



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

2004-2005-2006-2007-2008

NOTICE PAPER

No. 148

TUESDAY, 5 AUGUST 2008

The Assembly meets this day at 10.30 a.m.

EXECUTIVE BUSINESS

Orders of the day

- 1 **MEDICINES, POISONS AND THERAPEUTIC GOODS BILL 2007:** *(Minister for Health):* Agreement in principle—Resumption of debate *(from 6 December 2007—Mrs Burke).*
- 2 **STATUTE LAW AMENDMENT BILL 2008:** *(Attorney-General):* Agreement in principle—Resumption of debate *(from 26 June 2008—Mr Stefaniak).*
- 3 **PARENTAL LEAVE LEGISLATION AMENDMENT BILL 2008:** *(Minister for Industrial Relations):* Agreement in principle—Resumption of debate *(from 26 June 2008—Mr Stefaniak).*
- *4 **JUSTICE AND COMMUNITY SAFETY LEGISLATION AMENDMENT BILL 2008 (NO. 2):** *(Attorney-General):* Agreement in principle—Resumption of debate *(from 3 July 2008—Mr Stefaniak).*
- 5 **WORKERS COMPENSATION AMENDMENT BILL 2008:** *(Minister for Industrial Relations):* Agreement in principle—Resumption of debate *(from 26 June 2008—Mr Stefaniak).*

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

- 6 **DUTIES (LANDHOLDERS) AMENDMENT BILL 2008:** (*Treasurer*): Agreement in principle—Resumption of debate (*from 8 May 2008—Mr Smyth*).
- *7 **CRIMES (CONTROLLED OPERATIONS) BILL 2008:** (*Attorney-General*): Agreement in principle—Resumption of debate (*from 3 July 2008—Mr Stefaniak*).
- 8 **HOUSING ASSISTANCE AMENDMENT BILL 2008:** (*Minister for Housing; presented by Attorney-General*): Detail stage—Clause 1—Resumption of debate (*from 3 July 2008—Ms Porter*).
- 9 **CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) (ENFORCEMENT) AMENDMENT BILL 2008:** (*Attorney-General*): Agreement in principle—Resumption of debate (*from 3 April 2008—Mrs Burke*).
- 10 **FAIR WORK CONTRACTS BILL 2004:** (*Minister for Industrial Relations*): Agreement in principle—Resumption of debate (*from 9 December 2004—Mr Mulcahy*).
- 11 **PUBLIC INTEREST DISCLOSURE BILL 2006:** (*Chief Minister*): Agreement in principle—Resumption of debate (*from 8 June 2006—Mr Stefaniak*).
- 12 **TOBACCO AMENDMENT BILL 2008:** (*Minister for Health*): Agreement in principle—Resumption of debate (*from 6 March 2008—Mrs Burke*).
- 13 **ACT CIVIL AND ADMINISTRATIVE TRIBUNAL BILL 2008:** (*Attorney-General*): Agreement in principle—Resumption of debate (*from 8 May 2008—Mr Stefaniak*).
- 14 **COURT LEGISLATION AMENDMENT BILL 2008:** (*Attorney-General*): Agreement in principle—Resumption of debate (*from 26 June 2008—Mr Stefaniak*).
- 15 **ROAD TRANSPORT LEGISLATION AMENDMENT BILL 2008:** (*Minister for Territory and Municipal Services*): Agreement in principle—Resumption of debate (*from 26 June 2008—Mr Pratt*).
- 16 **LONG SERVICE LEAVE LEGISLATION AMENDMENT BILL 2008:** (*Minister for Industrial Relations*): Agreement in principle—Resumption of debate (*from 26 June 2008—Mr Stefaniak*).
- *17 **REVENUE LEGISLATION AMENDMENT BILL 2008:** (*Treasurer; presented by Deputy Chief Minister*): Agreement in principle—Resumption of debate (*from 3 July 2008—Mrs Burke*).
- *18 **ACT CIVIL AND ADMINISTRATIVE TRIBUNAL LEGISLATION AMENDMENT BILL 2008:** (*Attorney-General*): Agreement in principle—Resumption of debate (*from 3 July 2008—Mr Stefaniak*).
- *19 **SEXUAL AND VIOLENT OFFENCES LEGISLATION AMENDMENT BILL 2008:** (*Attorney-General*): Agreement in principle—Resumption of debate (*from 3 July 2008—Mr Stefaniak*).

- 20 **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.
- 21 **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.
- 22 **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.
- 23 **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.
- 24 **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.
- 25 **FORDE JOINT VENTURE—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 28 June 2005—Mrs Dunne*) on the motion of Mr Corbell—That the Assembly takes note of the paper.
- 26 **HUMAN RIGHTS ACT—HUMAN RIGHTS AUDIT—QUAMBY YOUTH DETENTION CENTRE—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 18 August 2005—Mr Stefaniak*) on the motion of Mr Stanhope—That the Assembly takes note of the paper.
- 27 **SENTENCE AND RELEASE OPTIONS FOR HIGH RISK SEXUAL OFFENDERS—REPORT PREPARED FOR THE ACT GOVERNMENT—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 20 October 2005—Mr Stefaniak*) on the motion of Mr Stanhope—That the Assembly takes note of the paper.

- 28 **ACT CHILDREN'S PLAN AND YOUNG PEOPLE'S PLAN—PROGRESS REPORT—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 20 October 2005—Mrs Dunne*) on the motion of Ms Gallagher—That the Assembly takes note of the paper.
- 29 **LAND (PLANNING AND ENVIRONMENT) ACT—STATEMENT IN RELATION TO THE EXERCISE OF CALL-IN POWERS FOR DEVELOPMENT APPLICATION NO DA200400175, BLOCKS 8 AND 10 SECTION 26, AINSLIE—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 15 November 2005—Dr Foskey*) on the motion of Mr Corbell—That the Assembly takes note of the paper.
- 30 **HOMELESSNESS STRATEGY—BREAKING THE CYCLE—FIRST PROGRESS REPORT—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 24 November 2005—Dr Foskey*) on the motion of Mr Hargreaves—That the Assembly takes note of the paper.
- 31 **CANBERRA CENTRAL TASKFORCE REPORT—GOVERNMENT RESPONSE—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 15 December 2005—Mrs Dunne*) on the motion of Mr Corbell—That the Assembly takes note of the paper.
- 32 **ECONOMIC WHITE PAPER IMPLEMENTATION—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 9 March 2006—Mr Smyth*) on the motion—That the Assembly takes note of the paper.
- 33 **FORGOTTEN AUSTRALIANS REPORT—SENATE COMMUNITY AFFAIRS REFERENCES COMMITTEE—INQUIRY INTO CHILDREN IN INSTITUTIONAL CARE—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 30 March 2006—Dr Foskey*) on the motion of Mr Stanhope—That the Assembly takes note of the paper.
- 34 **FINANCIAL MANAGEMENT ACT—CONSOLIDATED FINANCIAL MANAGEMENT REPORT—MARCH QUARTER 2006—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 11 May 2006—Mr Mulcahy*) on the motion of Mr Stanhope—That the Assembly takes note of the paper.
- 35 **PLANNING SYSTEM REFORM—EXPOSURE DRAFT—PLANNING AND DEVELOPMENT BILL 2006—RELEASE FOR PUBLIC CONSULTATION—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 17 August 2006—Mrs Dunne*) on the motion of Mr Corbell—That the Assembly takes note of the paper.
- 36 **HUMAN RIGHTS ACT—TWELVE-MONTH REVIEW—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 22 August 2006—Mr Stefaniak*) on the motion of Mr Corbell—That the Assembly takes note of the paper.

