



DEBATES  
OF THE  
LEGISLATIVE ASSEMBLY  
FOR THE  
AUSTRALIAN CAPITAL TERRITORY  
FIFTH ASSEMBLY  
WEEKLY HANSARD

4 NOVEMBER

2004

**Thursday, 4 November 2004**

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**LEGISLATIVE ASSEMBLY  
FOR THE  
AUSTRALIAN CAPITAL TERRITORY**

**PARLIAMENTARY DEBATES  
(Hansard)**

**SIXTH ASSEMBLY**

**Thursday, 4 November 2004**

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**Members assembled at 2.00 pm.**

**Notice convening meeting**

*The Clerk informed members of the following notice convening the first meeting of the Sixth Legislative Assembly for the Australian Capital Territory:*

Pursuant to subsection 17 (2) of the Australian Capital Territory (Self-Government) Act 1988 (Commonwealth), I, Wayne Bruce Berry, Speaker of the Legislative Assembly for the Australian Capital Territory, do by this Notice convene the first meeting of the Sixth Legislative Assembly for the Australian Capital Territory at 2.00 pm on Thursday, 4 November 2004, in the Chamber of the Legislative Assembly, Canberra, in the Australian Capital Territory.

Dated 29 October 2004

Wayne Bruce Berry  
Speaker, Legislative Assembly  
for the Australian Capital Territory

## Swearing in of members

*The Clerk informed members of the requirements under section 9 of the Australian Capital Territory (Self-Government Act) 1988 and section 6A of the Oaths and Affirmations Act 1984 that a member of the Legislative Assembly for the Australian Capital Territory shall, before taking his or her seat, make and subscribe an oath or affirmation before the Chief Justice of the Supreme Court of the Australian Capital Territory.*

*The Chief Justice Mr Justice Higgins attending accordingly—*

*The Clerk presented the instrument notifying the names of candidates elected to the Legislative Assembly for the Australian Capital Territory.*

*The instrument read as follows:*

Mr Tom Duncan  
Clerk of the Legislative Assembly

### CANDIDATES DECLARED ELECTED TO THE A.C.T LEGISLATIVE ASSEMBLY

As a result of the poll held on Saturday, 16 October 2004, the following candidates have been declared elected to the ACT Legislative Assembly.

#### Electorate of Brindabella

Mr Brendan Smyth  
Mr John Hargreaves  
Ms Karin MacDonald  
Mr Mick Gentleman  
Mr Steve Pratt

#### Electorate of Ginninderra

Mr Jon Stanhope  
Mr Bill Stefaniak  
Mrs Vicki Dunne  
Mr Wayne Berry  
Ms Mary Porter

#### Electorate of Molonglo

Ms Katy Gallagher  
Mr Ted Quinlan  
Mr Simon Corbell  
Dr Deb Foskey  
Mr Richard Mulcahy  
Mrs Jacqui Burke  
Mr Zed Seselja

Phillip Green  
Electoral Commissioner  
29 October 2004

The elected members made and subscribed an oath or affirmation of allegiance.

*The Chief Justice having retired—*

## **Election of Speaker**

*The Clerk informed members of the requirement of standing order 1 (d) that the Assembly now proceed to elect a Speaker.*

**MS MacDONALD** (Brindabella) (2.20): I propose Wayne Berry as Speaker of the Assembly and I move:

That Mr Berry take the Chair of the Assembly as Speaker.

**The Clerk:** Does the member accept the nomination?

**MR BERRY:** I accept the nomination.

**The Clerk:** Is there any further proposal?

The time for proposals has expired. There being no further proposal, I declare Mr Wayne Berry, the member proposed, to have been elected as Speaker.

**MR SPEAKER:** Members, I would firstly like to express my thanks for the honour the Assembly has conferred on me. I would also like to acknowledge that we are meeting on the lands of the Ngunnawal people, the traditional owners. I would like to pay my respects to their continuing contribution to life in this area.

As I said at the last meeting of the Fifth Assembly, those of us who will go on to face a new round of challenges with the same overriding responsibility, along with the newcomers who will be elected to represent this great community, will be merely new caretakers appointed to preserve and improve the lot of our community. It is my intention to ensure that, once again, the support required for you, as these newly appointed caretakers, to carry out this important work will be provided fairly, within the resources available.

I will continue to observe the traditions associated with the Speaker of the Assembly. However, as in my last term, I will continue to represent the aspirations of my constituents as an individual member of the Assembly. Thank you, members.

## **Election of Chief Minister**

**MR SPEAKER:** The next item of business is the election of a Chief Minister.

**MR QUINLAN** (Molonglo—Treasurer, Minister for Economic Development, Business and Tourism, and Minister for Sport, Racing and Gaming) (2.23): Mr Speaker, first, my congratulations on your reappointment as Speaker. I propose that Jon Stanhope be elected Chief Minister for the territory and I therefore move:

That Jon Stanhope be elected Chief Minister for the Australian Capital Territory.

**MR SPEAKER:** Are there any further proposals?

**MR STEFANIAK** (Ginninderra) (2.23): Mr Speaker, congratulations on your appointment. I propose that Brendan Smyth be elected Chief Minister for the ACT and I move:

That Brendan Smyth be elected Chief Minister for the Australian Capital Territory.

