

2004

**LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

MINUTES OF PROCEEDINGS

No. 2

TUESDAY, 7 DECEMBER 2004

1 The Assembly met at 10.30 a.m., pursuant to adjournment. The Speaker (Mr Berry) took the Chair and made a formal recognition that the Assembly was meeting on the lands of the traditional owners. The Speaker asked Members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

2 TEMPORARY DEPUTY SPEAKERS

The Speaker informed the Assembly that, pursuant to standing order 8, he had nominated Mr Gentleman and Mrs Burke as temporary Deputy Speakers and presented his warrant of nomination:

Pursuant to the provisions of standing order 8, I nominate –

Mr Gentleman

and

Mrs Burke

to act as temporary Deputy Speakers.

Given under my hand on 7 December 2004.

Mr Wayne Bruce Berry
Speaker
7 December 2004

3 PETITIONS

The Clerk announced that the following Member had lodged petitions for presentation:

Mr Stanhope, from 108 residents, requesting that the Assembly declare a moratorium on the implementation of Area A10 residential core zoning to allow for independent research into some aspects of this form of redevelopment and to allow for new submissions from affected residents.

Mr Stanhope, from 406 residents of Aranda, in similar terms.

4 INAUGURAL SPEECHES

Mr Gentleman, Ms Porter, Dr Foskey, Mr Mulcahy and Mr Seselja, by leave, made their respective inaugural speeches.

5 PUBLIC INTEREST DISCLOSURE—STATEMENT BY MINISTER

Ms Gallagher (Minister for Industrial Relations), by leave, made a statement regarding a public interest disclosure made earlier this year.

6 COMMITTEES—STANDING—ESTABLISHMENT

Ms MacDonald, by leave, moved—That:

- (1) The following general purpose standing committees be established and each committee to inquire into and report on matters referred to it by the Assembly or matters that are considered by the committee to be of concern to the community:
 - (a) a Standing Committee on Public Accounts to:
 - (i) examine:
 - (A) the accounts of the receipts and expenditure of the Australian Capital Territory and its authorities; and
 - (B) all reports of the Auditor-General which have been presented to the Assembly;
 - (ii) report to the Assembly any items or matters in those accounts, statements and reports, or any circumstances connected with them, to which the Committee is of the opinion that the attention of the Assembly should be directed;
 - (iii) inquire into any question in connection with the public accounts which is referred to it by the Assembly and to report to the Assembly on that question; and
 - (iv) examine matters relating to economic and business development, small business, tourism, market and regulatory reform, public sector management, taxation and revenue and sustainability;
 - (b) a Standing Committee on Education, Training and Young People to examine matters related to early childhood education and care, primary, secondary, post secondary and tertiary education and vocational training, non-government education, youth and family services, technology, arts and culture, sport and recreation;
 - (c) a Standing Committee on Health and Disability to examine matters related to hospitals, community, public and mental health, health promotion and disease prevention, disability matters, drug and substance misuse, targeted health programs and community services, including services for older persons and women, housing, poverty, and multicultural and indigenous affairs;

- (d) a Standing Committee on Legal Affairs to perform the duties of a scrutiny of bills and subordinate legislation committee and examine matters related to community and individual rights, consumer rights, courts, police and emergency services, corrections including a prison, governance and industrial relations, administrative law, civil liberties and human rights, censorship, company law, law and order, criminal law, consumer affairs and regulatory services; and
 - (e) a Standing Committee on Planning and Environment to examine matters related to planning, public works and land management, conservation and heritage, transport services, and environment and ecological sustainability.
- (2) The Standing Committee on Legal Affairs when performing the duties of a scrutiny of bills and subordinate legislation committee shall:
- (a) consider whether any instrument of a legislative nature made under an Act which is subject to disallowance and/or disapproval by the Assembly (including a regulation, rule or by-law):
 - (i) is in accord with the general objects of the Act under which it is made;
 - (ii) unduly trespasses on rights previously established by law;
 - (iii) makes rights, liberties and/or obligations unduly dependent upon non-reviewable decisions; or
 - (iv) contains matter which in the opinion of the Committee should properly be dealt with in an Act of the Legislative Assembly;
 - (b) consider whether any explanatory statement or explanatory memorandum associated with legislation and any regulatory impact statement meets the technical or stylistic standards expected by the Committee;
 - (c) consider whether the clauses of bills introduced into the Assembly:
 - (i) unduly trespass on personal rights and liberties;
 - (ii) make rights, liberties and/or obligations unduly dependent upon insufficiently defined administrative powers;
 - (iii) make rights, liberties and/or obligations unduly dependent upon non-reviewable decisions;
 - (iv) inappropriately delegate legislative powers; or
 - (v) insufficiently subject the exercise of legislative power to parliamentary scrutiny;
 - (d) report to the Assembly on these or any related matter and if the Assembly is not sitting when the Committee is ready to report on bills and subordinate legislation, the Committee may send its report to the Speaker, or, in the absence of the Speaker, to the Deputy Speaker, who is authorised to give directions for its printing, publication and circulation.