- 37 **MURRAY-MACKIE STUDY—RECOMMENDATIONS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 21 September 2006—Mrs Burke*) on the motion of Ms Gallagher—That the Assembly takes note of the paper.
- 38 **CROSS BORDER WATER SUPPLY—AGREEMENTS—PAPERS—MOTION TO TAKE NOTE OF PAPERS:** Resumption of debate (*from 21 September 2006—Mr Stefaniak*) on the motion of Mr Stanhope—That the Assembly takes note of the papers.
- 39 **CRIMES (RESTORATIVE JUSTICE) ACT—RESTORATIVE JUSTICE—FIRST PHASE REVIEW—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 17 October 2006—Mr Stefaniak*) on the motion of Mr Corbell—That the Assembly takes note of the paper.
- 40 **GAMING MACHINE ACT—COMMUNITY CONTRIBUTIONS MADE BY GAMING MACHINE LICENSEES—NINTH REPORT BY THE ACT GAMBLING AND RACING COMMISSION—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 16 November 2006—Dr Foskey*) on the motion of Mr Stanhope—That the Assembly takes note of the paper.
- 41 **TOWARDS 2020—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 13 December 2006—Mr Corbell*) on the motion of Mr Barr—That the Assembly takes note of the paper.
- 42 **TRADE MISSION TO INDIA—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 8 March 2007—Mr Stefaniak*) on the motion of Mr Stanhope—That the Assembly takes note of the paper.
- 43 **AUDITOR-GENERAL ACT—AUDITOR-GENERAL'S REPORT NO. 9 OF 2006—SALE OF BLOCK 8, SECTION 48, FYSHWICK—GOVERNMENT RESPONSE—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 31 May 2007—Mr Seselja*) on the motion of Mr Barr—That the Assembly takes note of the paper.
- 44 **PUBLIC CONSULTATION ON THE FUTURE USE OF FORMER SCHOOL SITES—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 31 May 2007—Mr Pratt*) on the motion of Mr Hargreaves—That the Assembly takes note of the paper.
- 45 **ACT YOUNG PEOPLE'S PLAN 2004-2008—PROGRESS REPORT—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 5 June 2007—Dr Foskey*) on the motion of Ms Gallagher—That the Assembly takes note of the paper.
- 46 **ACT GREENHOUSE GAS ABATEMENT SCHEME—COMPLIANCE AND OPERATION OF THE SCHEME 2006—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 21 August 2007—Mr Stefaniak*) on the motion of Mr Stanhope—That the Assembly takes note of the paper.

- 47 **HUMAN RIGHTS ACT—HUMAN RIGHTS AUDIT—OPERATION OF ACT CORRECTIONAL FACILITIES UNDER CORRECTIONS LEGISLATION—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 21 August 2007—Mr Stefaniak*) on the motion of Mr Corbell—That the Assembly takes note of the paper.
- 48 **ACT MENTAL HEALTH STRATEGY AND ACTION PLAN 2003-2008—PROGRESS REPORT JUNE 2007—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 30 August 2007—Mrs Burke*) on the motion of Ms Gallagher—That the Assembly takes note of the paper.
- 49 **CANBERRA SOCIAL PLAN—PROGRESS REPORT—MINISTERIAL STATEMENT AND PAPER—MOTION TO TAKE NOTE OF PAPERS:** Resumption of debate (*from 16 October 2007—Dr Foskey*) on the motion of Mr Stanhope—That the Assembly takes note of the papers.
- 50 **ENVIRONMENTAL, SOCIAL AND GOVERNANCE PRINCIPLES—REVIEW OF THE APPLICATION TO TERRITORY INVESTMENT PRACTICES—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 18 October 2007—Dr Foskey*) on the motion of Mr Stanhope—That the Assembly takes note of the paper.
- 51 **GARDEN CITY PROVISIONS OF THE TERRITORY PLAN—EVALUATION—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 18 October 2007—Mr Seselja*) on the motion of Mr Barr—That the Assembly takes note of the paper.
- 52 **ACT AND FEDERAL GOVERNMENT RELATIONS:** Resumption of debate (*from 22 November 2007—Mr Barr, in continuation*) on the motion of Mr Stanhope—That, given the stark choice before the Australian people on Saturday next, 24 November 2007, this Assembly:
- (1) welcomes the prospect of the election of a Rudd Labor Federal Government;
 - (2) notes the consequent benefit to the ACT in critical policy and administrative areas such as Commonwealth-State relations, health, and education, and the importance of a genuine education revolution to the ACT, and Australia's, social and economic wellbeing; and
 - (3) notes that the abolition of WorkChoices would remove the threat to the livelihoods of working Canberrans and their families.
- 53 **POOR CLINICAL PRACTICE—REPORT INTO ALLEGATIONS AGAINST A CONSULTANT SURGEON BY ACT HEALTH CLINICAL PRIVILEGES COMMITTEE—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 6 December 2007—Mr Smyth*) on the motion of Ms Gallagher—That the Assembly takes note of the paper.

- 54 **HUMAN RIGHTS ACT—HUMAN RIGHTS AUDIT—OPERATION OF ACT CORRECTIONAL FACILITIES UNDER CORRECTIONS LEGISLATION—GOVERNMENT RESPONSE—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 12 February 2008—Dr Foskey*) on the motion of Mr Corbell—That the Assembly takes note of the paper.
- 55 **CONCESSIONS PROGRAM—REVIEW—PAPER AND GOVERNMENT RESPONSE—MOTION TO TAKE NOTE OF PAPERS:** Resumption of debate (*from 1 April 2008—Dr Foskey*) on the motion of Ms Gallagher—That the Assembly takes note of the papers.
- 56 **ENERGY EFFICIENCY IN PUBLIC HOUSING—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 3 April 2008—Dr Foskey*) on the motion of Mr Hargreaves—That the Assembly takes note of the paper.

PRIVATE MEMBERS' BUSINESS

Notices

- 1 **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. Notice will be removed from the Notice Paper unless called on this sitting week – standing order 125A*).
- 2 **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. Notice will be removed from the Notice Paper unless called on this sitting week – standing order 125A*).
- 3 **MR SESELJA:** To move—That this Assembly:
- (1) notes with concern the Auditor-General's findings in relation to the EpiCentre auction process, particularly the findings that:
 - (a) there was a lack of clarity in the related planning controls in the Territory Plan that were applied to the Lease and Development conditions for the site;

- (b) the clarity of the sale documentation could have been improved with the inclusion of an appropriate interpretation of the Territory Plan as applied to the site;
 - (c) ACTPLA did not always provide a clear and responsive reply to legitimate and straightforward inquiries about specific planning controls, such as whether the land use controls apply to the whole of a lease or individual shops within the lease and this is not consistent with good public administration; and
 - (d) both ACTPLA and LDA would serve the public better if they have provided as, an addendum to the sale documents, an appropriate and clear interpretation of the specific planning controls of the Territory Plan as applied to the site;
- (2) notes that these findings specifically contradict the Planning Minister's statements in the Budget Estimates committee when he stated that the potential buyers knew what they were buying and it was clear to all parties what the potential uses were for the site and all of the uses were very clearly spelt out to bidders before the auction occurred; and
- (3) calls on the Minister for Planning to implement the Auditor-General's recommendations to ensure that the lack of clarity identified by the Auditor-General is not repeated in future auction processes. (*Notice given 12 December 2006. Notice will be removed from the Notice Paper unless called on this sitting week – standing order 125A*).

4 **MRS DUNNE:** To move—That this Assembly:

- (1) notes:
- (a) the policy statement *Towards 2020* published by the Minister for Education and Training in June 2006;
 - (b) that *Towards 2020* proposes significant changes to the structure of ACT government schooling as well as the closure of 39 schools;
 - (c) that these significant proposals have largely not been examined by the ACT community during the prescribed consultation period; and
 - (d) that these proposals will not provide the savings outlined by the Government; and
- (2) condemns the ACT Government for pushing through a policy proposal that has not been exposed to proper and comprehensive study and community discussion. (*Notice given 12 December 2006. Notice will be removed from the Notice Paper unless called on this sitting week – standing order 125A*).

