agreement in principle – Resumption of debate (*from 11 December 2003 – Mr Stefaniak*).
- 19 LITTER BILL 2003: (*Minister for Urban Services*): Agreement in principle – Resumption of debate (*from 11 December 2003 – Mr Cornwell*).
- 20 HEALTH PROFESSIONALS BILL 2003: (*Minister for Health*): Agreement in principle – Resumption of debate (*from 11 December 2003 – Mr Smyth*).
- 21 BUSHFIRE RECOVERY TASKFORCE – REPORT – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 11 December 2003 – Mr Smyth*) on the motion of Mr Stanhope – That the Assembly takes note of the paper.
- 22 CHILD PROTECTION IN THE A.C.T. – MINISTERIAL STATEMENT – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 10 February 2004 – Mr Smyth*) on the motion of Ms Gallagher – That the Assembly takes note of the paper.
- 23 ROAD TRANSPORT (PUBLIC PASSENGER SERVICES) AMENDMENT BILL 2003: (*Minister for Urban Services*): Resumption of debate – Agreement in principle (*Mrs Dunne*).
- 24 COMMUNITY SERVICES FACILITIES MANAGEMENT STRATEGY – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 4 March 2004 – Mrs Burke*) on the motion of Mr Wood – That the Assembly takes note of the paper.
- 25 GENE TECHNOLOGY (GM CROP MORATORIUM) BILL 2004: (*Minister for Health*): Agreement in principle – Resumption of debate (*from 11 March 2004 – Mr Smyth*).
- 26 HEALTH PROFESSIONALS LEGISLATION AMENDMENT BILL 2004: (*Minister for Health*): Agreement in principle – Resumption of debate (*from 11 March 2004 – Mr Smyth*).
- 27 A.C.T. CRIMINAL JUSTICE STATISTICAL PROFILE – DECEMBER 2003 QUARTER – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 1 April 2004 – Mr Stefaniak*) on the motion of Mr Stanhope – That the Assembly takes note of the paper.
- 28 INDIGENOUS EDUCATION – SEVENTH SIX MONTHLY REPORT – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 1 April 2004 – Mr Pratt*) on the motion of Ms Gallagher – That the Assembly takes note of the paper.

- 29 STATUTE LAW AMENDMENT BILL 2004: (*Attorney-General*): Agreement in principle – Resumption of debate (*from 1 April 2004 – Mrs Dunne*).
- 30 CHARITABLE COLLECTIONS AMENDMENT BILL 2004: (*Minister for Urban Services*): Agreement in principle – Resumption of debate (*from 1 April 2004 – Mr Cornwell*).

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*).

ASSEMBLY BUSINESS

Notice

- *1 MR HARGREAVES: To move – That Subordinate Law 2004-12, Land (Planning and Environment) Amendment Regulations 2004 (No 1), be disallowed. (*Notice given 4 May 2004. Subordinate Law will be deemed to have been disallowed unless disposed of within 6 sitting days, including today.*)

Orders of the day

- 1 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.
- 2 PUBLIC ACCOUNTS – STANDING COMMITTEE – REPORT NO 5 – INQUIRY INTO THE RATES AND LAND TAX AMENDMENT BILL 2003 – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 17 June 2003 – Mr Quinlan*) on the motion of Mr Smyth – That the report be noted.
- 3 HEALTH – STANDING COMMITTEE – REPORT NO. 4 – LOOKING AT THE HEALTH OF SCHOOL-AGE CHILDREN IN THE ACT – GOVERNMENT RESPONSE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 21 August 2003 – Mr Cornwell*) on the motion of Mr Wood on behalf of Mr Corbell – That the Assembly takes note of the paper.
- 4 COMMUNITY SERVICES AND SOCIAL EQUITY – STANDING COMMITTEE – REPORT NO 3 – THE RIGHTS, INTERESTS AND WELL-BEING OF CHILDREN AND YOUNG PEOPLE – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 28 August 2003 – Ms Gallagher*) on the motion of Mr Hargreaves – That the report be noted.
- 5 EDUCATION – STANDING COMMITTEE – REPORT NO 3 – PATHWAYS TO THE FUTURE: REPORT ON THE INQUIRY INTO VOCATIONAL EDUCATION IN THE ACT – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 28 August 2003 – Ms Gallagher*) on the motion of Ms MacDonald – That the report be noted.
- 6 HEALTH – STANDING COMMITTEE – REPORT NO 5 – ACCESS TO NEEDLES AND SYRINGES BY INTRAVENOUS DRUG USERS – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 28 August 2003 – Mr Smyth*) on the motion of Ms Tucker – That the report be noted.
- 7 ESTIMATES 2003-2004 (NO. 2) – SELECT COMMITTEE – REPORT ON THE INQUIRY INTO THE APPROPRIATION BILL 2003-2004 (NO. 2) – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 23 September 2003 – Mr Quinlan*) on the motion of Mr Smyth – That the report be noted.
- 8 LEGAL AFFAIRS – STANDING COMMITTEE – REPORT NO 6 – CRIMES (INDUSTRIAL MANSLAUGHTER) AMENDMENT BILL 2002 – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 23 September 2003 – Ms Gallagher*) on the motion of Mr Stefaniak – That the report be noted.