- (3) If the Assembly is not sitting when the Standing Committee on Planning and Environment has completed consideration of a report on draft plan variations referred pursuant to section 25 of the *Land (Planning and Environment) Act 1991* or draft plans of management referred pursuant to section 203 of the *Land (Planning Environment) Act 1991*, the Committee may send its report to the Speaker, or, in the absence of the Speaker, to the Deputy Speaker, who is authorised to give directions for its printing, publication and circulation.
- (4) Each committee shall consist of three members composed as follows:
 - (a) Standing Committee on Education, Training and Young People—
 - (i) two members nominated by the Government; and
 - (ii) one member nominated by the Opposition;
 - (b) Standing Committee on Health and Disability—
 - (i) two members nominated by the Government; and
 - (ii) one member nominated by the Opposition;
 - (c) Standing Committee on Legal Affairs—
 - (i) one member nominated by the Government;
 - (ii) one member nominated by the Opposition; and
 - (iii) one member nominated by the Crossbench;
 - (d) Standing Committee on Planning and Environment—
 - (i) two members nominated by the Government; and
 - (ii) one member nominated by the Opposition; and
 - (e) Standing Committee on Public Accounts—
 - (i) one member nominated by the Government;
 - (ii) one member nominated by the Opposition; and
 - (iii) one member nominated by the Crossbench.
- (5) In addition, the membership of the Standing Committee on Administration and Procedure, established under standing order 16, be composed of:
 - (a) the Speaker, as Presiding Member;
 - (b) the Government Whip;
 - (c) the Opposition Whip; and
 - (d) one member nominated by the Crossbench.
- (6) Each committee shall have power to consider and make use of the evidence and records of the relevant standing committee appointed during the previous Assembly.
- (7) Each committee be provided with necessary staff, facilities and resources.
- (8) The foregoing provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.

- (9) Nominations for membership of these committees be notified in writing to the Speaker within 15 minutes following conclusion of the debate on the matter.

Debate ensued.

Dr Foskey, by leave, moved the following amendments together:

- (1) subparagraph (1)(b), omit “Young People” and “youth and family services;
 (2) subparagraph (1)(c), omit “and Disability”, “disability matters,” and “and community services, including services for older persons and women, housing, poverty, and multicultural and indigenous affairs”;

- (3) insert new subparagraph:

“(1)(f) a Standing Committee on Community Services and Social Equity to examine matters relating to the needs of family, youth, children, older persons and people with a disability; housing, poverty, children at risk, multicultural and indigenous affairs.”; and

- (4) insert new subparagraph:

“(4)(f) Standing Committee on Community Services and Social Equity—
 (i) one member to be nominated by the Government;
 (ii) one member to be nominated by the Opposition; and
 (iii) one member to be nominated by the Crossbench.”.

Debate continued.

Amendments negatived.

Mr Mulcahy, by leave, moved the following amendments together:

- (1) subparagraph (1)(e), omit “public works and”; and
 (2) subparagraph (1)(a), insert new subparagraph:

“(v) examine matters relating to public works;”.

Question—put.

The Assembly voted—

AYES, 7

NOES, 8

Mrs Burke	Mr Seselja	Mr Berry	Mr Hargreaves
Mrs Dunne	Mr Smyth	Mr Corbell	Ms MacDonald
Dr Foskey	Mr Stefaniak	Ms Gallagher	Ms Porter
Mr Mulcahy		Mr Gentleman	Mr Quinlan

And so it was negatived.

Dr Foskey, who had already spoken, by leave, again addressed the Assembly and moved the following amendment: Omit paragraph (4) and substitute:

“(4) Each committee shall consist of three members, except for the Standing Committee on Planning and Environment, the Standing Committee on Education, Training and Young People and the Standing Committee on Health and Disability, which may have four members.”.