5 **MS PORTER:** To move—That this Assembly calls on the Commonwealth Parliament to undertake a comprehensive review of the *Australian Capital Territory (Self-Government) Act 1988*. (*Notice given 23 November 2006. Notice will be removed from the Notice Paper unless called on this sitting week – standing order 125A*).

- 6 **MR PRATT:** To move—That this Assembly:
- (1) notes that the ACT city and urban scapes are in a deplorable looking and unserviceable condition and for the national capital of Australia, the look of the city is unacceptable, particularly:
 - (a) neglected:
 - (i) roads, cycle paths, bridges, footpaths with poorly maintained potholed and rutted roads; and
 - (ii) drainage and water-way systems deteriorating for want of repairs;
 - (b) overburdened road systems; and
 - (c) the scourge of graffiti; and
 - (2) calls on the ACT Government to stop wasting funding on non-priorities and ideological pet projects and to immediately focus funding into neglected areas. (*Notice given 25 September 2007; amended 1 July 2008. Notice will be removed from the Notice Paper unless called on this sitting week – standing order 125A*).
- 7 **DR FOSKEY:** To move—That this Assembly acknowledges that:
- (1) a significant number of ACT residents suffer from a gambling addiction, particularly to poker machines;
 - (2) harm minimisation measures that go beyond the current Code of Practice for Gaming Machine Licensees are needed to tackle this problem; and
 - (3) additional support to community organisations that provide services to problem gamblers is also needed. (*Notice given 16 October 2007. Notice will be removed from the Notice Paper unless called on this sitting week – standing order 125A*).
- 8 **MR SMYTH:** To move—That this Assembly:
- (1) notes with concern the approach of the Stanhope Government in its response to the outbreak of equine influenza and, in particular, the priorities of the Stanhope Government in:
 - (a) providing an assistance package that is directed almost entirely towards the activities involving race horses and equivalent horses, whereby \$103 500 was allocated to horse racing and pacing and to greyhounds out of the total package of the \$150 000;
 - (b) only making available \$31 500 to assist businesses in this industry, meaning that up to 400 applicants for these funds would receive only \$78 each, while many of these horse-related businesses need vaccines to maintain operations;
 - (c) only making available \$10 000 to be divided between all clubs in the industry, when these clubs require a more realistic financial assistance package;

- (d) providing a program of vaccination that favours the activities involving race horses and equivalent horses, whereby all but 10 of the 700 vaccines available in the ACT being directed to these sectors and only 10 allocated to the National Zoo and Aquarium, the Police and Olympic and Paralympics animals;
 - (e) not providing any vaccine to valuable non-profit making organisations operating school ponies, particularly Pegasus Riding School for the Disabled;
 - (f) ignoring the difficulties being faced by the ACT's bookmaking industry; and
 - (g) not developing an industry-wide response to the continuing consequences of the equine influenza outbreak on the equine industry in the ACT; and
- (2) calls on the Stanhope Government to:
- (a) recognise that equine influenza is closing in on the ACT;
 - (b) acknowledge that the non-racing parts of the equine industry contains the largest number of unvaccinated horses;
 - (c) act immediately to protect the welfare of all horses and donkeys in the ACT by arranging vaccinations for all relevant animals in the ACT;
 - (d) demonstrate that it cares about the social and economic hardship the outbreak of equine influenza has caused thus far in the non-racing areas of the equine industry by allocating equitable financial support to these other parts of the industry;
 - (e) develop a strategic recovery plan for the entire equine industry that encompasses all equine activities undertaken in the ACT; and
 - (f) start discussion with the NSW Government to develop a regional vaccination buffer around the ACT. (*Notice given 18 October 2007. Notice will be removed from the Notice Paper unless called on this sitting week – standing order 125A*).

9 **MR STEFANIAK:** To move—That this Assembly:

- (1) notes:
 - (a) commitments made during the 2007 Federal election campaign by the Federal Labor leader, Kevin Rudd, to slash the Australian Public Service, potentially cutting thousands of public service jobs in Canberra;
 - (b) this planned slashing includes a cut of \$11.5 million to the National Capital Authority;
 - (c) the Chief Minister's statement made at the ACT Budget breakfast on 6 June 2007 that "We are susceptible as a small jurisdiction in that we don't have our destiny entirely in our hands. Decisions that the Federal Government might make, particularly if there is a change of Government, could have significant impacts on employment levels or construction activity and our budget would suffer immediately"; and

(d) the report in *The Age* of 1 December 2007 stating that “Lindsay Tanner believes the new Government can squeeze out more than the \$10 billion in cost savings it has already targeted, and says the progress of Labor’s so-called razor gang will be clear when the budget is delivered next May”; and

(2) calls on the ACT Government to detail what it will do to deal with the impact of the promised Federal Government cuts. (*Notice given 4 December 2007. Notice will be removed from the Notice Paper unless called on this sitting week – standing order 125A*).

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

(1) recognises the ACT Government’s timely release of additional taxi licences that will contribute to the smooth operation of the taxi service in Canberra;

(2) commends:

(a) the initiative of the Minister to run a taxi forum that consulted stakeholders on policies to build a strong and sustainable taxi industry; and

(b) the taxi forum for agreeing to create a new Taxi Industry Consultative Group run by the Canberra Business Council; and

(3) congratulates the Government on its launch of initiatives that promote safe, economical and efficient taxi provision such as the Nightlink service. (*Notice given 4 March 2008. Notice will be removed from the Notice Paper unless called on this sitting week – standing order 125A*).

11 **DR FOSKEY:** To move—That this Assembly:

(1) recognises:

(a) the importance of high quality planning to the future of Canberra, both as Australia’s capital city and as home to 330 000 residents;

(b) the importance of engagement by the Canberra community in these planning processes;

(c) the need for a highly competent and sensitive national planning authority aware of the historical implications of its work;

(d) the work done to prepare the Griffin Legacy and its potential to provide guidance to planning in the national capital; and

(e) the risk of *ad hoc* planning in the absence of a long term vision for Canberra;

(2) calls on the ACT Government to:

(a) lobby the Federal Government to provide resources for:

(i) a functional plan that deals with physical organisation on a regional basis;

(ii) an area plan for the city which takes into account the relationship between natural and man-made environments;

- (iii) a financial plan that deals with construction and management costs;
 - (iv) a capital program that scopes and sets up a timetable for development in accord with the Griffin Legacy; and
 - (v) comprehensive and effective public consultation processes in the development and implementation of these plans; and
- (b) ensure its submission to the Joint Standing Committee on the National Capital and External Territories' inquiry into the role of the National Capital Authority (NCA) includes the elements in part (2)(a) above; and
- (3) encourages greater collaboration between the NCA and the ACT Planning and Land Authority in the regulation and realisation of the elements listed in part (2)(a) above. (*Notice given 8 April 2008. Notice will be removed from the Notice Paper unless called on within 3 sitting weeks – standing order 125A.*)

Orders of the day

- 1 **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.
- 2 **PUBLIC SECTOR MANAGEMENT AMENDMENT BILL 2005:** (*Mr Smyth*) Agreement in principle—Resumption of debate (*from 16 March 2005—Mr Stanhope*).
- 3 **QUAMBY DETENTION CENTRE—WORKING GROUP:** Resumption of debate (*from 29 June 2005—Mrs Dunne, in continuation*) on the motion of Mr Seselja—That this Assembly:
- (1) expresses its concern over:
 - (a) the failure of the Minister for Children, Youth and Family Support to ensure that the working group recommended by the Standing Committee on Community Services and Social Equity to examine the adequacy and appropriateness of the programs currently available in Quamby, was established in a timely manner;

- (b) the inability of the Minister or officials to indicate during Estimates Committee hearings whether the working group had been established;
 - (c) the misleading and evasive answers provided to questions on notice by the Minister in relation to this issue; and
 - (d) the ongoing breach of the *Human Rights Act 2004* in relation to the treatment of inmates at Quamby; and
- (2) calls on the Minister to table in the Assembly all relevant documents in relation to the establishment of the working group within the current sitting of the Assembly.

