

2001-2002-2003

LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

NOTICE PAPER

No. 45

Wednesday, 19 February 2003

The Assembly meets this day at 10.30 am

PRIVATE MEMBERS' BUSINESS

Notices

*1 MR HARGREAVES: To move – That the Assembly notes with concern the:

- (1) decline in bulk-billing in the ACT;
- (2) decline in general practitioner numbers in the Territory; and
- (3) monumental failure of the private health insurance rebate policy to address the problems in public health.

The Assembly notes the concern of the Canberra community about these issues and welcomes the actions of the ACT Government to raise these matters at the next Commonwealth/State Health Ministers Forum (*Notice given 18 February 2003*).

*2 MR SMYTH: To move – That this Assembly calls on the Chief Minister to establish an inquiry under the *Inquiries Act 1991*, into the recent bushfire tragedy with the following terms of reference, procedures and timelines:

(1) Terms of reference

- (a) to determine the chronology of events, influences and decisions leading up to and during the fires;
- (b) evaluate the underlying aspects of bushfires including, sources of ignition, history of weather and fire events;

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

- (c) to evaluate the role of the Bureau of Meteorology and other related agencies in the emergency;
- (d) to evaluate the effectiveness of the management and command of fire fighting resources, including the collaboration between ACT organisations (both government and non-government) involved in the emergency and the adequacy of equipment available to, and training of, Rural Fire Brigades;
- (e) to consider and report on the way in which the declaration of a state of emergency was evaluated and made;
- (f) to evaluate the use of air-based fire detection techniques and air-based water and fire suppressant techniques used during the emergency;
- (g) to determine the nature and extent of collaboration across jurisdictions in responding to the emergency and to assess the effectiveness of this collaboration;
- (h) to assess the ways in which information was obtained and disseminated to the public during the emergency and to report on options for ensuring timely and up to date information that can be provided to the community in times of emergency;
- (i) to evaluate the effectiveness of communication techniques and technologies used between and within organisations and units involved in the emergency and to report on strategies to improve the quality of such communications;
- (j) to evaluate and provide advice on the most effective approach to land use issues encompassing in particular the management of national parks, including such matters as management where a national park crosses State/Territory boundaries, access by the public and fuel management policies;
- (k) to examine and report on the optimum approaches to managing water catchments, water supplies, waste water handling and associated infrastructure, especially as these factors relate to inland population centres;
- (l) to report on the effectiveness of the ACT Emergency Plan;
- (m) to report on the need for and the development of evacuation processes and procedures during such emergencies;

- (n) to assess agricultural and forest industry development and management techniques in regions that are subject to bushfire threats;
- (o) to assess the implementation of recovery strategies and activities in the aftermath of the bushfire emergency;
- (p) to evaluate and report on the provision of counselling for those affected by the bushfires, those directly affected, such as those who lost family members/friends/houses and emergency personnel, and those affected indirectly, such as people who live in Canberra but may not have experienced any loss of family or property;
- (q) to consider and report on appropriate urban planning requirements and design characteristics of urban regions in bushfire prone regions, including the nature of the interface between urban and non-urban areas; and
- (r) to consider and report on the design of houses and other buildings, including the nature of materials used to build such structures, that are appropriate for bushfire prone regions.

(2) The inquiry process

The process should take the following steps:

- (a) call for submissions on the Canberra bushfires;
- (b) require submissions from key stakeholders;
- (c) collate and analyse available sources for insights into bushfire management;
- (d) gather, and analyse, the facts of the Canberra bushfires;
- (e) prepare an interim report on the facts and insights as a basis for the inquiry;
- (f) frame and present specific questions of fact and interpretation to stakeholders (agencies and individuals) in writing for written response as necessary;
- (g) frame and present follow-up questions of fact and interpretation based on analysis of responses to step 3;
- (h) conduct public hearings and cross-examination of interested parties and stakeholders including, but not restricted to, the key agencies and organisations;

- (i) prepare a draft concept, framework and process to implement sustainable fire management; and
- (j) take submissions on the draft and finalise the concept and framework document for delivery to the ACT Government.

(3) Time frames for the inquiry

- (a) inquiry to present interim report by 30 April 2003 to provide appropriate recommendations to be included in the rebuilding of bushfire affected areas;
- (b) a second interim report to be presented by 31 July 2003 with recommendations for appropriate actions to be taken before the commencement of the 2003-04 bushfire season; and
- (c) final report to be presented by 30 June 2004 (*Notice given 18 February 2003*).