Debate continued.

Amendment negatived.

Debate continued.

Question—That the motion be agreed to—put.

The Assembly voted—

AYES, 8

NOES, 7

Mr Berry	Mr Hargreaves	Mrs Burke	Mr Seselja
Mr Corbell	Ms MacDonald	Mrs Dunne	Mr Smyth
Ms Gallagher	Ms Porter	Dr Foskey	Mr Stefaniak
Mr Gentleman	Mr Quinlan	Mr Mulcahy	

And so it was resolved in the affirmative.

7 QUESTIONS

Questions without notice were asked.

8 LEAVE OF ABSENCE TO MEMBER

Mrs Dunne moved—That leave of absence be given to Mr Pratt for this sitting.

Question—put and passed.

9 AUDITOR-GENERAL ACT—AUDITOR-GENERAL'S REPORTS—PUBLICATION OF PAPERS

The Speaker presented the following papers:

Auditor-General Act, pursuant to subsection 17(5)—Auditor-General's Reports—

No. 8 2004—Waiting lists for elective surgery and medical treatment, dated 1 December 2004.

No. 9 2004—Administration and monitoring of youth service contracts, dated 6 December 2004.

No. 10 2004—2003-2004 Financial Audits, dated 6 December 2004.

Mr Corbell (Manager of Government Business), by leave, moved—That the Assembly authorises the publication of the Auditor-General's Reports Nos. 9 2004 and 10 2004.

Question—put and passed.

10 RESIGNATION OF MEMBER—PAPERS

The Speaker informed the Assembly that, pursuant to the resolution of the Assembly of 27 March 1992, he had received a letter from Ms Kerrie Tucker, dated 14 September 2004, resigning her office as a Member of the Legislative Assembly for the Australian Capital Territory and presented the following papers:

Tucker, Ms Kerrie—Resignation of office as Member—

Copy of a letter of resignation in accordance with section 13 of the *Australian Capital Territory (Self-Government) Act 1988* (C'wealth), dated 14 September 2004.

Copy of a letter from the Speaker to the Electoral Commissioner, ACT Electoral Commission, dated 14 September 2004.

11 PRESENTATION OF PAPERS

The Speaker presented the following papers:

ACT Legislative Assembly Secretariat—Report and financial statements, including the Auditor-General's report, for 2003-2004.

Quarterly Travel Report—Non-Executive MLAs—1 July to 30 September 2004.

12 PUBLIC SECTOR MANAGEMENT ACT—EXECUTIVE CONTRACTS—PAPERS AND STATEMENT BY MINISTER

Mr Stanhope (Chief Minister) presented the following papers:

Public Sector Management Act, pursuant to sections 31A and 79—Copies of executive contracts or instruments—

Long-term contracts:

David Prince, dated 24 August 2004.

George Tomlins, dated 17 November 2004.

Gordon Davidson, dated 11 October 2004.

Hamish McNulty, dated 9 November 2004.

Helen Strauch, dated 8 November 2004.

John Woolard, dated 9 August 2004.

Lucy Bitmead, dated 2 November 2004.

Steve Ayling, dated 7 September 2004.

William Stone, dated 23 September 2004.

Short-term contracts:

Andrew Rice, dated 27 September 2004.

Angel Marina, dated 25 August 2004.

Anne McGrath, dated 27 September 2004.

Anthony Polinelli, dated 3 November 2004.

Clare Wall, dated 25 August 2004.

David Butt, dated 1 October 2004.

David Collett, dated 19 November 2004.

Floyd Kennedy, dated 16 August 2004.

Frank Duggan, dated 20 October 2004.

Gordon Davidson, dated 2 November 2004.

Hamish McNulty, dated 19 October 2004.

Julie McKinnon, dated 16 August 2004.

Kevin Shore, dated 27 September 2004.
Khalid Ahmed (3), dated 19 November 2004.
Lucy Bitmead, dated 2 November 2004.
Michael Zissler, dated 7 September 2004.
Neil Bulless, dated 31 August 2004.
Pam Davoren, dated 26 August 2004.
Philip Hextell, dated 5 October 2004.
Phillip Tardif, dated 2 August 2004.
Rhys Ollerenshaw, dated 9 August 2004.
Roslyn Hayes, dated 16 August 2004.
Sue Ash, dated 27 September 2004.
Sue Ash, dated 20 October 2004.
Sue Ross, dated 28 October 2004.