- 9 PUBLIC ACCOUNTS – STANDING COMMITTEE – REPORT NO 6 – REVIEW OF AUDITOR-GENERAL’S REPORT NO 7 OF 2002 – FINANCIAL AUDIT WITH YEARS ENDING TO 30 JUNE 2002 - MOTION THAT REPORT BE NOTED: Resumption of debate (*from 25 September 2003 – Mr Quinlan*) on the motion of Mr Smyth – That the report be noted.
- 10 HEALTH – STANDING COMMITTEE – REPORT NO 6 – REPORT ON RECENT REPORTS CONCERNING THE MENTAL HEALTH SYSTEM – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 21 October 2003 – Mr Corbell*) on the motion of Ms Tucker – That the report be noted.
- 11 LEGAL AFFAIRS – STANDING COMMITTEE – REPORT NO. 6 – CRIMES (INDUSTRIAL MANSLAUGHTER) AMENDMENT BILL 2002 – GOVERNMENT RESPONSE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 18 November 2003 – Mr Pratt*) on the motion of Ms Gallagher – That the Assembly takes note of the paper.
- 12 EDUCATION – STANDING COMMITTEE – REPORT NO. 3 – PATHWAYS TO THE FUTURE: REPORT ON THE INQUIRY INTO VOCATIONAL EDUCATION AND TRAINING IN THE A.C.T. – GOVERNMENT RESPONSE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 25 November 2003 – Mrs Burke*) on the motion of Ms Gallagher – That the Assembly takes note of the paper.
- 13 COMMUNITY SERVICES AND SOCIAL EQUITY – STANDING COMMITTEE – REPORT NO 3 – THE RIGHTS, INTERESTS AND WELL-BEING OF CHILDREN AND YOUNG PEOPLE – GOVERNMENT RESPONSE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 11 December 2003 – Mr Hargreaves*) on the motion of Ms Gallagher – That the Assembly takes note of the paper.
- 14 LEGAL AFFAIRS – STANDING COMMITTEE – REPORT NO 10 – LONG SERVICE LEAVE (PRIVATE SECTOR) BILL 2003 – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 2 March 2004 – Ms Gallagher*) on the motion of Mr Stefaniak – That the report be noted.
- 15 COMMUNITY SERVICES AND SOCIAL EQUITY – STANDING COMMITTEE – REPORT NO 4 – 2002-2003 ANNUAL AND FINANCIAL REPORTS: DEPARTMENT OF DISABILITY, HOUSING AND COMMUNITY SERVICES, THE DISABILITY COMMISSIONER AND THE COMMUNITY ADVOCATE – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 4 March 2004 – Mrs Dunne*) on the motion of Mr Hargreaves – That the report be noted.
- 16 PLANNING AND ENVIRONMENT – STANDING COMMITTEE – REPORT NO 26 – INQUIRY INTO ANNUAL AND FINANCIAL REPORTS 2002-2003 FOR THE DEPARTMENT OF URBAN SERVICES AND RELATED AGENCIES – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 4 March 2004 – Mr Cornwell*) on the motion of Mrs Dunne – That the report be noted.