*3 MS DUNDAS: To move – That this Assembly calls on the ACT Government to table financial information in the Assembly relating to Totalcare identifying:

- (a) the total revenue received from ACT Government clients;
- (b) the total revenue received from clients other than the ACT Government;
- (c) the total cost of providing services to ACT Government clients; and
- (d) the cost of providing services to clients other than the ACT Government;

with all figures for each of the three business segments of Totalcare presented separately (*Notice given 18 February 2003*).

*4 MRS DUNNE: To move – That this Assembly calls on the Minister for Planning to immediately recommence consultations with the Gungahlin community over the design and lay out of the Gungahlin town centre, particularly in relation to a pedestrian precinct and town square (*Notice given 18 February 2003*).

*5 MS TUCKER: To move – That this Assembly calls on the Australian Government to:

- (1) oppose the proposed war on Iraq and to withdraw our troops from the Middle East immediately for the reason that:
 - (a) there is no clear evidence that Iraq poses an immediate threat to Australia or our allies;

- (b) it sets a precedent for pre-emptive military actions throughout the world;
 - (c) it serves the interests of the promoters and organisers of global terrorism;
 - (d) it represents the abandonment of fifty years commitment to the rule of law at an international level;
 - (e) it is likely to further destabilise the Middle East;
 - (f) it will damage Australia's relations with our immediate region;
 - (g) it will result in the death and injury of civilians;
 - (h) it will devastate the natural environment; and
 - (i) it will directly and indirectly impact on the health and well being of the Canberra community;
- (2) and calls on the Australian Government instead to pursue a policy which includes:
- (a) a continuing program of rigorous weapons inspections in Iraq and containment through a transition from original short term inspections to long term on site monitoring;
 - (b) lifting economic sanctions on Iraq;
 - (c) pressuring the US to sign on to the International Criminal Court and then pursuing Saddam Hussein for crimes against humanity;
 - (d) punitive actions against corporations that have profited from the development of weapons of mass destruction in Iraq;
 - (e) full implementation of UN resolutions calling for the disarmament of the entire Middle East;
 - (f) full commitment to universal disarmament of all nuclear powers;
- (3) that, as a matter of extreme urgency, this resolution be forwarded to the Prime Minister, all federal politicians, the UN including the United Nations Security Council, the President of the US and the Prime Minister of the UK (*Notice given 18 February 2003*).

*6 MR PRATT: To move – That noting the Chief Minister's call for more education on fire prevention, and noting that the ACT bushfire season remains current, that this Assembly calls on the Government to immediately implement the following:

- (1) Emergency Services Bureau bushfire prevention information and emergency management briefing programs in those bushland suburbs deemed vulnerable to bushfire; and
- (2) mandatory Emergency Services Bureau/Education Department bushfire prevention and safety measures programs in all schools (*Notice given 18 February 2003*).

7 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*).

8 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*).

9 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*).

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 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*).

12 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*).

13 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*).

14 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*).
- 15 MRS CROSS: To move – That the Legislative Assembly dissents from Speaker Berry’s ruling that the matter of public importance lodged by Mrs Cross concerning the Katie Bender tragedy is out of order as it is sub-judice. (*Notice given 11 December 2002*).
- 16 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*).
- 17 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*).
- *18 MR HARGREAVES: To move – That the Assembly:
- (1) notes the high levels of demand for public and community housing in the Tuggeranong area;
 - (2) supports moves by the Government to ensure that more public and community housing is available in Tuggeranong; and
 - (3) in particular, welcomes the Government’s commitment to regularly update and turnover of the housing stock to meet the changing needs of the community (*Notice given 18 February 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 GUNG AHLIN 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 CONTRACT RELATING TO CANBERRA 400 V8 SUPERCAR EVENT: Resumption of debate (*from 26 June 2002 – Mr Hargreaves*) on the motion of Ms Gallagher - That this Assembly calls on the Minister for Economic Development, Business and Tourism to table the contract relating to the Canberra 400 V8 Supercar event.