**MR SPEAKER:** Are there any further proposals?

The time for proposals has expired. There being more than one candidate proposed for election as Chief Minister, we will proceed to a ballot. Do the nominees wish to speak on the matter or just proceed to the ballot at this point?

**MR STANHOPE** (Ginninderra—Chief Minister, Attorney-General, Minister for Environment and Minister for Community Affairs): I do not wish to speak, Mr Speaker

**MR SMYTH** (Brindabella): No, Mr Speaker.

*A ballot having been taken—*

**MR SPEAKER:** Members, the result of the ballot is: Mr Smyth, seven votes; Mr Stanhope, 10 votes. Therefore, Mr Stanhope, the candidate with the majority votes of members present and voting, is declared Chief Minister.

**MR STANHOPE** (Ginninderra—Chief Minister) (2.28): Mr Speaker, I seek leave to make a statement.

Leave granted.

**MR STANHOPE:** I thank the Assembly for the honour that it has bestowed on me today. It is a very great privilege to serve as Chief Minister of the Australian Capital Territory. It is a role that I accept with pride and will fulfil to the very best of my ability.

Mr Speaker, I offer my congratulations to you, not only on your re-election as a member for Ginninderra, but also on your re-election as Speaker.

I would like to take the opportunity to congratulate again all the members who have been elected to the Assembly. I am pleased to welcome back the members of the Fifth Assembly who have been re-elected, particularly my colleagues from the Labor caucus. Our success—and the level of support that we received in the recent election—is the most positive endorsement of all, and a reflection of the individual and team effort of all

the members who constituted the government. In that regard, I would like to pay particular tribute to my cabinet colleagues, Ted Quinlan, Simon Corbell, Bill Wood and Katy Gallagher, and to the other members of my government—you, Mr Speaker, Karin MacDonald and John Hargreaves.

I especially want to give a warm welcome to those members who are new to the Assembly—Mary Porter and Mick Gentleman from my party, the Australian Labor Party; Deb Foskey from the Greens; and Richard Mulcahy and Zed Seselja from the Liberal Party. I look forward to working with each of you.

It is only fitting that I mention our colleagues from the last Assembly who either retired or were not re-elected. Bill Wood, Kerry Tucker and Greg Cornwell, who each retired at this election, have served the Canberra community long and with distinction. I will miss each of them. I regard each of them as a friend. I will, of course, miss particularly my good friend and colleague Bill Wood. I wish each of them the best for the future.

I extend my commiserations to those who missed out. Too often in political life we neglect the fact that at each election we, as individuals, put ourselves on the line to face judgment by the electorate—the community in which we live, our neighbours—and the outcome we seek is not guaranteed. I acknowledge the efforts of the members of the previous Assembly who were not successful in this election and wish each of them success in the future.

I wish to place on record my thanks to my colleagues and friends and all members of my staff and other staff in the Labor Party who worked so hard to achieve our victory. An effective campaign does not just happen. It takes commitment, inspiration, hard work and dedication to the task. I could not have asked for more from the team that developed Labor's election strategy and saw it through. I wish in particular to acknowledge my chief of staff, Greg Friedewald, and my senior media adviser, Penny Farnsworth, for their support and the particular role, largely unsung, each played in my government's success.

Mr Speaker, I speak without hubris when I say that today is an historic occasion. My colleagues and I form the territory's first majority government and we do so at the commencement of the Assembly's first ever four-year term. My government is, I believe rightly, proud of its achievement in attaining majority government, but it also recognises and acknowledges the fact that majority government is at once both a privilege and a responsibility, and we do not regard these lightly. My government accepts the responsibility and we will, collectively and individually, endeavour at all times to reward the trust the community has placed in us.

Mr Speaker, in placing on the record my thanks to all those involved in the last election, I send my strongest vote of thanks to the people of Canberra. As a community, you have signalled your faith in the government and your support for both our record and our platform for the future. I said at the outset of this election that, in many ways, it would be tougher than the last, as we would be judged not just on our policies and our vision, strong as they were, but also on our record. I am proud to stand by that record.

My government had a vision for Canberra—one that was based on strong values and on the aspirations of the community, on their hopes and dreams and their priorities. We had a vision founded on our strengths as a community and on a shared view of what the future could bring, and we stayed true to that vision and to our values.

We developed a major new plan for Canberra, the Canberra plan—a visionary document covering our social, economic and spatial progress from now until Canberra’s centenary and beyond. We implemented groundbreaking legislative reform on important social issues, introducing Australia’s first and only bill of rights, removing discrimination against same sex couples and ensuring that the rights and wellbeing of workers are protected through major industrial relations reforms.

In the key area of health, the major focus of the election campaign, we increased funding to a record \$613 million a year—over \$160 million a year more than the last year of the previous government; we increased the volume of elective surgery; we addressed major deficiencies and funding in mental health, increasing funding to \$117 per head, compared with \$87 per head previously; we slashed dental surgery waiting lists; and we dismantled the purchaser/provider model that served to divide rather than unite the health portfolio.

Importantly, we did not run the hospitals down. We provided the staff with the real support they needed to keep delivering high-quality health care services, despite unprecedented surges in demand, and we worked with them to identify and implement real solutions to problems.

