

2001-2002-2003

LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

NOTICE PAPER

No. 44

Tuesday, 18 February 2003

The Assembly meets this day at 10.30 am

ASSEMBLY BUSINESS

Orders of the day

- *1 STANDING COMMITTEES: Presentation of reports on annual and financial reports for the calendar year 2001 and the financial year 2001-2002 pursuant to order of the Assembly of 26 September 2002, as amended 30 January 2003.

EXECUTIVE BUSINESS

Orders of the day

- 1 TAXATION (GOVERNMENT BUSINESS ENTERPRISES) BILL 2002: *(Treasurer): Agreement in principle – Resumption of debate (from 12 December 2002 – Mr Smyth).*
- 2 DUTIES AMENDMENT BILL 2002 (NO 2): *(Treasurer): Agreement in principle – Resumption of debate (from 12 December 2002 – Mr Smyth).*
- 3 JUSTICE AND COMMUNITY SAFETY LEGISLATION AMENDMENT BILL 2002 (NO 2): *(Attorney-General): Agreement in principle – Resumption of debate (from 12 December 2002 – Mr Stefaniak).*

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

- 4 ACTION AUTHORITY AMENDMENT BILL 2002: (*Minister for Planning*): Agreement in principle – Resumption of debate (*from 12 December 2002 – Mrs Dunne*).
- 5 CONFISCATION OF CRIMINAL ASSETS BILL 2002: (*Attorney-General*): Agreement in principle – Resumption of debate (*from 21 November 2002 – Mr Stefaniak*).
- 6 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*).
- 7 SECURITY INDUSTRY BILL 2002: (*Attorney-General*): Agreement in principle – Resumption of debate (*from 12 December 2002 – Mr Stefaniak*).
- 8 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*).
- 9 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.
- 10 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.
- 11 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.
- 12 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.
- 13 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.
- 14 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.

- 15 NATIONAL ENVIRONMENT PROTECTION COUNCIL AMENDMENT BILL 2002: (*Minister for Urban Services*): Agreement in principle – Resumption of debate (*from 14 November 2002 – Mrs Dunne*).
- 16 DISCRIMINATION AMENDMENT BILL 2002 (NO. 2): (*Attorney-General*): Agreement in principle – Resumption of debate (*from 21 November 2002 – Mr Stefaniak*).
- 17 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.
- 18 LEGISLATION (GAY, LESBIAN AND TRANSGENDER) AMENDMENT BILL 2002: (*Attorney-General*): Agreement in principle – Resumption of debate (*from 12 December 2002 – Ms Dundas*).
- 19 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*).
- 20 HAWKERS BILL 2002: (*Minister for Urban Services; presented by Deputy Chief Minister*): Agreement in principle – Resumption of debate (*from 12 December 2002 – Mr Cornwell*).
- 21 GENE TECHNOLOGY BILL 2002: (*Minister for Health*): Resumption of debate – Agreement in principle.
- 22 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.

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*).

PRIVATE MEMBERS' BUSINESS

Notices

- 1 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*).
- 2 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*).

- 3 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*).
- 4 MRS DUNNE: To move – That this Assembly calls on the Minister for Planning to immediately recommence the master planning process for the Kippax Group Centre. (*Notice given 9 May 2002*).
- 5 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*).
- 6 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*).
- 7 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*).
- 8 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*).
- 9 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*).
- 10 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*).

11 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*).

Orders of the day

- 1 INQUIRIES AMENDMENT BILL 2002: (*Mr Humphries*): Agreement in principle – Resumption of debate (*from 15 May 2002 – Mr Stanhope*).
- 2 LAND (PLANNING AND ENVIRONMENT) LEGISLATION AMENDMENT BILL 2001: (*Ms Tucker*): Agreement in principle – Resumption of debate (*from 12 December 2001 – Mr Corbell*).
- 3 CRIMES AMENDMENT BILL 2001 (NO 3): (*Mr Stefaniak*): Agreement in principle – Resumption of debate (*from 12 December 2001 – Mr Stanhope*).
- 4 SUPREME COURT AMENDMENT BILL 2001 (NO 2): (*Mr Stefaniak*): Agreement in principle – Resumption of debate (*from 12 December 2001 – Mr Stanhope*).
- 5 ELECTORAL AMENDMENT BILL 2002: (*Ms Tucker*): Agreement in principle – Resumption of debate (*from 6 March 2002 – Mr Stanhope*).
- 6 STATISTICAL PROFILE ON THE ADMINISTRATION OF JUSTICE AND REVIEW OF THE OPERATION OF THE VICTIMS OF CRIME (FINANCIAL ASSISTANCE) ACT - MOTION TO TAKE NOTE OF PAPERS: Resumption of debate (*from 7 March 2002 – Mrs Dunne*) on the motion of Mr Stefaniak – That the Assembly takes note of the papers.