- 9 INQUIRIES AMENDMENT BILL 2002 (NO 2): *(Ms Dundas)*: Agreement in principle – Resumption of debate *(from 21 August 2002 – Mr Quinlan)*.
 - 10 COMMUNITY REFERENDUM BILL 2002: *(Mr Humphries)*: Agreement in principle – Resumption of debate *(from 28 August 2002 – Mr Stanhope)*.
 - 11 INSURANCE COMPENSATION FRAMEWORK BILL 2002: *(Mr Smyth)*: Agreement in principle – Resumption of debate *(from 25 September 2002 – Mr Quinlan)*.
 - 12 LEGAL PRACTITIONERS AMENDMENT BILL 2002: *(Mr Smyth)*: Agreement in principle – Resumption of debate *(from 25 September 2002 – Mr Quinlan)*.
 - 13 ADVENTURE ACTIVITIES (LIABILITY) BILL 2002: *(Mr Smyth)*: Agreement in principle – Resumption of debate *(from 25 September 2002 – Mr Quinlan)*.
 - 14 CIVIL LAW (WRONGS) AMENDMENT BILL 2002 (NO 2): *(Ms Dundas)*: Agreement in principle – Resumption of debate *(from 13 November 2002 – Mr Stanhope)*.
 - 15 CRIMES AMENDMENT BILL 2002: *(Mr Pratt)*: Agreement in principle – Resumption of debate *(from 13 November 2002 – Mr Stanhope)*.
 - 16 BUILDING (WATER EFFICIENCY) AMENDMENT BILL 2002: *(Mrs Dunne)*: Agreement in principle – Resumption of debate *(from 13 November 2002 – Mr Corbell)*.
 - 17 LITTER AMENDMENT BILL 2002: *(Ms Tucker)*: Agreement in principle – Resumption of debate *(from 20 November 2002 – Mr Corbell)*.
 - 18 PUBLIC ACCESS TO GOVERNMENT CONTRACTS AMENDMENT BILL 2002 (NO. 2): *(Ms Dundas)*: Agreement in principle – Resumption of debate *(from 11 December 2002 – Mr Quinlan)*.
 - 19 COSTING OF ELECTION COMMITMENTS BILL 2002: *(Mr Humphries)*: Agreement in principle – Resumption of debate *(from 11 December 2002 – Mr Quinlan)*.
 - 20 FINANCIAL LEGISLATION (INTEGRITY AND RESPONSIBILITY) AMENDMENT BILL 2002: *(Mr Humphries)*: Agreement in principle – Resumption of debate *(from 11 December 2002 – Mr Quinlan)*.
-

ASSEMBLY BUSINESS

Notices

- *1 MS DUNDAS: To move – That the Standing Committee on Planning and Environment inquire into and report on existing and alternative uses for land burnt in the January 2003 bushfires that is currently managed by ACT Forests, considering but not limited to the:
- (a) social benefits for Territory residents, including aesthetic, recreational, and tourism values;
 - (b) fire hazard to residential areas of Canberra;
 - (c) economic costs and benefits to the Territory;
 - (d) environmental impacts; and
 - (e) broader context of ACT planning (*Notice given 18 February 2003*).
- *2† MS TUCKER: To move - That variation to the Territory Plan No. 174 – for Narrabundah Blocks 2, 3, 14 & 15, Section 124 (Hungarian – Australian Club) made pursuant to the *Land (Planning and Environment) Act 1991* be disallowed. (*Notice given 18 February 2003*).

† 5 sitting days for resolution

Orders of the day

- 1 PLANNING AND ENVIRONMENT – STANDING COMMITTEE – REPORT NO. 4 – DRAFT VARIATION NO 174 TO THE TERRITORY PLAN – HUNGARIAN-AUSTRALIAN CLUB SITE AND COMMUNITY FACILITY LAND – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 22 August 2002 – Mr Corbell*) on the motion of Mrs Dunne – That the report be noted.
- 2 LEGAL AFFAIRS – STANDING COMMITTEE – REPORT NO 3 – OPERATION OF THE *DANGEROUS GOODS ACT 1975* WITH PARTICULAR REFERENCE TO FIREWORKS – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 22 August 2002 – Mr Corbell*) on the motion of Mr Stefaniak – That the report be noted.