Schedule C variations:

Alan Phillips, dated 1 and 19 October 2004.
Allan Eggins, dated 18 and 19 October 2004.
Anna Lennon, dated 11 and 15 October 2004.
Elizabeth Fowler, dated 6 September and 19 October 2004.
Fran Hinton, dated 14 and 31 July 2004.
Mandy Hillson, dated 19 October 2004.
Maxine Cooper, dated 19 October 2004.
Sue Ross, dated 26 October 2004.
Tom Elliott, dated 20 September and 19 October 2004.
Tony Bartlett, dated 2 September 2004.
Tony Gill, dated 25 September and 19 October 2004.

Schedule D variations:

Ademola Bojuwoye, dated 6 September 2004.
Anne McGrath, dated 19 October 2004.
Anne Thomas, dated 22 September 2004.
Catherine Hudson, dated 17 and 20 September 2004.
Christine Healy, dated 30 September 2004.
Floyd Kennedy, dated 31 August and 5 September 2004.
Frank Duggan, dated 19 and 25 October 2004.
Glen Gaskill, dated 28 June 2004.
Glen Gaskill, dated 21 and 30 September 2004.

Hamish McNulty, dated 20 September 2004.
Helen Strauch, dated 20 September 2004.
Lucy Bitmead, dated 26 and 27 March 2004.
Michael Bateman, dated 26 October 2004.
Michael Harris, dated 16 and 18 August 2004.
Michael Harris, dated 6 and 11 October 2004.
Michael Harris, dated 17 November 2004.
Peter Gordon, dated 26 July and 3 August 2004.
Phillip Tardif, dated 17 September 2004.
Phillip Tardif, dated 19 October 2004.
Phillip Tardif, dated 4 and 11 November 2004.
Stephen Ryan, dated 24 September and 1 November 2004.
Sue Birtles, dated 31 July and 15 August 2004.
Sue Birtles, dated 16 and 24 August 2004.
Sue Ross, dated 24 September 2004.
Susan Killion.
Tony Gill, dated 11 October 2004—
and, by leave, made a statement in relation to the papers.

13 PRESENTATION OF PAPERS

Mr Stanhope (Chief Minister) presented the following papers:

Remuneration Tribunal Act, pursuant to section 12—Determinations, together with statements for:

Chief Executive and Executive Remuneration—Determination No. 157, dated 7 September 2004.

Commissioner for Public Administration—Working Hours—Determination No. 152, dated 7 September 2004.

Full-time Holders of Public Office—

Commissioner, Emergency Services Authority—Determination No. 153, dated 7 September 2004.

Remuneration and Leave Entitlements—Determination No. 158, dated 7 September 2004.

Part-time Holders of Public Office—

Community Inclusion Board—Determination No. 154, dated 7 September 2004.

Disability Advisory Council—Determination No. 155, dated 7 September 2004.

Special Magistrate—Appointment of Northern Territory Magistrate—Determination No. 156, dated 7 September 2004.

14 ADMINISTRATIVE ARRANGEMENTS—NOTIFIABLE INSTRUMENTS NOS. NI2004-418 AND NI2004-419—PAPERS AND STATEMENT BY MINISTER

Mr Stanhope (Chief Minister) presented the following papers:

Administrative Arrangements—

Australian Capital Territory (Self-Government) Ministerial Appointments Notice 2004 (No. 2)—Notifiable Instrument NI2004-418 (S6, dated Friday, 5 November 2004).

Administrative Arrangements 2004 (No. 5)—Notifiable Instrument NI2004-419 (S6, dated Friday, 5 November 2004)—

and, by leave, made a statement in relation to the papers.

15 PRESENTATION OF PAPERS

Mr Quinlan (Treasurer) presented the following papers:

Financial Management Act—

Pursuant to section 25—Consolidated Annual Financial Statements, including audit opinion—2003-2004 Financial Year, dated 30 September 2004.

Consolidated Financial Statements—Management Discussion and Analysis—Financial year ending 30 June 2004.

Pursuant to section 26—Consolidated Financial Management Report for the financial quarter and year-to-date ending 30 September 2004.

2003-04 Capital Works Program—Progress report—June quarter.

Territory Owned Corporations Act, pursuant to subsection 19(3)—Statement of Corporate Intent—ACTTAB—1 July 2004-30 June 2005.