And on the amendment moved by Ms Gallagher—Omit all words after “That this Assembly”, substitute:

“acknowledges the:

- (1) *\$40 million commitment the ACT Government has made to building a new youth detention facility in the ACT;*
- (2) *efforts being undertaken by staff at Quamby and from other organisations to ensure the individual needs of young people living at Quamby are being met; and*
- (3) *significant increases in resources from the ACT Government to Quamby to address the challenges presented by the existing facility.”.*

4 **ANNUAL REPORTS (GOVERNMENT AGENCIES) AMENDMENT BILL 2005:** *(Mr Smyth) Agreement in principle—Resumption of debate (from 14 December 2005).*

5 **PUBLIC HOSPITALS—PERFORMANCE:** *Resumption of debate (from 7 June 2006—Ms Gallagher) on the motion of Mr Smyth—That this Assembly:*

- (1) notes that, despite the dedication and hard work of our nurses, doctors and allied health workers in the public hospital system:
 - (a) the recent report from the Australian Institute of Health and Welfare found that the ACT rated very poorly across a range of health indicators;
 - (b) the rate of by-pass occasions at The Canberra Hospital has increased substantially during May 2006; and
 - (c) the elective surgery waiting lists show continuing increases in people waiting for surgery; and
- (2) calls on the ACT Government to take urgent action to improve the performance of the ACT’s public hospitals.

6 **CRIMES AMENDMENT BILL 2006:** *(Mr Stefaniak) Agreement in principle—Resumption of debate (from 22 November 2006—Mr Corbell).*

- 7 **NEW ACTION TIMETABLE:** Resumption of debate (*from 7 March 2007—Mrs Dunne, in continuation*) on the motion of Mrs Dunne—That this Assembly:
- (1) notes:
 - (a) the introduction of the new ACTION timetable called Network 06, on 4 December 2006, which curtailed the frequency of bus services;
 - (b) the high level of dissatisfaction with the changes introduced and the flood of complaints received from the public;
 - (c) that Network 06 disregards the needs of shift workers and all people who want to use the system during off-peak times; and
 - (d) that Network 06 has created high levels of inconvenience for Canberra bus users; and
 - (2) calls on the ACT Government to:
 - (a) as an interim measure, immediately reinstate the bus timetable in operation before the introduction of Network 06 specifically addressing school services, after hours and weekend services and increased frequency of daytime off-peak services;
 - (b) conduct an immediate revision of the ACTION timetable to ensure the service better meets the needs of all users and encourages further use of the service; and
 - (c) report back to the Assembly on the progress on implementing a new timetable by 29 May 2007.
- 8 **THEO NOTARAS MULTICULTURAL CENTRE—PROPOSED STATUE:** Resumption of debate (*from 14 March 2007*) on the motion of Mr Stefaniak—That this Assembly:
- (1) notes the inappropriateness, cost and lack of community consultation in respect of the Government's decision to commission and erect a statue of former Federal minister, Al Grassby, in the foyer of the Theo Notaras Multicultural Centre; and
 - (2) calls on the ACT Government not to proceed with this project any further.
- 9 **FINANCIAL MANAGEMENT AMENDMENT BILL 2007 (NO. 2):** (*Mr Mulcahy*) Agreement in principle—Resumption of debate (*from 2 May 2007—Mr Stanhope*).
- 10 **COURT PROCEDURES (PROTECTION OF PUBLIC PARTICIPATION) AMENDMENT BILL 2005:** (*Dr Foskey*): Agreement in principle—Resumption of debate (*from 29 June 2005—Mr Hargreaves*).
- 11 **ACT HEALTH SYSTEM:** Resumption of debate (*from 6 June 2007—Mr Mulcahy, in continuation*) on the motion of Mrs Burke—That this Assembly:
- (1) notes that despite the ongoing dedication and commitment by the ACT's nurses, doctors and allied health workers in the public hospital system:

- (a) the recently released report from the Australian Institute of Health and Welfare found the ACT performed poorly against a range of health indicators;
 - (b) elective surgery lists continue to grow, with Canberrans waiting one month longer, on average, than the national median waiting time for elective surgery; and
 - (c) medical labour costs are growing and the ACT recorded the worst emergency department performance out of all States and Territories; and
- (2) calls on the ACT Government to:
- (a) acknowledge the poor performance of the ACT health system against other jurisdictions; and
 - (b) take action to make the necessary improvements that will provide Canberrans with a higher quality of care.

And on the amendment moved by Ms Gallagher—Omit all words after “That this Assembly”, substitute:

“notes:

- (1) *the recent report from the Australian Institute of Health and Welfare, Australian Hospital Statistics 2005-06, found the ACT’s available public hospital beds increased from 679 in 2004-05 to 714 in 2005-06, an increase of 5.2% against a national decrease of 0.7%;*
- (2) *since 2003-04, the Stanhope Government has funded an additional 147 beds in the ACT health system;*
- (3) *this investment replaces the 114 acute care beds the previous Liberal Government removed from the ACT health system;*
- (4) *the ACT health system is delivering record levels of elective surgery;*
- (5) *the ACT Government continues to invest in the health system at record levels, most recently announcing an additional \$12.6 million for acute care beds, whilst driving efficiencies; and*
- (6) *the Stanhope Government’s continued commitment to improving the ACT’s already excellent health system.”.*

12 **WASTE MANAGEMENT:** Resumption of debate (*from 29 August 2007—Dr Foskey, in continuation*) on the motion of Dr Foskey—That this Assembly calls on the ACT Government to:

- (1) re-commit to the target and timeline of the NoWaste by 2010 strategy;
- (2) develop targets by the end of 2007 to close recycling loops, and reduce the net production of waste; and
- (3) adopt measures to achieve the NoWaste by 2010 target that include:
 - (a) siting recycling bins beside all landfill rubbish bins in town centres;
 - (b) a scheme for the safe disposal of fluorescent and compact fluorescent light bulbs;

- (c) a drop-off scheme for the safe disposal of batteries, preferably through chemists and camera shops;
- (d) a green waste mulching scheme;
- (e) mandatory paper and cardboard recycling for commercial operations;
- (f) the pick up and compost of commercial kitchen waste; and
- (g) ending the use of skips and trash-packs for mixed waste and recycling dumping at landfill sites.

And on the amendment moved by Mr Hargreaves—Omit all words after “Assembly”, substitute:

- “(1) commends the success of the ACT Government’s NoWaste strategy in achieving a best practice recycling and resource recovery rate of 76% of all waste generated in the ACT;*
- (2) notes that:*
 - (a) the ACT continues to lead the way in the development of sustainable waste minimisation and management initiatives;*
 - (b) the current NoWaste strategy Turning Water into Resources—Action Plan 2003-2007 is coming to an end;*
 - (c) a review of the NoWaste achievements and progress to date has commenced and will include an examination of what opportunities may exist for further sustainable waste minimisation; and*
 - (d) the aim of the review is to provide a sound foundation for the development for the NoWaste Action Plan 2008-2011; and*
- (3) supports the Stanhope Labor Government’s aspiration of achieving international best practice of 95% resource recovery and 5% residual non-recyclable landfill.”.*

13 **ANIMAL WELFARE AMENDMENT BILL 2007:** *(Dr Foskey)* Agreement in principle—Resumption of debate *(from 26 September 2007—Mr Stanhope)*.

14 **SENTENCING LEGISLATION AMENDMENT BILL 2007:** *(Mr Stefaniak)* Agreement in principle—Resumption of debate *(from 21 November 2007—Mr Hargreaves)*.