- 3 COMMUNITY SERVICES AND SOCIAL EQUITY – STANDING COMMITTEE – REPORT NO 2 – ACCOMMODATION AND SUPPORT SERVICES FOR HOMELESS MEN AND THEIR CHILDREN – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 22 August 2002 – Mr Stefaniak*) on the motion of Mr Hargreaves – That the report be noted.
- 4 PLANNING AND ENVIRONMENT – STANDING COMMITTEE – REPORT NO 8 – DRAFT VARIATION NO 190 TO THE TERRITORY PLAN – HANNAH PARK (PART BLOCK 1 SECTION 332 FADDEN AND BLOCKS 16 AND 17 SECTION 226 GOWRIE) – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 27 August 2002 – Mr Corbell*) on the motion of Mrs Dunne – That the report be noted.
- 5 HEALTH AND COMMUNITY CARE – STANDING COMMITTEE (FOURTH ASSEMBLY) – REPORT NO. 11 – ELDER ABUSE IN THE ACT – GOVERNMENT RESPONSE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 26 September 2002 – Mr Cornwell*) on the motion of Mr Stanhope – That the Assembly takes note of the paper.
- 6 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.
- 7 PLANNING AND ENVIRONMENT – STANDING COMMITTEE – REPORT NO. 9 – PLANNING AND LAND BILL 2002 AND ASSOCIATED LEGISLATION – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 14 November 2002 – Mr Corbell*) on the motion of Mrs Dunne – That the report be noted.
- 8 PLANNING AND ENVIRONMENT – STANDING COMMITTEE – REPORT NO. 9 – PLANNING AND LAND BILL 2002 AND ASSOCIATED LEGISLATION – GOVERNMENT RESPONSE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 19 November 2002 – Mr Cornwell*) on the motion of Mr Corbell – That the Assembly takes note of the paper.
- 9 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.

- 10 COMMUNITY SERVICES AND SOCIAL EQUITY – STANDING COMMITTEE – REPORT NO. 2 – ACCOMMODATION AND SUPPORT SERVICES FOR HOMELESS MEN AND THEIR CHILDREN – GOVERNMENT RESPONSE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 21 November 2002 – Mr Stefaniak*) on the motion of Mr Wood – That the Assembly takes note of the paper.
- 11 LEGAL AFFAIRS – STANDING COMMITTEE – REPORT NO. 3 – THE OPERATION OF THE DANGEROUS GOODS ACT 1975 WITH PARTICULAR REFERENCE TO FIREWORKS – GOVERNMENT RESPONSE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 12 December 2002 – Mr Cornwell*) on the motion of Mr Corbell – That the Assembly takes note of the paper.

1 April 2003

- 12 LEGAL AFFAIRS – STANDING COMMITTEE: Presentation of report on the Crimes (Industrial Manslaughter) Bill 2002 pursuant to order of the Assembly of 12 December 2002.

EXECUTIVE BUSINESS

Orders of the day

- 1 CONFISCATION OF CRIMINAL ASSETS BILL 2002: (*Attorney-General*): Agreement in principle – Resumption of debate (*from 21 November 2002 – Mr Stefaniak*).
- 2 COMMUNITY BASED SENTENCES (TRANSFER) BILL 2002: (*Minister for Police, Emergency Services and Corrections*): Agreement in principle – Resumption of debate (*from 12 December 2002 – Mr Smyth*).
- 3 SECURITY INDUSTRY BILL 2002: (*Attorney-General*): Agreement in principle – Resumption of debate (*from 12 December 2002 – Mr Stefaniak*).
- 4 CIVIL LAW (WRONGS) AMENDMENT BILL 2002: (*Minister for Urban Services; presented by Chief Minister*): Agreement in principle – Resumption of debate (*from 26 September 2002 – Mr Stefaniak*).
- 5 INQUIRIES ACT – BOARD OF INQUIRY INTO DISABILITY SERVICES – GOVERNMENT RESPONSE – PAPERS – MOTION TO TAKE NOTE

OF PAPERS: Resumption of debate (*from 26 September 2002 – Mr Smyth*) on the motion of Mr Wood – That the Assembly takes note of the papers.

