



Debates

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Legislative Assembly for the ACT

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Tuesday, 4 June 2013

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Tuesday, 4 June 2013

MADAM SPEAKER (Mrs Dunne) took the chair at 10 am, made a formal recognition that the Assembly was meeting on the lands of the traditional custodians, and asked members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

Planning and Development Act 2007—variation No 306 to the territory plan
Statement by Speaker

MADAM SPEAKER: Members will recall that on 8 May, in response to a point of order, I ruled that an amendment proposed by Mr Rattenbury concerning a motion to reject variation No 306 to the territory plan was not in order as I was concerned that it might be difficult to discern whether or not the Assembly had dealt with the matter clearly enough that it could be seen unequivocally to have been rejected from the motion that was proposed.

In part, my decision was based on the fact that, if the matter was not dealt with clearly, it would be deemed to have been disallowed or rejected, and the possibility of dispute if that conclusion were not clearly expressed. At the time I ruled that the preferable process is that which would provide the clearest expression of the Assembly's decision, rather than rely upon an inference from surrounding debates.

I also indicated in my ruling that I would look at any precedents and seek further advice before coming back to the Assembly with a more considered ruling.

I have been advised that there is one precedent on 18 November 2010 in relation to a determination of fees under the Liquor Act, where a member moved an amendment to a motion of disallowance. In this case the amendment explicitly sought to omit the word "disallowed" and substitute the word "reviewed", which is similar but not identical to the situation we faced at the last sitting. There is also another precedent where an amendment was moved to a motion to reject a variation to the territory plan which omitted the word "reject" and substituted the word "amend".

The Clerk has also sought advice from the Government Solicitor on the application of section 80 of the Planning and Development Act, and I will present a copy of that advice for the information of members. Of particular importance in that advice is the following:

While the amendment motion was clearly intended to 'dispose of' the rejection motion, the Speaker's ruling was appropriate as there was some doubt about whether an amendment of this type is appropriate within the scheme set out in the Planning and Development Act regarding variations, as well as consistent with the role of the Assembly in those circumstances. In other words an amendment motion of the type moved by Mr Rattenbury should be avoided in future.

Therefore, having considered the precedents and the Government Solicitor's advice, I believe that it is most important that the intention of the Assembly is made very clear when it deals with motions to disallow, amend or reject territory laws.

Accordingly, I confirm that my ruling of 8 May 2013 stands, and that in future I will be examining any amendments to motions of this nature to ensure that the intention of the legislature is clear as to whether the territory's law has been amended, disallowed or rejected, or approved.

I present the following paper:

Planning and Development Act, pursuant to subsection 80(2)—Variation No. 306 to the Territory Plan—Motion to reject—Proposed amendment—Speaker's ruling—Copy of advice to the Clerk of the Legislative Assembly from the Acting Chief Solicitor, dated 27 May 2013.

Justice and Community Safety—Standing Committee Scrutiny report 8

MR DOSZPOT: I present the following report:

Justice and Community Safety (Legislative Scrutiny Role)—Standing Committee—Scrutiny Report 8, dated 30 May 2013, together with the relevant minutes of proceedings.

I seek leave to make a brief statement.

Leave granted.

MR DOSZPOT: Scrutiny report 8 contains the committee's comments on 11 bills, nine pieces of subordinate legislation, two government responses and a proposed government amendment. The report was circulated to members when the Assembly was not sitting. I commend the report to the Assembly.

Standing orders—suspension

MS GALLAGHER (Molonglo—Chief Minister, Minister for Regional Development, Minister for Health and Minister for Higher Education) (10.04): I move:

That so much of the standing orders be suspended as would prevent:

- (1) any business before the Assembly at 3 pm this day being interrupted to allow the Treasurer to be called on forthwith to present the Appropriation Bill 2013-2014 and the Appropriation (Office of the Legislative Assembly) Bill 2013 2014;
- (2) (a) questions without notice concluding at the time of interruption; or
(b) debate on any motion before the Assembly at the time of interruption being adjourned until the adjournment questions in relation to the Appropriation Bill 2013-2014 and the Appropriation (Office of the Legislative Assembly) Bill 2013-2014 are determined;

- (3) at 3 pm on Thursday, 6 June 2013 the order of the day for resumption of debate on the question that the Appropriation Bill 2013-2014 be agreed to in principle, being called on notwithstanding any business before the Assembly and that the time limit on the speech of the Leader of the Opposition be equivalent to the time taken by the Treasurer in moving the motion “That this Bill be agreed to in principle”; and
- (4) (a) questions without notice concluding at the time of interruption; or
- (b) debate on any motion before the Assembly at that time being adjourned until a later hour that day.

MR COE (Ginninderra) (10.05): Madam Speaker, in speaking now, I will be seeking clarification from the Chief Minister about what the government intend to propose regarding time limits for the Leader of the Opposition and also whether they are entertaining the thought of Mr Rattenbury speaking as well, in a capacity other than would be afforded to every other member of this place.

I do note that the standing orders say that for the main Appropriation Bill the mover, the first opposition member and the first crossbench member do not have specified time limits. If that is so, that would be a step away from what has been done in the past, whereby time limits have been specified.

However, this is a unique time whereby we have Mr Rattenbury in cabinet. And given he was in cabinet, given he was in budget cabinet, we do have some objection to Mr Rattenbury being afforded, in effect, the same privilege that Mr Hanson, as Leader of the Opposition, is being afforded.

Therefore we do want to make the point that we do not think it is appropriate that Mr Rattenbury be given the same amount of time that Mr Hanson is afforded, and we ask the Chief Minister, in the absence of Minister Corbell, to clarify what her position on this issue is.

MADAM SPEAKER: Chief Minister.

Ms Gallagher: I do not want to close the debate.

Mr Coe: We will give her leave if she wants to speak again.

MADAM SPEAKER: If the Chief Minister speaks now to clarify that matter and if it is necessary for her to speak again to close the debate, the Chief Minister would need leave to close the debate. So if members are happy with that, I will give the Chief Minister the call.

MS GALLAGHER (Molonglo—Chief Minister, Minister for Regional Development, Minister for Health and Minister for Higher Education) (10.07): I thank members for the leave that might need to be granted. As Mr Coe has outlined, the standing orders do provide for the first crossbench member speaking on the Appropriation Bill to have no specified time allocated. It is not covered in the motion. We were seeking to allow

Mr Rattenbury to have an allocation for the same amount of time as the Leader of the Opposition. This was based on discussions that I have had with Minister Rattenbury about his desire to speak only once as a crossbench member in the debate on the Appropriation Bill. I understand that was put to the opposition, and the opposition indicated that they wanted to see less time awarded to Minister Rattenbury in his role as a crossbench member, so the motion does not specify that.

We understand that we need to get this motion through today with an absolute majority, but I honestly do not see why the Assembly needs to wrap itself up in knots about whether or not someone gets five more minutes to speak at the in-principle stage.

Mr Seselja: Twenty more minutes.

MS GALLAGHER: Minister Rattenbury has indicated to me that he would like to speak for about 20 minutes, so we are arguing about five minutes here. Those great freedom-of-speechers over there are trying to constrain that ability at the in-principle stage of the Appropriation Bill.

The motion, as it stands, will allow the Leader of the Opposition the same amount of time as the Treasurer. I think the Assembly could grant Minister Rattenbury, in his role as a crossbench member, an allocation of 20 minutes to speak on the Appropriation Bill.

MR RATTENBURY (Molonglo) (10.09): For the benefit of members of the opposition, I should clarify my position on this. I think it has been practice, certainly in the last Assembly, that the parliamentary leader of the Greens at that time was given an equal allocation. Given the changed circumstances in—

Opposition members interjecting—

MR RATTENBURY: Fourteen seconds. Given the changed circumstances in this Assembly, in a discussion I had with the Chief Minister, I indicated that my preference—and I thought it was the most appropriate way to respond—was that I thought it was quite clear that I should be able to put a Greens perspective on the budget. I felt the best way to do that was to speak only in the in-principle debate. It was not my intent to participate in the detail stage from a crossbench perspective, but rather just speak as the responsible minister for those areas for which I have portfolio responsibility in the detail stage.

What it means is that I intend to have one speaking spot for the in-principle stage and not exercise the very extensive opportunities I have to speak in the detail stage. So if members want to play it that way, I will take all those other times as well, but I think that this is a cleaner, clearer way to do it and one that I think, frankly, carries a level of practicality to it that seems sensible.

Question resolved in the affirmative, with the concurrence of an absolute majority.

Leave of absence

Motion (by **Ms Gallagher**) agreed to:

That leave of absence be granted to Mr Corbell for this sitting day due to ill health.

Official Visitor Amendment Bill 2013

Debate resumed from 16 May 2013, on motion by **Mr Corbell**:

That this bill be agreed to in principle.

MR SESELJA (Brindabella) (10.11): The Canberra Liberals will be supporting the Official Visitor Amendment Bill 2013. It fixes a number of flaws in the act which the Seventh Assembly passed, noting that the fix-ups would be required. It noted they would be required because, while the concept was worthwhile, this was a bill that was not well thought out. It was not fully thought through, it contained impracticalities and it prescribed administrative processes that should more properly be dealt with through exactly those administrative processes.