- 7 PROPOSED TIMETABLE FOR THE COMPLETION OF THE GUNGAHLIN DRIVE EXTENSION: Resumption of debate (*from 5 June 2002 – Ms Dundas*) on the motion of Mrs Dunne – That this Assembly:
 - (1) notes the ACT Government's commitment to build the Gungahlin Drive extension on time, on the western alignment, and to the same budget as that allocated to the eastern alignment; and
 - (2) directs the Minister for Planning, Mr Corbell, to table before the Assembly rises on Thursday, 6 June 2002 his proposed timetable for completing the Gungahlin Drive extension including but not limited to the:
 - (a) commencement and completion of environmental planning;
 - (b) commencement and completion of engineering planning;
 - (c) commencement of the draft variation process;
 - (d) timetable for the letting of tenders;
 - (e) commencement of works; and
 - (f) completion of works.
- 8 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)*.
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ASSEMBLY BUSINESS

Orders of the day - continued

- 2 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.
- 3 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.
- 4 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.
- 5 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.

- 6 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.
- 7 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.
- 8 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.
- 9 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.
- 10 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.
- 11 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.
- 12 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

- 13 LEGAL AFFAIRS – STANDING COMMITTEE: Presentation of report on the Crimes (Industrial Manslaughter) Bill 2002 pursuant to order of the Assembly of 12 December 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**10 December 2002***(30 days expires 9 January 2003)*

- 354 MRS CROSS: To ask the Minister for Industrial Relations – In relation to the question I asked on 13 November 2002 regarding the Mugga Lane Fireworks depot, and your answer where you stated Workcover has recently had an audit undertaken which has identified that the facility is safe:
- (1) Who undertook the audit and when was it carried out.
 - (2) What qualifications did the person or persons carrying out the audit possess.
 - (3) What was the cost of the audit.

- (4) Was the audit conducted under the guidelines and principles in the *Auditor-General Act 1996*.
- (5) Was any independent auditor appointed pursuant to section 27 of the *Auditor-General Act 1996*.
- (6) Was the letter and spirit of the *Auditor-General's Act 1996* complied with in this audit.
- (7) Was a 'performance audit' of Workcover's facilities conducted pursuant to the definition on page 24 of the dictionary in the *Auditor-General's Act 1996*.
- (8) Was the audit carried out by an independent body, and if so, is the Minister satisfied that the audit was truly independent.
- (9) Does WorkCover hold all fireworks legally at the Mugga Lane facility.
- (10) Who are the legal authorities for each holding.
- (11) How many different individual holdings of confiscated fireworks does WorkCover currently hold.
- (12) How many individual firework businesses have their property currently in WorkCover custody.
- (13) How many parcels (by which I mean pertaining to one owner and being part of one seizure) does WorkCover hold.
- (14) Is the Minister aware of any incidences where WorkCover had breached its own regulations.
- (15) Is WorkCover subject to the same laws as the wider community.
- (16) What authority exists to monitor Workcover's compliance with its own regulations.
- (17) Is the Minister satisfied that the overseeing authority is independent.
- (18) What quantity of fireworks has been seized by WorkCover in the past five years.
- (19) Can WorkCover account for each seizure.
- (20) How much seized property has been returned to its owners and on what basis.
- (21) Is the 45 tonnes of fireworks stored at the Mugga Lane facility considered a large quantity of fireworks.

- (22) What are the requirements of the storage of such an amount at the one depot.
- (23) Is the Minister aware that Queensland authorities regard the transport or storage of 500kg gross weight or more of fireworks as a high quantity and views them as high explosives.
- (24) Can the Minister confirm that the Mugga Lane facility contains 90 times that amount.
- (25) Is the Minister aware that the fireworks explosion at Enschede in Holland two years ago killed many people and caused extensive damage to the surrounding area and that those fireworks were stored in steel shipping containers.
- (26) Are the fireworks at the Mugga Lane facility stored in steel shipping containers.
- (27) Is the Minister aware that Queensland and Western Australia explosives regulators have determined that fireworks which are transported or stored in large quantities could function similar to high explosives.
- (28) Is the Minister aware that under Regulation 19 of the Dangerous Goods Act, the licensee, which in the case of Mugga Lane is WorkCover, must take all precautions to prevent anyone entering the exclusion zone around the facility and the facility itself.
- (29) Does the Minister believe that a solitary security guard at the facility is sufficient to comply with this Regulation.
- (30) When was the security guard installed and at what cost.
- (31) Can the Minister confirm that the default classification for high explosives requires a distance of 817 metres from fireworks storage facilities to any dwelling or place of work. Is the Minister satisfied that this requirement is complied with in the case of Mugga Lane.
- (32) Can the Minister confirm that no security guard, Mugga Lane quarry worker or any other employee, carries out his or her duties within the required safety distance from the facility.
- (33) Can the Minister confirm that the fireworks have not been modified, repacked or subjected to rough handling since their manufacture.
- (34) Can the Minister also confirm that the original manufacture labels are correct.
- (35) Have any of the fireworks at the Mugga Lane facility been tested.

