

2001-2002-2003

LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

NOTICE PAPER

No. 64

Thursday, 26 June 2003

The Assembly meets this day at 10.30 am

EXECUTIVE BUSINESS

Notices

- *1 MR STANHOPE: To present a Bill for an Act to make provision in relation to the sale of residential property, and for other purposes. (*Notice given 25 June 2003*).
- *2 MR STANHOPE: To present a Bill for an Act to amend the *Evidence (Miscellaneous Provisions) Act 1991*, and for other purposes. (*Notice given 25 June 2003*).
- *3 MR STANHOPE: To present a Bill for an Act to amend the law relating to justice and community safety, and for other purposes. (*Notice given 25 June 2003*).

ASSEMBLY BUSINESS

Orders of the day

- 1 PRIVILEGES – SELECT COMMITTEE – PROPOSED APPOINTMENT:
Resumption of debate (*from 18 June 2003 – Ms Dundas*) (*on the amendment moved by Mr Smyth* –

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

Insert the following new paragraph:

(1A) the Select Committee also examine

- (a) the refusal of Mr Wood to answer questions of the Select Committee on Estimates;*
- (b) the refusal of Mr Corbell to answer questions of the Select Committee on Estimates;*
- (c) the creation and distribution of the document known as 'Budget Estimates 2003' by certain persons within ACT Health*

and determine whether each constitutes a contempt of the Legislative Assembly.)

on the motion of Mr Wood – That:

- (1) pursuant to standing order 71, a Select Committee on Privileges be appointed to examine whether the unauthorised dissemination of information on ABC Radio relating to Report No 5 of the Standing Committee on Public Accounts and the Report into the Appropriation Bill 2003-2004 of the Select Committee on Estimates 2003-2004 was a breach of privilege and whether a contempt of the Legislative Assembly was committed;
- (2) the Committee be composed of:
 - (a) one Member to be nominated by the Government;
 - (b) one Member to be nominated by the Opposition;
 - (c) one Member to be nominated by a Member of the ACT Greens, the Australian Democrats or the Independent Member

to be notified in writing to the Speaker prior to the Assembly adjourning on that sitting day.
- (3) the Committee report by 20 August 2003.

Notices

- 1† MS DUNDAS: To move – That Disallowable Instrument 2003-79, made pursuant to the *Road Transport (General) Act 1999* be disallowed. (*Notice given 24 June 2003*).

† 5 sitting days for resolution

- 2 MR SMYTH: To move – That:

- (1) notwithstanding the provisions of standing order 71, a Select Committee on Privileges be appointed to examine:

- (a) the refusal of Mr Wood to answer questions of the Select Committee on Estimates;
- (b) the refusal of Mr Corbell to answer questions of the Select Committee on Estimates; and
- (c) the creation and distribution of the document known as 'Budget Estimates 2003' by certain persons within ACT Health;
- (d) the broadcast on ABC radio of details concerning recommendations of the Standing Committee on Public Accounts inquiry into the Rates and Land Tax Amendment Bill 2003 and the Select Committee on Estimates 2003-2004 inquiry into the Appropriation Bill 2003-2004 prior to their presentation to the Legislative Assembly.

and determine whether each constitutes a contempt of the Legislative Assembly.

(2) The Committee comprise:

- (a) one member to be nominated by the Government;
- (b) one member to be nominated by the Opposition;
- (c) one member to be nominated by a member of the Cross bench.

(3) The Committee shall report by the last sitting day in September. (*Notice given 17 June 2003; amended 18 June 2003*).

3† MRS DUNNE: To move – That variation to the Territory Plan No. 200, made pursuant to the *Land (Planning and Environment) Act 1991* be disallowed. (*Notice given 19 June 2003*).

† 3 sitting days for resolution

Orders of the day - continued

- 2 LEGAL AFFAIRS – STANDING COMMITTEE – REPORT NO. 4 – THE APPROPRIATENESS OF THE SIZE OF THE LEGISLATIVE ASSEMBLY FOR THE ACT AND OPTIONS FOR CHANGING THE NUMBER OF MEMBERS, ELECTORATES AND ANY OTHER RELATED MATTER – GOVERNMENT RESPONSE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 26 September 2002 – Mr Stefaniak*) on the motion of Mr Stanhope – That the Assembly takes note of the paper.
- 3 STATUS OF WOMEN IN THE ACT – SELECT COMMITTEE – REPORT – THE STATUS OF WOMEN IN THE ACT – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 21 November 2002 – Mr Stanhope*) on the motion of Ms Gallagher – That the report be noted.