This bill does a number of things. Firstly, it removes terminology around the concept of “inspect” and replaces it with “visit”, because “inspecting visitable places” is not what an official visitor does. Official visitors do as their title suggests; they visit visitable places. Naturally, under the act official visitors retain the power to inspect certain records.

Secondly, this bill removes provisions detailing the frequency of visits. It allows this administrative or operational process to be dealt with under operational guidelines, as already provided for in the act, via disallowable instrument. Next, the bill narrows the definition of “visitable place”. In essence, “visitable places” are places funded by government, or, in the case of visitable places under the Disability Services Act, wholly or partly government funded. So, for example, private family homes will not be covered.

However, complaints mechanisms remain in place. As part of the encouragement of collaboration between official visitors, this bill also enables official visitors to assist each other, rather than them having to seek out the Public Advocate, as is currently the case.

The most substantive, important and new policy area this bill implements is to establish an official visitor board. This board will facilitate collaboration between, and professional and administrative support for, official visitors. It will not, however, govern the functions for official visitors, thereby preserving their autonomy.

This initiative addresses the concerns official visitors had in relation to the original bill as drafted by the Greens, which contemplated that the official visitors would be accommodated in the office of the Public Advocate. The board will be comprised of

the Public Trustee as chair, the Public Advocate, a representative of the Human Rights Commission and two official visitors elected by their peers.

Madam Speaker, another important element of this bill is to extend the commencement date from 1 July to 1 September this year. This is necessary to enable official visitors to prepare for implementation of the new laws and to establish the board.

Finally, this bill makes consequential amendments to the Children and Young People Act 2008, the Corrections Management Act 2007, the Disability Services Act 1991, the Housing Assistance Act 2007 and the Mental Health (Treatment and Care) Act 1994.

In considering this bill, we took particular note of the support afforded it by Women With Disabilities ACT, an organisation that is a great advocate for the needs of those women in our community whose lives are so profoundly affected by disabilities. They support the bill and encourage the Assembly to pass it into law.

I note the Greens will be proposing last minute amendments to the bill. I could be critical of that approach because dropping amendments on the table with little or no time to consider them is an unsatisfactory way of dealing with legislation as important as how we look after vulnerable people in our community. However, I also note the government, knowing the act was to commence on 1 July, only introduced this bill in the last sitting period, less than three weeks ago, and with only one sitting week remaining before commencement of an act that required a number of fix-ups. I consider this approach to be unsatisfactory. Nonetheless, we will be supporting this bill and will consider the Greens' amendments in the context of the detail stage debate.

MR RATTENBURY (Molonglo) (10.15): The Official Visitor Act was the culmination of countless expert reports that highlighted the need for change. The watershed Gallop inquiry of 2001, created after the tragic deaths of three people with disabilities in residential care settings, noted the need for better consultation with consumers and better compliance with disability standards.

Later, in 2004, as preparation for the establishment of the Human Rights Commission, the Australian National University's Foundation for Effective Markets and Governance, otherwise known as the FEMAG report, laid out a range of recommendations. Included in these were specific recommendations for an official visitor for disabilities and an official visitor for people experiencing homelessness.

The issue was again raised in the 2010 *Love has its limits* report which recommended the establishment of an official visitor scheme for disability services located within the office of the Public Advocate of the ACT.

The act is a product of a very thorough consultation process with the official visitors, with the Public Advocate, with the Human Rights Commission, with consumers, with carers and with groups representing people with disability across the board. Their views on the issue were overwhelmingly clear; this was a sorely needed reform.

We can see from the changes proposed in the bill today as a result of the consultation that the government undertook, and the minor changes they are proposing today, that we got the scheme right and that it will have a positive impact for the people it is supposed to protect.

Today, we are presented with an amendment bill to refine and further target support for those who may be being cared for, or held, in the various settings in the ACT such as the jail, in crisis refuges, in aged-care facilities, and ensure they are receiving fair treatment and quality care.

I acknowledge that the government, having accepted the will of the Assembly on this issue, did engage constructively. I am very pleased that having now taken the time to ask the people that the scheme is designed to protect they can see the merits in the scheme and all the benefits it has to offer for those who are to be covered by the new and strengthened official visitor roles.

Any amendments that we pass to the act must further assist official visitors to work productively and informally with detainees and residents to help them resolve their complaints, or to advocate on behalf of people who do not have the capacity to advocate for themselves.

We can all agree today that the official visitors are an important part of the ACT's oversight groups and provide valuable service to not only their primary clients but also the whole community. The ability of the visitors to provide clear and impartial advice and present concerns directly to ministers is vital. I know in my role as the corrections minister that this advice and service is incredibly valuable.

Madam Speaker, the bill contains a range of what could best be described as minor and technical changes. The Greens agree with most of these. However, as Mr Seselja has alluded to, there are a number of areas where we feel some further adjustment may be warranted. Our proposal is to adjourn the debate at the end of the in-principle stage today once we move into the detail stage.

We have not circulated those amendments yet, as there is still advice being sought and some discussions ongoing. Mr Seselja is right to flag that we would not want to be tabling them today and seeking to debate them, and in fact the standing orders no longer allow for that. There is still discussion going on with a view to resolving that and finalising the debate on the bill on Thursday.

Turning to the substance of the various issues raised in the bill, firstly on the establishment of the board, I have to say that I was initially reluctant to add this new layer into the scheme. However, I am now of the view that as there is the potential that the expanded range of expertise on the board will assist the scheme and bring together the relevant other oversight bodies, we should, in fact, see how this works and support it in the legislation.

One thing that has occurred to me, though, is that perhaps rather than the Public Trustee it should, in fact, be the Ombudsman that is the chair of the board. The

Ombudsman is responsible for the scheme in Queensland and there is probably a stronger link between the Ombudsman's role than there is in the Public Trustee's role. That is one of the issues that I am considering and seeking further discussion on.

The bill clarifies the range of visitable places. I recognise that in some respects this is an improvement. However, I think there is also room for further discussion here about removing the requirement for a service to receive government funding to be considered a visitable place altogether. People are vulnerable, regardless of whether or not the service they are receiving is government funded or not. I believe that any distinction based on this is artificial and that this is an area where I am willing to have further discussion.

The bill also clarifies access to health records. One issue that the clause does raise is that where a person is not able to give consent, an official visitor will need to seek consent from the person's guardian to view the records. As knowledge of the health records may be an important part of the OV's role in ensuring that appropriate treatment and care are being given, a process will need to be set up to ensure that ongoing, proactive consent can be given by guardians so that OVs can inspect a health record during their visits.

In relation to the crisis support unit at the AMC, I am comfortable that the changes do not substantially affect the current arrangements in the ACT where both the Corrections official visitor and the Mental Health official visitor can visit people detained in the CSU. The bill articulates a process for each OV to work within their role and scope of skills. I think that the official visitors are more than capable of exercising their professional judgement to make any reporting and complaints resolution arrangements work in an efficient and effective way.

Overall, the Greens support the bill in principle. I would like to acknowledge the productive approach that has been taken to working between officials and the minister, with me and my office, to ensure that we have in place an effective scheme that reflects the views of the community that has been so clear in what it wants from the official visitors. As is often the way with new ways of working, there are indeed some aspects of the original bill that could be improved and it is a testament to the good will of all the parties present that we continue to refine this important protection and reporting service in the desire to care appropriately for those that need it most. Those comments made, and noting the discussion I am still undertaking, the Greens support the bill in principle.

MS GALLAGHER (Molonglo—Chief Minister, Minister for Regional Development, Minister for Health and Minister for Higher Education) (10.22): I thank other members for their support for this bill.

The Official Visitor Amendment Bill 2013 was developed in close consultation with government and community stakeholders, with significant effort and careful attention to detail. The effort to produce this bill reflects the government's commitment to maintain the policy intent of the Official Visitor Act and the schemes that existed before it—in mental health, juvenile justice rehabilitation and adult corrections.

The two new schemes created by the Official Visitor Act have received in this bill the same careful and particular attention as the established schemes received from this government before its passage. The bill will contribute to the efficacy of these new schemes, and their ability to withstand the rigours of their intended and necessary use. In short, this bill ensures the new and revised schemes will be fit for their intended purpose.

The changes made by this bill will ensure that the revised scheme will offer measurable and effective protections for the most vulnerable members of our community. The detail we put in today will help to increase our knowledge about systemic risks in each environment. With the benefit of this knowledge, we will ensure our services and initiatives reflect best practice, and the ACT will be a model for service standards and rights protection across Australia.

Official visitors are exceptional individuals and champions of human rights in our society. They work in difficult environments in various ways, to uphold the rights of the most vulnerable people. Official visitors are remunerated for their time, but perform a function that has a significant public service element. They are selected on the basis of their unique talent for observation and communication. Their role requires them to maintain a delicate and difficult balance—they must maintain credibility and trust within their respective environments, but remain independent from both the systems they monitor and the people they visit. They are the eyes and ears of ministers. They are “canaries in the mines”, but they are not the servants of the ministers they report to or the agencies they observe. They must maintain communication with various statutory office holders but maintain their own judgement. They are not advocates, but intercede in cases where a simple resolution is necessary and appropriate.

