

2004-2005

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

No. 21

WEDNESDAY, 22 JUNE 2005

The Assembly meets this day at 10.30 a.m.

PRIVATE MEMBERS' BUSINESS**Notices**

- *1 **MR STEFANIAK:** To present a Bill for an Act to reform the law about sentencing and corrections, and for other purposes. (*Notice given 21 June 2005*).

Orders of the day

- 1 **MEDICARE FUNDED TREATMENTS FOR ACT RESIDENTS:** Resumption of debate (*from 4 May 2005—Mr Smyth, in continuation*) on the motion of Ms Porter—That this Assembly:
- (1) recognises the importance to the ACT community of maintaining accessibility to Medicare funded treatments and services based on objective merit rather than subjective value judgements;
 - (2) notes the negative implications associated with restricting Medicare subsidisation for In Vitro Fertilisation (IVF) treatments on an arbitrary basis; and
 - (3) affirms its commitment to accessible and affordable health services for all ACT residents, including the provision of IVF, at the discretion of the individual, in consultation with their medical practitioner.

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

Notices—continued

- *2 **DR FOSKEY:** To move—That this Assembly:
- (1) recognises the invaluable contribution to public policy development by the non-government sector in the ACT;
 - (2) condemns the Federal Government for its recent decision to end funding of the policy advocacy and policy work of peak environment groups around Australia, including the Conservation Council of the South East Region and Canberra; and
 - (3) affirms its support for the public funding of peak non-government advocacy and policy organisations. (*Notice given 21 June 2005*).

Orders of the day—continued

- 2 **ANIMAL LEGISLATION (PENALTIES) AMENDMENT BILL 2005:** (*Mr Stefaniak*) Agreement in principle—Resumption of debate (*from 16 February 2005—Ms Gallagher*).

Notices—continued

- 3 **MR GENTLEMAN:** To move—That this Assembly:
- (1) reasserts the importance to the City of Canberra of the Friendship Relationship with the District of Dili, and in the spirit of mutual respect and cooperation with the people of Timor Leste;
 - (2) notes the progress made in talks between the Australian Government and the Government of Timor Leste over maritime boundaries and Timor Sea resources last week;
 - (3) recognises:
 - (a) that the development of Timor Sea resources has the potential to contribute significantly to Timor Leste's development and economic self-sufficiency;
 - (b) that industrial development will provide an economic future for Timor Leste, guaranteeing skills and income for the nation's people; and
 - (c) the importance of sovereignty to Timor Leste in the negotiation of a permanent maritime boundary; and
 - (4) urges the Australian Government to conduct ongoing negotiations in good faith, and to consider the economic and political sovereignty of Timor Leste as of paramount concern during negotiations. (*Notice given 16 March 2005*).

- *4 **MR PRATT:** To move—That this Assembly:
- (1) expresses its:
 - (a) deep concern that the level of ACT Policing as revealed in the Estimates hearings and despite the Government's persistent denials, deteriorated quite dramatically since this Government came to power; and
 - (b) concern, as a consequence, about the pressures on an overstretched police force to do its job protecting the community; and
 - (2) calls on the Government to take immediate action to effectively increase ACT Policing strengths. (*Notice given 21 June 2005*).
- *5 **MS PORTER:** To move—That this Assembly:
- (1) recognises the outstanding contribution of the Canberra Theatre centre to the vitality of Canberra's cultural community; and
 - (2) congratulates the Canberra Theatre on 40 years of servicing Canberrans as the principal arts venue of the Territory. (*Notice given 21 June 2005*).
- 6 **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*).
- 7 **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*).
- 8 **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*).
- 9 **MR SESELJA:** To move—That this Assembly:
- (1) recognises that significant problems exist with the current ACT planning regime;
 - (2) calls on the Planning Minister to introduce amendments to the current approvals process that provide transparency, openness and certainty for all parties involved;
 - (3) condemns the Planning Minister for the failure of his reforms during his first term in office; and