- 4 PLANNING AND ENVIRONMENT – STANDING COMMITTEE – REPORT NO 13 – DRAFT VARIATION NO 187 TO THE TERRITORY PLAN – HERITAGE PLACES REGISTER – RED HILL HOUSING PRECINCT – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 3 April 2003 – Mr Wood*) on the motion of Mrs Dunne – That the report be noted.
- 5 PLANNING AND ENVIRONMENT – STANDING COMMITTEE – REPORT NO 14 – DRAFT VARIATION NO 175 TO THE TERRITORY PLAN – INDUSTRIAL B3 LAND USE POLICIES – INDUSTRIAL AREA POLICIES AND DEFINITIONS: FYSHWICK, SYMONSTON, MITCHELL AND HUME – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 6 May 2003 – Mr Corbell*) on the motion of Mr Hargreaves – That the report be noted.
- 6 PLANNING AND ENVIRONMENT – STANDING COMMITTEE – REPORT NO 15 – VARIATION TO THE TERRITORY PLAN, NO. 200, GARDEN CITY VARIATION – RESIDENTIAL LAND USE POLICIES, MODIFICATIONS TO RESIDENTIAL CODES, AND MASTER PLAN PROCEDURES – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 6 May 2003 – Mr Corbell*) on the motion of Mr Hargreaves – That the report be noted.
- 7 HEALTH – STANDING COMMITTEE – REPORT NO 4 – LOOKING AT THE HEALTH OF SCHOOL-AGE CHILDREN IN THE ACT – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 8 May 2003 – Mr Cornwell*) on the motion of Ms Tucker – That the report be noted.
- 8 PUBLIC ACCOUNTS – STANDING COMMITTEE – REPORT NO 5 – INQUIRY INTO THE RATES AND LAND TAX AMENDMENT BILL 2003 – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 17 June 2003 – Mr Quinlan*) on the motion of Mr Smyth – That the report be noted.
- 9 PLANNING AND ENVIRONMENT – STANDING COMMITTEE – REPORT NO 14 – DRAFT VARIATION NO 175 TO THE TERRITORY PLAN – INDUSTRIAL B3 LAND USE POLICIES – INDUSTRIAL AREA POLICIES AND DEFINITIONS: FYSHWICK, SYMONSTON, MITCHELL AND HUME – GOVERNMENT RESPONSE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 17 June 2003 – Mrs Dunne*) on the motion of Mr Corbell – That the Assembly takes note of the paper.
- 10 PLANNING AND ENVIRONMENT – STANDING COMMITTEE – REPORT NO 15 – VARIATION NO 200, GARDEN CITY VARIATION – RESIDENTIAL LAND USE POLICIES, MODIFICATIONS TO RESIDENTIAL CODES AND MASTER PLAN PROCEDURES – GOVERNMENT RESPONSE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 17 June 2003 – Mrs Dunne*) on the motion of Mr Corbell – That the Assembly takes note of the paper.

- 11 PLANNING AND ENVIRONMENT – STANDING COMMITTEE –
REPORT NO 17 – DRAFT VARIATION NO 150 TO THE TERRITORY
PLAN – DEAKIN BLOCKS 14 AND 15 SECTION 36 [FORMER DEAKIN
OVAL SPORTS GROUND] PROPOSED RESIDENTIAL AND URBAN
OPEN SPACE LAND USE POLICIES AND CHANGES TO THE PUBLIC
LAND OVERLAY – MOTION THAT REPORT BE NOTED: Resumption
of debate (*from 17 June 2003 – Mr Corbell*) on the motion of Mrs Dunne –
That the report be noted.

- 12 PLANNING AND ENVIRONMENT – STANDING COMMITTEE –
REPORT NO 19 – DRAFT VARIATION NO 210 TO THE TERRITORY
PLAN – DEAKIN SECTION 35 BLOCK 2 (SITE OF FORMER DEAKIN
MOTOR INN) AND SECTION 35 BLOCK 28 (CANBERRA WEST
BOWLING CLUB, ALSO KNOWN AS THE WEST DEAKIN HELLENIC
BOWLING CLUB) COMMERCIAL E POLICY AND RESIDENTIAL USE
– MOTION THAT REPORT BE NOTED: Resumption of debate (*from
17 June 2003 – Mr Corbell*) on the motion of Mrs Dunne – That the report be
noted.

- 13 LEGAL AFFAIRS – STANDING COMMITTEE: Presentation of report on
the Crimes (Industrial Manslaughter) Amendment Bill 2002 pursuant to order
of the Assembly of 12 December 2002, as amended 1 April 2003 and
17 June 2003.

- *14 ESTIMATES 2003-2004 – SELECT COMMITTEE – REPORT –
APPROPRIATION BILL 2003-2004 – GOVERNMENT RESPONSE –
PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate
(*from 24 June 2003 – Mr Smyth*) on the motion of Mr Quinlan – That the
Assembly takes note of the paper.

23 September 2003

- 15 LEGAL AFFAIRS – STANDING COMMITTEE: Presentation of report on
the Long Service Leave (Private Sector) Bill 2003 pursuant to order of the
Assembly of 7 May 2003.

Last sitting day of 2003

- 16 PLANNING AND ENVIRONMENT – STANDING COMMITTEE:
Presentation of report on the Road Transport (Public Passenger Services)
Amendment Bill 2003 pursuant to order of the Assembly of 17 June 2003.
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EXECUTIVE BUSINESS

Orders of the day

- 1 REVENUE LEGISLATION AMENDMENT BILL 2003 (NO. 2):
(*Treasurer*): Agreement in principle – Resumption of debate (*from 24 June 2003 – Mr Smyth*).
- 2 PLANNING AND LAND LEGISLATION AMENDMENT BILL 2003:
(*Minister for Planning*): Detail stage – Proposed new clause 3A – Resumption of debate (*from 19 June 2003 – Mrs Cross*).
- 3 FIREARMS (PROHIBITED PISTOLS) AMENDMENT BILL 2003:
(*Minister for Police and Emergency Services*): Agreement in principle – Resumption of debate (*from 17 June 2003 – Mr Pratt*).
- 4 WORKERS COMPENSATION AMENDMENT BILL 2003: (*Minister for Industrial Relations*): Agreement in principle – Resumption of debate (*from 19 June 2003 – Mr Pratt*).
- 5 CANBERRA TOURISM AND EVENTS CORPORATION AMENDMENT BILL 2003: (*Minister for Economic Development, Business and Tourism*): Agreement in principle – Resumption of debate (*from 19 June 2003 – Mr Smyth*).
- 6 LAND (PLANNING AND ENVIRONMENT) (COMPLIANCE) AMENDMENT BILL 2003: (*Minister for Planning*): Agreement in principle – Resumption of debate (*from 20 February 2003 – Mrs Dunne*).
- 7 STATE OF THE TERRITORY'S FINANCE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 7 March 2002 – Mr Smyth*) on the motion of Mr Quinlan – That the Assembly takes note of the paper.
- 8 INDEPENDENT COMPETITION AND REGULATORY COMMISSION - INVESTIGATION INTO COMPETITION IMPLICATIONS OF PROVISION OF WHEELCHAIR ACCESSIBLE TAXI SERVICES BY A SINGLE NETWORK – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 13 December 2001 – Mr Wood*) on the motion of Mr Quinlan – That the Assembly takes note of the paper.
- 9 FINANCIAL MANAGEMENT ACT – CONSOLIDATED FINANCIAL MANAGEMENT REPORT – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 15 May 2002 – Mr Smyth*) on the motion of Mr Quinlan – That the Assembly takes note of the paper.