16 GAMING MACHINE ACT—COMMUNITY CONTRIBUTIONS MADE BY GAMING MACHINE LICENCEES—PAPER—MOTION TO TAKE NOTE OF PAPER

Mr Quinlan (Treasurer) presented the following paper:

Gaming Machine Act, pursuant to section 60F—Community contributions made by gaming machine licensees—Seventh report by the ACT Gambling and Racing Commission—1 July 2003 to 30 June 2004—

and moved—That the Assembly takes note of the paper.

Debate adjourned (Mr Stefaniak) and the resumption of the debate made an order of the day for the next sitting.

17 FINANCIAL MANAGEMENT ACT—INSTRUMENTS—PAPERS AND STATEMENT BY MINISTER

Mr Quinlan (Treasurer) presented the following papers:

Financial Management Act—

Pursuant to section 14—Instrument directing a transfer of appropriations from the Office for Children, Youth and Family Support to the Department of Education and Training, including a statement of reasons, dated 8 September 2004.

Pursuant to section 16—Instrument directing a transfer of funds as a result of the Administrative Arrangements Order of 4 November 2004, including a statement of reasons, dated 4 November 2004.

Pursuant to section 19F—

Instruments amending budgets—

Department of Education and Training, including a statement of reasons, dated 8 September 2004.

Office for Children, Youth and Family Support, including a statement of reasons, dated 8 September 2004—

and, by leave, made a statement in relation to the papers.

18 PUBLIC ACCOUNTS—STANDING COMMITTEE—REPORT 14—REVIEW OF AUDITOR-GENERAL'S REPORT NO. 10 OF 2003: FINANCIAL AUDITS WITH YEARS ENDING TO 30 JUNE 2003—GOVERNMENT RESPONSE—PAPER NOTED

Mr Quinlan (Treasurer) presented the following paper:

Public Accounts—Standing Committee—Report 14—Review of Auditor General's Report No. 10 of 2003: Financial audits with years ending to 30 June 2003 (*presented 26 August 2004*)—Government response—

and moved—That the Assembly takes note of the paper.

Question—put and passed.

19 PRESENTATION OF PAPER

Mr Quinlan (Minister for Economic Development) presented the following paper:

Australian Capital Tourism Corporation Act, pursuant to subsection 28(2)—Australian Capital Tourism—1st Quarterly report –July to September 2004.

20 PRESENTATION OF PAPERS

Mr Corbell (Minister for Health) presented the following papers:

Calvary Public Hospital—Information Bulletin—Patient Activity Data—External Distribution—

August 2004.

September 2004.

October 2004.

The Canberra Hospital—Information Bulletin—Patient Activity Data—

August 2004.

September 2004.

October 2004.

21 PLANNING AND LAND ACT—PLANNING AND LAND DIRECTION TO AUTHORITY 2004 (NO. 1)—NOTIFIABLE INSTRUMENT NI2004-370—PAPER AND STATEMENT BY MINISTER

Mr Corbell (Minister for Planning) presented the following paper:

Planning and Land Act, pursuant to section 12—Planning and Land Direction to Authority 2004 (No. 1)—Notifiable Instrument NI2004-370, dated 9 September 2004—

and, by leave, made a statement in relation to the paper.

22 LAND (PLANNING AND ENVIRONMENT) ACT—SCHEDULES—LEASES GRANTED—PAPER AND STATEMENT BY MINISTER

Mr Corbell (Minister for Planning) presented the following paper:

Land (Planning and Environment) Act, pursuant to section 216A—Schedules—Leases granted, together with lease variations and change of use charges for the period 1 July to 30 September 2004—

and, by leave, made a statement in relation to the paper.

23 PRESENTATION OF PAPER

Ms Gallagher (Minister for Industrial Relations) presented the following paper:

Occupational Health and Safety Act, pursuant to section 228—Operation of the *Occupational Health and Safety Act 1989* and its associated law—First quarterly report for the period 1 July to 30 September 2004.

24 PRESENTATION OF PAPERS

Mr Corbell (Manager of Government Business) presented the following papers:

Petitions—Out of order

Petitions which do not conform with the standing orders –

Dragway—Request for support—Mr Stefaniak (331 citizens).

Nicholls—Traffic conditions—Mr Stefaniak (51 citizens).

Calvary Hospital—Proposed psychgeriatric/rehabilitation facility—Mr Stanhope (74 citizens).

Annual Reports 2003-2004

Annual Reports (Government Agencies) Act, pursuant to section 13—

ACT Audit Office, dated 28 September 2004.