- 17 PLANNING AND ENVIRONMENT – STANDING COMMITTEE – REPORT NO 27 – INQUIRY INTO THE BUILDING OF A SUPERMARKET NEXT TO THE BELCONNEN MARKETS – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 4 March 2004 – Mrs Dunne*) on the motion of Mr Hargreaves – That the report be noted.
- 18 COMMUNITY SERVICES AND SOCIAL EQUITY – STANDING COMMITTEE – REPORT NO 5 – “NO LONGER JUST A NUMBER” – YOUTH SERVICES PROVIDED AT THE ADOLESCENT DAY UNIT – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 30 March 2004 – Mr Corbell*) on the motion of Mr Hargreaves – That the report be noted.
- 19 PLANNING AND ENVIRONMENT – STANDING COMMITTEE – POSSIBLE AGED CARE FACILITIES IN HOLT – PROPOSED REFERENCE: Resumption of debate (*from 1 April – Ms MacDonald*) on the motion of Mrs Dunne – That the Legislative Assembly refer to the Standing Committee on Planning and Environment for investigation and report by 1 July 2004, the proposal for aged care facilities on part of Section 99 Block 11 Holt, the disused holes 19 to 27 of the Belconnen Golf Course.

And on the amendment moved by Ms Dundas – Omit everything after “1 July 2004” and replace with:

- (1) *the proposal for aged care facilities on part of Section 99 Holt, the disused holes 19 to 27 of the Belconnen Golf Course;*
- (2) *the proposal for aged care facilities on Section 87 Belconnen, with particular reference to any impact on the social and environmental impact upon Belconnen Lakeshore; and*
- (3) *refer to the demand for aged care accommodation in the Belconnen region and any other relevant sites.*

- *20 ESTIMATES 2003-2004 (NO 3) – SELECT COMMITTEE – REPORT – APPROPRIATION BILL 2003-2004 (NO 3) – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 4 May 2004 – Mr Quinlan*) on the motion of Mrs Cross – That the report be noted.

31 May 2004

- 21 PLANNING AND ENVIRONMENT – STANDING COMMITTEE – KARRALIKA DRUG REHABILITATION FACILITY – CALL IN POWER AND DEVELOPMENT: Presentation of report pursuant to order of the Assembly of 11 February 2004.

22 June 2004

- 22 ESTIMATES 2004-2005 – SELECT COMMITTEE: Presentation of report pursuant to order of the Assembly of 1 April 2004.

Referred to Standing Committee on Legal Affairs on

23 October 2003

VICTIMS OF CRIME (FINANCIAL ASSISTANCE)
AMENDMENT BILL 2003: (*Attorney-General*):
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*.

Unanswered questions

1291, 1407, 1410-1413, 1418, 1439, 1443, 1459-1463, 1474,
1480-1510.

New questions

(30 days expires 4 June 2004)

- *1511 MR SMYTH: To ask the Minister for Industrial Relations –
- (1) What is the cost to the A.C.T. for the services of the Worker's Compensation Nominal Insurer over the last three years;
 - (2) Is there a legal panel to provide advice to the Government on claims handled by the Nominal Insurer;
 - (3) If so, which legal firms are on the panel;
 - (4) What contractual arrangement is in place between the members of the panel and the A.C.T.;
 - (5) What was the cost of the services of the panel (a) per year and (b) per firm over the last three financial years and the current financial year to date.