- 10 GAMING MACHINE ACT – ACT GAMBLING AND RACING COMMISSION – REPORT ON COMMUNITY CONTRIBUTIONS MADE BY GAMING MACHINE LICENSEES – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 26 September 2002*) on the motion of Mr Stanhope – That the Assembly takes note of the paper.
- 11 PUBLIC RENTAL HOUSING ASSISTANCE PROGRAM – AMENDMENT TO RESTORE SECURITY OF TENURE TO PUBLIC TENANTS – STATEMENT BY MINISTER – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 10 December 2002 – Mr Stefaniak*) on the motion of Mr Wood – That the Assembly takes note of the paper.
- 12 GENE TECHNOLOGY BILL 2002: (*Minister for Health*): Agreement in principle – Resumption of debate (*from 21 February 2002 – Mr Smyth*).
- 13 FULL RETAIL COMPETITION – IMPACT ON ACT LOW INCOME EARNERS – GOVERNMENT RESPONSE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 20 February 2003 – Mr Cornwell*) on the motion of Mr Quinlan – That the Assembly takes note of the paper.
- 14 INDIGENOUS EDUCATION – FOURTH SIX MONTHLY REPORT – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 4 March 2003 – Ms Gallagher – in continuation*) on the motion of Mr Stanhope – That the Assembly takes note of the paper.
- 15 INQUIRIES ACT – BOARD OF INQUIRY INTO DISABILITY SERVICES – IMPLEMENTATION OF THE GOVERNMENT RESPONSE – FIRST SIX MONTHLY REPORT – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 1 April 2003 – Mrs Burke*) on the motion of Mr Wood – That the Assembly takes note of the paper.
- 16 TERTIARY ACCREDITATION AND REGISTRATION BILL 2003: (*Minister for Education, Youth and Family Services*): Agreement in principle – Resumption of debate (*from 3 April 2003 – Mrs Burke*).
- 17 VOCATIONAL EDUCATION AND TRAINING BILL 2003: (*Minister for Education, Youth and Family Services*): Agreement in principle – Resumption of debate (*from 3 April 2003 – Mrs Burke*).
- 18 ANIMAL AND PLANT DISEASES AMENDMENT BILL 2003: (*Minister for Environment*): Agreement in principle – Resumption of debate (*from 3 April 2003 – Mrs Dunne*).
- 19 ELECTORAL AMENDMENT BILL 2003: (*Attorney-General; presented by Manager of Government Business*): Agreement in principle – Resumption of debate (*from 8 May 2003 – Ms Dundas*).

- 20 REGISTRATION OF DEEDS AMENDMENT BILL 2003: (*Attorney-General; presented by Manager of Government Business*): Agreement in principle – Resumption of debate (*from 8 May 2003 – Mr Stefaniak*).
- 21 STATUTE LAW AMENDMENT BILL 2003: (*Attorney-General; presented by Manager of Government Business*): Agreement in principle – Resumption of debate (*from 8 May 2003 – Mr Stefaniak*).
- 22 BUILDING (RESIDENTIAL BUILDING WARRANTY) AMENDMENT BILL 2003: (*Minister for Planning*): Agreement in principle – Resumption of debate (*from 8 May 2003 – Mr Smyth*).
- 23 AFFORDABLE HOUSING TASKFORCE FINAL REPORT – STRATEGIES FOR ACTION – GOVERNMENT RESPONSE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 8 May 2003 – Ms Tucker*) on the motion of Mr Wood – That the Assembly takes note of the paper.
- 24 INQUIRY INTO EDUCATION FUNDING IN THE ACT – REPORT – GOVERNMENT RESPONSE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 8 May 2003 – Mr Cornwell*) on the motion of Ms Gallagher – That the Assembly takes note of the paper.
- 25 VICTIMS OF CRIME (FINANCIAL ASSISTANCE) ACT – REVIEW OF OPERATION – GOVERNMENT RESPONSE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 17 June 2003 – Mr Stefaniak*) on the motion of Mr Stanhope – That the Assembly takes note of the paper.
- 26 CHILDREN AND YOUNG PEOPLE ACT – REVIEW – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 17 June 2003 – Mrs Bourke*) on the motion of Ms Gallagher – That the Assembly takes note of the paper.
- 27 LAW REFORM COMMISSION REPORT ON BAIL – GOVERNMENT RESPONSE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 19 June 2003 – Mr Stefaniak*) on the motion of Mr Stanhope – That the Assembly takes note of the paper.
- 28 CIVIL LAW (WRONGS) AMENDMENT BILL 2003: (*Attorney-General*): Agreement in principle – Resumption of debate (*from 24 June 2003 – Mr Stefaniak*).
- 29 RESPITE CARE PROJECT – MET AND UNMET NEEDS – FINAL REPORT – SUSTAINING CARING RELATIONSHIPS – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 24 June 2003 – Mr Cornwell*) on the motion of Mr Corbell – That the Assembly takes note of the paper.

Notices - continued

- 4 MR STANHOPE: To move – That the Legislative Assembly for the Australian Capital Territory, having noted that:
- (1) subsection 8(2) of the *Australian Capital Territory (Self-Government) Act 1988* (the Act) provides that the Assembly shall consist of 17 members;
 - (2) subsection 8(3) of the Act provides that the Governor-General may make regulations under the Act to fix a different number of members;
 - (3) regulations may only be made for this purpose in accordance with a resolution passed by the Assembly; and
 - (4) regulations would need to be made no later than April 2003 so that the necessary electoral redistribution can be conducted in time for the ACT election scheduled for October 2004;

hereby resolves that the number of members of the Legislative Assembly should be increased from 17 to 25 by regulations made by the Governor-General for the purposes of subsection 8(3) of the Act; and

calls upon the Chief Minister to communicate this resolution to the Commonwealth Government with a request that the regulations increasing the number of members be made at the earliest opportunity but no later than 31 March 2003. (*Notice given 25 September 2002*).