ACT Building and Construction Industry Training Fund Board, dated 10 September 2004.

ACT Cleaning Industry Long Service Leave Board, dated 3 September 2004.

ACT Construction Industry Long Service Leave Board, dated 3 September 2004.

ACT Electoral Commission, dated 23 August 2004.

ACT Gambling and Racing Commission, dated 5 August 2004.

ACT Government Procurement Board, dated September 2004.
ACT Health, dated 23 September 2004.
ACT Health Promotion Board (Healthpact).
ACT Human Rights Office, dated 24 September 2004.
ACT Insurance Authority, dated 10 September 2004.
ACT Ombudsman, dated 2 September 2004.
ACT Planning and Land Authority, dated 20 September 2004.
ACT Policing, dated 24 September 2004.
ACTEW Corporation.
ACTION Authority, dated 7 September 2004.
ACTTAB, dated 17 August 2004.
Australian Capital Tourism Corporation, dated 5 August 2004.
Australian International Hotel School, dated 24 September 2004.
Canberra Public Cemeteries Trust and ACT Public Cemeteries Board, dated 22 September 2004.
Chief Minister's Department (2 volumes), dated 21 September 2004.
Commissioner for Public Administration, dated 24 September 2004.
Commissioner for the Environment, dated 24 September 2004.
Community and Health Services Complaints Commissioner, dated 24 September 2004.
Cultural Facilities Corporation, dated 13 September 2004.
Department of Disability, Housing and Community Services (2 volumes), dated 23 September 2004.
Department of Education and Training (incorporating the Department of Education, Youth and Family Support), dated 16 September 2004.
Department of Justice and Community Safety (2 volumes), dated 24 September 2004.
Department of Treasury (2 volumes), dated 23 September 2004.
Department of Urban Services (2 volumes), dated 22 September 2004.
Exhibition Park in Canberra, dated 28 August 2004.
Independent Competition and Regulatory Commission.
Land Development Agency, dated 20 September 2004.
Legal Aid Commission, dated 27 August 2004.
Office for Children, Youth and Family Support, dated 8 September 2004.
Office of the Community Advocate, dated 24 September 2004.
Office of the Director of Public Prosecutions, dated 10 September 2004.

Office of the Occupational Health and Safety Commissioner (including ACT Workcover), dated 14 September 2004.

Public Trustee for the ACT.

Stadiums Authority.

State of the Service Report (incorporating the Commissioner for Public Administration's Annual Report).

Totalcare Industries Limited.

Victims of Crime Support Program (incorporating the Victims of Crime (Financial Assistance) Act 1983 Annual Report), dated 6 September 2004.

Subordinate legislation (including explanatory statements unless otherwise stated)

Legislation Act, pursuant to section 64—

Financial Management Act—Financial Management Amendment Guidelines 2004 (No. 4)—Disallowable Instrument DI2004-252 (LR, 4 November 2004).

Long Service Leave (Contract Cleaning Industry) Act—Long Service Leave (Contract Cleaning Industry) Board Appointment 2004 (No. 6)—Disallowable Instrument DI2004-253 (LR, 9 November 2004).

Partnership Act—Attorney General (Fees) Amendment Determination 2004 (No. 3)—Disallowable Instrument DI2004-257 (without explanatory statement) (LR, 19 November 2004).

Public Place Names Act—

Public Place Names (City) Determination 2004 (No. 2)—Disallowable Instrument DI2004-254 (LR, 11 November 2004).

Public Place Names (Dunlop) Determination 2004 (No. 2)—Disallowable Instrument DI2004-256 (LR, 19 November 2004).

Public Place Names (Gungahlin) Determination 2004 (No. 3)—Disallowable Instrument DI2004-255 (LR, 11 November 2004).

Road Transport (General) Act—Road Transport (General) (Application of Road Transport Legislation) Declaration 2004 (No. 12)—Disallowable Instrument DI2004-251 (LR, 1 November 2004).

Road Transport (Offences) Regulation—Road Transport (Offences) (Declaration of Holiday Period) Determination 2004 (No. 1)—Disallowable Instrument DI2004-258 (LR, 22 November 2004).