- *1512 MR SMYTH: To ask the Minister for Industrial Relations – Have there been any claims for stress leave and stress related worker’s compensation by employees of A.C.T. Workcover in (a) 2003-04, (b) 2002-03 and (c) 2001-02.
- *1513 MR SMYTH: To ask the Minister for Industrial Relations –
- (1) What are the A.C.T. training requirements of Workcover inspectors;
 - (2) How do these training requirements compare to training requirements in NSW;
 - (3) If the A.C.T. has lesser qualifications, why is this so and would the Government look at changing qualifications for inspectors to be better in line with NSW.
- *1514 MR SMYTH: To ask the Minister for Industrial Relations –
- (1) What was the odometer reading of the “Workcover@ Work” vehicle (a) when it was first put into service and (b) after its first year;
 - (2) What is the current reading;
 - (3) What is the cost of parking the vehicle in the London Circuit carpark;
 - (4) Is the vehicle still being used; if not, why not.
- *1515 MR SMYTH: To ask the Minister for Industrial Relations –
- (1) In relation to the Worker’s Compensation Supplementation Fund, what is the cost to the A.C.T. for the services of the Supervising Insurer since the collapse of HIH in 2001;
 - (2) What are the respective roles of the Supervising Insurer and A.C.T. Workcover in resolving HIH claims.
- *1516 MRS BURKE: To ask the Minister for Disability, Housing and Community Services –
- (1) What is the current process or policy for housing individuals in Government or community based housing, who are newly released from gaol or a correctional institution;
 - (2) What processes or policies are in place to adequately address, house and/or allocate/transfer, tenants in Government or community housing who are undergoing rehabilitation for substance abuse;
 - (3) What proportion of housing tenants in either A.C.T. Government housing or community housing, would be deemed people on high incomes;
 - (4) What is the criteria or salary cut off range used to determine or deem a tenant to be a high income earning tenant.

- *1517 MRS BURKE: To ask the Minister for Disability, Housing and Community Services –
- (1) In relation to the eviction of A.C.T. Housing tenants, for the fiscal year 2002-2003, (a) how many Government or community housing tenants were evicted, (b) what were the reasons for eviction and (c) what processes were in place to deal with evicted tenants;
 - (2) For the current fiscal year to date (a) how many Government or community housing tenants have been evicted and (b) what were the reasons for eviction;
 - (3) Have there been changes in eviction policy from the previous fiscal year period to the current fiscal year reporting period;
 - (4) How is the current housing policy framework responsive to the needs of men in the A.C.T. community;
 - (5) Does the Department of Disability, Housing and Community Services have specific policies or strategies in place to adequately meet the needs of fathers with dependent children; if so, what are they; if not, why not.
- *1518 MRS BURKE: To ask the Minister for Disability, Housing and Community Services –
- (1) What increased staff training opportunities for staff of the Department of Disability, Housing and Community Services, and particularly for staff of the working in A.C.T. shop fronts, has the Department, under the direction of the Minister, provided;
 - (2) Can the Minister provide a detailed summary of all courses;
 - (3) If such courses were mandatory, how many staff attended and what areas did they come from within the Department.
- *1519 MRS BURKE: To ask the Minister for Disability, Housing and Community Services – In relation to housing for people with a disability, can the Minister (a) provide a current update in regard to the gradual phasing out of group housing and (b) explain what provisions the Government is making to ensure that people with a disability are appropriately housed.
- *1520 MRS BURKE: To ask the Minister for Disability, Housing and Community Services –
- (1) How many requests for maintenance to A.C.T. Housing properties have been received by A.C.T. Housing during (a) 2001 – 2002, (b) 2002 – 2003 and (c) 2003 – 2004 to date;
 - (2) What is the (a) number of requests for maintenance within each category or classification of works and (b) average waiting time for maintenance requests within each category;
 - (3) What is the total cost, to date, of maintenance to A.C.T. Housing properties from 2001-2004;

- (4) What are the details of amounts paid to service providers for maintenance works completed during (a) 2001-2002, (b) 2002-2003 and (c) 2003-2004 to date;
- (5) Does the Department have a policy whereby tenants are provided with basic home maintenance courses;
- (6) If so, how many courses have been undertaken and how many tenants have participated.

*1521 MR PRATT: To ask the Minister for Education, Youth and Family Services –

- (1) What are the Department of Education, Youth and Family Services curriculum guidelines for teaching information technology studies in (a) primary schools, (b) high schools and (c) colleges;
- (2) What percentage, if any, of a curriculum must be dedicated to information technology studies in (a) primary schools, (b) high schools and (c) colleges;
- (3) Can the Minister provide a list of all (a) primary schools, (b) high schools and (c) colleges that (i) teach any information technology-related studies and (ii) do not.