Members will agree that the official visitor scheme occupies a very special place in the ACT. Official visitors are highly valued throughout the community. The government is committed to supporting the scheme and the official visitors who work tirelessly to protect and correct the systems that support our most vulnerable.

When the Attorney-General presented this bill, he explained in detail its changes to technical provisions in the act. Now, doing this on behalf of the Attorney-General, I will explain the need for those changes. But what I want to talk about today is the government’s vision for what these schemes will achieve.

If we focus too closely on the minutiae of this bill, we may risk losing sight of our broader purpose. The broader purpose of the Official Visitor Amendment Bill is the support and continuation of the scheme that supports and protects our most vulnerable citizens.

This bill is a grouping of legislative adjustments. But, more than this, it represents the government’s commitment to the human rights principles on which our administration is based. It acknowledges the inherent dignity and worth, and the equal human rights, of all people in our community. And it is driven by the sober understanding that, as a

society, we amount to nothing if we do not strive to protect the most vulnerable amongst us.

In its preamble, the Human Rights Act 2004 affirms that human rights are necessary for individuals to live lives of dignity and value. That act acknowledges that respecting, protecting and promoting the rights of individuals improves the welfare of the whole community. This is because individuals who see themselves as the holders of rights can more clearly understand their responsibilities for upholding the human rights of others.

That notion of seeing, of vision and scrutiny, is of central importance to the bill we discuss today.

The official visitor scheme focuses on individuals in our community who are most acutely vulnerable—more vulnerable than others on the basis of different circumstances. It is concerned with the rights and welfare of adult detainees in correctional facilities; children and young people in juvenile justice rehabilitation facilities; people with a mental illness or mental dysfunction receiving treatment in a secure mental health facility; and, more recently, people with a disability and people who are at risk of being homeless.

As a result of their different circumstances, these people are at heightened risk of abuse and degrading treatment. Their right to privacy may be limited. Their freedom of movement may be limited—by court order or tribunal decision, or by other circumstances. They may be acutely vulnerable to neglect. And they may be unable to speak for themselves.

The official visitor scheme shines a light on the places where we find our most vulnerable people so that we can see more clearly. It provides an early warning to ensure that the systems that service vulnerable people reflect our human rights principles and maintain the highest standards of treatment and care.

The official visitor scheme is dynamic. It is unique. It is effective. And it is responsive, because the government pays attention to what our official visitors tell us.

Before the Official Visitor Act, as Minister for Corrections, Mr Corbell had appointed Ms Tracey Whetnall as the Aboriginal and Torres Strait Islander official visitor for corrections, to provide additional, culturally specific support to Aboriginal and Torres Strait Islander detainees, who are over-represented in our correctional facilities.

It has been an honour and privilege to work with a number of official visitors during my years as Minister for Health—as it has been for the Attorney-General, as Minister for Corrections. Despite certain representations made during the development and passage of the Official Visitor Act, neither the Attorney-General nor the official visitors he worked with considered the working relationship a threat to their independence.

Those misapprehensions aside, the government has been responsive to the views of stakeholders, including the official visitors, to develop the detail of this bill. The bill

will add potency and clarity to the Official Visitor Act. Its amendments have been finely tuned to ensure that the new and revised schemes operate as effectively as possible.

The bill makes a number of broad changes to the Official Visitor Act, including providing specifically for official visitors to seek the assistance of other official visitors; providing for official visitors to have access to any record relating to an entitled person at a visitable place; omitting the term “inspect” and substituting “visit”; and establishing the official visitors board. It also corrects and clarifies incorrect and confusing definitions.

By these changes, we will all be able to understand what official visitors do and where they will go. If we do not iron out these issues, the scheme will not do what we need it to do.

The bill will provide for official visitors to work collaboratively. There are many instances where a collaborative approach will strengthen the responsiveness of the scheme. The bill uses the example of the children and young people official visitor requesting the assistance of the disability official visitor on a visit to Bimberi, but there are any number of ways this could work. This formal provision for collaboration will increase the effectiveness of official visitors in their “home environments”. It will add significant additional value to the information we receive from official visitors, which will help us to improve our systems and services in these environments.

Madam Speaker, in debate on the Official Visitor Bill, you indicated that you were not convinced about the need for a legislative scheme for complaints mechanisms in disability housing. The Attorney-General agreed. What we have done in this bill is re-adjust the focus of the scheme, to emphasise an official visitor’s authority to gather information. Official visitors are the eyes and ears of their minister. In fact, they are more than that: they are the eyes and ears of the community.

This bill makes it absolutely clear that an official visitor, with an entitled person’s consent, has the authority to inspect any health record or any other record relating to an entitled person at a visitable place. These records are a significant source of information about the treatment and care an entitled person receives. The bill will ensure official visitors will have the necessary authority to see incident reports, dietary plans, lists of rostered carers, behavioural plans, day plans and records about the use of any seclusion or chemical restraint.

These records will allow an official visitor to see at a glance what the entitled person has eaten, their activities, and who their carers or other medical staff are. They will know if the entitled person has been involved in any incident and, if they have, whether it was appropriately managed and reported. By making it clear that an official visitor will have the authority to see these and any other records relating to an entitled person, we reinforce our expectation around record keeping.

The development of this bill has involved extensive consultation with community groups representing people with a disability and consideration of other jurisdictions’ community visitor schemes. From these discussions and our consideration of the other

schemes, we understand that reporting and record keeping are a fundamental safety measure for people who are dependent on others for treatment or care.

The 2012 Victorian community visitors annual report documents cases where a person's injuries were not properly treated because they were not reported to staff, and about threats to the safety of patients that were not appropriately managed because they were not reported. These are safety issues. These are human rights issues. And these people deserve better.

We do not want that happening to people in the ACT. Vulnerable people must not be subjected to harm, abuse or neglect because systems have failed. By shining a light on record keeping, we send a clear message to everyone that the systems that service our most vulnerable people must be robust, effective, and capable of withstanding scrutiny.

What this bill does is change the emphasis in the new schemes from complaints management to transparency. The bill substitutes the word "inspect" used throughout the Official Visitor Act with the word "visit". This is a benign amendment to clarify the way the scheme works. Official visitors do not inspect places. They visit places. They have the authority to inspect documents, with the relevant consent, but they are not inspectors.

Some individuals have expressed frustration that the official visitor scheme is not performing according to their notion of what official visitors do and what the scheme is designed to achieve. The official visitor scheme is not an advocacy scheme. It is a transparency and human rights monitoring scheme. It is concerned with the systems that are in place to protect the safety and the dignity of our most vulnerable people. Official visitors are problem solvers; they are dynamic and quick-thinking individuals with exceptional powers of observation and communication. They get things done—at a ground level or by escalating the problems they identify. And they achieve this by visiting.

When we debated the Official Visitor Act, we talked about the difficulty of applying a closed environment model to open environments like disability services and homelessness. Even understanding the significant differences between these environments, human beings need to feel that they have space that is their own, free from unreasonable intrusion.

So whether we are talking about cells or private homes, a bed or a room, if we are to uphold the principle of human dignity, we cannot apply a notion of inspecting these places.

The word "visit" in no way diminishes an official visitor's authority. "Visit" carries with it the idea of a request to enter, the wait for an invitation, the notion of courtesy and respect. This is how official visitors interact in their environments. This is how our scheme must be understood.

The bill makes a number of changes to definitions in the Official Visitor Act which were unclear or incorrect. What I will add to this discussion is that the bill adds key

detail to the new schemes to ensure the schemes can operate effectively when they commence.

These amendments fill the gap in the new schemes, and ensure these schemes will do what they are designed to do. The bill ensures official visitors have clearly identified places to visit. In the Community Services Directorate, work is already underway to ensure entitled people have the information they need to access the scheme.

The government is committed to ensuring the schemes continue to be responsive to their clients, and this will be particularly relevant after the commencement of the national disability insurance scheme, now known as DisabilityCare. We expect this scheme will change the way disability services are administered. The government therefore expects that the definition of visitable place under the disability services scheme will be adapted to ensure it is as broad and as inclusive as possible.

The new official visitor scheme for homelessness will present a significant challenge. The bill's definition of a visitable place for this scheme will give the scheme its best opportunity for success.

As I have discussed, the enormous potential of the official visitor schemes must be understood beyond their implications and initial benefits. By shining a light onto homelessness services, the official visitor scheme will allow us to gain greater insight into issues of poverty and homelessness in our community. We can then identify more effective solutions for people who are experiencing homelessness.

I thank other members for their contribution to the debate. I understand that we will be dealing with some amendments in the detail stage on Thursday. I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Detail stage

Clause 1.

Debate (on motion by **Mr Rattenbury**) adjourned to the next day of sitting.

Justice and Community Safety Legislation Amendment Bill 2013 (No 3)

Debate resumed from 9 May 2013, on motion by **Mr Corbell**:

That this bill be agreed to in principle.

MR SESELJA (Brindabella) (10.36): This bill makes a small number of changes to three bills. Firstly, the bill will amend the Coroners Act 1997 by removing the superfluous requirements for the Coroner to present annual reports to the

Attorney-General. These provisions were already contained in the Annual Reports (Government Agencies) Act 2004.

