

2001-2002-2003

LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

NOTICE PAPER

No. 63

Wednesday, 25 June 2003

The Assembly meets this day at 10.30 am

PRIVATE MEMBERS' BUSINESS

Notices

- *1 MRS CROSS: To present a Bill for an Act to prohibit smoking in enclosed public places, and for related purposes. (*Notice given 24 June 2003*).
- *2 MR SMYTH: To present a Bill for an Act for the sentencing and rehabilitation of offenders, and for related purposes. (*Notice given 24 June 2003*).
- *3 MR STEFANIAK: To present a Bill for an Act to amend the *Bail Act 1992*. (*Notice given 24 June 2003*).

Orders of the day

- 1 GAMING MACHINE (APPROPRIATE PREMISES) AMENDMENT BILL 2003: (*Ms Tucker*): Agreement in principle – Resumption of debate (*from 18 June 2003 – Mr Quinlan*).

Notices - continued

- 4 MS MACDONALD: To move – That the Assembly:
 - (1) expresses its support for the stateless Vietnamese community in the Philippines;

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

- (2) acknowledges the Federal Government has already issued visas in 160 cases;
- (3) urges the Federal Government to grant visas to the remaining stateless Vietnamese with Australian relatives. (*Notice given 17 June 2003*).
- *5 MR BERRY: To move – That the ACT Legislative Assembly declares the Australian Capital Territory to be refugee friendly. (*Notice given 24 June 2003*).
- *6 MR SMYTH: To move – That this Assembly directs the Treasurer to provide the Assembly with a formal update on the Estimated Outcome for the General Government Sector Operating Result for the 2002-03 financial year by close of business 25 June 2003. (*Notice given 24 June 2003*).

Orders of the day - continued

- 2 INQUIRIES AMENDMENT BILL 2002 (NO 2): (*Ms Dundas*): Agreement in principle – Resumption of debate (*from 21 August 2002 – Mr Quinlan*).
- 3 GAMING MACHINE (ALLOCATION) AMENDMENT BILL 2003: (*Mr Stefaniak*): Agreement in principle – Resumption of debate (*from 18 June 2003 – Mr Quinlan*).

Notices - continued

- 7 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*).
- 8 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).*
- 9 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).*

- 10 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).*
- 11 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).*
- 12 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).*
- 13 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).*
- 14 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).*
- 15 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).*
- 16 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).*

- 17 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*).
- 18 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*).
- 19 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*).
- 20 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*).
- 21 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*).

- 22 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*).
- 23 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*).
- 24 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*).
- 25 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*).
- 26 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*).
- 27 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).*

*28 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).*

*29 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).*

*30 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*).

Orders of the day - continued

- 4 INQUIRIES AMENDMENT BILL 2002: (*Mr Humphries*): Agreement in principle – Resumption of debate (*from 15 May 2002 – Mr Stanhope*).
- 5 LAND (PLANNING AND ENVIRONMENT) LEGISLATION AMENDMENT BILL 2001: (*Ms Tucker*): Agreement in principle – Resumption of debate (*from 12 December 2001 – Mr Corbell*).
- 6 CRIMES AMENDMENT BILL 2001 (NO 3): (*Mr Stefaniak*): Agreement in principle – Resumption of debate (*from 12 December 2001 – Mr Stanhope*).
- 7 SUPREME COURT AMENDMENT BILL 2001 (NO 2): (*Mr Stefaniak*): Agreement in principle – Resumption of debate (*from 12 December 2001 – Mr Stanhope*).
- 8 ELECTORAL AMENDMENT BILL 2002: (*Ms Tucker*): Agreement in principle – Resumption of debate (*from 6 March 2002 – Mr Stanhope*).
- 9 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.
- 10 PROPOSED TIMETABLE FOR THE COMPLETION OF THE GUNGALIN 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.
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- 11 COMMUNITY REFERENDUM BILL 2002: *(Mr Humphries)*: Agreement in principle – Resumption of debate *(from 28 August 2002 – Mr Stanhope)*.
 - 12 CRIMES AMENDMENT BILL 2002: *(Mr Pratt)*: Agreement in principle – Resumption of debate *(from 13 November 2002 – Mr Stanhope)*.
 - 13 BUILDING (WATER EFFICIENCY) AMENDMENT BILL 2002: *(Mrs Dunne)*: Agreement in principle – Resumption of debate *(from 13 November 2002 – Mr Corbell)*.
 - 14 LITTER AMENDMENT BILL 2002: *(Ms Tucker)*: Agreement in principle – Resumption of debate *(from 20 November 2002 – Mr Corbell)*.
 - 15 PUBLIC ACCESS TO GOVERNMENT CONTRACTS AMENDMENT BILL 2002 (NO. 2): *(Ms Dundas)*: Agreement in principle – Resumption of debate *(from 11 December 2002 – Mr Quinlan)*.
 - 16 COSTING OF ELECTION COMMITMENTS BILL 2002: *(Mr Humphries)*: Agreement in principle – Resumption of debate *(from 11 December 2002 – Mr Quinlan)*.
 - 17 FINANCIAL LEGISLATION (INTEGRITY AND RESPONSIBILITY) AMENDMENT BILL 2002: *(Mr Humphries)*: Agreement in principle – Resumption of debate *(from 11 December 2002 – Mr Quinlan)*.
 - 18 BUSHFIRE RECONSTRUCTION AUTHORITY BILL 2003: *(Mrs Dunne)*: Agreement in principle – Resumption of debate *(from 5 March 2003 – Mr Stanhope)*.
 - 19 SENTENCING REFORM AMENDMENT BILL 2003: *(Mr Stefaniak)*: Agreement in principle – Resumption of debate *(from 2 April 2003 – Mr Stanhope)*.
 - 20 GAMING MACHINE (POLITICAL DONATIONS) AMENDMENT BILL 2003: *(Mrs Cross)*: Agreement in principle – Resumption of debate *(from 7 May 2003 – Mr Quinlan)*.
 - 21 BUSHFIRE INQUIRY (PROTECTION OF STATEMENTS) AMENDMENT BILL 2003 (NO. 2): *(Ms Tucker)*: Agreement in principle – Resumption of debate *(from 18 June 2003 – Mr Wood)*.
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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 RESPIRE 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.