- (36) Does WorkCover represent contingent liabilities in its annual report and financial statements.
- (37) Is the Minister satisfied that these contingent liabilities are accurate.

355 MRS CROSS: To ask the Minister for Industrial Relations – In a statement you made on 13 November 2002, you indicated that “...as soon as the Commissioner for Occupational Health and Safety became aware that some members of the fireworks industry had made public the location of the facility, she undertook a security assessment of the facility from an independent provider...”. You then went on to say “...the safety and security assessment cannot be made public for security reasons...”. You seem to indicate that a security assessment took place, whereas earlier in the day, you were stated as saying that “a safety assessment took place”:

- (1) Was there both a safety and security assessment carried out at Mugga Lane;
- (2) Who was the independent provider used;
- (3) If both were carried out, can you confirm that they were carried out by two separate, independent providers, or were both audits carried out by the same independent provider;
- (4) Are safety and security audits the same;
- (5) What are the parameters of each audit;
- (6) Can you confirm that both, or either, safety and security audits had been carried out by OH&S before the location of the facility had, as the Commissioner claimed, been made public;
- (7) If so, was there an audit or audits done by an independent provider, and if no such assessment or assessments had been done, why not;
- (8) Can you confirm that he has seen the Commissioner’s reports of either or both audits;
- (9) When does the term of the current Commissioner expire;
- (10) Does the Minister still have full confidence in the Commissioner.

18 February 2003
(30 days expires 20 March 2003)

*362 MR CORNWELL: To ask the Chief Minister – In relation to the reply to question on notice 230 that “the site of the Aboriginal Tent Embassy is on Commonwealth land within the parliamentary triangle. The Registration of

the Aboriginal Tent Embassy is on the Register of the National Estate, and as such, is outside the jurisdiction of the ACT Government”:

- (1) Does this exemption from ACT jurisdiction apply when a state of emergency is declared as happened during the January 2003 firestorm and if so, why;
- (2) If this exemption from ACT jurisdiction does not apply during an ACT state of emergency, why was the fire at the Aboriginal Tent Embassy not extinguished for the duration of the state of emergency;
- (3) If an ACT state of emergency does not apply to Commonwealth land within the parliamentary triangle containing site(s) on the Register of the National Estate, what (a) procedures are required to enact state of emergency provisions in this area and, (b) were they enacted and if not, why not.

*363 MR CORNWELL: To ask the Treasurer:

- (1) What is the current waiting time of a Telstra connection in the ACT;
- (2) Is there a problem for a person signing up with Telstra who is a member of a body corporate and if so, what is the problem;
- (3) Is it true that Telstra will not sign up potential customers who are members of a body corporate;
- (4) Is it true that unless you are signed up with Telstra, you cannot obtain Transact;
- (5) What is your legal situation if your transfer to Telstra from Optus and then cannot obtain Transact service.

*364 MR CORNWELL: To ask the Minister for Education – In relation to the Australian International Hotel School (AIHS):

- (1) What was the annual operating expense per student in (a) 2001 and, (b) 2002;
- (2) What were the operating expenses per graduate in (a) 2000, (b) 2001 and, (c) 2002;
- (3) What fees are charged to students who enrol at the AIHS;
- (4) What subsidy did the ACT Government pay to AIHS per student in (a) 2000 (b) 2001 and, (c) 2002.

*365 MR CORNWELL: To ask the Minister for Education – In relation to the University of Canberra (UC):

- (1) What was the average annual operating expense per student in (a) 2001 and (b) 2002;
- (2) What were the operating expenses per graduate in (a) 2000 (b) 2001 and (c) 2002;
- (3) What is the average fee charged to full-time students enrolled at UC.

*366 MR CORNWELL: To ask the Minister for Health – In relation to the review of Respite Care Empirical Needs Study, due in the first week of February 2003 (Question 325 reply refers):

- (1) Has the Government received the report;
- (2) Will the Report be tabled in the Assembly and if so, when;
- (3) If it will not be tabled, why not.

*367 MR CORNWELL: To ask the Attorney-General – In relation to the New South Wales Magistrates Referral Program (MERIT) pilot program:

- (1) Has the Attorney-General seen details of the program which offers drug treatment before sentencing as a voluntary option for first offenders and that 60 percent of participants had never had any contact with a health service;
- (2) Will the Government consider introducing MERIT in the ACT;
- (3) Are there ACT statistics available about addicts and their access to health facilities in the ACT;
- (4) Can more details of MERIT be obtained, eg. the comparable costs of such treatment versus sentencing, and can these details, if available, be provided to interested persons, including myself.