PRIVATE MEMBERS' BUSINESS**Notices**

- 1 MRS CROSS: To move - That the Assembly calls on the Government to:
- (1) investigate the issue of fireworks in the ACT with respect to the noise and inconvenience caused by the loud bang factor;
 - (2) investigate the lowering of the maximum content of 'flash powder' to an amount such as 100 mg per firecracker effect and reduce the confusion of the definition of Shopgood Fireworks. (*Notice given 17 June 2003*).
- 2 MS TUCKER: To move – That this Assembly:
- (1) commends the Government for proposing a rebate scheme for owners of houses reliant on wood burning heaters;

- (2) calls on the Government to develop a comprehensive strategy and timetable to eliminate the problem of wood smoke pollution in the ACT, incorporating such measures as:
 - (i) implementing enhanced air quality monitoring, including both airborne particles (PM10) and smaller airborne particles (PM 2.5), as recommended as the top priority in the State of the Environment Report 2000;
 - (ii) introducing mobile air monitoring of the Tuggeranong Valley and other wood smoke affected areas of Canberra.
 - (iii) commissioning a study into the long-term health effects of wood smoke pollution on Canberra residents;
 - (iv) replacing wood burning heaters in government-owned homes in Canberra;
 - (v) resourcing Environment ACT to enforce the penalty provisions contained in part 13 of the Environment Protection Act applying to excessively smoking chimneys;
 - (vi) providing regular information for broadcasting daily winter air pollution levels for the Tuggeranong Valley and other parts of Canberra as part of the weather forecasts on daily television and radio news bulletins;
 - (vii) working with rental property owners to encourage them to convert their properties to cleaner and more efficient forms of heating;
 - (viii) further public education initiatives on the proper use of wood-burning heaters; and
- (3) calls on the Government to include in the Spatial Plan process an investigation of the possibility of sustainable wood supply in the ACT. *(Notice given 6 May 2003).*
- 3 MR SMYTH: To move – That this Assembly, noting that the Government's proposed new land rating system:
 - (1) has not been adequately tested or modeled;
 - (2) is unfair and regressive;
 - (3) will lead to wildly different rates being levied on owners of properties of equivalent value.

Calls on the Government to:

- (4) not introduce the new system in the 2003-04 financial year;

- (5) undertake full assessment and modeling of the proposed new system;
 - (6) report the findings of this assessment and modeling to the Assembly by the end of 2003. (*Notice given 1 April 2003*).
- 4 MRS DUNNE: To move – That this Assembly calls on the Minister for Planning to immediately recommence the master planning process for the Kippax Group Centre. (*Notice given 9 May 2002*).
- 5 MR PRATT: To move – That the ACT Legislative Assembly condemns Labor for blocking the suspension of Downer Preschool in October 1998 and now having to admit that it was wrong to do so given that it wants to suspend Lyneham Preschool for the same reason. (*Notice given 24 September 2002*).
- 6 MR PRATT: To move – That this Assembly:
- (1) notes that the Department of Education will vacate the O’Connell Education Centre of the site of the old Griffith Primary School site by the end of this school year;
 - (2) notes that the Blue Gum School is currently in unacceptable accommodation and needs to move into more acceptable accommodation at the end of the current school year;
 - (3) calls on the Minister for Education to explore all educational options (Departmental, government and non government) for the O’Connell Centre before it is made surplus to requirement. (*Notice given 25 June 2002*).
- 7 MR SMYTH: To move – That the Government acknowledge the importance of openness and accountability and their election commitment to this end and calls on the Government to table the Canberra Hospital and Calvary Hospitals’ information bulletin – patient activity data, monthly reports at the first Assembly sitting after they have become available to the Government. (*Notice given 7 May 2002*).
- 8 MRS DUNNE: To move – That this Assembly calls on the Minister for Urban Services to immediately allocate funds for the site selection and design of a permanent library and community centre at the Kippax Group Centre. (*Notice given 9 May 2002*).
- 9 MRS DUNNE: To move – That the Assembly directs the Government to immediately remove heavy vehicle diversions from Chuculba Crescent, Giralang and any other suburban streets and ensure that all heavy vehicle routes avoid suburban streets. (*Notice given 27 August 2002*).

- 10 MRS DUNNE: To move – That the Assembly directs the Government to enter into immediate negotiations with the National Capital Authority about the duplication of Caswell Drive to ensure that unoccupied land to the east of the existing road reserve is utilised so that the road does not encroach unnecessarily on the amenity of Aranda. (*Notice given 27 August 2002*).
- 11 MS TUCKER: To move – That this Assembly:
- (1) having noted that under the *Australian Capital Territory (Self-Government) Act 1988* the size of the Assembly can only be altered by regulations in accordance with a resolution passed by the Assembly;
 - (2) hereby resolves that the number of members of the Legislative Assembly should be increased from 17 to 21, with 7 members elected from each of 3 electorates; and
 - (3) calls upon the Chief Minister to communicate this resolution to the Minister for Regional Services, Territories and Local Government with a request that the regulations increasing the number of members be made by no later than 31 March 2003 so that the necessary electoral redistribution can be conducted in time for the ACT election scheduled for October 2004. (*Notice given 19 November 2002*).
- 12 MRS DUNNE: To move – That noting recommendation 4 of Report No 4 of the Standing Committee on Planning and Environment into Draft Variation No 174 to the Territory Plan, the Hungarian-Australian Club site and Community Facility Land, this Assembly calls on the Government to review the operation of all pre self-government concessional leases. (*Notice given 11 December 2002*).
- 13 MRS DUNNE: To move – This Assembly:
- (1) notes the Minister for Planning's decision of 27 November to extend the 5% interim limit on dual and triple occupancy, embodied in Draft Variation 192, until May 2003; and
 - (2) notes the creation of an overlapping and contradictory conditions between Draft Variation 192 and Draft Variation 200, which gained interim effect in September 2002;
 - (3) calls on the Minister to immediately suspend the operation of Draft Variation 192 as was initially intended. (*Notice given 11 December 2002*).
- 14 MS DUNDAS: To move – That this Assembly, recognising the need for a Youth Night Shelter in Civic to provide safe overnight accommodation for young people unable to return home late at night, calls on the ACT Government to make the establishment of a youth night shelter a high priority for the 2003-2004 financial year (*Notice given 4 March 2003*).