15 **ACT ECONOMY—CONTRIBUTION BY AUSTRALIAN GOVERNMENT:** Resumption of debate *(from 21 November 2007)* on the motion of Mr Stefaniak—That this Assembly:

- (1) acknowledges the contribution the Australian Government makes to the economy of the ACT and, in particular, notes:
 - (a) the significant capital investment the Australian Government has made and continues to make in the ACT, for example:
 - (i) the National Portrait Gallery;
 - (ii) redevelopment works along Constitution Avenue and at the intersection of Kings Avenue and Parkes Way; and

- (iii) \$10 million announced on 19 November 2007 for water conservation initiatives in national institutions;
 - (b) the creation of Commonwealth public service positions during the life of the Stanhope Government;
 - (c) the positive economic impact of the Commonwealth public service on the ACT housing market and business in general; and
 - (d) the impact of job creation arising from the construction of new Commonwealth buildings in the ACT; and
- (2) calls on the Chief Minister to impress upon the federal leader of the Australian Labor Party:
- (a) the importance of the Commonwealth to the ACT economy; and
 - (b) the need to revise his declared plans to slash positions in the Australian public service.

16 **LONG SERVICE LEAVE (PRIVATE SECTOR) BILL 2007:** (*Mr Berry*) Agreement in principle—Resumption of debate (*from 5 December 2007—Mr Mulcahy*).

17 **CHILDREN AND YOUNG PEOPLE AMENDMENT BILL 2007:** (*Mrs Burke*) Agreement in principle—Resumption of debate (*from 5 December 2007—Mr Corbell*).

18 **GOVERNMENT TRANSPARENCY LEGISLATION AMENDMENT BILL 2007 [NO 2]:** (*Mrs Dunne*) Agreement in principle—Resumption of debate (*from 5 December 2007—Mr Corbell*).

19 **COURTS (JUDICIAL APPOINTMENTS) AMENDMENT BILL 2008:** (*Mr Seselja*) Agreement in principle—Resumption of debate (*from 13 February 2008—Mr Corbell*).

20 **AGENTS AMENDMENT BILL 2008:** (*Mr Mulcahy*) Agreement in principle—Resumption of debate (*from 13 February 2008—Mr Corbell*).

21 **CLIMATE CHANGE:** Resumption of debate (*from 13 February 2008*) on the motion of Mr Gentleman—That this Assembly notes:

- (1) the importance of recognising climate change;
- (2) that there is policy developed to reduce greenhouse gas emissions; and
- (3) that the Canberra public is educated about climate change and what they can do on a grass roots level to contribute to a cleaner world.

And on the amendment moved by Mrs Dunne—Omit paragraphs (2) and (3), substitute:

- “(2) *the ACT was the first Australian jurisdiction to recognise the importance of climate change and that it adopted Kyoto targets in its 1997 Greenhouse Strategy; and*
- (3) *that the Stanhope Government abandoned the 1997 Greenhouse Strategy in 2005, leaving the ACT without policy in this area for two years.*”.

- 22 **ASBESTOS RELATED DISEASE AND INJURY:** Resumption of debate (*from 5 March 2008—Dr Foskey, in continuation*) on the motion of Ms MacDonald—That this Assembly:
- (1) honours the extraordinary life of anti-asbestos campaigner Bernie Banton; and
 - (2) acknowledges the leading role taken by the ACT Government to minimise the prevalence of asbestos related disease and injury.
- And on the amendment moved by Mr Stefaniak—Omit “Government”, substitute “Assembly”.*
- 23 **RATES (FIRE AND EMERGENCY SERVICES LEVY REPEAL) AMENDMENT BILL 2008:** (*Mr Mulcahy*) Agreement in principle—Resumption of debate (*from 2 April 2008—Mr Corbell*).
- 24 **ROAD TRANSPORT (ALCOHOL AND DRUGS) (RANDOM DRUG TESTING) AMENDMENT BILL 2008:** (*Mr Pratt*) Agreement in principle—Resumption of debate (*from 9 April 2008—Mr Corbell*).
- 25 **PROTECTION OF PUBLIC PARTICIPATION BILL 2008:** (*Dr Foskey*) Agreement in principle—Resumption of debate (*from 9 April 2008—Mr Corbell*).
- 26 **ECONOMIC BASE OF THE ACT:** Resumption of debate (*from 9 April 2008—Mr Smyth, in continuation*) on the motion of Mr Smyth—That this Assembly:
- (1) notes:
 - (a) that the 2008-09 Federal Budget will have a significant, adverse impact on the ACT economy and on individual Canberrans;
 - (b) the constant lament of the Chief Minister at the ACT’s narrow economic base;
 - (c) the failure of the Stanhope Government to take action to diversify the economic base of the ACT;
 - (d) the commitment of the then Leader of the ACT Opposition, Jon Stanhope, to be a low taxing government when in office;
 - (e) the failure of the Stanhope Government to maintain the trend in increasing the relative proportion of employment in the private sector in the ACT;
 - (f) that, in the 2006-07 Budget, the Government gutted the areas devoted to economic development in the ACT, such as BusinessACT and Tourism ACT;
 - (g) the lack of progress in answering the question of skill shortages, particularly in contrast to the actions of the Federal Government;
 - (h) the downgrading of some Actions in the Economic White Paper to second order Actions; and
 - (i) the failure of the Stanhope Government to implement those Actions set out in the Economic White Paper that were intended to encourage the development of nine priority industries in the ACT; and

- (2) calls on the Stanhope Government to:
- (a) report to the ACT community on action that is being taken to expand the economic base of the ACT;
 - (b) provide the Assembly with the strategy that is being implemented for each of the nine priority industries;
 - (c) set out the strategy that is being followed to strengthen the role of the private sector in the ACT;
 - (d) restore funding for BusinessACT and Tourism ACT in the 2008-09 Budget; and
 - (e) provide a list of those Actions listed in the Economic White Paper that have been downgraded to ‘second order’ Actions by close of business on Wednesday, 30 April 2008.

27 **PROJECTS OF TERRITORY IMPORTANCE BILL 2008:** (*Mr Smyth*) Agreement in principle—Resumption of debate (*from 7 May 2008—Mr Barr*).

28 **ANZAC DAY BILL 2008:** (*Mr Pratt*) Agreement in principle—Resumption of debate (*from 7 May 2008—Mr Barr*).

29 **WASTE MINIMISATION (CONTAINER RECOVERY) AMENDMENT BILL 2008:** (*Dr Foskey*) Agreement in principle—Resumption of debate (*from 7 May 2008—Mr Hargreaves*).

30 **STAMP DUTY FOR FIRST HOMEBUYERS:** Resumption of debate (*from 7 May 2008—Mrs Dunne, in continuation*) on the motion of Mr Seselja—That this Assembly:

- (1) notes:
- (a) that the median house price for a Canberra house is now over \$457 000 making buying a first home in Canberra out of the reach of many young homebuyers;
 - (b) the high average level of stamp duty paid by first homebuyers;
 - (c) that many jurisdictions, including New South Wales, have waived stamp duty, subject to threshold, for first homebuyers; and
 - (d) that Tanya Plibersek, the Federal Minister for Housing, has welcomed a proposal by the Canberra Liberals to waive charging stamp duty for first homebuyers under a value of \$500 000 stating that most States and Territories have reduced stamp duty or no stamp duty for first homebuyers, usually under a cap, that she thought it was a good idea and that helping people into the housing market in that way is a great thing; and
- (2) calls on the ACT Government to join the Liberal Party in a bipartisan approach to helping first homebuyers by waiving stamp duty on homes costing less than \$500 000 for first homebuyers.

And on the amendment moved by Mr Stanhope—Omit all words after “That this Assembly”, substitute:

- “(1) *acknowledges the complexity of housing affordability and the inability of any single policy decision to eliminate the affordability barriers affecting some individuals and households;*
- (2) *congratulates the ACT Labor Government for the comprehensiveness of its Affordable Housing Action Plan, released in 2007, with its 62 separate actions for addressing affordability across the spectrum;*
- (3) *applauds the rapid roll-out of the initiatives contained within the Plan, including, most recently, the introduction of a bill to allow for land rental, and the call for expressions of interest from institutional investors interested in building rental housing; and*
- (4) *invites the Liberal Party to adopt a bipartisan approach to the comprehensive suite of measures the Labor Government is implementing to tackle barriers to housing affordability for renters, homeowners and those in supported accommodation.”.*

31 **CLIMATE CHANGE (GREENHOUSE GAS EMISSIONS TARGETS) BILL 2008:** *(Mrs Dunne)* Agreement in principle—Resumption of debate *(from 2 July 2008—Mr Corbell)*.