Notice

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

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

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

ASSEMBLY BUSINESS

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* –

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*).

† 6 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*).

† 4 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.

23 September 2003

- 14 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

- 15 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.
-

**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, 747, 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

New questions

(30 days expires 25 July 2003)

- *798 MR CORNWELL: To ask the Minister for Urban Services – In relation to the Libraries Improvement Program:
- (1) Why has the name of this project changed from the Civic Library Strategy to the Libraries Improvement Program as shown in the March quarter report for Capital Works;
 - (2) What was delivered for the \$297,000 expended in the March Quarter;
 - (3) What is the main aim of the Libraries Improvement Program;
 - (4) How is the aim of the Libraries Improvement Program different from the original project called the Civic Library Strategy (in the December Quarter capital works progress report);
 - (5) Are there any losers in changing the details of this project, if so, who.
- *799 MRS DUNNE: To ask the Minister for Planning – In relation to the Gungahlin Development Authority:
- (1) How many land sales has the Authority conducted over the past 5 years;
 - (2) How much revenue has been generated;
 - (3) Did each of those sales result in meeting the stipulated conditions – ie, 10 per cent deposit on fall of the hammer and settlement in 56 days;
 - (4) If not, what were the exceptions, and what arrangements were made;
 - (5) How many of those sales resulted in legal action either by or against the Authority;
 - (6) What outcomes did legal action effect;

- (7) What, if any, legal action is still pending;
- (8) What cost has been incurred by the Authority for legal fees in the past five years;
- (9) How many sales resulted in disputation other than legal action;
- (10) What outcomes were affected by such disputation, if any;
- (11) What, if any, disputations are pending.

*800 MRS BURKE: To ask the Minister for Urban Services – In relation to Playground Safety Program and further to your reply to Questions on notice nos 577 and 683:

- (1) Have all playgrounds identified for construction work in Packages 2 and 3 now been completed. If not, please identify which playgrounds remain unfinished, what stage each playground is at, when it can be expected for completion of work, and why completion has been delayed (in each case);
- (2) In relation to all playgrounds in Packages 2 and 3, whether or not completed, please provide details of the nature of work undertaken (proposed to be undertaken) at each location, and a detailed breakdown of costs at each playground;
- (3) In relation to Packages 4 and 5, please identify the nature of the work proposed to be conducted at each location selected, including a timeframe for construction; estimated breakdown of expenditure;
- (4) In relation to Package 6, why is this package not programmed for completion until “mid to late 2003/04 financial year”;
- (5) Is it proposed for playgrounds included in Package 6 to be revised at a future date or is this package already final;
- (6) Are there plans for further playgrounds to be included in funding allocated in Budget 2003/04 in a supplementary safety program, and, if so when can details of playgrounds not included in Packages 1 to 6 be expected to be announced.

*801 MR STEFANIAK: To ask the Minister for Urban Services – In relation to Garran Oval:

- (1) What was the total cost of installing the solar powered irrigation system at the Oval;
- (2) Do you plan to install such systems on other ovals in Canberra, if so, which ones and when, if not, why not;

- (3) Did you receive a quote for hooking an irrigation system up to electricity at Garran Oval, if so, what was the quote, if not, why not;
- (4) Since this system is solar powered will that mean the Oval has to be watered during the day or can it be used at any time in a 24 hour period;
- (5) What times is the Garran Oval currently watered, and is it in compliance with the water restrictions in the Territory.

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)*.