- 15 MR STEFANIAK: To move – That the Assembly calls on the Government to commemorate the achievements and contributions made by the Cannons, Capitals and Brumbies by means of honour plaques laid on London Circuit similar to the honour plaque already laid to commemorate the contribution made by the Canberra Raiders. (*Notice given 4 March 2003*).
- 16 MRS BURKE: To move – That this Assembly calls upon the government to establish suitable community support mechanisms for illicit drug dependent parents to assist them in moving away from a drug dependent lifestyle to ensure the well being and safety of their children. (*Notice given 4 March 2003*).
- 17 MRS CROSS: To move – That the Assembly calls on the Chief Minister:
- (1) to table Howard McBeth's 1994 report into the adequacy of the Territory's fire prevention strategies;
 - (2) to incorporate the McBeth report into the Government's operational response to the 18 January 2003 bushfires. (*Notice given 5 March 2003*).
- 18 MS DUNDAS: To move – That this Assembly calls on the Government to empower the Gaming and Racing Commission to reduce the current number of gaming machines in the ACT to 3000, in line with the national per capita average, during the financial year 2003-2004. (*Notice given 11 March 2003*).
- 19 MS DUNDAS: To move – That this Assembly calls on the ACT Government to audit the superannuation and workers compensation entitlements of all fire-fighters who have been transferred from the NSW Fire Brigade to the ACT Fire Brigade, and report to the Assembly by 19 August 2003. (*Notice given 1 April 2003*).
- 20 MS DUNDAS: To move – That this Assembly calls on the ACT Government to immediately establish a Taskforce reporting directly to Cabinet, with parent, principal, teacher and Government representation, to evaluate and implement recommendations from the Connors Inquiry into ACT Education Funding. (*Notice given 1 April 2003*).
- 21 MRS DUNNE: To move – That this Assembly:
- (1) acknowledges that plastic bag use needs to be reduced and plastic bag recycling needs to be enhanced in the ACT;
 - (2) calls on the Government to ensure that there are plastic bag recycling drop off points at all major town centres across Canberra;
 - (3) calls on the Government to embark on an education and awareness campaign promoting the benefits of reducing, reusing and recycling plastic bags;

- (4) calls on the Government to work with business and encourage more consumer choice for carrying goods bought, ie allowing choice of plastic bag, calico bag, boxes or degradable bags;
- (5) calls on the Government to work with business and trial (a) a plastic bag levy in Canberra and (b) the use of biodegradable or degradable plastic bags using a similar approach to the ReBaG trial in 1999. *(Notice given 17 June 2003).*

22 MS TUCKER: To move – That this Assembly:

- (1) supports the role of the Senate as an essential check on the power and the Executive of the Federal Government and as a mechanism for ensuring responsible and accountable government;
- (2) rejects the proposal of the Prime Minister to change the constitution so as to enable a joint session of both Houses of the Federal Parliament without first requiring a double dissolution election;
- (3) calls on the Chief Minister to write to the Prime Minister expressing grave concern about the proposal and calling on him to withdraw his proposal; and
- (4) affirms the role of proportional representation as an electoral system which, through awarding representatives in proportion to shares of votes, ensures a democratic legislature. *(Notice given 24 June 2003).*

23 MR PRATT: To move – That this Assembly:

- (1) expresses its concern that those students of Tuggeranong College who drive their own cars are required to pay for their own school hours parking, the only students in the ACT required to do so;
- (2) calls upon the Department of Urban Services to put in place an adequate number of dedicated car spaces for free student parking and other suitable administrative arrangements to allow such parking to occur. *(Notice given 24 June 2003).*

24 MR PRATT: To move – That this Assembly

- (1) concerned at the ongoing difficulties with the sale and illegal trafficking of fireworks, including illegal and dangerous items, notes that the ACT community has exhausted its patience with this unacceptable, disruptive and unsafe state of affairs;
- (2) hereby calls upon the government to as quickly as possible:
 - (a) pass legislation that will ban the retail sale of shop good fireworks in the ACT;

- (b) restrict the use of all fireworks to certified pyro-technicians and government approved community organizations;
 - (c) permit community organisations restrictive use of fireworks only at the Queen's Birthday long weekend between 5 pm – 10 pm on prescribed nights;
 - (d) introduce stricter penalties for the illegal sale and use of fireworks;
 - (e) ensure that penalties are enforced. (*Notice given 24 June 2003*).
- *25 MS DUNDAS: To move – That the ACT Government investigate the introduction of a concession scheme to assist working people on low incomes who are currently struggling to pay their property rates, and report back to the Assembly by the first sitting day in December 2003. (*Notice given 25 June 2003*).
- *26 MS DUNDAS: To move – That the ACT Government negotiate with the owners of the site at the corner of Nettlefold Street and Coulter Drive a land swap or suitable compensation to ensure the preservation of the magnificent trees on that site. (*Notice given 25 June 2003*).
- *27 MRS DUNNE: To move – That this Assembly directs the Minister for Planning to table legal advice provided to the Gungahlin Development Authority in relation to dealing with the successful bidder for Harrison 1 Estate. (*Notice given 25 June 2003*).