32 **CIVIL PARTNERSHIPS AMENDMENT BILL 2008:** *(Dr Foskey)* Agreement in principle—Resumption of debate *(from 2 July 2008—Mr Corbell)*.

33 **EDUCATION (PARENTAL CONTROL) AMENDMENT BILL 2008:** *(Mr Mulcahy)* Agreement in principle—Resumption of debate *(from 2 July 2008—Mr Barr)*.

34 **RESIDENTIAL TENANCIES AMENDMENT BILL 2007:** *(Dr Foskey)* Agreement in principle—Resumption of debate *(from 2 July 2008—Mr Mulcahy, in continuation)*.

ASSEMBLY BUSINESS

Orders of the day

- 1 **PLANNING AND ENVIRONMENT—STANDING COMMITTEE—REPORT 29—ACTION BUSES AND THE SUSTAINABLE TRANSPORT PLAN—MOTION THAT REPORT BE NOTED:** Resumption of debate *(from 18 October 2007—Mr Corbell, in continuation)* on the motion of Mr Gentleman—That the report be noted.

- 2 **PLANNING AND ENVIRONMENT—STANDING COMMITTEE—
REPORT 28—VARIATION TO THE TERRITORY PLAN NO 276—ANU
CITY WEST PRECINCT 'THE ANU EXCHANGE'—GOVERNMENT
RESPONSE—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption
of debate (*from 21 August 2007—Dr Foskey*) on the motion of Mr Barr—That the
Assembly takes note of the paper.
- 3 **PLANNING AND ENVIRONMENT—STANDING COMMITTEE—
REPORT 30—PROPOSED NOMINATION OF THE ACT AS A UNESCO
BIOSPHERE RESERVE—MOTION THAT REPORT BE NOTED:**
Resumption of debate (*from 18 October 2007—Dr Foskey*) on the motion of
Mr Gentleman—That the report be noted.
- 4 **ADMINISTRATION AND PROCEDURE—STANDING COMMITTEE—
STANDING ORDER 156—PROPOSED REFERENCE:** Resumption of debate
(*from 6 December 2007—Mrs Dunne, in continuation*) on the motion of
Mr Smyth—That standing order 156 be referred to the Standing Committee on
Administration and Procedure for inquiry and report, with specific reference to
whether Members who receive benefits from poker machine revenue should be able
to participate in debate on matters pertaining to gambling and associated subjects.
- 5 **LEGAL AFFAIRS—STANDING COMMITTEE—REPORT 7—STRICT
AND ABSOLUTE LIABILITY OFFENCES—MOTION THAT REPORT BE
NOTED:** Resumption of debate (*from 12 February 2008—Mr Corbell*) on the
motion of Mr Seselja—That the report be noted.
- 6 **GENERAL PURPOSE STANDING COMMITTEES—RESOLUTION OF
APPOINTMENT—PROPOSED AMENDMENT:** Resumption of debate (*from
12 February 2008—Mrs Dunne*) on the motion of Mrs Burke—That the resolution
of the Assembly of 7 December 2004 relating to the establishment of general
purpose standing committees be amended by:
- (1) inserting “at least” after “shall consist of” in paragraph (4); and
 - (2) omitting “one” and substituting “two” in paragraph (4)(e)(iii).
- 7 **PUBLIC ACCOUNTS—STANDING COMMITTEE—REPORT 11—
REVIEW OF AUDITOR-GENERAL'S REPORT NO. 8 OF 2004: WAITING
LISTS FOR ELECTIVE SURGERY AND MEDICAL TREATMENT—
GOVERNMENT RESPONSE—PAPER—MOTION TO TAKE NOTE OF
PAPER:** Resumption of debate (*from 1 April 2008—Mrs Burke*) on the motion of
Ms Gallagher—That the Assembly takes note of the paper.
- 8 **PLANNING AND ENVIRONMENT—STANDING COMMITTEE—
REPORT 32—VARIATION TO THE TERRITORY PLAN NO. 285—
BLOCK 17 SECTION 102 SYMONSTON EXTENSION OF BROADACRE
10E AREA SPECIFIC POLICY—GOVERNMENT RESPONSE—PAPER—
MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from
1 April 2008—Dr Foskey*) on the motion of Mr Barr—That the Assembly takes
note of the paper.

9 **EDUCATION, TRAINING AND YOUNG PEOPLE—STANDING COMMITTEE—REPORT 6—RESTORATIVE JUSTICE PRINCIPLES IN YOUTH SETTINGS—FINAL REPORT—MOTION THAT REPORT BE NOTED:** Resumption of debate (*from 10 April 2008—Mr Corbell*) on the motion of Ms Porter—That the report be noted.

10 **EDUCATION, TRAINING AND YOUNG PEOPLE—STANDING COMMITTEE—CHILDREN AND YOUNG PEOPLE BILL 2008—PROPOSED REFERENCE:** Resumption of debate (*from 8 May 2008—Mr Mulcahy, in continuation*) on the motion of Mrs Dunne—That the Children and Young People Bill 2008 be referred to the Standing Committee on Education, Training and Young People for investigation and report to the Assembly by 19 August 2008.

And on the amendment moved by Mr Mulcahy—Omit “19 August 2008”, substitute “4 August 2008”.

26 August 2008

11 **PRIVILEGES—SELECT COMMITTEE:** Presentation of report on the actions of Mr Stefaniak as the Chair of the Standing Committee on Legal Affairs in relation to a letter written to Mr Corbell on 16 June 2008 as part of the Committee’s inquiry into ACT fire and emergency services arrangements, pursuant to order of the Assembly of 1 July 2008.

Last sitting day in August 2008

12 **PLANNING AND ENVIRONMENT—STANDING COMMITTEE:** Presentation of report on maintaining a sustainable water supply in the ACT pursuant to order of the Assembly of 7 June 2007, as amended 4 March 2008.

QUESTIONS ON NOTICE

On the first sitting day of a period of sittings a complete Notice Paper is published containing all unanswered questions. On subsequent days, only new and redirected or revised questions are included on the Notice Paper.

Redirected and answered question

2119 Question on notice No 2119 asked by Mr Mulcahy has been redirected to the Minister for Planning and has been answered.

Unanswered questions*(30 days expired 2 May 2008)*

- 2003 **DR FOSKEY:** To ask the Attorney-General—
- (1) In relation to the home loan market debate held in the Assembly on 22 August 2007, what progress has the Ministerial Council on Consumer Affairs made on the issue of no-doc and low-doc home loans;
 - (2) What progress has the ACT Government made on the issue of no-doc and low-doc home loans;
 - (3) When does the ACT Government intend to present legislation regarding this type of lending.

(30 days expired 17 July 2008)

- 2082 **DR FOSKEY:** To ask the Attorney-General—Does the Enduring Power of Attorney discriminate against people with a mental illness with regards to treatment; if so, are there any plans to change this legislation.