*368 MR CORNWELL: To ask the Minister for Urban Services – In relation to the Mugga Way Tip:

- (1) What is the cost per rubbish placement at each area;
- (2) If you wished to deposit rubbish at each area, how many stops would you have to make;
- (3) Is the person delivering the rubbish to each area responsible for its unloading;

- (4) What penalties are imposed if rubbish is off-loaded in the wrong area;
- (5) Who administers the penalty, ie; on-the-spot or by mail;
- (6) How many people are employed at the Mugga Lane Tip.

*369 MR CORNWELL: To ask the Minister for Disability, Housing and Community Services – In relation to the December 2002 Quarterly Performance Report and the 2.36 percent of tenants over 8 weeks in arrears:

- (1) As a percentage how many tenants are (a) six (b) four and (c) two weeks in arrears;
- (2) What procedures are (a) followed to chase up arrears and (b) when are these procedures initiated;
- (3) What is the total amount outstanding in each category of (1) above in the December 2002 Quarter and over 8 weeks.

*370 MR CORNWELL: To ask the Minister for Disability, Housing and Community Services: What is the total amount of occupant debt in ACT Housing properties as at 31 December 2002.

*371 MR CORNWELL: To ask the Treasurer - In relation to the answer to question on notice 313:

- (1) Is the Community Information Technology Access Plan available;
- (2) If not, can you advise when in 'early 2003' the Plan will be available.

*372 MR CORNWELL: To ask the Minister for Urban Services - In relation to dog exercise area maps:

- (1) Is Minister aware that maps of dog exercise areas, are presented by single suburb by page;
- (2) Could consideration be given to issuing maps covering a wider area than a single suburb;
- (3) While available from the ACT Government Shopfront and libraries, could availability of these maps, existing or proposed, be made widely known, because at present they are not easily accessible.

*373 MR CORNWELL: To ask the Chief Minister - In relation to a letter from you of 1 October 2002, concerning reciprocal transport concessions for ACT Senior Card holders:

- (1) Have there been any further developments in ACT participation since your letter;
- (2) Have any other States, apart from Tasmania, now joined the same scheme;
- (3) Is there any indication of when the scheme could be introduced nationally.

*374 MR CORNWELL: To ask the Chief Minister – Further to your advice on 21 August 2002 that a study was being conducted into the Dickson and Narrabundah day care respite services, and your further undertaking (*Hansard* 20 November 2002) to see what could be provided of that study to interested parties, including myself:

- (1) Could you please advise when a copy of the study can be made available;
- (2) If no copy can be made available, why not.

*375 MR CORNWELL: To ask the Treasurer – In relation to the report in The Canberra Times of 16 January 2003 that you have set up a working group of “senior department staff, the Canberra Institute of Technology (CIT) and the Australian International Hotel School (AIHS), to examine a new collaborative working arrangement with CIT”:

- (1) Who are the members of the working group by name;
- (2) When will the working group report;
- (3) Why have you announced continuation of the AIHS before the working group has reported;
- (4) Will a copy of the working group’s report be made available to interested parties, including myself, and if not, why not;
- (5) If the AIHS has cost \$ 30 million since opening in 1995, how much additional funding has been written off by governments in each of the periods from 1995 to 2002 (to 31 December);
- (6) What is the (a) cost per graduate over the period at (5) above and, (b) how many people have graduated in this period.

- *376 MR CORNWELL: To ask the Minister for Urban Services – In relation to funding for the Athllon Drive duplication (between Drakeford Drive and Isabella Drive):
- (1) Has the original \$11 million funding for this duplication as announced by the former Liberal Government been reduced;
 - (2) Is this capital works project still going to duplicate the road from Drakeford Drive through to Isabella Drive, or will this duplication end at Reed Street (south) as implied in your press statement of 5 February 2003;
 - (3) Is the \$8.2 million figure quoted in your press statement of 5 February a figure for the works from Drakeford Drive to Reed Street only, meaning the remaining amount of \$2.8 million is for the duplication through to Isabella Drive;
 - (4) How much funding has been expended to date on this project.
- *377 MR CORNWELL: To ask the Treasurer: How many staff will be relocated to Gungahlin following the decision to move the ACTTAB head office to the town centre.
- *378 MR CORNWELL: To ask the Minister for Urban Services – Further to your letter of 2 December 2002 advising of a review of the performance of the new Dalrymple/Goyder Streets, Narrabundah by your department:
- (1) Has the review been completed, and what was the result;
 - (2) Can a copy of the review be made available to interested parties, including myself, and if not, why not.

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, Mr Hargreaves, Ms MacDonald *(during the absence of Mr Hargreaves from 11-27 May 2002)* Mr Stefaniak, Ms Tucker.

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)*, Ms MacDonald, Mr Smyth.

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)*.