- (4) calls on the Chief Minister to remove the Planning Minister from his position immediately so that the portfolio can be correctly managed. (*Notice given 15 March 2005*).
- 10 **DR FOSKEY:** To move—That the current Assembly formally adopt or agree to the 20 recommendations of the 8th report of the Standing Committee on Health entitled ‘*A pregnant pause: the future of maternity services in the ACT*’ that was tabled in the last Assembly on 5 May 2004. (*Notice given 3 May 2005*).
- 11 **MS MACDONALD:** To move—That this Assembly acknowledges that:
- (1) cardiovascular disease is the leading cause of death in Australia, responsible for more than 1 in 3 deaths;
 - (2) the effects and treatment of cardiovascular disease cost the community millions of dollars every year;
 - (3) poor nutrition, lack of exercise and smoking all increase the risk of cardiovascular disease;
 - (4) the important role events, such as Heart Week, play in raising awareness about cardiovascular disease and promoting healthy living;
 - (5) the valuable work the ACT Division of the Heart Foundation does to raise awareness and reduce incidences of cardiovascular disease in the ACT community;
 - (6) initiatives such as Promoting Healthy Students, College Health Coordinators and the Kids at Play program will lead to a healthier ACT adult community in the future;
 - (7) ACT Health’s “Eat Well ACT: A Public Health Nutrition Plan 2004-2010” provides a strategy to improve the dietary health of all Canberrans; and
 - (8) the important work Healthpact does in the area of health promotion, particularly through events such as the Healthpact Australian Master Games and the Health Promotion Awards. (*Notice given 3 May 2005*).
- *12 **MS MACDONALD:** To move—That, in light of the recent tragic deaths and increased discussion on the issue, that this Assembly:
- (1) recognises that the risk of houses fires increases significantly during the colder months of the year;
 - (2) acknowledges that smoke alarms significantly reduce incidences of house fire deaths;
 - (3) notes the importance of fire safety public education programs;
 - (4) urges the community to be vigilant regarding fire safety in the home; and
 - (5) requests that the Government investigates the issue of compulsory smoke alarms for all residential dwellings. (*Notice given 21 June 2005*).

Orders of the day—continued

- 3 **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.
- 4 **PUBLIC SECTOR MANAGEMENT AMENDMENT BILL 2005:** (*Mr Smyth*) Agreement in principle—Resumption of debate (*from 16 March 2005—Mr Stanhope*).
- 5 **CRIMES AMENDMENT BILL 2005:** (*Mr Pratt*) Agreement in principle—Resumption of debate (*from 6 April 2005—Mr Stanhope*).

EXECUTIVE BUSINESS

Orders of the day

- 1 **HEALTH LEGISLATION AMENDMENT BILL 2005:** (*Minister for Health*): Agreement in principle—Resumption of debate (*from 7 April 2005—Mr Smyth*).
- 2 **REVENUE LEGISLATION AMENDMENT BILL 2005:** (*Treasurer*): Agreement in principle—Resumption of debate (*from 5 May 2005—Mr Mulcahy*).
- 3 **CRIMES (CHILD SEX OFFENDERS) BILL 2005:** (*Attorney-General*): Agreement in principle—Resumption of debate (*from 7 April 2005—Mr Stefaniak*).
- 4 **UTILITIES (SHORTAGE OF ESSENTIAL SERVICES) AMENDMENT BILL 2005:** (*Chief Minister*): Agreement in principle—Resumption of debate (*from 5 May 2005—Mr Smyth*).
- 5 **APPROPRIATION BILL 2005-2006:** (*Treasurer*): Detail stage—Resumption of debate (*from 5 May 2005*).