*1522 MR PRATT: To ask the Minister for Education, Youth and Family Services –

- (1) What was the average class size in the 2003 school year in A.C.T. government (a) primary schools, (b) high schools and (c) colleges;
- (2) What was the breakdown of average class sizes in the 2003 school year for each A.C.T. government school.

*1523 MR PRATT: To ask the Minister for Education, Youth and Family Services –

- (1) How many executive teachers are employed by the Department of Education, Youth and Family Services;
- (2) What is the breakdown of the number of executive teachers in the A.C.T. teaching at (a) primary schools, (b) high schools and (c) colleges;
- (3) What is the breakdown, by each A.C.T. government school, of executive teachers teaching in each school;
- (4) What is the common duty statement for executive teachers in the A.C.T.;
- (5) What positions do executive teachers hold in A.C.T. schools.

*1524 MR PRATT: To ask the Minister for Education, Youth and Family Services –

- (1) How many teachers employed by the Department of Education, Youth and Family Services retired in (a) 2001-2002, (b) 2002-2003 and (c) 2003-2004 to date;
- (2) What is the breakdown, by position and level, of teachers who retired in (a) 2001-2002, (b) 2002-2003 and (c) 2003-2004 to date;

- (3) Have any retired teachers been re-employed by the Department to return to teaching, or take up any other positions, in (a) 2001-2002, (b) 2002-2003 and (c) 2003-2004 to date;
- (4) What is the average age of teachers employed by the Department retiring in (a) 2001-2002, (b) 2002-2003 and (c) 2003-2004 to date;

*1525 MR PRATT: To ask the Minister for Education, Youth and Family Services –

- (1) How many reports of incidents of teachers bullying or harassing students were made to schools, the Minister or the Department in (a) 2001-2002, (b) 2002-2003 and (c) 2003-2004 to date;
- (2) What is the breakdown of schools for these reported incidents;
- (3) What action was taken by the schools, the Minister or the Department to investigate these reports;
- (4) Has any action been taken on teachers as a result of these investigations;
- (5) If so, what has that action been;
- (6) What programs are in place for teachers to advise them about bullying or harassment towards students.

*1526 MR PRATT: To ask the Minister for Education, Youth and Family Services –

- (1) What is the current status and the progress of the pilot study trialing an amalgamation concept between Wanniasa Primary School and Wanniasa High School;
- (2) When is the pilot study due for completion;
- (3) When will the pilot study report be released;
- (4) Have any complaints been received by the Minister or the Department about the pilot study since it began;
- (5) If so, how many have been received and what action is being taken to address these complaints;
- (6) If no complaints have been received, what feedback has been given to the Minister or the Department, about the pilot study by teachers, parents or the general community;
- (7) What mechanisms are in place to record feedback on the pilot study to be incorporated into the final report.

*1527 MR PRATT: To ask the Minister for Industrial Relations –

- (1) In relation to long service leave portability and further to comments made in the *Canberra Times* on 24 March that the office of the Minister confirmed that she was working with employers and employees on a plan for long service leave, including the potential for portability in some industries, which industries are potential candidates for the extension of portable long service leave;

- (2) Will the scheme that the Minister is proposing be consistent with the Federal Labor's plans as outlined in its platform for a national portable long-service leave scheme.

*1528 MR CORNWELL: To ask the Chief Minister –

- (1) Further to your media release dated 3 May 2004 announcing the Community Inclusion Board membership, do any of the members appointed to the Board receive any kind of remuneration or payment of expenses as a result of their appointment;
- (2) If so, what amount of remuneration or payment of expenses are they each entitled to.