Secondly, this bill amends the Crimes (Forensic Procedures) Act 2000. Currently, the legislation requires that a person is to be brought back before the magistrate that issued the warrant. This bill removes this current requirement and amends the legislation so that a suspect may be brought before the court rather than a specific magistrate. This will allow greater efficiency in the courts.

In a briefing taken by my office on this last month, we raised concerns that this amendment could lead to judicial shopping. However, we were assured that suspects' applications are heard in a consecutive manner; therefore, it would be difficult for a suspect to manipulate the system to be heard before a particular magistrate that they believe would be positive for their case.

Thirdly, the Road Transport (Alcohol and Drugs) Act 1977 will amend provisions relating to the taking of alcohol screening tests. Currently, a person must be taken into custody before a second test may be administered. This means that if the first test is inconclusive or marginal, the police officer must go through the procedures of custody before being able to retest. This is an inefficient use of officers' time, especially when the final test result is negative.

The Canberra Liberals believe that we should review and amend legislation where it has become clear that its implementation has become cumbersome without due reason. All three key amendments today seek to create efficiencies in the implementation of their respective bills. We will therefore be supporting the passage of this bill today.

MR RATTENBURY (Molonglo) (10.38): The Justice and Community Safety Legislation Amendment Bill 2013 (No 3) is one of the regular statutory amendment bills to update legislation managed by the Justice and Community Safety Directorate. This is already the third of these amendment bills for 2013.

The bill makes three minor changes to three territory acts. It amends the Coroners Act to remove unnecessary requirements regarding the Chief Coroner's annual report. These requirements are duplicated in the Annual Reports (Government Agencies) Act, so they can be removed from the Coroners Act.

The bill also amends the Crimes (Forensic Procedures) Act. It clarifies the impractical requirement which currently requires a person who is the subject of a warrant to be brought before the same magistrate that issued the warrant. The amendment ensures that the person can be brought before other magistrates as well. I believe it is a practical measure, given that the specific issuing magistrate will not always be available.

Lastly, the bill amends the Road Transport (Alcohol and Drugs) Act. The amendment will authorise a police officer to undertake more than one alcohol screening test. This is for cases where the first screening test is inconclusive or gives an "on the margin" result. In these instances the police will be able to administer a second test without needing to first take the person into custody.

These amendments are all minor practical amendments that I am happy to support.

MS GALLAGHER (Molonglo—Chief Minister, Minister for Regional Development, Minister for Health and Minister for Higher Education) (10.40): Again, acting on behalf of the Attorney-General this morning, I thank other members for their contributions to the debate.

The JACS bill that we are debating today will improve the operation of laws administered by the Justice and Community Safety Directorate. The amendments in the bill will not make significant policy changes but do address targeted issues that have been identified by operational areas. The relevant provisions have been considered and amended to ensure that our laws are successfully meeting their intended aims and to improve efficiency in the administration of law.

The acts that will be amended in this bill are the Coroners Act 1997, the Crimes (Forensic Procedures) Act 2000 and the Road Transport (Alcohol and Drugs) Act 1977.

The amendment to the Coroners Act improves the process for tabling of the Chief Coroner's annual report by removing unnecessary duplication. The provisions that determine how and when an annual report must be provided are contained in the Annual Reports (Government Agencies) Act 2004. By also including these provisions in the Coroners Act, there is a potential for confusion. The duplicated provisions will be removed from the Coroners Act as they are unnecessary. This will simplify the existing section 102, which provides for the required content of the Chief Coroner's annual reports and will ensure operational efficiency is maintained. Providing for the Chief Coroner's annual report to be included in the Justice and Community Safety Directorate annual report rather than requiring it to be tabled as a separate report will streamline the reporting process and reduce the resources invested for publication.

To achieve this, attachment 1 to the Annual Reports (Government Agencies) Notice 2012 (No 1) under the Annual Reports (Government Agencies) Act 2004 will be amended separately to subsume the Chief Coroner's report within the Justice and Community Safety Directorate's annual report. This approach is already in place for a number of other public authorities, such as the Public Trustee, the ACT Civil and Administrative Tribunal and the Public Advocate of the ACT. As this amendment demonstrates, the government is committed to pursuing measures that will streamline administrative processes and focus on efficient use of time and resources in the carrying out of government functions.

An amendment to the Crimes (Forensic Procedures) Act 2000 is also focused on achieving efficiency. Section 37(1)(b) currently provides that a magistrate may issue a warrant to secure the presence of a suspect at the hearing of an application for an order in relation to a forensic procedure. Under this provision the warrant requires that the suspect be brought before the issuing magistrate. In practice, it is not necessary for the suspect to be brought before the issuing magistrate, as often the suspect will be brought before the A-list magistrate for the hearing of the application.

Requiring the same magistrate to issue the warrant and hear the application may delay the process if the issuing magistrate is not available at the time of the suspect's hearing. The amendment clarifies that a suspect must be brought before the court rather than a specific magistrate. This broadens the scope of the section and facilitates the efficient day-to-day operation of the court.

The bill also improves operational efficiencies in the administration of the Road Transport (Alcohol and Drugs) Act 1977. This bill amends sections 8, 9 and 10 of that act, which relate to the administration of roadside alcohol screening tests by a police officer. Under particular circumstances, a police officer may conduct an alcohol screening test but may not undertake more than one unless the person is taken into custody. There are a number of circumstances where a second test may be necessary. Firstly, a second test may be necessary when the initial screening test gives a result that is right on the line between an alcohol concentration that exceeds the person's prescribed concentration and one at which it is lawful for the person to drive.

In such cases, a second test conducted a few minutes after the initial test will indicate whether the person's alcohol concentration is rising or falling. If the concentration is falling, the person will be able to resume driving with no further delays or consequences. If it is rising, the person would ordinarily be taken into custody for breath analysis, to obtain an evidential reading of his or her breath alcohol concentration.

Waiting a few minutes and offering a second screening test is a practical alternative that avoids the need to take a person into custody for breath analysis in every case where a reading at the prescribed concentration is obtained. It recognises that taking a person into custody for breath analysis is a limitation of the person's rights, albeit one that can be reasonably justified in the interests of ensuring safer roads. However, this limitation of rights can be reduced by offering a second roadside screening test to rule out marginal cases.

Secondly, subsequent tests are necessary where police are conducting a high-volume roadside screening exercise using screening devices operating in passive mode. These devices will indicate only the presence or absence of alcohol in the person's breath. While these devices serve a number of practical advantages, including reducing delays and congestion for motorists, a positive reading will necessitate an active test being carried out to find out the driver's actual alcohol concentration.

Thirdly, a second or subsequent test may be required when there has been difficulty in obtaining a breath sample at the first attempt for an active test. This could be when the tube has been dislodged or the driver has not provided one long continuous breath. Lastly, a second or subsequent test may be required where the driver has indicated to the testing officer that he or she has recently had a product containing alcohol in his or her mouth, such as where an alcoholic drink has recently been consumed or where he or she has used an alcohol-based mouth wash. Traces of alcohol in the mouth affect the reading from the breath testing equipment. However, mouth alcohol dissipates relatively quickly and a second roadside screening test conducted shortly after the first can eliminate the need to take the person into custody for a breath analysis.

I foreshadow that we will move an amendment to this bill which will make a consequential amendment to the Road Transport (Vehicle Registration) Act. The amendment is consequential to the government's decision to remove the requirement for vehicles, other than heavy vehicles, to display a registration label from 1 July 2013. While amendments to the Road Transport (Vehicle Registration) Regulation 2000 will remove the requirement to display a vehicle registration label for vehicles other than heavy vehicles, the Road Transport (Vehicle Registration) Act 1999 makes it an offence to remove a registration label.

The proposed amendment will amend the Road Transport (Vehicle Registration) Act 1999 so that a person does not commit an offence if they remove a registration label from a vehicle that is no longer required to display the label. This amendment also removes the existing power that police officers and authorised people have to enter a light vehicle to remove a registration label that is expired or cancelled. This power is no longer required now that light vehicles do not have to display registration labels.

This policy reform has been made possible due to improved police technology, which allows police to use on-the-spot RAPID numberplate identification technology to automatically check a vehicle's registration status. Removing the requirement for the registration labels brings the ACT in line with a number of other states across Australia where the requirement for registration labels for light vehicles has already been phased out, including New South Wales, where the requirement for light vehicle registration labels was removed from 1 January this year.

This does not mean that the general requirement that all vehicles driven on public roads must be registered has been removed. That requirement still remains. While registration labels provide an indication that a vehicle is registered, a registration label cannot be relied on as proof of registration. In some instances labels have been found to be fraudulent and there are cases where a person pays for their registration, receives a label and subsequently the payment is dishonoured, meaning the vehicle is unregistered but displaying a current label.

Light vehicle owners will continue to receive registration renewal reminder notices and registration certificates. However, they will no longer be issued with, nor be required to display, a registration label on their vehicle. These changes will not apply to heavy vehicles, defined as vehicles or trailers that have a gross vehicle mass of 4½ tonnes or more. The road transport authority will continue to issue registration labels for heavy vehicles and it will still be an offence for operators of heavy vehicles not to display these labels.