- 6 **WATER RESOURCES AMENDMENT BILL 2005:** (*Minister for the Environment*): Agreement in principle—Resumption of debate (*from 5 May 2005—Mrs Dunne*).
- 7 **RESIDENTIAL TENANCIES AMENDMENT BILL 2005:** (*Attorney-General*): Detail stage—Clause 1—Resumption of debate (*from 15 March 2005—Dr Foskey*).
- 8 **UNIT TITLES (STAGED DEVELOPMENT) AMENDMENT BILL 2005:** (*Minister for Planning*): Agreement in principle—Resumption of debate (*from 5 May 2005—Mr Seselja*).
- *9 **UNIVERSITY OF CANBERRA AMENDMENT BILL 2005:** (*Minister for Education and Training*): Agreement in principle—Resumption of debate (*from 21 June 2005—Mr Stefaniak*).
- *10 **CHILDREN AND YOUNG PEOPLE AMENDMENT BILL 2005:** (*Minister for Children, Youth and Family Support*): Agreement in principle—Resumption of debate (*from 21 June 2005—Mrs Dunne*).
- *11 **OCCUPATIONAL HEALTH AND SAFETY LEGISLATION AMENDMENT BILL 2005:** (*Minister for Industrial Relations*): Agreement in principle—Resumption of debate (*from 21 June 2005—Mr Stefaniak*).
- 12 **CONSTRUCTION OCCUPATIONS LEGISLATION AMENDMENT BILL 2005:** (*Minister for Planning*): Agreement in principle—Resumption of debate (*from 5 May 2005—Mr Seselja*).
- 13 **FAIR WORK CONTRACTS BILL 2004:** (*Minister for Industrial Relations*): Agreement in principle—Resumption of debate (*from 9 December 2004—Mr Mulcahy*).
- 14 **TREE PROTECTION BILL 2005:** (*Minister for the Environment*): Agreement in principle—Resumption of debate (*from 17 March 2005—Mrs Dunne*).
- 15 **CRIMES (SENTENCING) BILL 2005:** (*Attorney-General*): Agreement in principle—Resumption of debate (*from 7 April 2005—Mr Stefaniak*).
- 16 **HUMAN RIGHTS COMMISSION BILL 2005:** (*Attorney-General*): Agreement in principle—Resumption of debate (*from 7 April 2005—Mr Stefaniak*).
- 17 **HUMAN RIGHTS COMMISSION LEGISLATION AMENDMENT BILL 2005:** (*Attorney-General*): Agreement in principle—Resumption of debate (*from 7 April 2005—Mr Stefaniak*).
- 18 **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.

- 19 **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.
- 20 **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.
- 21 **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.
- 22 **A.C.T. ASBESTOS TASKFORCE—PROGRESS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 17 March 2005—Mr Mulcahy*) on the motion of Ms Gallagher—That the Assembly takes note of the paper.

ASSEMBLY BUSINESS

Orders of the day

- *1 **ESTIMATES 2005-2006—SELECT COMMITTEE—REPORT—APPROPRIATION BILL 2005-2006—MOTION THAT REPORT BE NOTED:** Resumption of debate (*from 21 June 2005—Mr Quinlan*) on the motion of Ms MacDonald—That the report be noted.

First sitting day August 2006

- 2 **WORKING FAMILIES IN THE AUSTRALIAN CAPITAL TERRITORY—SELECT COMMITTEE:** Presentation of report pursuant to order of the Assembly of 5 May 2005.
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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

389-399.

New questions

(30 days expires 22 July 2005)