- 6 INDIGENOUS EDUCATION – FOURTH SIX MONTHLY REPORT – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 29 August 2002 – Mr Pratt*) on the motion of Mr Stanhope – That the Assembly takes note of the paper.
- 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 NATIONAL ENVIRONMENT PROTECTION COUNCIL AMENDMENT BILL 2002: (*Minister for Urban Services*): Agreement in principle – Resumption of debate (*from 14 November 2002 – Mrs Dunne*).
- 12 DISCRIMINATION AMENDMENT BILL 2002 (NO. 2): (*Attorney-General*): Agreement in principle – Resumption of debate (*from 21 November 2002 – Mr Stefaniak*).
- 13 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.
- 14 LEGISLATION (GAY, LESBIAN AND TRANSGENDER) AMENDMENT BILL 2002: (*Attorney-General*): Agreement in principle – Resumption of debate (*from 12 December 2002 – Ms Dundas*).

- 15 CEMETERIES AND CREMATORIA BILL 2002 (NO 2): (*Minister for Urban Services; presented by Deputy Chief Minister*): Agreement in principle – Resumption of debate (*from 12 December 2002 – Mr Cornwell*).
- 16 HAWKERS BILL 2002: (*Minister for Urban Services; presented by Deputy Chief Minister*): Agreement in principle – Resumption of debate (*from 12 December 2002 – Mr Cornwell*).
- 17 GENE TECHNOLOGY BILL 2002: (*Minister for Health*): Resumption of debate – Agreement in principle.
- 18 AFFORDABLE HOUSING IN THE ACT: STRATEGIES FOR ACTION – PAPERS – MOTION TO TAKE NOTE OF PAPERS: Resumption of debate (*from 12 December 2002 – Mr Stefaniak*) on the motion of Mr Wood – That the Assembly takes note of the papers.
- 19 TAXATION (GOVERNMENT BUSINESS ENTERPRISES) BILL 2002: (*Treasurer*): Agreement in principle – Resumption of debate (*from 18 February 2003 – Ms Dundas*).

Notices

- 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*).

Referred to Standing Committee on Legal Affairs on**12 December 2002**

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

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

354, 355, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376,
377, 378,

19 February 2003*(30 days expires 21 March 2003)*

*379 MRS BURKE: To ask the Minister for Health – In relation to carer's funding:

- (1) How much money has been allocated specifically to carers in the 2002-2003 Budget;
- (2) Is there a detailed list of the allocation of funding to carers in the current budget, if so, could it be included in the response to this question;
- (3) Is there any annual grant or have any funds been allocated to the ACT Carers Association;
- (4) If so, how much is this annual grant, or how much has been allocated to the ACT Carers Association this financial year;
- (5) Does the department have a figure of how many carers there are in the ACT, if so could a figure be provided in this response;
- (6) Is there a breakdown of the type of people these carers assist ie; how many have mental health disorders, physical disability, cancer etc, if so could that breakdown be included in the response to this question.

*380 MRS BURKE: To ask the Minister for Health – In relation to respite care funding:

- (1) Have any of the funds allocated to respite care in the 2002-03 Budget for this financial year - \$1 million - been expended;
- (2) If so, how much of that funding has been expended and can you provide a detailed list of where that particular funding has been spent;
- (3) Has an empirical study assessing respite care needs in the ACT, as outlined in Budget Paper 3, p144, been completed;
- (4) If so what are the results, if not, why has this study not been completed.

*381 MR PRATT: To ask the Minister for Industrial Relations – In relation to the WorkCover Annual Report 2002:

- (1) Supplementation Fund (Annual Report p.101);

A total of \$64 million was predicted to be the liability in relation to the 757 claims made against the liquidator at an average of \$84,500 per claim;

- (a) Given that in the first full financial year, 485 claims have been finalised for a total expenditure of \$7.3 million, or \$15,000 per claim, leaving a balance of 272 claims with total allocations of \$56.7 million or \$208,000 per claim, is this figure still accurate or is it likely that performance will be significantly better than originally predicted by both the actuary and ACT WorkCover;
- (b) How does the actual settlement amounts compare with HIIH's own original estimates at the time of the collapse;
- (c) Given the Minister's admission on 20 November that the actuarial report was prepared on less than complete date, how reliable are these figures included in the annual accounts.

- (2) Administration Expenses (Page 106);

Administration expenses associated with the Supplementation Fund total \$601,322 (or \$639,316 on page 108).

- (a) How many staff does this expense cover and is this not high compared with insurance industry average workloads, given that there is also the involvement of a supervising insurer;
- (b) In addition, why is there a discrepancy between the figures in the Statement of Financial Performance (p.106) and the Statement of Cash Flows (p.108).