In education, we cut class sizes in government schools and put \$27 million of bus money into real education programs. We boosted funding by more than \$37 million on top of that. We also boosted funding to public housing and to disability services. We awarded pay increases to our health care workers, teachers and public servants and provided much needed support to those who needed it the most.

We dealt decisively, sensitively and generously with the greatest natural disaster to have befallen Canberra and its citizens and we progressed our plans for a new prison in the ACT. We did not treat our social and economic priorities as mutually exclusive. We refused to pit those in need of health care against those in need of rehabilitation. While doing all of that, we kept growth in the economy, we created jobs and we delivered budget surpluses.

We acknowledged in the campaign that we had achieved a great deal, but that there was more to be done. We went to the people with a solid plan to build on our record. In health, we committed to an additional 80 beds in Canberra’s public hospital system over the next two years; an extra \$9.7 million to deliver elective surgery to an additional 700 Canberrans; after-hours GP clinics at Calvary, the Canberra Hospital and Erindale; an extra \$2 million to implement the alcohol, tobacco and other drugs strategy; \$10 million to establish a psychiatric services unit to replace the existing unit at Canberra Hospital; \$15 million to establish the Canberra Hospital as a centre for surgical excellence, investing in leading edge technology so more people can get access to surgery sooner; an additional \$8 million over four years for health promotion and disease

prevention; and \$2 million towards establishing new youth health centres in Belconnen and Tuggeranong.

Our commitment to education is centred on our belief that a fair and just society demands that every child have access to an excellent education. I believe that the most potent indicator of a community's commitment to a fair go, to egalitarianism and to a fair and just society is its commitment to equality of access to education. Our commitment to ensuring that every child born into this community will have the same chance in life as every other child in this community is measured by our determination that they have access to the same quality of education. It is the single great leveller. We believe that no student should be denied a quality education simply because of their economic or family situation, and we believe that school funding should be based on need.

During the election, we promised to build on our record by increasing preschool hours for every four-year-old attending from 10½ to 12 hours a week, at a cost of \$8 million; providing more than \$12 million to high school education to increase the focus on pastoral care, student support and student welfare; establishing new student support funds in every government school so that all students have the opportunity to participate in school activities, regardless of the family's capacity to pay; allocating \$8 million to a school building renewal fund; providing \$1.6 million over four years to expand the junior secondary bursary scheme to allow access to the scheme for students from disadvantaged backgrounds; and increasing funding for the CIT by \$2 million to allow it to continue its role as our leading public vocational education and training provider.

In the area of disability, we pledged an extra \$5.6 million to reduce long waiting lists by replicating the services offered by Sharing Places, to provide more support for young carers and to examine other housing models. In order to do more for children with serious disabilities and high complex needs, particularly autism, we promised to provide a further \$4 million.

Since coming to office, my government has provided an extra \$70 million for public and affordable housing, and we funded the development of the ACT's first homelessness strategy. We will continue our commitment to this area by providing an extra \$30 million over the next three years to boost public housing stock numbers and \$4 million to increase the energy efficiency of existing Housing ACT properties.

We also committed to further reform of our legal system, to building a dragway, to revitalising our city centre, to upgrading Canberra's convention facilities, to protecting our environment and to greening Canberra's fastest growing area, Gungahlin. All of our commitments were well researched, genuine and affordable, and each will be met.

We will implement the Canberra plan. We will get on with the job of meeting the needs of the people of Canberra. We will put extra resources into the community's highest priorities. We will continue to strive to move the barriers of inequality. We will seek to work with the community to implement our vision—a vision of a city that represents the very best in Australian creativity, lifestyle and sustainable development, a vision of a community in which everyone has the opportunity to reach their potential and to participate in the life of our community and society.

We will work constructively with the Legislative Assembly. As I said before, we recognise that majority government is both an honour and a responsibility. We respect the power and authority the community has invested in us, and we will return that respect. We will govern for all of Canberra and all Canberrans.

In closing, I would once again like to extend my thanks to the people of Canberra. I would like today particularly to extend my thanks to the families of all those who have served in the Assembly or who contested the election. No member or candidate could have sustained the effort required to fulfil these roles without the support of their family and close friends. I am sure that I speak on behalf of all members when I thank each family member of each member of this Assembly, past and present, for all their support and understanding.

In particular, I extend my eternal gratitude to my wife Robyn—my greatest support—and to my children Matthew, Christopher, Michael and Anna and their partners. Once again, each of them, particularly my wife Robyn, has endured with me the slings and arrows of politics and also shared in my pride at once again having the opportunity to lead the government of the ACT. I thank each of them for that.

## **Leader of the Opposition**

**MR SPEAKER:** Under standing order 5A, the Leader of the Opposition shall be the leader of the largest non-government party, with the consent of that member. As Mr Smyth, as leader of the Liberal Party, is the leader of the largest non-government party, I now seek his consent to being the Leader of the Opposition. May you enjoy it for a long time! Did I say that?

**MR SMYTH** (Brindabella—Leader of the Opposition) (2.41): I give my consent to being Leader of the Opposition and seek leave to make a statement.