- 2090 **MRS BURKE:** To ask the Minister for Health—
- (1) In what circumstances, apart from palliative care or end of life care, would a patent be transferred from the emergency department at (a) Calvary Public Hospital and (b) The Canberra Hospital to Clare Holland House;
 - (2) Is Clare Holland House used when there are no beds available at (a) Calvary Public Hospital and (b) The Canberra Hospital; if so, (c) under what circumstances and (d) can the Minister calculate how often this would occur each month;
 - (3) Are these transfers, for reasons apart from palliative care or end of life care, represented in the Minister's department's reports; if so, where; if not, why not;
 - (4) Do the operating rules of Clare Holland House permit it to be used to provide beds for non-palliative care and non-end of life patients from The Canberra Hospital and Calvary Public Hospital;
 - (5) Are non-palliative care and non-end of life patients sent to Clare Holland House more liable to be treated as palliative care and end of life patients;
 - (6) How many (a) patients who have entered Clare Holland House as non-palliative care and end of life patients died while at the hospital (b) complaints have been received from families of patients at Clare Holland House, (c) conciliations have been undertaken between patients' families and Clare Holland House in (i) 2005, (ii) 2006, (iii) 2007 and (iv) 2008 to date;
 - (7) What steps are taken by Clare Holland House to (a) explain to a patient and his or her family the purpose and nature of an admission to Clare Holland House, (b) ascertain who has power of attorney with respect to a patient and (c) ensure that the wishes of a person with power of attorney is acted upon;
 - (8) In what circumstances would the wishes of a person with power of attorney not be acted on with respect to a patient;

- (9) Are there policy guidelines with respect to these issues and have they been implemented.

2091 **MR STEFANIAK:** To ask the Minister for Industrial Relations—In relation to long service leave portability matters raised on 19 May 2008 by UnionsACT during hearings of the Select Committee on Estimates 2008-2009 (a) what is the Government's policy on the portability of long service leave and (b) has the Government responded to the 2006 community sector task force report on portability of long service leave; if so, where may that report be found; if not, why, and when will a response be drafted.

(30 days expired 25 July 2008)

2097 **MR MULCAHY:** To ask the Chief Minister—How many representations on behalf of constituents, in this term of the Legislative Assembly, have been made to Government Ministers by each non-Executive Member of the Assembly.

2098 **MR MULCAHY:** To ask the Minister for Health—

- (1) How is ACT Pathology structured, for example, is it a corporation, a section of the Canberra Hospital or other type of entity;
- (2) Will she provide the financial statements for ACT Pathology and the notes for these statements (including these statements) for the last eight financial years, including the (a) operating statement, (b) balance sheet, (c) cash flow statement, (d) statement of changes in equity, (e) statement of income and expenses on behalf of the Territory, (f) statement of assets and liabilities on behalf of the Territory and (g) budgeted statement of cash flows on behalf of the Territory;
- (3) What was the (a) rate of return on capital for ACT Pathology and (b) breakdown of staff by job title and FTE at ACT Pathology for the last eight financial years;
- (4) How much did ACT Pathology spend on (a) staff salaries (including superannuation and other entitlements) and (b) consulting fees for the last eight financial years;
- (5) What was the volume of pathology work processed by ACT Pathology broken down by category for the last eight financial years;
- (6) What appropriations were made to ACT Pathology for the last eight financial years.

2099 **MR MULCAHY:** To ask the Minister for Health—

- (1) What safeguards are in place to ensure that ACT Pathology complies with ACT privacy law in dealing with patient information;
- (2) Have there been any instances where ACT Pathology has given patient information to doctors in breach of ACT privacy laws over the past four years; if so, what happened in these instances, and what action has been taken to prevent breaches of ACT privacy laws.

2100 **MR MULCAHY:** To ask the Attorney-General—

- (1) In relation to payments and offers for payment for wrongful conviction under section 23 of the *Human Rights Act 2004*, who, or what body, within the Government will determine the amount of compensation offered to a person who has been wrongfully convicted;
- (2) Is the amount of compensation offered by the Government determined on the basis of the principles of tort law, for example, to put the person back in the position they would have been in if not for the wrongful conviction; if not, what principle is used to determine the amount of compensation offered by the Government;
- (3) What procedures and guidelines currently exist for assessing and paying the appropriate amount of compensation;
- (4) What mechanisms for review or appeal exist if a person who has been wrongfully convicted is unsatisfied with the level of compensation offered by the Government;
- (5) Is the Government aware of concerns raised by Hoel (<http://www.aic.gov.au/publications/tandi2/tandi356t.html>) about the ambiguity of this section; if so, does the Government believe that greater detail is needed to be clear on entitlements to compensation; if so, what action has the Government taken in this regard.

(30 days expired 31 July 2008)

2117 **DR FOSKEY:** To ask the Attorney-General—Have the ACT Women and Prisons Group, the Women’s Information Resources and Education on Drugs and Dependency and the Canberra Alliance for Harm Minimisation and Advocacy applied, and been accepted, as a community group providing services to the Alexander Maconochie Centre; if so, why was this group not included on the list given as a response to Estimates question taken on notice No 421.

(30 days expired 1 August 2008)

2121 **DR FOSKEY:** To ask the Attorney-General—

- (6) When will the Women’s policy from ACT Corrective Services be available for comment;
- (7) Will the policy be made publicly available in draft form prior to finalisation;
- (8) What are the criteria that a woman must meet to have her child with her in the Alexander Maconochie Centre;
- (9) Will a safe place be set aside for mothers and children, separate from the other women’s facilities;
- (10) What criteria will women need to meet in order to be able to request to see a female general practitioner;
- (11) Will the clothing issued to women be the same as what is currently offered in the remand centres; if not, how will it differ;
- (12) Will women be able to wear their own underwear; if not, why not.

2123 **MR PRATT:** To ask the Chief Minister—

- (1) In relation to Development Application (DA) number 200704152 to construct the facility titled “Canberra Technology City” on Tuggeranong Block 1671, and statements made during Estimates proceedings on Monday, 16 June 2008 by ActewAGL Chief Executive Officer, John Mackay, that the possibility exists that there may be independent health assessments conducted, what independent health and environmental impact studies have been conducted to date supporting the current application and the applicant’s assertions that health and environmental concerns have already been adequately addressed;
- (2) Where can the studies outlined in part (1) be found;
- (3) If no studies as outlined in part (1) have been conducted; why not;
- (4) Which firms conducted the studies outlined in part (1) and how much were they paid to conduct these studies;
- (5) Do any of the firms contracted to conduct these studies on behalf of ActewAGL, a Territory owned Corporation of which you are a shareholder, have any conflict of interest or can be perceived to have a pecuniary interest in an approved application that could prejudice the findings and conclusions made in their studies;
- (6) Have the studies submitted by the applicant, ActewAGL (a Territory owned Corporation) been independently verified and peer reviewed in accordance with a range of benchmarks and standards prescribed as environmentally safe across a multitude of jurisdictions;
- (7) In relation to part (6), what firms or organisations independently peer reviewed the submitted studies and can the Minister provide the relevant review; if not, why not;
- (8) Upon what basis or criteria would an Environmental Impact Statement (EIS) be required for the altered DA 200704152 in accordance with the *Planning and Development Act 2007*;
- (9) Should the altered DA not require an EIS under the *Planning and Development Act 2007*, will the Minister undertake to ensure that an EIS is submitted, by prudently exercising the ministerial power to request an EIS;
- (10) Has the ACT Government or the applicant, ActewAGL (a Territory owned Corporation), conducted a comprehensive cost benefit analysis for the purposes of determining the full social, economic, health and environmental impacts of this proposal, the biggest single infrastructure project in the ACT since self-government, over the long term and by proposing to develop the facility on Tuggeranong Block 1671; if not, why not;
- (11) Have feasibility studies been conducted by the Government or the applicant, ActewAGL (a Territory owned Corporation), to comprehensively rule out alternative viable locations and can they be provided for public information; if not, why not;