Orders of the day

- 1 INQUIRIES AMENDMENT BILL 2002: (*Mr Humphries*): Agreement in principle – Resumption of debate (*from 15 May 2002 – Mr Stanhope*).
- 2 LAND (PLANNING AND ENVIRONMENT) LEGISLATION AMENDMENT BILL 2001: (*Ms Tucker*): Agreement in principle – Resumption of debate (*from 12 December 2001 – Mr Corbell*).
- 3 CRIMES AMENDMENT BILL 2001 (NO 3): (*Mr Stefaniak*): Agreement in principle – Resumption of debate (*from 12 December 2001 – Mr Stanhope*).
- 4 SUPREME COURT AMENDMENT BILL 2001 (NO 2): (*Mr Stefaniak*): Agreement in principle – Resumption of debate (*from 12 December 2001 – Mr Stanhope*).
- 5 ELECTORAL AMENDMENT BILL 2002: (*Ms Tucker*): Agreement in principle – Resumption of debate (*from 6 March 2002 – Mr Stanhope*).

- 6 STATISTICAL PROFILE ON THE ADMINISTRATION OF JUSTICE AND REVIEW OF THE OPERATION OF THE VICTIMS OF CRIME (FINANCIAL ASSISTANCE) ACT - MOTION TO TAKE NOTE OF PAPERS: Resumption of debate (*from 7 March 2002 – Mrs Dunne*) on the motion of Mr Stefaniak – That the Assembly takes note of the papers.
- 7 PROPOSED TIMETABLE FOR THE COMPLETION OF THE GUNGAHLIN DRIVE EXTENSION: Resumption of debate (*from 5 June 2002 – Ms Dundas*) on the motion of Mrs Dunne – That this Assembly:
 - (1) notes the ACT Government's commitment to build the Gungahlin Drive extension on time, on the western alignment, and to the same budget as that allocated to the eastern alignment; and
 - (2) directs the Minister for Planning, Mr Corbell, to table before the Assembly rises on Thursday, 6 June 2002 his proposed timetable for completing the Gungahlin Drive extension including but not limited to the:
 - (a) commencement and completion of environmental planning;
 - (b) commencement and completion of engineering planning;
 - (c) commencement of the draft variation process;
 - (d) timetable for the letting of tenders;
 - (e) commencement of works; and
 - (f) completion of works.
- 8 COMMUNITY REFERENDUM BILL 2002: (*Mr Humphries*): Agreement in principle – Resumption of debate (*from 28 August 2002 – Mr Stanhope*).
- 9 CRIMES AMENDMENT BILL 2002: (*Mr Pratt*): Agreement in principle – Resumption of debate (*from 13 November 2002 – Mr Stanhope*).
- 10 BUILDING (WATER EFFICIENCY) AMENDMENT BILL 2002: (*Mrs Dunne*): Agreement in principle – Resumption of debate (*from 13 November 2002 – Mr Corbell*).
- 11 LITTER AMENDMENT BILL 2002: (*Ms Tucker*): Agreement in principle – Resumption of debate (*from 20 November 2002 – Mr Corbell*).
- 12 PUBLIC ACCESS TO GOVERNMENT CONTRACTS AMENDMENT BILL 2002 (NO. 2): (*Ms Dundas*): Agreement in principle – Resumption of debate (*from 11 December 2002 – Mr Quinlan*).
- 13 COSTING OF ELECTION COMMITMENTS BILL 2002: (*Mr Humphries*): Agreement in principle – Resumption of debate (*from 11 December 2002 – Mr Quinlan*).
- 14 FINANCIAL LEGISLATION (INTEGRITY AND RESPONSIBILITY) AMENDMENT BILL 2002: (*Mr Humphries*): Agreement in principle – Resumption of debate (*from 11 December 2002 – Mr Quinlan*).

- 15 BUSHFIRE RECONSTRUCTION AUTHORITY BILL 2003: *(Mrs Dunne)*: Agreement in principle – Resumption of debate *(from 5 March 2003 – Mr Stanhope)*.
- 16 SENTENCING REFORM AMENDMENT BILL 2003: *(Mr Stefaniak)*: Agreement in principle – Resumption of debate *(from 2 April 2003 – Mr Stanhope)*.
- 17 GAMING MACHINE (POLITICAL DONATIONS) AMENDMENT BILL 2003: *(Mrs Cross)*: Agreement in principle – Resumption of debate *(from 7 May 2003 – Mr Quinlan)*.
- 18 BUSHFIRE INQUIRY (PROTECTION OF STATEMENTS) AMENDMENT BILL 2003 (NO. 2): *(Ms Tucker)*: Agreement in principle – Resumption of debate *(from 18 June 2003 – Mr Wood)*.
- *19 SMOKING (PROHIBITION IN ENCLOSED PUBLIC PLACES) BILL 2003: *(Mrs Cross)*: Agreement in principle – Resumption of debate *(from 25 June 2003 – Mr Corbell)*.
- *20 CORRECTIONS REFORM AMENDMENT BILL 2003: *(Mr Smyth)*: Agreement in principle – Resumption of debate *(from 25 June 2003 – Mr Stanhope)*.
- *21 BAIL (SERIOUS OFFENCES) AMENDMENT BILL 2003: *(Mr Stefaniak)*: Agreement in principle – Resumption of debate *(from 25 June 2003 – Mr Stanhope)*.

**Referred to Standing Committee on Administration and Procedure on
7 May 2003**

PROPOSED AMENDMENT TO STANDING ORDER 118 – ANSWERS TO QUESTIONS WITHOUT NOTICE: Resumption of debate *(from 7 May 2003 – Ms Tucker)* on the motion of Mr Cornwell – That this Assembly amends Standing Order 118, in accordance with the Australian Labor Party's *Labor's 2001 ACT Election Commitments* (page 35, paragraph 8 'We will limit Ministers' answers to Questions to five minutes), by adding a new sub-section (c) shall not be longer than five minutes in length, and amends existing sub-section (b) by adding 'and' after 'refers'.