*1529 MR CORNWELL: To ask the Attorney-General –

- (1) Regarding the A.C.T.'s *Fair Trading Act 1992* Retirement Villages Industry Code of Practice, is there a specific administration unit within the Office of Fair Trading that oversees the implementation and use of the Code of Practice;
- (2) If not, why not, and how can it be assured that providers are adhering to the Code of Practice;
- (3) Are regular checks undertaken to ensure that retirement villages are adhering to the Code of Practice; if not, why not, when will regular checks be instigated and how will this be done;
- (4) If no to part (3), is it solely up to residents to bring attention to and report any breaches of the Code of Practice;
- (5) What are the procedures and consequences if it is found that the Code of Practice is not being adhered to by a particular retirement village;
- (6) Have any breaches of the Code of Practice occurred in the A.C.T. to date; if so, has any action been taken against any particular retirement village;
- (7) If so, in what form and against whom was action taken;
- (8) Why is it that under the Code of Practice, only three residents are required to form a quorum in a residents meeting and how is this number deemed acceptable.

*1530 MR CORNWELL: To ask the Minister for Urban Services – How many infringements, fines or prosecutions have been issued both to businesses or individuals for illegal dumping of waste in the A.C.T. in (a) 2003-04 to date, (b) 2002-03, (b) 2001-02 and (d) 2000-01.

*1531 MS DUNDAS: To ask the Attorney-General –

- (1) Has the Minister received legal advice concerning the *Medical Treatment Act 1994* and the *Powers of Attorney Act 1956*;
- (2) If so, is he able to say whether living wills or medical advance directives, as drawn up by the A.C.T. branch of the Voluntary Euthanasia Society, are acceptable as a direction in writing; if not, can examples be provided of directions in writing that would comply;
- (3) Given that the objective of the Medical Treatment Act 4 (a) is to protect the right of the patients to refuse unwanted medical treatment, is he able to say whether this includes unwanted treatment as indicated in medical advance directives;
- (4) Is he able to say whether Clause 3B of the Medical Treatment Act, Other Legal Rights Not Affected, take precedence over medical advance directives;
- (5) Given that some states allow persons to sign medical advance directives indicating the circumstances under which they wish medical treatment to be withdrawn, is he able to say whether the A.C.T. Medical Treatment Act, with directions that can be made under Part 11 of the Act, suffice to allow patients to make directions about requesting withdrawal of treatment;
- (6) If not, is he able to advise to what extent would a medical advance directive that was completed while one is in another medical state, provide direction and legal protection to A.C.T. medical practitioners who might act on such medical advance directives, if the person currently resides in the A.C.T.;
- (7) With reference to Part C, Section 13, Power to Consent to Medical Treatment and Medical Donation, is he able to say whether this can include medical treatment which does not conflict with my advance directive, as included in Living Will drawn up by the Canberra Branch of the Voluntary Euthanasia Society;
- (8) Do the Guidelines for Health Care Professionals, prepared in 1999, still apply in the ACT;
- (9) Does the Commonwealth *Euthanasia Laws Act 1997* affect the provisions of the Medical Treatment Act; if so, in what way.
- (10) Are explanatory guidelines available with regard to how people may refuse or withdraw their consent to medical treatment and can a copy be provided.

T Duncan

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, Mr Hargreaves.

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, 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, 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): Ms Dundas *(Chair)*, Mrs Cross, Mrs Dunne, Mr Hargreaves.

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

Select

ESTIMATES 2004-2005: *(Formed 1 April 2004)*: Mr Stefaniak *(Chair)*, Ms Dundas, Mrs Dunne, Mr Hargreaves, 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*).

ESTIMATES 2003-04: (*Formed 3 April 2003*): Mr Smyth (*Chair*), Mrs Cross, Mr Hargreaves, Mrs Dunne, Ms MacDonald. (*Presented 17 June 2003*).

ESTIMATES 2003-04 (NO. 2): (*Formed 19 August 2003*): Mr Smyth (*Chair*), Ms Dundas, Mr Hargreaves. (*Presented 23 September 2003*).

ESTIMATES 2003-04 (NO. 3): (*Formed 11 March 2003*): Mrs Cross (*Chair*), Ms MacDonald, Mr Smyth. (*Presented 4 May 2004*).

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

PRIVILEGES: (*Formed 26 June 2003*): Ms Dundas (*Chair*), Mr Quinlan, Mr Stefaniak. (*Presented 18 November 2003*).

PRIVILEGES 2004: (*Formed 10 February 2004*): Ms Tucker (*Chair*), Mr Cornwell, Ms MacDonald. (*Presented 30 March 2004*).

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