- *400 **MRS BURKE:** To ask the Chief Minister—
- (1) What resources is the Government committing to the Digital Divide program in the ACT;
 - (2) What funding has been allocated to the program during (a) 2001-02, (b) 2002-03, (c) 2003-04 and (d) 2004-05.
- *401 **MRS BURKE:** To ask the Minister for Disability, Housing and Community Services—
- (1) What is the Government doing to reduce staff (a) vacancy rates and (b) turnover in Therapy ACT;
 - (2) What percentage of therapy staff in Therapy ACT are employed part-time;
 - (3) What percentage of therapy provided by Therapy ACT is provided by part-time staff;
 - (4) What percentage of the cost of therapy staff goes to part-time staff;
 - (5) How many hours of therapy does a full-time equivalent therapy position provide for each of the therapy disciplines;
 - (6) What does the Government's analysis of staffing show are the sources of problems with staffing Therapy ACT;
 - (7) Are (a) there enough university places in each of the disciplines, (b) the university places filled and (c) there sufficient graduates in each discipline;
 - (8) Do advertisements for places attract a sufficient number of competitive candidates for positions in each of the disciplines; if not, is it because of a lack of possible candidates, the advertisements don't reach the candidates or the terms offered are not sufficiently attractive;
 - (9) How long does an appointee stay in a position on average;
 - (10) Do therapists leave their positions in Therapy ACT in each of the disciplines faster than is planned for;
 - (11) Does Therapy ACT maintain a record of why staff may leave a position;
 - (12) Are vacancy rates and staff turnover a persisting challenge for Therapy ACT; if so, will the Government include these measures in future annual reports.

- *402 **MRS BURKE:** To ask the Minister for Disability, Housing and Community Services—
- (1) In relation to therapy services in the ACT, what is the fee recommended for professionals in private practice by the professional associations of each of the therapy disciplines;
 - (2) What is the range of therapy cost in private practice in the ACT for each therapy type;
 - (3) What barriers to contracting therapy services has the Government identified;
 - (4) Is the Government attempting to remove any of these barriers; if not, why not.
- *403 **MRS BURKE:** To ask the Minister for Disability, Housing and Community Services—
- (1) In relation to the reduction of targets for therapy hours in the 2005-06 Budget, Budget Paper 4, page 277, how were Therapy ACT clients consulted about the therapy services reduction in 2005-06;
 - (2) Were there specific service disciplines that clients wanted cut and/or reduced; if so, what were the specific disciplines and how much did they ask that each therapy be cut and/or reduced by;
 - (3) How does Therapy ACT apply person-centred practice in deciding to cut therapy services and what therapy disciplines will be cut;
 - (4) Does Therapy ACT record the amount of each therapy type that each client requests; if so, how often are consumer requests for therapy recorded;
 - (5) Does Therapy ACT record the amount of each therapy type that each client is assessed as needing;
 - (6) How does Therapy ACT implement person-centred allocation of therapy resources;
 - (7) Where can members of the community access a detailed description of the process Therapy ACT uses to achieve person-centred allocation of therapy resources;
 - (8) What is Therapy ACT's target for vacancy rates in each therapy discipline.
- *404 **MR PRATT:** To ask the Minister for Planning—
- (1) In relation to plans for the Lanyon Valley region, the Lanyon shopping centre and surrounds, when will a master plan for the Lanyon Valley region be developed;
 - (2) If a master plan is not planned for the near future, why not;
 - (3) How can residents of the Lanyon Valley region provide input to the Government into future plans for this region;
 - (4) Will the Government be releasing vacant land around the Lanyon Valley shopping centre for development; if so, when and for what purpose; if not, why not;
 - (5) What future public or community infrastructure is planned for development at the Lanyon Valley shopping centre and the surrounding areas.