(3) Nominal Insurer Advisory Committee (Page 14)

- (a) Given that ACT WorkCover as the Nominal Insurer also sets and collects the levies from insurers and self-insurers based on claims costs, what transparency is there in place to ensure that claims are managed for the best possible outcome to keep levies down;

(4) Construction Industry Safety (Page 23)

According to WorkCover's own figures, 45% of Improvement Notices issued and 82% of Prohibition Notices issued by WorkCover inspectors were for the construction industry;

- (a) Is the focus on this industry adequate and appropriately resourced.

(5) Codes of Practice (Page 10)

The fourth dot point on page 10 talks about the 'modernising' of the Codes of Practice. Codes of Practice are generally guides that can be used as a framework for the development of company procedures. It appears that WorkCover want to turn them into "Black Letter Law" so that a breach of a Code or failure to fully follow it is a breach of the Act.

- (a) Is this approach consistent with what is happening in other jurisdictions and will it really lead to improved OH&S by making processes more prescriptive;

(6) AIMS Database (Page 10)

The eighth dot point on page 10 talks about the AIMS database. Given that this project has been going for some 4 years now, apart from the graphs in the Construction Industry Task Force Report and some in the Annual Report, it appears that WorkCover are keeping all the information to themselves and not releasing it for others to analyse;

- (a) Is this proposed to change and allow access to the database for analysis purposes to other bodies and individuals;

(7) Administrative Expenses (Page 64)

- (a) Is it to be assumed that the significant increase in legal expenses is directly related to the HIH claims;
- (b) Given that the costs are associated with claims outcomes, is this good value for money; or

- (c) Is this amount directly related to the significant commitment in resources to fireworks that is deflecting WorkCover's focus away from OH&S in the workplace.

(8) Nominal Insurer Levies (Page 83)

Nominal Insurer Levies came down to \$75,000 in 2001-02, yet administration costs amounted to approx \$130,000 or 46% of total expenditure. This ratio appears very high compared to insurance industry average administrative figures of 12 - 15%, particularly when there are only 39 Nominal Insurer claims being managed:

- (a) Can the Minister explain why these figures are so high in relation to the insurance industry average.

*382 MR PRATT: To ask the Minister for Education, Youth and Family Services – In relation to drugs in schools could you please provide detailed information on programs and policy existing within the department about drugs in schools, specifically:

- (1) What mechanisms are in place for the identification of Students at Risk of drug abuse;
- (2) What departmental discipline procedures are in place for drug offenders;
- (3) What is the relationship between the department, schools and the police when it comes to drug control in schools;
- (4) What rehabilitation programs for students at risk of drug abuse does the department subscribe to;
- (5) What is the make-up of department teaching teams;
- (6) Does the department draw on experts to assist with the implementation of programs that exist; and
- (7) Is there a procedure in place for consultation and education of parents of students at risk of drug abuse.

*383 MR PRATT: To ask the Minister for Education, Youth and Family Services – In relation to programs existing within schools targeting children at risk, specifically:

- (1) What program/s are currently implemented in schools;
- (2) What is the structure of the program/s implemented in schools;
- (3) What are the departments guidelines governing decisions of separation of children at risk;
- (4) What teacher support programs are in place for schools, particularly those which are identified as having a high percentage of children at risk.

*384 MR PRATT: To ask the Minister for Education, Youth and Family Services – Could you provide a full and detailed cost breakdown of the Inquiry into ACT Education Funding including:

- (1) The travel costs incurred by Ms Connors;
- (2) The travel costs incurred by anyone commissioned for the inquiry by Ms Connors;
- (3) The accommodation costs incurred by Ms Connors;
- (4) The accommodation costs incurred by anyone commissioned for the inquiry by Ms Connors;
- (5) All administrative costs for the Inquiry, including costs incurred by the department in the deployment of staff to Ms Connors;
- (6) The expense of printing and publishing the report;
- (7) The cost of consultants contracted by Ms Connors for the report;
- (8) The cost of obtaining data and information for the report;
- (9) All other expenses incurred for the completion of the report;
- (10) Whether the expense of the report came within the budgeted \$250,000.