Leave granted.

**MR SMYTH:** Let me first acknowledge and congratulate you on your re-election and re-appointment as Speaker. It is a pleasure to work with you. I also acknowledge the honour of being re-elected as a member for Brindabella. First and foremost, we are all here as members representing a community—in each case our own electorates. For me, Brindabella is a very special part of Canberra. I thank those constituents who have seen fit to vote for me and I pledge to you my trust: I will not let you down.

I also acknowledge the honour of leading the Liberal Party here in the Assembly. I thank my colleagues for their support. It is a pleasure to be their leader. I do not intend to be the Leader of the Opposition for any longer than I have to be. I will do it with all the vigour I can muster.

I congratulate the Chief Minister on his achievement: Jon, congratulations. I know that to be re-elected as Chief Minister is a huge honour. To be re-elected with a majority government in our first four-year term is something that you will always carry. It holds a special place in the history and tradition of the ACT Assembly.

I acknowledge some of that history and tradition that is with us today and which continues to grow. In the gallery we have the Chief Justice of the ACT. We have two of our Federal representatives: Senator Gary Humphries and the member for Canberra, Annette Ellis. We have former chief ministers—Rosemary Follett and Trevor Kaine; it is great to have them with us—as well as a number of former members. Now that we enter this Sixth Assembly it is that growing tradition and the number of former leaders and former members that we have to consult with and fall back on that will make us stronger.

We also have with us the Mayor of Queanbeyan. Canberra does not stand alone; we are not an island. As a representative of the Queanbeyan region and the whole of the capital region, I welcome Mayor Pangallo. I welcome other community leaders and the media—sometimes our friends and sometimes not so friendly—who are often forgotten but who perform a valuable role in getting the message out about what it is that we do in this place. I welcome family and friends. I will put in a personal plug and say hello to dad and mum, who are in the back row.

I congratulate the Chief Minister on his election. I note that with majority comes responsibility. The role of opposition is even more important against a majority government. To the government I say: use your majority wisely because we will be here to keep you in check.

The presence of a majority government for the first time in the ACT represents a growing maturity out there in the electorate. Over the last 15 years we have dabbled with the Assembly in many formats: governments have risen and fallen and risen again, and members and ministers have come and gone. But, as a community, we have now put our trust in a single party. Of course, we will either reap the benefits of that or perhaps it will bear some sour fruit.

I congratulate the new members of the Assembly—Mary Porter and Mick Gentleman, Deb Foskey from the Greens and, particularly, Richard Mulcahy and Zed Seselja from the Liberal Party. Welcome, class of 2004; enjoy your day. More than anything, this is your day. It is an absolute privilege and an honour to serve your community. I hope you will enjoy that honour as much as I have. I hope that you can enjoy it for as long as I intend to.

It is important to note that most first term oppositions tend to go backwards. However, the team of the Canberra Liberals has not gone backwards: we have gained a seat and an average swing of about four per cent across the electorate. Indeed, a third seat for the Liberals in Brindabella is just a handful of votes away. It is a good lesson to all of us. I note the smirk on Mr Hargreaves's face. We will continue to work and be that sort of opposition—always moving forward.

I would like to offer some thanks. Much of the success of the Canberra Liberals is due to the work of the President of the division, Mr Gary Kent; the party Director, Mr Andrew Wilsmore, who is with us today; my chief of staff, James Lennane; and other members of the campaign committee and the party, who worked so hard.

Of course, to the returned members and to the candidates: thank you very much for all that you have done. It takes a great deal of courage to put yourself forward in a community—particularly the Australian community, which often does not take well to tall poppies. A number of us did not make the cut. But if people have not been successful as candidates, they should not feel that somehow they were not up to speed. In putting themselves forward they have furthered democracy, not just in this jurisdiction but in this country. Without those new candidates coming forward all the time, democracy in this city would stagnate. That would be a terrible thing.

I thank all my staff and the staff of all the members, who performed a number of minor miracles during the last term. I say a few farewells to those members who resigned and are with us today. To Bill Wood, Kerrie Tucker and Greg Cornwell: thank you for your years of service. I think that there are about 36 or 37 years of service with those members. I say to you: I believe your community is grateful—and they should be grateful—for the time, the effort and the zeal you have put into this Assembly in laying the foundation that, of course, the Sixth Assembly will build on.

There are a few farewells that are not well received. To Ros Dundas, who represented the Democrats, and to Helen Cross as an independent: congratulations on what you have achieved; you should be proud of yourselves. You will be remembered for your part in this place.

I have already mentioned the media. I thank them again. During the next term, they will be vitally important to democracy in this city in reporting what goes on in this place. To Phil Green and his team at the ACT Electoral Commission: thank you for the sort of vote that you have conducted and the process that we have had. The other day I mentioned that we could outsource it. A few American jurisdictions might be looking at a system that gives a foolproof and secure return within a couple of hours. There is perhaps a growth industry there for us.

One person who should not be forgotten is Mike Harris, who is the caretaker leader of the ACT public service. Mr Harris has been in charge for some seven weeks now. I would like to congratulate Mike on the job that he performed in keeping both sides at bay, I guess, and in keeping both sides honest. Mr Harris, well done. Thank you for all your assistance in that period. I am personally assured that the ACT public service is in good hands under your leadership.