Referred to Standing Committee on Legal Affairs on

12 December 2002

CRIMES (INDUSTRIAL MANSLAUGHTER) AMENDMENT BILL 2002: *(Minister for Industrial Relations)*: Resumption of debate – Agreement in principle *(Mr Pratt)*.

7 May 2003

LONG SERVICE LEAVE (PRIVATE SECTOR) BILL 2003: (*Mr Berry*):
Resumption of debate – Agreement in principle (*Ms Gallagher*).

Referred to Standing Committee on Planning and Environment on

17 June 2003

ROAD TRANSPORT (PUBLIC PASSENGER SERVICES)
AMENDMENT BILL 2003: (*Minister for Urban Services*): – Resumption of debate –
Agreement in principle (*Mrs Dunne*).

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

703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715,
716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728,
729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741,
742, 743, 744, 745, 746, 748, 749, 750, 751, 752, 753, 754, 755,
756, 757, 758, 759, 560 761, 762, 763, 764, 765, 766, 767, 768,
769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781,
782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794,
795, 796, 797, 798, 799, 800, 801

26 June 2003

(*Redirected question – 30 days expires 18 July 2003*)

*747 MR SMYTH: To ask the Chief Minister – In relation to the 2003 Bushfire Fire Plant Issue Scheme:

- (1) On what date was this issue first raised as an initiative for the Budget;
- (2) Did the Government receive representations from any individuals, organisations or Departmental officials to fund this initiative, if so, please provide supporting documentation;

- (3) On what date was the final decision made to include this initiative in the Budget;
- (4) Why was it decided to include this initiative in the Budget as part of the January bushfire recovery. Please provide any supporting documentation.

New questions
(30 days expires 26 July 2003)

*802 MS DUNDAS: To ask the Treasurer – In relation to tenders for naming rights to the Canberra Stadium:

- (1) How many members of the Stadiums Authority Board of Management are also members of the ActewAGL Board;
- (2) What mechanisms were used to ensure the confidentiality of commercial information during the tendering for the naming rights for Canberra Stadium;
- (3) Did any person who was a member of both boards have access to information about the content of tender documents before the close of tenders for the naming rights;
- (4) Does the Government consider it in the best interest of the Canberra community for the naming rights of Canberra Stadium to be sold;
- (5) What measures has the Government undertaken to prevent conflicts of interest on Territory Authorities;
- (6) Does the Government believe it is appropriate for individuals to be members of multiple boards of Territory Authorities that may have competing commercial interests;
- (7) What action will the Government take to remove perceptions of conflicts of interest on the Boards of Territory Authorities.

*803 MR CORNWELL: To ask the Minister for Health – In relation to security arrangements at The Canberra Hospital and an incident that occurred there on Monday 23 June 2003 at approximately 2.30 pm where a telephone was ripped out from a reception area by a seemingly irate person:

- (1) Does The Canberra Hospital currently have security arrangements in place for the protection of patients, staff and visitors, and if so, what are those arrangements;
- (2) If the answer to (1) above is no, then why are security arrangements not in place;

- (3) Do the security arrangements differ by (a) day and (b) time;
- (4) What was the amount of funding provided by the ACT Government for security at The Canberra Hospital in the (a) 2001-02 (b) 2002-03 (c) 2003-04 budgets.

*804 MR CORNWELL: To ask the Minister for Urban Services – In relation to burning rubbish:

- (1) Are any Canberrans allowed to burn rubbish in their backyards, if so, what rules do they have to follow, if not what penalties are enforced if caught;
- (2) Are developers, constructing new homes in new areas, allowed to burn construction rubbish on site, if so, what rules do they have to follow, if not what penalties are enforced if caught;
- (3) On Wednesday 25 June a constituent phoned my office to inform me developers were burning off material at the new development area on Kate Crace Place in Gungahlin, was this burn off authorised;
- (4) Should residents report this sort of behaviour if they witness it, if so, to whom.

*805 MR SMYTH: To ask the Minister for Health – In relation to The Canberra Hospital:

- (1) How much money was bulk billed at The Canberra Hospital in (a) 2000-01, (b) 2001-02, and (c) as at 25 June in 2002-03;
- (2) How was this money disbursed or expended by the hospital in (a), (b) and (c) above.

*806 MR SMYTH: To ask the Minister for Health – In relation to bulk billing:

- (1) How many General Practitioners are currently working in the ACT;
- (2) How many of these General Practitioners bulk bill for their services;
- (3) How much has this number increased or decreased in the last 3 years.

*807 MR SMYTH: To ask the Minister for Health – In relation to the paediatric ward at The Canberra Hospital:

- (1) How many beds are available in this ward;

- (2) What is the monthly average occupancy rate in the ward for the last 12 months;
- (3) On how many occasions has this ward been understaffed in the last 12 months;
- (4) On how many occasions has this ward been understaffed meaning no more admissions can be taken in the last 12 months;
- (5) What facilities are provided for parents who wish to remain with their children overnight.

*808 MR SMYTH: To ask the Minister for Economic Development, Business and Tourism – In relation to small business:

- (1) What surveys, if any, have been undertaken by your Government of (a) home-based business and (b) small business;
- (2) Have any such reports been evaluated and released, if so where may copies be obtained;
- (3) Has the Government received any complaints from small business or home-based business about the lack of assistance from Government, if so, what have you done to allay such concerns;
- (4) What is the Government doing to improve access by (a) home-based and (b) small business to ACT business development schemes.