This change was a recommendation from the government's Red Tape Reduction Panel. The Red Tape Reduction Panel was established by the government as part of its ongoing efforts to support a diverse and successful private sector. The panel has a mandate to identify regulation that imposes unnecessary burdens, costs or disadvantage on business activity in the ACT and recommend ways to remove and improve outdated, unworkable and illogical regulation. It is outcomes oriented, focusing on specific problems facing individual businesses, with a mandate to engage across government and fix regulatory matters that do not work or do not make sense.

The panel found that the requirement to display vehicle registration labels was an unnecessary burden on vehicle owners, and particularly businesses with a large fleet of cars. It also found that police RAPID technology provided a better, faster way of verifying a vehicle's registration status.

The government accepted this recommendation and this measure forms part of our efforts to implement this change so that ACT residents and businesses start to feel the benefit as soon as possible. The establishment of the Red Tape Reduction Panel has been welcomed. The panel includes representatives from key bodies such as the ACT and Region Chamber of Commerce and Industry, the Canberra Business Council and the Council of Small Business in Australia. These representatives are pleased to support the government's efforts in making Canberra a better place to do business.

The amendments in the bill represent the commitment of this government to consider the small but significant changes that can make a big difference to the efficiency and effectiveness of our operational areas for the benefit of the ACT community. I thank other members for their support of this bill.

Question resolved in the affirmative.

Bill agreed to in principle.

Detail stage

Bill, by leave, taken as a whole.

MS GALLAGHER (Molonglo—Chief Minister, Minister for Regional Development, Minister for Health and Minister for Higher Education) (10.51): Pursuant to standing order 182A(b), I seek leave to move amendment No 1 as it is minor and technical in nature.

Leave granted.

MS GALLAGHER: I move amendment No 1 circulated in my name [*see schedule 1 at page 2233*]. I table a supplementary explanatory statement to the government amendments.

This first amendment provides for the commencement of the act on a day fixed by the minister in writing and that this date will be 1 July 2013, which will ensure that the amendments commence concurrently with the other changes made to the Road Transport (Vehicle Registration) Regulation 2000.

Amendment agreed to.

MS GALLAGHER (Molonglo—Chief Minister, Minister for Regional Development, Minister for Health and Minister for Higher Education) (10.52): I move amendment No 2 circulated in my name [*see schedule 1 at page 2233*].

I spoke to this at the in-principle stage of the debate. This just removes offences under current legislation that would be committed if we were not making these amendments.

Amendment agreed to.

Bill, as a whole, as amended, agreed to.

Bill, as amended, agreed to.

Debate interrupted in accordance with standing order 74 and the resumption of the debate made an order of the day for a later hour.

Sitting suspended from 10.53 to 2.30 pm.

Ministerial arrangements

MS GALLAGHER (Molonglo—Chief Minister, Minister for Regional Development, Minister for Health and Minister for Higher Education): Madam Speaker, I will take questions on behalf of Minister Corbell today, if there are any.

Questions without notice

Children and young people—obesity

MR HANSON: My question is to the Minister for Health. On 25 May, the *Canberra Times* reported that you found that the findings of a COAG report on obesity were “alarming”. In particular, you said:

I think that’s probably the most concerning element of the report that the ACT, both for children and adults, sits above the national average for levels of our community who are overweight or obese.

Minister, on 28 May, you announced that you were ending funding for Robert de Castella’s SmartStart for Kids, that resulted in significant improvements for kids that undertook the program. Minister, why have you axed funding for this program that was achieving significant results when you claim to be alarmed by the level of obesity of children in the ACT?

MS GALLAGHER: I thank the Leader of the Opposition for the question. Childhood obesity is a very significant concern across the ACT. I think the latest information we have from the ABS shows that over a quarter of school-age children in the ACT are overweight or obese, and this does require the government to consider every aspect of our funding across a range of directorates about how we look to change behaviours in particular that are leading to this outcome on our population.

In relation to the specific program that Mr Hanson alludes to, we worked very closely with Mr de Castella around that program. It is a sports science based program. It was funded for four years. Indeed, if you go to the SmartStart for Kids website, you will see on their website an acknowledgement that it is in the final year of a four-year

funding contract that they had with the government. So we have not cut funding. The funding that was allocated for this has run to an end.

In relation to looking to continue funding, what Mr de Castella sought was an increase in funding, from \$200,000 to around a million a year. Large parts of that million were for screening kids. We already screen our kids, and we worked with Mr de Castella around changes to that program that did not have a lot of the costs associated with screening, and we also supported him to work with the Medicare Local and the national agency that has been established specifically to look at preventive health measures to see if they would support the program. At this point they are not either. So our funding has run to the end. It certainly helped in the short term with a small number of children that it had provided the program to, once it had screened the children. But the issue is 24 per cent of kids are now overweight or obese. So it is not about targeting the top 100; it is about changing behaviour in a broad-based population sense. We will release a healthy weight plan for the ACT in the not-too-distant future, and you will see the steps the government is taking.

Obesity is going to be like smoking. The steps that we are taking around tobacco control will need to be taken around this issue. It is not going to deliver the change through this sports science program. The government cannot afford that. We have to look more broadly at how we actually get to and reach all the children who attend our schools. Ultimately, it is a matter for parents to help us with as well. The government cannot solve the obesity crisis, but we can work broadly across the community in a population health based sense, and we can look at how we are providing information to families about making healthy choices.

MADAM SPEAKER: Supplementary question, Mr Hanson.

MR HANSON: When did you make the decision to cut funding for SmartStart, and was it before or after you described the level of obesity in the ACT as “alarming”?

MS GALLAGHER: There was no decision to cut the funding. The timetable for the funding was made four years ago, and it reaches its conclusion at the end of 2013.

MADAM SPEAKER: A supplementary question, Mr Doszpot.

MR DOSZPOT: Chief Minister, has the government done any research into the additional cost of health services over a lifetime for an obese or overweight person as compared to a person in a healthy weight range? If so, what is the extra cost for an overweight or obese person? If not, why not?

MS GALLAGHER: We are doing some of that work as part of the healthy weight plan for the ACT. Yes, there are significant costs, but to suggest that a program of \$200,000 a year that targeted a very small number of children is going to have any impact on those costs over the lifetime, when you look at the data available to the government you could not use that program and say that it will solve 26 per cent of our students being overweight or obese. We are building bariatric beds, bariatric ambulances, bariatric wards, bariatric consulting rooms and bariatric treatment areas

to deal with the adult population that we are currently seeing. Yes, we need to shift the focus to children and that generation and we need to get it across the board.

I do not know how much attention Mr Hanson has paid to SmartStart for Kids, until it gets on the front page of the *Canberra Times* and then he shows a lot of interest. I have spent a lot of time looking at this program and a lot of time taking advice from the Chief Health Officer of the ACT, the man responsible for advising me on public health matters. His advice at this stage is that this program should not get additional funding from the ACT government. It started as a private company 13 or 14 years ago. It has run its program, it has received a pretty generous amount of government funding—\$800,000 over four years—and that contract expires.

MADAM SPEAKER: Supplementary question, Mr Doszpot.

MR DOSZPOT: Chief Minister, why is it that you can find \$300,000 for *Skywhale* but you cannot find \$250,000 for a childhood obesity program?

Members interjecting—

MADAM SPEAKER: Order! The Chief Minister has the call.

MS GALLAGHER: Thank you. We have supported Mr de Castella's program. I think that until it received government funding it was a private business. It then changed to a non-government agency in order to assist us in providing funding to it of \$800,000. Mr de Castella was not after \$200,000; the submission to government was for \$1 million a year.

Education—funding

DR BOURKE: My question is to the Chief Minister. Chief Minister, last week you reached agreement with the Prime Minister for the ACT to participate in the national education reform agenda. Can you advise the Assembly of details of the funding arrangements, the length of the agreement and what benefits will flow to ACT schools and their students from this historic agreement?

MS GALLAGHER: I thank Dr Bourke for the question. Last week the ACT government was in a great position to reach agreement—

Mr Smyth: On a point of order, Madam Speaker, is this revealing detail that is in the budget and therefore under embargo?

MADAM SPEAKER: I think it has already been publicly announced. It could be called a budget leak, but I think it was publicly announced. There was a press conference about it. Chief Minister.

MS GALLAGHER: Last week we did reach agreement with the commonwealth government around the national education reform agreement and the national plan for school improvement. I think it is right to call the agreement reached historic. For the first time in the ACT all students, regardless of the school that they attend, will

receive the same amount of government funding through the school resource standard as we transition to the new funding arrangements.

The agreement will mean that ACT government funding will increase over the transition time of six years from \$469 million in 2013—

Mr Doszpot: No child will get less!

MS GALLAGHER: to \$572 million in 2019. Mr Doszpot interjects that no child will get less and that is entirely correct. This has secured extra funding. Indeed, the majority of the extra funding will go to Catholic system primary schools. The work that is being done in the assessment of the school resourcing standard and how it applies to the ACT is that the majority of schools that are under the school resourcing standard operate in the Catholic system primary schools. That is because there has been acknowledgement from the commonwealth that the SES model—

Members interjecting—

MADAM SPEAKER: Order, members!