- (12) Can the ACT Government, or the applicant, ActewAGL (a Territory owned Corporation), confirm that Tuggeranong Block 1671, or Part Block 1671, is the only viable location in the entire ACT to construct such a large facility, the largest such development since self-government, and provide documentary evidence supporting this position, including the business case dictating the need to construct this facility on Tuggeranong Block 1671, or part Block 1671; if documentation cannot be provided, why not;
- (13) Were sites adjacent to the ACT Prison, West of the Monaro Highway considered as a viable location for this development; if not, why not;
- (14) Were sites in the corridor east of the Monaro Highway and north of the prison considered as a viable location for this development; if not, why not;
- (15) Were sites located in the Broadacre/Industrial Zones East of Fyshwick considered as a viable location for this development; if not, why not;
- (16) Should the applicant determine to relocate the altered DA in this instance and given the established fact, continually repeated by you, that a project such as this will deliver significant economic benefits to the ACT, will the Chief Minister's Department, under the auspices of the strategic projects facilitation group, assist ActewAGL in facilitating this relocation to a more appropriate site, and what steps will your group take to ensure the timely delivery of the project to the Territory without further compromising the success of the project, or ignoring valid community concerns;
- (17) Was adequate prior community consultation conducted and was adequately precise information made available;
- (18) Did the Land Development Agency (LDA) or the ACT Planning and Land Authority (ACTPLA) distribute flyers to affected residents in Macarthur, Fadden, Gilmore and Gowrie prior to (a) 1 April 2008, (b) 1 December 2007 and (c) 1 November 2007 in relation to the proposal; if not, why not;
- (19) What is the exact monetary cost of running a gas pipeline from Section 34, Narrabundah to Tuggeranong Block 1671;
- (20) In relation to part (19), can the Minister detail why the size of the pipeline under the altered DA has remained the same as under the original DA, despite the significant reduction in scale of the project;
- (21) In terms of the community concerns expressed in the past about the wood smoke inversion problem in the Tuggeranong Valley, can the Minister provide information on the effect(s) of nitrous oxide emissions on the Tuggeranong Valley.

(30 days expired 2 August 2008)

2132

MRS BURKE: To ask the Minister for Health—Has the Patient Safety and Quality Unit been established; if not, why not; if so, in what way has the establishment of this unit resulted in better outcomes for ACT Health since its inception.

- 2137 **MR MULCAHY:** To ask the Minister for Health—
- (1) What health or educational materials are distributed by the ACT Government relating to illicit drugs (a) in ACT government schools and (b) by ACT Government departments or agencies by other means;
 - (2) Can the Minister provide copies of each of these materials.
- 2139 **MRS DUNNE:** To ask the Minister for Planning—
- (1) Was Block 142, Section 1, Gungahlin originally intended to be a local park; if so, when will it be completed;
 - (2) Have the plans changed for this block; if so, (a) when did the plans change and (b) what are the new plans for this block.

5 August 2008

(Redirected question—30 days expired 1 August 2008)

- 2126 **MR PRATT:** To ask the Minister for the Arts—
- (1) In relation to the recent vandalism attack on the ACT Memorial on Ainslie Avenue in June 2008, what is the total cost in dollars of the damage to the memorial;
 - (2) Who has been contracted to undertake repairs to the memorial and when are repairs due to be completed;
 - (3) Has the Minister devised any strategies to deter attacks like this in future or to detect the perpetrators of such attacks;
 - (4) How many incidents like this have occurred in the previous five financial years to date on significant ACT or National memorials. *(Redirected 14 July 2008)*

(Redirected question—30 days expired 2 August 2008)

- 2128 **DR FOSKEY:** To ask the Treasurer—Given that the ACT sells water to Queanbeyan at a bulk price rate, (a) how often is the price renegotiated, (b) how does this price compare with the price paid by large users in the ACT, (c) what principles guide the setting of the price and (d) at what level do these negotiations take place.

New questions

(30 days expires 4 September 2008)

- *2141 **MR MULCAHY:** To ask the Treasurer—
- (1) How will the Government fund the proposed upgrade of the Gungahlin Drive Expressway;
 - (2) Will additional money be appropriated for this upgrade.

- *2142 **MR MULCAHY:** To ask the Minister for Health—Has ACT Pathology recruited any scientists or medical practitioners in the past six months; if so, for each recruitment was (a) the employment position advertised publicly before an offer of employment was made; if so, how was the position publicly advertised and for how long before an offer of employment was made, (b) the recruiting process done in accordance with all applicable public service laws, rules, procedures and policies; if not, what are the details of any deviation and (c) any offer made for the recruit to take a higher position than would normally be commensurate with the recruit's experience and training; if so, why was such an offer made.
- *2143 **DR FOSKEY:** To ask the Chief Minister—
- (1) Given that I have now received advice that the legal proceedings mentioned in the answer to question on notice No 2031 have been finalised, can the Minister advise if the ACT Government permits officers, who are subject to a grievance, being able to terminate the employment of an officer who lodged the grievance;
 - (2) Does the ACT Government permit managers in non-personnel related areas to investigate the work history and background of their superiors.
- *2144 **DR FOSKEY:** To ask the Treasurer—
- (1) What benefit or profit will Actew obtain from the gas-fired power plant project once it is complete;
 - (2) Will the Treasurer table the business case which indicates that renewable technologies have been explored, and why they were rejected;
 - (3) What happens in the event of a gas shortage and will the data storage plant have priority.
- *2145 **DR FOSKEY:** To ask the Attorney-General—
- (1) How many conclusive certificates have been issued since the Freedom of Information laws changed to allow them;
 - (2) Which Ministers have issued certificates;
 - (3) On which matters have the certificates been issued.
- *2146 **MRS DUNNE:** To ask the Minister for Education and Training—In relation to the answer to question on notice No 2144, how many first round offer of enrolments have been sent out after the closure of the first round of enrolments on 20 June 2008 for each (a) pre and (b) primary school.

T Duncan
Clerk of the Legislative Assembly

GOVERNMENT TO RESPOND TO PETITIONS

(in accordance with standing order 100)

By 8 August 2008

Caretaker's Cottage, Cotter Road—Preservation Plan—Minister for Territory and Municipal Services—Petition lodged by Mrs Burke.

By 16 September 2008

Chiropractic services—Provision to low-income earners and Commonwealth Concession card holders—Minister for Health—Petition lodged by Ms Gallagher.

Canberra Technology Centre, Tuggeranong district—Proposed construction—Minister for Planning—Petitions lodged by Mr Berry (2).

By 25 September 2008

Road safety issues—O'Malley—Minister for Territory and Municipal Services—Petition lodged by Mr Mulcahy.

Caretaker's Cottage, Cotter Road—Preservation Plan—Minister for Territory and Municipal Services—Petition lodged by Mrs Burke.

Canberra Technology Centre, Tuggeranong district—Proposed construction—Minister for Planning—Petition lodged by Mr Stanhope.

By 26 September 2008

Canberra Technology Centre, Tuggeranong district—Proposed construction—Minister for Planning—Petitions lodged by Mr Pratt (2).

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 (*Chair*), Mrs Burke, Ms MacDonald, Mr Mulcahy.

Pursuant to resolution

EDUCATION, TRAINING AND YOUNG PEOPLE: *(Formed 7 December 2004):* Ms Porter (*Chair*), Mr Gentleman, Mr Pratt.

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*), Mrs Dunne, Ms Porter.

PUBLIC ACCOUNTS: (*Formed 7 December 2004*): Dr Foskey (*Chair*), Ms MacDonald, Mr Smyth.

Select

PRIVILEGES: (*Formed 1 July 2008*): Mr Mulcahy (*Chair*), Mrs Dunne, Mr Gentleman.

Dissolved

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

ESTIMATES 2006-2007: (*Formed 4 May 2006*): Ms Porter (*Chair*), Dr Foskey, Mr Gentleman, Ms MacDonald, Mr Pratt, Mr Smyth. (*Presented 15 August 2006*).

ESTIMATES 2007-2008: (*Formed 3 May 2007*): Mr Gentleman (*Chair*), Mrs Burke, Dr Foskey, Ms Porter, Mr Stefaniak. (*Presented 21 August 2007*).

ESTIMATES 2008-2009: (*Formed 10 April 2008*): Ms Porter (*Chair*), Mrs Dunne, Mr Gentleman, Ms MacDonald, Mr Smyth. (*Printing, circulation and publication authorised 17 June 2008. Presented 26 June 2008*).

WORKING FAMILIES IN THE AUSTRALIAN CAPITAL TERRITORY: (*Formed 5 May 2005*): Mr Gentleman (*Chair*), Mrs Burke, Ms Porter. (*Presented 16 October 2007*).