25 STANDING COMMITTEES—MEMBERSHIP

The Speaker, pursuant to the Assembly's resolution of this day, informed the Assembly that the following Members had been nominated to the following committees:

Administration and Procedure

Mrs Dunne

Dr Foskey

Ms MacDonald

Education, Training and Young People

Mrs Dunne

Mr Gentleman

Ms Porter

Health and Disability

Mrs Burke

Ms MacDonald

Ms Porter

Legal Affairs

Dr Foskey

Ms MacDonald

Mr Stefaniak

Planning and Environment

Mr Gentleman

Ms Porter

Mr Seselja

Public Accounts

Dr Foskey

Ms MacDonald

Mr Mulcahy.

Mr Corbell (Manager of Government Business) moved—That the Members so nominated be appointed as members of the relevant standing committees.

Question—put and passed.

26 PORTFOLIO RESPONSIBILITIES—MINISTERIAL STATEMENT

Mr Stanhope (Chief Minister, Attorney-General, Minister for Environment and Minister for Arts, Heritage and Indigenous Affairs), by leave, made a ministerial statement concerning his portfolio responsibilities.

27 PORTFOLIO RESPONSIBILITIES—MINISTERIAL STATEMENT

Mr Quinlan (Deputy Chief Minister, Treasurer and Minister for Economic Development), by leave, made a ministerial statement concerning his portfolio responsibilities.

28 MATTER OF PUBLIC IMPORTANCE—DISCUSSION—CANBERRA'S VULNERABLE PEOPLE—IMPORTANCE OF COMPREHENSIVE AND EFFECTIVE STATUTORY OVERSIGHT OF SERVICES

The Assembly was informed that Dr Foskey had proposed that a matter of public importance be submitted to the Assembly for discussion, namely, "The importance of comprehensive and effective statutory oversight of services and support for Canberra's vulnerable people."

Discussion ensued.

Discussion concluded.

29 ROAD TRANSPORT (GENERAL) AMENDMENT BILL 2004

Mr Quinlan (Treasurer), by leave, presented a Bill for an Act to amend the *Road Transport (General) Act 1999*.

Papers: Mr Quinlan presented the following papers:

Explanatory statement to the Bill.

Human Rights Act, pursuant to section 37—Compatibility statement, dated 1 December 2004.

Title read by Clerk.

Mr Quinlan moved—That this Bill be agreed to in principle.

Debate adjourned (Mr Mulcahy) and the resumption of the debate made an order of the day for the next sitting.

30 TERRITORY OWNED CORPORATIONS AMENDMENT BILL 2004 (NO. 2)

Mr Quinlan (Treasurer), by leave, presented a Bill for an Act to amend the *Territory Owned Corporations Act 1990*, and for other purposes.

Papers: Mr Quinlan presented the following papers:

Explanatory statement to the Bill.

Human Rights Act, pursuant to section 37—Compatibility statement, dated 6 December 2004.

Title read by Clerk.

Mr Quinlan moved—That this Bill be agreed to in principle.

Debate adjourned (Mr Mulcahy) and the resumption of the debate made an order of the day for the next sitting.

31 STANDING COMMITTEES—REFERENCE—2003-2004 ANNUAL REPORTS

Mr Corbell (Manager of Government Business), by leave, moved—That, notwithstanding the resolution of the Assembly of today establishing standing committees:

- (1) the annual and financial reports for the calendar years 2003 and 2004, and the financial year 2003-2004 presented to the Assembly pursuant to the *Annual Reports (Government Agencies) Act 2004* stand referred to the standing committees, on presentation, in accordance with the schedule below;
- (2) that, notwithstanding standing order 229, only one standing committee may meet for the consideration of the inquiry into the calendar years 2003 and 2004 and 2003-2004 annual and financial reports at any given time; and
- (3) the foregoing provisions of this resolution have effect notwithstanding anything contained in the standing orders.

Referral of Annual Reports to Standing Committees
Calendar years 2003 and 2004 and Financial year 2003-2004

Standing Committee	Annual Report	Minister/s responsible	
Public Accounts	ACT Auditor-General	Chief Minister	
	ACT Legislative Assembly Secretariat	Speaker	
	ACT Government Procurement Board	Treasurer	
	ACT Insurance Authority	Treasurer	
	Australian International Hotel School	Treasurer	
	Chief Minister's Department		Chief Minister
			Minister for Economic Development
			Minister for Arts, Heritage and Indigenous Affairs
			Minister for Women
			Minister for Multicultural Affairs and Community Engagement
	Australian Capital Tourism Corporation	Minister for Economic Development	
	Commissioner for Public Administration	Chief Minister	
	Department of Treasury	Treasurer	
	Exhibition Park in Canberra	Treasurer	
	Gambling and Racing Commission	Minister for Economic Development	
Independent Competition and Regulatory Commission	Treasurer		
Stadiums Authority	Minister for Economic Development		
ACTEW Corporation	Treasurer		
ACTTAB Ltd	Treasurer		
Totalcare Industries Ltd	Treasurer		