Mr Speaker, the last people I would like to thank are the families. None of us does this alone. The parties, where you have a party to support you, are vital to being elected. But without the source of great strength that we all draw from home, none of us could achieve this. As I have said, my father is here. I thank dad and all my brothers and sisters.

To my wife, who is also Robyn, I say thank you. To my daughters, Amy and Lorena, for what they have sacrificed on my behalf, I say thank you. I say to them and to all the families that I do not think the people of Canberra know exactly what it is that families give up. None of us trumpets it, but they do surrender a lot for us to follow our dreams of being members of this place.

That being said and done, Mr Speaker, I would like to congratulate all who have just been sworn in. Enjoy your time in the Sixth Assembly. It is a pleasure. I think most of us work together quite well most of the time. That tends not to get reported. The occasional stoush gets a nice airing, but I think the thing that has been a real hallmark of previous assemblies is the ability, particularly through the committee system, of members of all persuasions to work together. I think that is a great foundation that we should build on into the future to build a better Canberra.

## **ACT Greens**

### **Statement by member**

**DR FOSKEY** (Molonglo) (2.49): Mr Speaker, I seek leave to make a statement.

Leave granted.

**DR FOSKEY:** I would like to inform the Assembly that I am privileged to be taking my seat here as the representative of the ACT Greens. I acknowledge that we are meeting on Ngunnawal land and pay my respects to the elders. I congratulate Labor for their success in the election, although I do not agree with them that majority government is good for Canberra. I congratulate Mr Stanhope on his election as Chief Minister and Mr Berry, who has again won the position of Speaker. I also congratulate the Liberal Party for its success and want to especially mention those who, like me, are new to the Assembly. I look forward to working with you all.

I must thank a few of the people who have supported me on my journey into the Assembly: my daughter Eleni was tolerant of the lack of maternal services; and my older daughter, Samara, came to Canberra to help when I was in real need. All my friends deserve medals, but must be content with my heartfelt thanks. I have no doubt that the efforts of my fellow Greens candidates have helped me to secure my seat. I would love them all to be here beside me today, filling the crossbenches. Perhaps in four years I will not be alone here, as the people of Canberra realise the benefit of a strong, critical, and especially a Green, crossbench.

If political outcomes were determined by numbers alone, I could go home now. But we know that politics in the ACT is about consultation, collaboration and cooperation, and this is the way the Greens prefer to work. I can assure the Assembly that I plan to follow in the tradition of my predecessor Kerrie Tucker and work hard to do this job well. I am sure that this is what the Canberra people who voted for me and the other Greens candidates want. They believe the Greens can make a difference and I am here to prove them right.

Canberra people, and not just those who voted for us, will be expecting a lot from the crossbench. They expect us to hold both the government and the opposition to account; they want us to scrutinise all government legislation through our green lens of social justice and care for the environment; they want us to make sure that Labor performs on the environmental front; and they want good governance through an independent role for territory commissioners, boards and committees.

Community groups and marginalised people want their concerns heard and acted upon. Then there is our own green action plan to pursue. Here are just a few points from that. Health has been a big issue at this election. While we wholeheartedly support improvements in hospitals we will also be advocating for community health centres with bulk-billing, salaried doctors in suburbs that lack adequate medical services. Services for people with a mental illness are lacking in this town: we will work for dedicated mental health services, particularly for young people.

We think that there is huge scope for developing industries based on renewable energy sources, and energy and water efficiency. To ensure a market for these, and to make sure that we reach our greenhouse gas emissions reduction target of 1990 levels by 2008, we will be working to have our benchmarks and targets for high quality, sustainable design made mandatory in the planning of new office buildings and residential development.

These are just some of our plans for the next Assembly. I will be playing an active part in Assembly debates and in the committee system, as a Greens representative and as the eyes, ears and voice of those who care about the environment and social justice. Majority government is a new situation for this territory. To work for the people of Canberra, the government must allow other voices to be heard; and I am proud to be one of those voices in this Assembly.

## **Election of Deputy Speaker**

**MR SPEAKER:** Members, standing order 4 requires that the Assembly proceed, at its first sitting after an election, to elect a Deputy Speaker.

**MR STEFANIAK** (Ginninderra) (2.54): I propose Mr Pratt and I move:

That Mr Pratt be elected Deputy Speaker.

**MR SPEAKER:** Does the member accept the nomination?

**MR PRATT** (Brindabella) (2.54): Mr Speaker, I do accept that nomination.

**MR SPEAKER:** Are there any other proposals?

There being no further proposals, the time for nominations has expired and I declare Mr Pratt elected to the position of Deputy Speaker. Congratulations, Mr Pratt.

**Members:** Hear, hear!

## **Auditor-General's Report No 6 of 2004**

**Mr Speaker** presented the following paper, which was circulated to members when the Assembly was not sitting:

Auditor-General Act—Auditor General's Report—No 6 of 2004—*Workers Compensation Supplementation Fund*, dated 14 September 2004.

## Papers

**Mr Stanhope** presented the following paper:

Civil Law (Wrongs) Act, pursuant to section 205—General reporting requirements of insurers.