Mr Doszpot interjecting—

MADAM SPEAKER: Mr Doszpot, I have called you to order.

MS GALLAGHER: The significant increase in the Catholic system primary schools is because under this agreement the New South Wales average of SES is used and allocated to the Catholic system primary schools here. So there is an acknowledgement from the commonwealth that the previous SES funding model as it applied to the Catholic system primary schools did not actually pick up areas of disadvantage which were masked at perhaps the regional level or jurisdictional level but operated within the suburbs specifically.

This is a good outcome. It will take away the public-private divide. It will ensure that our schools are on an equal footing and that students within that school, students coming from perhaps New South Wales into the ACT, will be operating under the same arrangements. Hopefully, in time we will see other jurisdictions get on board. That is important for ACT students, particularly those who travel, like the Defence Force students that come here from a number of other jurisdictions. If there was a national agreement on this reform, they would be treated the same wherever they went to school.

We were very pleased to reach that agreement with the commonwealth. I think that over time when it is implemented we will look back very proudly at being the second jurisdiction to sign up to these historic reforms.

MADAM SPEAKER: Supplementary question, Dr Bourke.

DR BOURKE: Chief Minister, how many ACT schools currently meet the schooling resource standard, and how many of our schools will attract additional funding to enable their students to come up to the standard?

MS GALLAGHER: I thank Dr Bourke for the question. Due to the historically high levels of investment across the ACT education system, the majority of our 131 schools are above or at the school resourcing standard set by the commonwealth. Only around 35 of those 131 require additional funding to bring them up to the resourcing standard. I think there are five of those that are in the government system; the rest are in the Catholic systemic primary school system.

The reform provides flexibility for each jurisdiction to tailor the resourcing model to its specific need. The ACT will be doing that. We will be ensuring that the needs-based loadings applied to such things as disability and English as a second language reflect our local circumstances and our priorities. This means that for the 35 schools, especially those residing close to the SRS line, movements in loading and other variables could influence where they lie relative to the resourcing standard. But all ACT schools will benefit from the certainty of fixed indexation and the ambitious reform agenda.

It does lock in certainty for schools, so for schools which are making decisions now these will come into effect from 1 January 2014. Unfortunately, because of the effects of other jurisdictions' cuts to their education budgets, which were impacting on the amount of indexation that was going to flow through to all schools here, this has locked in funding certainty at a minimum of three per cent indexation from the ACT government and 4.7 per cent from the commonwealth.

MADAM SPEAKER: A supplementary question, Mr Gentleman.

MR GENTLEMAN: Minister, what are the details of the funding arrangement for the centre for quality teaching and learning, announced at the same time, and what impact will this centre have on improving opportunities for our teaching workforce?

MADAM SPEAKER: Mr Gentleman, could you repeat the question please?

MR GENTLEMAN: Yes. My question is: what are the details of the funding arrangement for the centre for quality teaching and learning that was announced at the same time, and what impact will this centre have on improving opportunities for our teaching workforce?

MADAM SPEAKER: I am struggling here, Mr Gentleman, because the initial question and the supplementary question were about the national education reform agreement, the funding arrangements for the agreement and how many schools met the resourcing standard. I am struggling to see—

Mr Gentleman: Indeed, the—

MADAM SPEAKER: Just let me finish my sentence. I am struggling to see how your question is in order because it seems to be about something completely different.

Mr Barr: Madam Speaker, you may not have followed the announcement closely, but part of the national education funding agreement for the ACT that the Prime Minister announced at the same press conference was this facility at the University of Canberra.

MADAM SPEAKER: So you are assuring me, Mr Barr, that this is part of the national education reform agreement?

Mr Barr: National education—

MADAM SPEAKER: Okay. On the basis of that assurance, I call the Chief Minister.

MS GALLAGHER: Madam Speaker, I want to be clear and not mislead the Assembly. It was part of the announcement of the agreement reached between the ACT government and the commonwealth. It does not specifically form a part of the agreement that we signed, but it was part of the announcement we made.

MADAM SPEAKER: In that case I am ruling it out of order because the initial question was about the national education reform. A supplementary question, Mr Hanson.

Members interjecting—

MADAM SPEAKER: Order! Mr Hanson has the floor. I need to be able to hear him.

MR HANSON: Chief Minister, over the next four years will Gonski provide more or less federal funding than was planned under the existing national partnership agreement funding to the ACT?

MS GALLAGHER: Those agreements were due to expire.

Mr Hanson interjecting—

MS GALLAGHER: They were, Mr Hanson. It is not a revelation; I have said that a number of times in this place. Those agreements were due to expire because of the cuts to particularly the New South Wales and Victorian governments' education budgets. The indexation arrangements from the commonwealth, which picks up a majority of indexation applied to state government schools, had changed. The advice to me was that this provides funding certainty and increased funding.

Mr Hanson: It's a funding cut.

MS GALLAGHER: It is not a funding cut, Mr Hanson. You do not understand it. No child will be worse off; no school will be worse off. I have got—

Mr Smyth interjecting—

MADAM SPEAKER: Order, Mr Smyth!

MS GALLAGHER: In fact, I have got letters from the independent school association asking that—

Mr Smyth interjecting—

MADAM SPEAKER: Order, Mr Smyth!

MS GALLAGHER: funding from the ACT government be maintained—

Mr Smyth interjecting—

MADAM SPEAKER: Mr Smyth, I am warning you!

MS GALLAGHER: at three per cent. It is extra money to the Catholic system primary schools and it is extra money to government schools over and above what we were expecting to receive in the forward estimates. That was reflected in the budget papers outlined by the commonwealth and will be updated in our budget papers as well.

Arts—funding

MS PORTER: My question is to the Minister for the Arts. I refer to the minister's announcement last week on support for the arts. Could the minister provide details on this support, including how it will assist the development of arts hubs in Canberra?

MS BURCH: I thank Ms Porter for her interest. Last week I announced that the government is to provide \$2.8 million over the next two years so that we can progress the establishment of arts hubs in Ainslie and Kingston, as well as undertake some refurbishment work at Gorman House Arts Centre. This commitment significantly progresses an election commitment that I made last year, as part of ACT Labor's comprehensive arts policy, which the arts community widely recognised as the most comprehensive and forward-thinking arts policy taken to the election by any party.

I announced last week that through artsACT we will invest \$1.5 million in the 2013-14 year to undertake capital works needed to transform the Ainslie Arts Centre into a music hub, and \$300,000 to progress the establishment of a visual arts hub in Kingston. I also announced \$1 million over two years that will be used to refurbish the historic Gorman House Arts Centre, which is home to dozens of community groups and organisations.

The investment in Kingston and at the Ainslie Arts Centre does progress our commitment of two years ago, following the release of the Loxton report, to establishing three arts hubs dedicated to visual, musical and performing arts. To put this in context, over two years ago the government engaged independent consultant Peter Loxton to review Canberra's arts sector, with over 500 individuals, artists and representatives from local arts organisations participating in the review. The report made 118 recommendations around enhancing and reforming arts policy in the ACT. This was a comprehensive review of the arts sector in Canberra, commissioned by former Chief Minister and arts minister Jon Stanhope, and which sparked some major reforms around how we support the arts in this city, and I am pleased that I have been able to continue to progress many of these reforms. The establishment of arts hubs was perhaps the biggest reform that the government has agreed to, and this work is well on its way.

At the Street Theatre, we are close to seeing the capital works there completed to make the space better suited to being a true performance arts hub, following our \$3.2 million investment in the 2011-12 budget. This funding has provided for the extension of the capacity of the Street Theatre to function as a hub for performing arts by housing a range of performing arts organisations. We expect that work to be completed next month.

The intention of the arts hubs is to facilitate the sharing of administration and resources so that local arts organisations can concentrate more on arts activity and programs. The arts hubs will add more vibrancy to the local arts sector by increasing critical mass, and I believe they will be an important platform to further develop the city's arts sector.

MADAM SPEAKER: A supplementary question, Ms Porter.

MS PORTER: Minister, what will the capital funding at Gorman House Arts Centre and Ainslie Arts Centre provide for?

MS BURCH: I thank Ms Porter for her interest in the arts community. I know that she has a strong personal interest, particularly in the performing arts and certainly the CAT awards. The budget commits \$1.5 million to progress the government's plan to turn the Ainslie Arts Centre into a music hub and \$1 million over two years to upgrade the historic Gorman House Arts Centre.

artsACT has already done considerable planning and consultation work to realise the Ainslie music hub concept. The Ainslie Arts Centre already has the foundation of a music hub, with its tenants including Music For Everyone, Pro Musica, Australian National Eisteddfod, Young Music Society, Hall Village Brass Band and Canberra Youth Music. artsACT has consulted the tenants in recent months through music round tables and the ACT music forum to identify each one's needs and also how they can better work together and what can be done to facilitate that.