*809 MRS DUNNE: To ask the Minister for Planning – In relation to government land auctions, specifically that of Harrison 1 Estate on 11 June 2003:

- (1) When did the Gungahlin Development Authority (GDA) first become aware that the cheque offered for deposit by the successful bidder was to be dishonoured;
- (2) What discussions and/or negotiations took place with the bidder between the fall of the hammer and the cheque being dishonoured;
- (3) Who took part in these discussions and/or negotiations;
- (4) Was any approach made by the GDA to any associates of the bidder in this regard;
- (5) If so, who and by whom;
- (6) Did the GDA have any contact with the Commonwealth Bank in regard to this matter between the auction and the cheque being dishonoured;
- (7) When was legal advice sought by the GDA;

- (8) What questions were asked in regard to that advice;
- (9) When was the advice received.

*810 MRS BURKE: To ask the Minister for Disability, Housing and Community Services – In relation to housing stock:

- (1) For the years (a) 2000-01, (b) 2001-02 and (c) 2002-03, how many properties did ACT Housing sell or otherwise dispose of and what are the addresses of these properties;
- (2) In (a), (b) and (c) above, how many properties did ACT Housing purchase or build and what are the addresses of these properties.

*811 MRS BURKE: To ask the Minister for Disability, Housing and Community Services – In relation to ACT housing stock:

- (1) In relation to all ACT housing stock, please provide a comprehensive list of all properties including a breakdown, for each property, of the number of single, double bedroom, or greater size dwellings within each property;
- (2) Further to (1), please indicate, in relation to each property and showing a breakdown distinguishing between different property types available within each complex, the number of dwellings not occupied as at 15 June 2003;
- (3) Further to (2), of the properties presently unoccupied please provide details in relation to each property, distinguishing between the different types of dwelling available, as to why such property is unoccupied and when it can be expected that each property will be next occupied.

*812 MRS BURKE: To ask the Minister for Urban Services – In relation to dumped motor vehicles and associated issues within ACT public housing properties:

- (1) Please provide details of the number of motor vehicles which have been removed from parking areas or the common property of ACT Housing properties since 1 July 2002;
- (2) Please explain the procedure by which such vehicles, having been brought to the Government's attention or otherwise identified by the authorities, are processed leading to their removal from the property;
- (3) What are the costs associated with this process, please provide details for the period commencing 1 July 2002 to date;

- (4) Under what circumstances does the Government determine not to arrange for the removal of these vehicles;
- (5) Further to (1), please provide comparable figures for the period 1 July – 30 June 1999-2000, 2000-2001 and 2001-2002;
- (6) In the removal process, please indicate further to responses to (1) and (5), the percentage of occasions within which a public housing resident is held responsible for such vehicle;
- (7) Further to (6), in relation to identified resident-vehicle owners, what action is taken against such persons:
 - (a) in respect of the vehicle offence;
 - (b) in respect of their continued tenancy.

*813 MR SMYTH: To ask the Minister for Planning – In relation to telecommunications in Gungahlin:

- (1) When will the new telephone exchange in the Gungahlin Town Centre announced on 25 June be fully operational;
- (2) Will this exchange speed up internet access in the Gungahlin area;
- (3) What is the minimum guaranteed capacity (speed) of the enhanced service;
- (4) How many dwellings will remain unserved by the new, enhanced service;
- (5) What is the estimated cost of providing the new high speed services in Gungahlin;
- (6) How many mobile phone stations will there be;
- (7) What areas of Gungahlin will remain not serviced by mobile phone;
- (8) What will be the altitude (above mean sea level) and height above ground level of the mobile phone base stations;
- (9) What is the estimated cost of installing the new mobile phone base stations.

T Duncan

Acting Clerk of the Legislative Assembly

COMMITTEES

Unless otherwise shown, appointed for the life of the Fifth Assembly. The dates of the amendments to the committees' resolution of appointment are reflected, but not changes in the membership.

Standing

Pursuant to standing order

ADMINISTRATION AND PROCEDURE: *(Formed 12 November 2001)*: The Speaker *(Presiding Member)*, Ms Dundas, Mrs Dunne *(from 18 February 2003)*, Mr Hargreaves, Ms MacDonald *(during the absence of Mr Hargreaves from 11-27 May 2002)*, Mr Stefaniak *(during the absence of Mrs Dunne on 6 May 2003)*.

Pursuant to resolution

COMMUNITY SERVICES AND SOCIAL EQUITY: *(Formed 11 December 2001; Amendment to resolution of appointment 21 November 2002)*: Mr Hargreaves *(Chair)*, Mr Cornwell *(from 21 November 2002)*, Mrs Cross, Ms Dundas.

EDUCATION: *(Formed 11 December 2001)*: Ms MacDonald *(Chair)*, Ms Dundas, Mr Pratt.

HEALTH: *(Formed 11 December 2001)*: Ms Tucker *(Chair)*, Mrs Burke *(from 18 February 2003)*, Ms MacDonald.

LEGAL AFFAIRS: *(Formed 11 December 2001)*: Mr Stefaniak *(Chair)*, Mr Hargreaves, Ms Tucker.

PLANNING AND ENVIRONMENT: *(Formed 11 December 2001; Amendment to resolution of appointment 21 November 2002)*: Mrs Dunne *(Chair)*, Mrs Cross *(from 21 November 2002)*, Ms Dundas, Mr Hargreaves *(from 30 January 2003)*.

PUBLIC ACCOUNTS: *(Formed 11 December 2001)*: Mr Smyth *(Chair)*, Ms MacDonald *(from 30 January 2003)*, Ms Tucker.

Dissolved

ESTIMATES 2001-02: *(Formed 19 February 2002)*: Mr Humphries *(Chair)*, Ms Dundas, Mr Hargreaves. *(Presented 9 April 2002)*.

ESTIMATES 2002-03: *(Formed 6 June 2002)*: Mr Humphries *(Chair)*, Mr Hargreaves, Ms Dundas, Mrs Dunne, Ms Gallagher. *(Printing, circulation and publication authorised 19 August 2002; presented 20 August 2002)*.

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

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

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