**Mr Stanhope** presented the following papers, which were circulated to members when the Assembly was not sitting, with the exception of ACT Health:

### Performance reports

Financial Management Act, pursuant to section 30A—Quarterly departmental performance reports for the September quarter 2004-2005 for the following departments or agencies:

ACT Emergency Services Authority, dated October 2004.

ACT Health.

Attorney-General's Portfolio within Department of Justice and Community Safety.

Chief Minister's, dated October 2004.

Disability, Housing and Community Services, dated October 2004.

Economic Development, Business and Tourism and Sport Portfolios within the Chief Minister's Department, dated October 2004.

Education and Training, dated October 2004.

Environment Portfolio within Urban Services.

Industrial Relations Portfolio, ACT Workcover, dated October 2004.

Office for Children, Youth and Family Support, dated October 2004.

Planning Portfolio within ACT Planning and Land Authority.

Planning Portfolio within Urban Services.

Police and Emergency Services' Portfolio within Department of Justice and Community Safety.

Treasury, dated October 2004.

Urban Services Portfolio.

**Mr Stanhope** presented the following papers:

### Subordinate legislation (including explanatory statements unless otherwise stated)

Legislation Act, pursuant to section 64—

Agents Act—

Agents Amendment Regulations 2004 (No. 1)—Subordinate Law SL2004-49 (LR, 13 September 2004).

Agents (Qualifications for Auditors) Determination 2004 (No. 1)—Disallowable Instrument DI2004-202 (LR, 2 September 2004).

*Building Act 1972* (repealed) and *Building Act 2004*—

Building (Fees) Determination 2004 (No. 2)—Disallowable Instrument DI2004-193 (LR, 30 August 2004).

Building (Government Building Certification) (Fees) Determination 2004—Disallowable Instrument DI2004-192 (LR, 30 August 2004).

Building Act—Building Amendment Regulations 2004 (No. 1)—Subordinate Law SL2004-46 (LR, 8 September 2004).

Civil Law (Sale of Residential Property) Act—Civil Law (Sale of Residential Property) Amendment Regulations 2004 (No. 1)—Subordinate Law SL2004-48 (LR, 9 September 2004).

Community Based Sentences (Transfer) Act—Community Based Sentences (Transfer) Regulation 2004—Subordinate Law SL2004-51 (LR, 2 November 2004).

Construction Occupations (Licensing) Act—Construction Occupations (Licensing) Amendment Regulations 2004 (No. 1)—Subordinate Law SL2004-44 (LR, 8 September 2004).

Construction Practitioners Registration Act (repealed) and Construction Occupations (Licensing) Act—Construction Occupations Licensing (Fees) Determination 2004—Disallowable Instrument DI2004-194 (LR, 30 August 2004).

Dangerous Substances Act—Dangerous Substances (General) Amendment Regulations 2004 (No. 1)—Subordinate Law SL2004-39 (LR, 30 August 2004).

Domestic Animals Act—Domestic Animals (Cat Curfew Area) Declaration 2004 (No. 1)—Disallowable Instrument DI2004-201 (LR, 3 September 2004).

Domestic Violence Agencies Act—Domestic Violence Prevention Council Appointment 2004 (No. 2)—Disallowable Instrument DI2004-243 (LR, 30 September 2004).

Education Act—Education (Constitution of School Boards of School-Related Institutions and Other Schools in Special Circumstances) Determination 2004 (No. 1)—Disallowable Instrument DI2004-247 (LR, 18 October 2004).

Electricity Safety Act—Electricity Safety (Fees) Determination 2004 (No. 2)—Disallowable Instrument DI2004-195 (LR, 30 August 2004).

Gaming Machine Act—Gaming Machine (Fees) Determination 2004—Disallowable Instrument DI2004-181 (LR, 2 September 2004).

Gene Technology (GM Crop Moratorium) Act –  
Gene Technology (GM Crop Moratorium) Moratorium Order 2004 (No. 1)—Disallowable Instrument DI2004-234 (LR, 23 September 2004).

Gene Technology (GM Crop Moratorium) Moratorium Order 2004 (No. 2)—Disallowable Instrument DI2004-235 (LR, 23 September 2004).

Gungahlin Drive Extension Authorisation Act—Gungahlin Drive Extension Authorisation 2004 (No. 2)—Disallowable Instrument DI2004-242 (LR, 28 September 2004).

Health Professionals Act—Health Professionals Regulations 2004—Subordinate Law SL2004-41 (LR, 6 September 2004).

Health Professions Boards (Procedures) Act—Health Professions Boards (Procedures) Podiatrists Board Appointment 2004 (No. 1)—Disallowable Instrument DI2004-180 (LR, 2 September 2004).

Hotel School Act—Hotel School Appointment 2004 (No. 5)—Disallowable Instrument DI2004-248 (LR, 25 October 2004).

Land (Planning and Environment) Act—  
Land (Planning and Environment) ACT Heritage Council Appointment 2004 (No. 1)—Disallowable Instrument DI2004-249 (LR, 28 October 2004).

Land (Planning and Environment) ACT Heritage Council (Members) Appointment 2004 (No. 1)—Disallowable Instrument DI2004-250 (LR, 27 October 2004).