To that end, artsACT has engaged Philip Leeson Architects who have undertaken a space audit and cultural planning exercise at Ainslie Arts Centre. This has resulted in forward design and construction planning to develop the building into a fully utilised and vibrant music hub. This will include the development of an affordable, self-contained, publicly accessible community performance space with a focus on music at the centre and the opportunity for the co-location of arts organisations' office accommodation and will allow for increased collaboration and consolidated storage. The \$1.5 million will allow for this work to be undertaken, in consultation with the stakeholders.

At Gorman House, we will see a major refurbishment of the historic building. Constructed in the 1920s, Gorman House is a significant heritage complex that has been adapted for arts use and, as I committed at last year's election, we will invest \$1 million over two years to help restore this building. (*Time expired.*)

MADAM SPEAKER: Supplementary question, Mr Smyth.

MR SMYTH: Minister, what is the progress on the Kingston art hub, and what is the progress on assistance to Megalo?

MS BURCH: I thank Mr Smyth for his question. The work on supporting Megalo continues. They are looking to a midyear move—probably in the next month or thereabouts, as I understand it, from the most recent advice—into office space. That was where LDA was down on the Kingston foreshore. I believe it is very important to have them on site at Kingston. I have always been a firm believer that Megalo had a right and proper space at Kingston foreshore. There were original plans, as we all know. Their deep, and I think constant, desire is to move into the Fitters Workshop, but that, unfortunately is not to be. We continue to invest in and support Megalo in that work.

Also in regard to Kingston, I made an announcement a week or so ago that there is \$300,000 to continue and to progress the work at Kingston to make sure that that does turn into a very vibrant visual arts precinct. That work will allow us to go out and talk with other user groups that have a particular interest and a strong interest in being there.

I am pleased to say that we will continue to invest in Kingston as a key part of relocating Megalo there. The feasibility study, the preliminary planning work, will be undertaken in 2014-15 and will capture planning for a multi-use arts facility, including a permanent, purpose-built space for Megalo. It will also look to options about how other user groups, as I have said, could be there and how we can progress the work. The key plank is that tenants there will be the Glassworks, Megalo and, of course, the bus depot markets, which are a favourite for many Canberrans on the weekend.

MADAM SPEAKER: A supplementary question, Mr Gentleman.

MR GENTLEMAN: Minister, how will these programs support up-and-coming artists in the ACT?

MS BURCH: I thank Mr Gentleman for his question. Permanent arts hubs, whether it is visual arts at Kingston, music arts at Ainslie or performing arts at Street Theatre, support the whole range and scope of artists within our community, from emerging artists through to those at a higher end of professional practice and skill. It is important that we have these hubs to allow for those different groups. If you reflect on those that are the foundations of the arts hub at Ainslie, groups include Music for Everyone. I popped in to the most recent eisteddfod, to the rock and roll performance that was held at CIT music area. I did note that Music for Everyone was certainly a group who was there.

In addition to Music for Everyone, there are Pro Musica, the Australian National Eisteddfod, the Young Music Society and the Hall Village brass band and Canberra Youth Music. These hubs provide a central point of efficiencies across organisations so that they can mentor, support and nurture each other, and also, more importantly, make sure that our vibrant arts community here in Canberra, at all levels and scope,

whether emerging artists or professional artists, are well supported, and our investment will continue.

ACTEW Corporation Ltd—executive remuneration

MR SMYTH: My question is to the Chief Minister. Chief Minister, the *Canberra Times* is quoted as saying yesterday that the ACTEW managing director was paid bonuses of over \$1 million in the four years from 2008. When it was announced that the managing director's salary was only \$640,000 per year, you said you did not think that was unreasonable and you were confident that the ACTEW board was acting in the best interests of Canberrans. Chief Minister, where you aware of the \$1 million of bonuses being paid to Mr Sullivan since 2008 when you said the salary was not unreasonable? If so, do you stand by that statement? If not, why were you not made aware?

MS GALLAGHER: Based on my understanding of the facts, in 2008, when we published that salary for the first time, he would not have been paid \$1 million in bonuses. That is the cumulative impact, as I understand it.

Mr Smyth interjecting—

MS GALLAGHER: You asked me a question of when I said this in 2008 was I aware there was \$1 million in bonuses. That is wrong; there was not \$1 million in bonuses. But aside from that, the information, as I recall it, included information to the shareholders that there was a \$100,000 performance bonus as a component of that \$640,000. I think members would be aware that we were informed, I think, on or about 8 March this year that that was a different situation. For the first time I became aware that there was a short-term incentive bonus, a long-term incentive bonus and an additional bonus that was paid for the water security projects, which constituted \$334,000 of the \$852,000. So, no, the shareholders were not informed in 2008.

MADAM SPEAKER: Supplementary question, Mr Smyth.

MR SMYTH: Chief Minister, what steps have you taken to assure yourself that the million dollars paid in bonuses was justified, given the massive cost blowouts of the Cotter Dam project?

MS GALLAGHER: I have read the contract of employment that the managing director was engaged under, and he entered into those terms in good faith. I have also read the performance assessments that were conducted independently of the board and were submitted to the board, and I have read the board's consideration of those.

MADAM SPEAKER: A supplementary question, Mr Seselja.

MR SESELJA: Chief Minister, what steps have you taken or will you take to ensure that all aspects of ACTEW remuneration are open and accountable, preferably to the public, or at the very least to yourself as a shareholder?

MS GALLAGHER: We met with the board and expressed our disappointment and concern over the way shareholders had been informed and, indeed, the community via the Assembly had been, I think, misled in relation to the salary and remuneration package overall. At that meeting the board resolved to make changes to the remuneration package which involved the removal of bonuses as part of that. So that is the first thing we have done. We have also asked the board to consider ways of providing more information about the ongoing operations of ACTEW and the board and their meetings, to present more information to the community about the activities of ACTEW, and we are undertaking a broader governance review of ACTEW as part of that. So I think all steps that should be taken have been taken, and the changes are being implemented.

MADAM SPEAKER: Supplementary question, Mr Seselja.

MR SESELJA: Chief Minister, when did you first become aware of the cumulative bonuses of around a million dollars for ACTEW's managing director?

MS GALLAGHER: It was in the weeks that followed the information being provided to shareholders on 8 March. That was when I became aware. A component of the bonuses originated in the original contract of employment which related to a short-term incentive and a long-term incentive. So over those few weeks.

It being 3 pm, questions were interrupted pursuant to the order of the Assembly.

Appropriation Bill 2013-2014

MR BARR (Molonglo—Deputy Chief Minister, Treasurer, Minister for Economic Development, Minister for Sport and Recreation, Minister for Tourism and Events and Minister for Community Services) (3.00): I present the Appropriation Bill 2013-2014, together with the following papers:

Explanatory statement to the Bill.

Human Rights Act, pursuant to section 37—Compatibility statement.

Budget 2013-2014—Financial Management Act, pursuant to section 10—

Speech (Budget Paper No. 1).

Building and transforming Canberra (Budget Paper No. 2)

Budget Overview (Budget Paper No. 3).

Budget Estimates (Budget Paper No. 4).

Financial Management Act, pursuant to subsection 62(1)—Statements of Intent 2013-2014—

ACT Building and Construction Industry Training Fund Authority, dated 22 and 31 May 2013.

ACT Gambling and Racing Commission, dated 9 and 31 May 2013.

ACT Insurance Authority, dated 29 and 31 May 2013.

ACT Long Service Leave Authority, dated 29 and 31 May 2013.

ACT Public Cemeteries Authority, dated 23 and 31 May 2013.

Australian Capital Territory Compulsory Third-Party Insurance Regulator (CTP Regulator), dated 27 and 31 May 2013.

Canberra Institute of Technology, dated 29, 30 and 31 May 2013.

Cultural Facilities Corporation, dated 27 and 31 May 2013.

Exhibition Park Corporation, dated 27 May 2013.

Independent Competition and Regulatory Commission, dated 28 and 31 May 2013.

Land Development Agency, dated 28 and 31 May 2013.

Legal Aid Commission (ACT), dated 27 and 31 May 2013.

Public Trustee for the ACT (PTACT), dated 31 May 2013.

I move:

That this bill be agreed to in principle.

Building and Transforming Canberra

The first Budget of this parliamentary term is focussed on building a stronger economy and creating opportunity and fairness for all Canberrans.

The Budget delivers important social reforms and major infrastructure projects.

And it begins the transformation of our city to meet the challenges of our second century.

Mr Smyth interjecting—

MR BARR: The Centenary of Canberra in 2013 is an opportunity to reflect on our journey to date and to set the direction for our city for the years to come.

In this Budget the Gallagher Government begins implementing a plan for the transformation and future growth of Canberra—

Mr Smyth interjecting—

MADAM SPEAKER: Mr Smyth, you are on a warning.

MR BARR: growth that is sustainable, and continues to deliver a high quality of life and opportunity for all.

Canberra is a great place to live, work, study and do business. The fundamentals of our economy are strong. And Canberrans are on average the healthiest, best paid and best educated people in Australia.

As such, the Territory is well placed to meet the challenges posed by continuing global economic uncertainty, restrained Commonwealth spending, and the prospect of deep cuts to the federal public service.

But we need to act prudently and act for the long term.

The Government is restructuring the Budget to support our economy and to meet future priorities for the transformation of Canberra.