Legal Affairs	ACT Construction Industry Long Service Leave Board	Minister for Industrial Relations
	ACT Cleaning Industry Long Service Leave Board	Minister for Industrial Relations
	ACT Electoral Commission	Attorney-General
	ACT Ombudsman	Attorney-General
	Australian Federal Police—ACT Region	Minister for Police and Emergency Services
	Commissioner for Occupational Health and Safety	Minister for Industrial Relations
	Community Advocate	Attorney-General
	Department of Justice and Community Safety	Attorney-General
	Director of Public Prosecutions	Attorney-General
	Discrimination Commissioner	Attorney-General
	Legal Aid Commission	Attorney-General
	Office of the Public Trustee	Attorney-General
Victims of Crime (Financial Assistance) Act 1983	Attorney-General	
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Health	ACT Health	Minister for Health
	ACT Mental Health Official Visitors	Minister for Health
	Community and Health Services Complaints Commissioner	Minister for Health
	Healthpact	Minister for Health
	Department of Disability, Housing and Community Services	Minister for Disability, Housing and Community Services
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Education	Canberra Institute of Technology	Minister for Education and Training
	Department of Education and Training	Minister for Education and Training
	Office for Children, Youth and Family Support	Minister for Children, Youth and Family Support

Education (cont'd)	Building and Construction Industry Training Fund Board	Minister for Education and Training
	Cultural Facilities Corporation	Minister for Arts, Heritage and Indigenous Affairs
Planning and Environment	ACT Planning and Land Authority	Minister for Planning
	ACT Land Development Agency	Minister for Planning
	ACTION Authority	Minister for Planning
	Canberra Public Cemeteries Trust	Minister for Urban Services
	Commissioner for the Environment	Minister for Environment
	Department of Urban Services	Minister for Urban Services
	Nominal Defendant	Minister for Urban Services

Question—put and passed.

32 **STANDING ORDER 34 (ADJOURNMENT OF ASSEMBLY) AND STANDING ORDER 27 (DAYS AND HOURS OF MEETING)—AMENDMENTS**

Mr Corbell (Manager of Government Business), by leave, moved—That the following standing orders be amended:

(1) Standing order 34:

Omit standing order 34, substitute the following new standing order:

“Adjournment of Assembly

34. At 6.00 p.m. on each sitting Tuesday, Wednesday or Thursday, and at 12.30 p.m. on each sitting Friday, the Speaker shall propose the question—That the Assembly do now adjourn—which question shall be open to debate. No amendment may be moved to this question:

Provided that:

- (a) if a vote is in progress at the time for interruption, that vote, and any vote consequent upon that vote, shall be completed and the result announced;
- (b) if, on the question—That the Assembly do now adjourn—being proposed, a Minister requires the question to be put forthwith without debate, the Speaker shall forthwith put the question;
- (c) a motion for the adjournment of the Assembly may be moved by a Minister at an earlier hour;
- (d) any business under discussion and not disposed of at the time of the adjournment shall be set down on the Notice Paper for the next sitting;

- (e) if the question—That the Assembly do now adjourn—is negatived, the Assembly shall resume the proceedings at the point at which they had been interrupted; and
- (f) at the conclusion of the time allotted for the adjournment, the Speaker shall forthwith adjourn the Assembly until the time of its next meeting.”.

(2) Standing order 27:

After “at 10.30 a.m.”, insert “, and on Fridays at 9.30 a.m.”.

Adjournment negatived: It being past 5 p.m.—The question was proposed—That the Assembly do now adjourn.

Mr Corbell (Manager of Government Business) requiring the question to be forthwith without debate—

Question—put and negatived.

Debate ensued.

Question—put and passed.

33 ADJOURNMENT

Mr Corbell (Manager of Government Business) moved—That the Assembly do now adjourn.

Debate ensued.

Question—put and passed.

And then the Assembly, at 6.10 p.m. adjourned until tomorrow at 10.30 a.m.

MEMBERS’ ATTENDANCE: All Members were present at some time during the sitting, except Mr Pratt (on leave).

Tom Duncan
Clerk of the Legislative Assembly