Land (Planning and Environment) Amendment Regulations 2004 (No. 2)—Subordinate Law SL2004-43 (LR, 8 September 2004).

Land (Planning and Environment) (Fees) Determination 2004 (No. 4)—Disallowable Instrument DI2004-228 (without explanatory statement) (LR, 16 September 2004).

Land (Planning and Environment) Regulations—  
Land (Planning and Environment) (Change of Use Charge Remission—Prohibition of Smoking) Policy Direction 2004 (No. 1)—Disallowable Instrument DI2004-207 (LR, 8 September 2004).

Land (Planning and Environment) (Remission of Change of Use Charge) Policy Direction 2004 (No. 1)—Disallowable Instrument DI2004-209 (LR, 8 September 2004).

Land (Planning and Environment) (Remission of Change of Use Charge) Policy Direction 2004 (No. 2)—Disallowable Instrument DI2004-210 (LR, 8 September 2004).

Legal Aid Act—Legal Aid (Commissioner (Law Society Nominee)) Appointment 2004—Disallowable Instrument DI2004-244 (LR, 7 October 2004).

Legislative Assembly (Members' Staff) Act—

Legislative Assembly (Members' Staff) Members' Hiring Arrangements Approval 2004 (No. 1)—Disallowable Instrument DI2004-230 (LR, 23 September 2004).

Legislative Assembly (Members' Staff) Office-Holders' Hiring Arrangements Approval 2004 (No. 1)—Disallowable Instrument DI2004-231 (LR, 23 September 2004).

Liquor Act—Liquor Amendment Regulations 2004 (No. 1)—Subordinate Law SL2004-42 (LR, 9 September 2004).

Long Service Leave (Building and Construction Industry) Act—

Long Service Leave (Building and Construction Industry) Board Appointment 2004 (No. 1)—Disallowable Instrument DI2004-213 (LR, 9 September 2004).

Long Service Leave (Building and Construction Industry) Board Appointment 2004 (No. 2)—Disallowable Instrument DI2004-214 (LR, 9 September 2004).

Long Service Leave (Building and Construction Industry) Board Appointment 2004 (No. 3)—Disallowable Instrument DI2004-215 (LR, 9 September 2004).

Long Service Leave (Building and Construction Industry) Board Appointment 2004 (No. 4)—Disallowable Instrument DI2004-218 (LR, 9 September 2004).

Long Service Leave (Building and Construction Industry) Board Appointment 2004 (No. 5)—Disallowable Instrument DI2004-241 (LR, 23 September 2004).

Long Service Leave (Contract Cleaning Industry) Act –

Long Service Leave (Contract Cleaning Industry) Board Appointment 2004 (No. 1)—Disallowable Instrument DI2004-237 (LR, 23 September 2004).

Long Service Leave (Contract Cleaning Industry) Board Appointment 2004 (No. 2)—Disallowable Instrument DI2004-233 (LR, 23 September 2004).

Long Service Leave (Contract Cleaning Industry) Board Appointment 2004 (No. 4)—Disallowable Instrument DI2004-239 (LR, 23 September 2004).

Long Service Leave (Contract Cleaning Industry) Board Appointment 2004 (No. 5)—Disallowable Instrument DI2004-240 (LR, 23 September 2004).

Magistrates Court Act—

Magistrates Court (Construction Occupations Infringement Notices) Regulations 2004—Subordinate Law SL2004-38 (LR, 31 August 2004).

Magistrates Court (Litter Infringement Notices) Regulations 2004—Subordinate Law SL2004-50 (LR, 23 September 2004).

Nature Conservation Act –

Nature Conservation (Flora and Fauna Committee) Appointment 2004 (No. 1)—Disallowable Instrument DI2004-220 (LR, 13 September 2004).

Nature Conservation (Flora and Fauna Committee) Appointment 2004 (No. 2)—Disallowable Instrument DI2004-221 (LR, 13 September 2004).

Occupational Health and Safety Act—

Occupational Health and Safety (Codes of Practice for Noise) Approval 2004—Disallowable Instrument DI2004-178 (LR, 17 August 2004).

Occupational Health and Safety Council Appointment 2004 (No. 7)—Disallowable Instrument DI2004-211 (LR, 13 September 2004).

Plumbers, Drainers and Gasfitters Board Act—Plumbers, Drainers and Gasfitters Board (Fees) Revocation 2004—Disallowable Instrument DI2004-190 (LR, 30 August 2004).

## Public Place Names Act—

Public Place Names (Belconnen) Determination 2004 (No. 1)—Disallowable Instrument DI2004-216 (LR, 9 September 2004).

Public Place Names (Greenway) Determination 2004 (No. 2)—Disallowable Instrument DI2004-217 (LR, 9 September 2004).

Public Sector Management Act—Public Sector Management Amendment Standard 2004 (No. 7)—Disallowable Instrument DI2004-229 (LR, 16 September 2004).

Race and Sports Bookmaking Act—Race and Sports Bookmaking (Sports Bookmaking Venues) Determination 2004 (No. 1)—Disallowable Instrument DI2004-246 (LR, 21 October 2004).