*385 MR PRATT: To ask the Minister for Education, Youth and Family Services – Could you provide detailed information on the history of fire prevention programs in schools for the last 10 years, specifically:

- (a) What is the history of fire prevention programs in schools;
- (b) Has the department commissioned the design of any fire prevention programs;
- (c) How many schools received the current program in 2002;
- (d) What is the nature/duration of fire prevention training;
- (e) Who presents the training;
- (f) Is the training compulsory;
- (g) What year groups/ ages levels is the training directed at;
- (h) Does it entail safety procedure awareness;
- (i) Does any element of it encompass arson;
- (j) Does the program teach students about the environmental behaviour of fires.

*386 MR CORNWELL: To ask the Minister for Urban Services – In relation to funding for the upgrade of Majura Road:

- (1) Has any funding been cut from the budget of this particular project;
- (2) If so, could you explain why;
- (3) If not, in Budget paper 3, 2002-03, page 203, it says that the Majura Road upgrade is a \$3.5 million project, how do you explain the discrepancy of \$0.3 million with a recent press release from your office promoting the road as a \$3.2 million project;

- (4) Are there any other road works as part of the Traffic Congestion and Road Safety Improvement Program in the 2002-03 Budget that have not commenced as of 17 February 2003;
- (5) If there are outstanding works, could a list of those works that have not commenced be provided along with funding allocations.

*387 MR CORNWELL: To ask the Minister for Urban Services – In relation to Anthony Rolfe Avenue extension (bypassing Gungahlin Town Centre):

- (1) How much money has been expended on this project to date;
- (2) Why was a sign taken down in front of that road extension (adjacent to the Gungahlin Joint Emergency Services Centre) indicating that the road extension would be complete at the end of 2002;
- (3) Is this road extension behind schedule;
- (4) When will the road extension be completed.

*388 MRS BURKE: To ask the Minister for Disability, Housing and Community Services – In relation to surplus storage of ACT Housing property:

- (1) How many household loads of furniture can be stored on the premises of an ACT Housing property managed by a community group on behalf of ACT Housing;
- (2) How is it possible for a large amount of furniture (ie: to the tune of seven households) to be stored, for example, in a shed on an ACT Housing premises, when another person has been allocated that accommodation but is not using anything from the storage shed;
- (3) Shouldn't the new tenant be allowed free access to the shed cleared of surplus housing property and if not, why not;
- (4) Has any property been stolen from ACT Housing blocks that have also been used for surplus stock storage in the last 12 months;
- (5) Are there any considerations in the legislation or regulations for the privacy of occupants and or the amenity of the neighbouring properties where surplus stock is stored;
- (6) Why isn't surplus ACT Housing furniture stored at a facility like 'You Can Stow It';
- (7) Will the Government consider storing surplus ACT Housing stock at an external facility instead of in the suburbs.

*389 MRS BURKE: To ask the Minister for Planning – In relation to building close to boundary fences:

- (1) What approval process does a person or organisation have to go through to construct, for example, a shed close to another's boundary fence;
- (2) What should a person on a neighbouring property do if this structure has been erected less than 2.1 metres from the boundary fence;
- (3) How does one inquire into whether due process has been followed in a particular circumstance;
- (4) What rights does the neighbour (to the yard with the additional structure) have in regards to a structure too close to their boundary fence.

*390 MRS BURKE: To ask the Minister for Disability, Housing and Community Services – In relation to the public housing waiting list:

- (1) How many residents are currently on the public housing waiting list;
- (2) How many residents are currently on the priority public housing waiting list;
- (3) How many sole parents are currently on the priority public housing waiting list;
- (4) How many sole parents are currently on the priority public housing waiting list who have three or more children;
- (5) What is the average time that a resident is on: (a) the waiting list and (b) the priority list;
- (6) Has the average time for people on the waiting list improved in the last (a) 3, (b) 6, (c) 9 and (d) 12 months and could figures be provided;
- (7) What is the average time to move someone from public housing accommodation who does not have suitable accommodation (eg: has only a three bedroom home but has five children with another on the way and one of those children has to sleep in the kitchen area in a cot);
- (8) What measures, if any, has the government implemented to reduce waiting list times and allow for accommodation transfers.

M J McRae

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)*.

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 *(Deputy Chair)*, Ms Dundas, Mrs Dunne, Ms Gallagher. *(Printing, circulation and publication authorised 19 August 2002; presented 20 August 2002)*

PRIVILEGES: (*Formed 6 June 2002*): Ms Tucker (*Chair*), Mr Hargreaves (*Deputy Chair*), 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*).