- *405 **MR PRATT:** To ask the Minister for Urban Services—
- (1) Why were warning signs not erected to advise motorists travelling from Civic to Woden not to take the exit onto Lady Denman Drive due to its closure on 3 May 2005 for road works, forcing motorists to double back unnecessarily and leading to significant congestion;
 - (2) Will the contractors or departmental officers responsible for such signage be held accountable for this lack of notification;
 - (3) What is the current ACT Government policy in relation to the erection of warning signs for motorists in places where road works are taking or about to take place.
- *406 **MR PRATT:** To ask the Minister for Urban Services—
- (1) In relation to Canberra Avenue and the build up of commuter traffic to and from Queanbeyan during peak hour periods, as reported in the *Queanbeyan Age* on 17 June 2005, page 1, why have the traffic lights recently installed at the intersection of Canberra Avenue and HMAS *Harman* been adjusted to give precedence to HMAS *Harman* traffic during peak hour periods, rather than the congested Queanbeyan-Canberra traffic;
 - (2) Why will the ACT Government not give consideration to changing the control of these traffic lights from the ACT's signal system to the RTA SCATS system as suggested by the Queanbeyan City Council as a solution to alleviate this traffic congestion;
 - (3) As there are an estimated 10 000 Queanbeyan residents and 3 500 Canberra residents commuting to work each day along Canberra Avenue, according to ABS figures, what measures will the ACT Government be undertaking to alleviate this traffic congestion;
 - (4) If no measures are planned to be undertaken, why not;
 - (5) Will the ACT Government be considering an upgrade of Canberra Avenue in light of growing commuter traffic along Canberra Avenue and the future addition of the Defence Headquarters at Bungendore; if not, why not;
 - (6) Will the ACT Government enter into negotiations with the Queanbeyan City Council with the intention of finding a practical solution to this problem; if not, why not.
- *407 **MR PRATT:** To ask the Minister for Urban Services—
- (1) What free parking is available to students at both Dickson and Ginninderra Colleges;
 - (2) Do any of the students at these colleges pay to park in particular areas adjacent to the colleges; if so, where and what is the cost;
 - (3) How many free parking spaces are allocated to students at Dickson and Canberra Colleges and are any conditions applicable, for example three for free;
 - (4) Does the Government have any plans to introduce additional pay parking for carparks adjacent to or surrounding these colleges in the future; if so, where exactly will this additional pay parking be and what will be the cost to students for parking.

*408 **MR PRATT:** To ask the Minister for Urban Services—

- (1) In relation to research showing that littering rates in the ACT are the worst in the country, as outlined in *The Canberra Times* on 6 June 2005, page 20, and in light of the littering survey commissioned by the Beverage Industry Environment Council where it showed that 21 per cent of respondents littered because they couldn't find a rubbish bin, will the ACT Government now increase the number of rubbish bins at locations where littering is likely to occur; if not, why not;
- (2) In relation to the findings of the survey that cigarette butts made up more than 50 per cent of all litter and 23 per cent of discarded butts were because smokers couldn't find an ashtray, why is the ACT Government not enforcing the Littering Act against smokers who discard their butts, given that these butts make up half of all the litter discarded in the ACT;
- (3) Will the ACT Government be implementing some kind of publicity campaign to reinforce the dangers and illegality of such behaviour, or undertake some other stronger enforcement measure as incorrectly discarding cigarette butts is dangerous in terms of the fire risk as well as just simply littering; if not, why not;
- (4) What will the ACT Government be doing overall to improve the littering problem in the Territory in light of the results of this survey.

*409 **MR PRATT:** To ask the Minister for Urban Services—

- (1) Why were the ACT Government's irrigation sprinklers watering the grassed area on the South-West corner of Vernon Circle about 30 metres from the junction of the off-ramp on London Circuit and City Hill on Monday 14 June at 9.25 am while it was pouring with rain;
- (2) Was this problem rectified on the day; if not, why not;
- (3) Why is the pre-set programming for the ACT Government's irrigation systems not overridden during rainy periods when irrigation is clearly not needed;
- (4) How many other incidents of irrigation systems continuing to water public areas during rain have been (a) reported and (b) recorded or identified during (i) 2002-03, (ii) 2003-04 and (iii) 2004-05 to date.

*410 **MR PRATT:** To ask the Minister for Police and Emergency Services—

- (1) What measures do the police take when issuing gun licences to ascertain the mental health of the licensee;
- (2) Do police review the licences after issue; if so, how often and under what circumstances; if not, why not.

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.

Select

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

Dissolved

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