Racing Act—Racing Appeals Tribunal Appointment 2004 (No. 2)—Disallowable Instrument DI2004-199 (LR, 30 August 2004).

Radiation Act—Radiation (Fees) Determination 2004 (No. 1)—Disallowable Instrument DI2004-198 (LR, 30 August 2004).

## Rehabilitation of Offenders (Interim) Act –

Rehabilitation of Offenders (Interim) (Sentence Administration Board) Appointment 2004 (No. 2)—Disallowable Instrument DI2004-226 (LR, 16 September 2004).

Rehabilitation of Offenders (Interim) (Sentence Administration Board) Appointment 2004 (No. 3)—Disallowable Instrument DI2004-227 (LR, 16 September 2004).

Rehabilitation of Offenders (Interim) (Sentence Administration Board) Appointment 2004 (No. 4)—Disallowable Instrument DI2004-236 (LR, 23 September 2004).

## Residential Tenancies Act—

Residential Tenancies Tribunal Appointment 2004 (No. 1)—Disallowable Instrument DI2004-224 (LR, 16 September 2004).

Residential Tenancies Tribunal Appointment 2004 (No. 2)—Disallowable Instrument DI2004-225 (LR, 16 September 2004).

Road Transport (Driver Licensing) Act, Road Transport (General) Act, Road Transport (Public Passenger Services) Act, Road Transport (Safety and Traffic Management) Act and Road Transport (Vehicle Registration) Act—Road Transport Legislation Amendment Regulations 2004 (No. 1)—Subordinate Law SL2004-47 (LR, 9 September 2004).

## Road Transport (General) Act –

Road Transport (General) (Application of Road Transport Legislation) Declaration 2004 (No. 9)—Disallowable Instrument DI2004-208 (LR, 8 September 2004).

Road Transport (General) (Application of Road Transport Legislation) Declaration 2004 (No. 10)—Disallowable Instrument DI2004-223 (LR, 13 September 2004).

Road Transport (General) (Application of Road Transport Legislation) Declaration 2004 (No. 11)—Disallowable Instrument DI2004-245 (LR, 14 October 2004).

Road Transport (General) (Fees) Determination 2004 (No. 2)—Disallowable Instrument DI2004-186 (LR, 26 August 2004).

Road Transport (General) Nominal Defendant Revocation and Appointment 2004 (No. 1)—Disallowable Instrument DI2004-222 (LR, 13 September 2004).

Road Transport (General) (Parking Ticket Fees) Determination 2004 (No. 1)—Disallowable Instrument DI2004-205 (LR, 2 September 2004).

Road Transport (Third-Party Insurance) Amendment Regulations 2004 (No. 1)—Subordinate Law SL2004-40 (LR, 3 September 2004).

Security Industry Act—Attorney General (Fees) Amendment Determination 2004 (No. 1)—Disallowable Instrument DI2004-185 (without explanatory statement) (LR, 6 September 2004).

Supreme Court Act—Attorney General (Fees) Amendment Determination 2004 (No. 2)—Disallowable Instrument DI2004-206 (without explanatory statement) (LR, 9 September 2004).

## University of Canberra Act –

University of Canberra Council Appointment 2004 (No. 4)—Disallowable Instrument DI2004-196 (LR, 26 August 2004).

University of Canberra Council Appointment 2004 (No. 5)—Disallowable Instrument DI2004-197 (LR, 30 August 2004).  
University of Canberra (Courses and Awards) Amendment Statute 2004 (No. 2)—Disallowable Instrument DI2004-232 (LR, 23 September 2004).  
Utilities Act –  
Utilities (Variation of Industry Code) Approval 2004 (No. 1)—Disallowable Instrument DI2004-203 (LR, 2 September 2004).  
Utilities (Variation of Industry Code) Approval 2004 (No. 2)—Disallowable Instrument DI2004-204 (LR, 2 September 2004).  
Utilities (Water Restriction Scheme) Approval 2004 (No. 1)—Disallowable Instrument DI2004-191 (LR, 31 August 2004).  
Victims of Crime Act and Victims of Crime Regulations—Victims of Crime (Victims Assistance Board) Appointment 2004 (No. 4)—Disallowable Instrument DI2004-212 (LR, 13 September 2004).  
Water and Sewerage Act—Water and Sewerage Amendment Regulations 2004 (No. 1)—Subordinate Law SL2004-45 (LR, 8 September 2004).  
Workers Compensation Supplementation Fund Act –  
Workers Compensation Supplementation Fund Appointment 2004 (No. 2)—Disallowable Instrument DI2004-200 (LR, 27 August 2004).  
Workers Compensation Supplementation Fund Appointment 2004 (No. 3)—Disallowable Instrument DI2004-219 (LR, 9 September 2004).

## **Date and hour of next meeting**

Motion (by **Mr Stanhope**) agreed to:

That the Assembly, at its rising, adjourn until 10.30 am on Tuesday, 7 December 2004 and fix Wednesday 8 December and Thursday 9 December as sitting days of the Assembly commencing at 10.30 am.

## **Adjournment**

Motion (by **Mr Stanhope**) agreed to:

That the Assembly do now adjourn.

**The Assembly adjourned at 2.55 pm until Tuesday, 7 December 2004, at 10.30 am.**