This Budget cements reforms such as DisabilityCare and the National Education Reform Agreement, and continues investment in vital infrastructure such as new health centres and schools.

It progresses new and transformational projects, notably the University of Canberra public hospital, Capital Metro and City to the Lake, and delivers significant projects such as the Majura Parkway.

We are returning to a balanced budget in a measured way, to ensure we can continue to provide high quality services and create the capacity to invest in the infrastructure that will transform our city.

Importantly, these transformational projects will create thousands of jobs.

Conservative states such as New South Wales, Victoria and Queensland have slashed their public service. And the Coalition, if elected nationally, has promised to cut at least 12,000 Commonwealth public service jobs directly from Canberra.

Our priorities are different.

Despite tight global economic times and our fiscal consolidation and reform—this Budget maintains the size of the territory public service.

And it lays the foundations for the creation of thousands of private sector jobs over the next decade.

Budget principles

The Budget balances the short term and long term, and fiscal discipline with support for our community.

Discipline in this and coming budgets will allow us to fund productive new infrastructure.

Making savings, and reforming taxation, contribute to a balanced budget.

Net new spending of \$127.7 million over the next four years is offset against savings of \$142.6 million over the same period.

The Budget begins the delivery of our election commitments and items in the Parliamentary Agreement.

It continues the Gallagher Government's record spending on schools, hospitals and community services, ensuring we support the most vulnerable in our community.

Economic outlook in the ACT and Australia

Let me turn to the economic outlook facing the Territory.

The recovery in advanced economies continues to be slow and uncertain.

Growth in Australia is uneven and hampered by fragile consumer confidence, a weakening labour market and fiscal restraint.

The ACT economy and the Government's fiscal position are not immune to this.

We currently have low unemployment and inflation, strong population growth and high, albeit slowing, investment.

But we face the Commonwealth's post-stimulus package contraction and potential severe job cuts if there is a change of government federally.

Gross State Product growth is forecast to moderate in 2013-14 to 1¾ per cent, reflecting, among other things, the impact of Commonwealth contraction.

State final demand growth is forecast to moderate to ¼ per cent in the coming year due to lower Commonwealth expenditure and below-trend growth in household consumption and investment.

Wage growth is expected to be constrained, and consumer price inflation is expected to be well contained at 2¼ per cent due to below-average final demand growth, the high Australian dollar and continuing retail discounting.

The ACT labour market has softened, and leading indicators point to subdued labour demand, with labour market activity forecast to ease in 2013-14.

In the long term, the ACT Budget faces issues of sustainability.

Our ageing population and rising demand for services are increasing the demand on government outlays.

On the revenue side the level and growth of GST revenue continues to erode.

In the short term, the outlook for tax revenue remains soft because of challenging economic conditions.

In particular, below average growth in residential and commercial activity has reduced taxation revenue.

While conveyance revenue has fallen significantly compared to the estimates contained in the 2012-13 Budget, the Government will not seek to recover this loss in revenue which has arisen partly because of lower activity in the property market.

Increases in residential general rates will be limited to that envisaged in the tax reform program.

Fiscal outlook

In this Budget the Government has maintained its commitment to return the Budget to balance, as planned, in 2015-16.

The operating deficit will be approximately \$340 million in the current fiscal year, an improvement of \$23 million from the Budget Review.

A deficit of \$253.6 million is forecast for the 2013-14 financial year.

While an improvement on the 2012-13 outcome, the Government has decided to operate a slightly higher deficit than forecast in the Budget review because of falling revenues and decisions to invest now in new services and transformative infrastructure initiatives.

Ongoing fiscal restraint will see the deficit shrink to \$100 million in 2014-15 before returning to a modest surplus in 2015-16 and a growing surplus thereafter.

Importantly, this budget continues the Government's record infrastructure investment program.

This Budget funds an extra \$272 million over four years in new capital works on top of the existing billion-dollar program.

The total infrastructure spend in the 2013-14 fiscal year is \$775 million, with \$598 million allocated for works in progress and \$177 million for new works.

The ACT's debt levels are proportionally the second lowest in Australia—behind only the resource rich state of Western Australia.

And we have a Triple-A stable credit rating, one of only two Australian jurisdictions to enjoy this highest possible rating.

Structural reforms for fiscal sustainability

This Budget contains structural reforms to make government more efficient.

Last year, my first Budget as Treasurer began the task of reforming the revenue side of the budget, through taxation reforms.

My second Budget continues the reform challenge by stepping up the process of critically reviewing expenditure.

The changes in this budget are balanced and responsible. They will ensure our public service is cost effective, targeted, high quality and directed to priority areas.

To continue to invest in transformative projects and deliver high quality services, the process of seeking out new efficiencies and new savings will be ongoing and embedded into the thinking of the public sector—the more efficiently we can deliver our services, the more services we can enjoy for any given level of taxation.

Savings initiatives in this budget total \$142.6 million over the forward estimates.

This includes ceasing some programs, making savings across directorates, reprioritising spending to higher priority areas, and further improving government procurement.

Parks and City Services, ACTION, the Emergency Services Agency, and Corrective Services will be reviewed to ensure each is efficiently providing high quality services, including addressing demand management, service level provision, or other aspects of service delivery or program management—while, critically, maintaining quality services.

The Gallagher Government is meeting its promise to maintain the size of the ACT Public Service—overall staffing levels will remain stable in the coming years.

Fees for some services will rise to recoup more of the cost of providing these services. This includes raising the Victims Support Levy on traffic and court-imposed fines to fully fund support services for victims of crime.

Taxation reform

The Budget continues the Government's nation-leading tax reforms, unveiled in last year's Budget, to make our tax system fairer, simpler and more efficient, and, importantly, sustainable for the long run.

On July 1 duty on insurance premiums will be cut by a further 20 per cent. Duty on general insurance falls from 8 per cent to 6 per cent, and duty on life insurance drops from 4 per cent to 3 per cent.

A household with insurance premiums totalling \$2,500 will save \$100 in 2013-14 compared to before tax reform, and a business with insurance premiums totalling \$20,000 will save \$800 in 2013-14.

Insurance tax will be completely abolished by 1 July 2016.

From tomorrow, conveyance duty will be further cut for residential and commercial properties.

Tomorrow, the buyer of a \$500,000 home will save \$3,400 on stamp duty compared to before tax reforms began; by 2016 the saving will be over \$7,000.

To boost investment the Government is accelerating the abolition of conveyance duty on transactions valued over \$1.65 million.

A flat 5.5 per cent rate will apply, substantially cutting the amount payable.

From tomorrow our city will go from having one of the highest stamp duty rate in Australia to one of the lowest.

Healthy and smart

This Budget invests heavily in health and education to meet both present and future challenges.

Health and education will always be two of the Gallagher Government's highest priorities.

We are proud they make up 51 per cent of the spending in this Budget.

This Budget continues the Government's transformation of our health system, with \$1.3 billion in funding made available.

This Budget funds design work on the University of Canberra Public Hospital, a state-of-the-art facility to help meet our city's needs for years to come.

There will be more beds at the Canberra Hospital, Calvary Public Hospital and Centenary Hospital for Women and Children.

Elective surgery services will be improved and waiting times reduced, the Emergency Department at Canberra Hospital will be expanded, and there will be increased rapid assessment services at Calvary.

There is extra funding for increased mental health services provided through non-government organisations and community health programs, and funding to support and expand Community Health and the successful nurse-led Walk-in Centres is made available. A mobile dental clinic will help people who cannot access a dentist surgery.

A Centenary Chair in Cancer Research will be established at the John Curtin School of Medical Research, and outreach services for cancer sufferers will be expanded.

This Budget also ensures that Canberrans remain the most active people in the country.

Local sporting organisations and facilities will receive more funding—including netball, soccer and cycling, among others. Work begins on the innovative sports hub at the University of Canberra.

Canberra is a smart city, with internationally renowned education and research institutions and the best public education system in the country.

Last week the ACT Government agreed to partner with the Commonwealth to implement the National Education Reform Agreement.

This will provide a total increase of \$190 million in Government funding to all ACT schools by 2019.

ACT Government schools are already above the national resourcing benchmark—this Budget maintains growth in per student funding of 3 per cent, and includes funds to transition to the new model.

The agreement provides particular help to Catholic systemic schools, and the Budget provides an \$8.6 million new funding boost for non-government schools over the next four years.

The Budget also funds more professional development for teachers, more assistance to students with special needs, including transport and financial assistance, and establishes a new Introductory English Centre in Tuggeranong.

There is extra funding for students with a disability and for non-government students and schools, including the establishment of new non-government pre-schools.

Liveability and opportunity

Canberra has a deserved reputation as one of the most livable and accessible cities in the world.

It is a city we locals are particularly proud of, especially in a year of celebration such as this.

This Budget provides substantial funding to ensure our quality of life remains second to none.

The Government is committed to supporting vulnerable and disadvantaged people, and people who need extra assistance and a hand up.

The Government has agreed with the Commonwealth for the ACT to be a launch site for DisabilityCare—one of the most important social reforms in our country's history.

The Gallagher Government will contribute significant resources to the scheme in coming years.

This Budget prepares for the roll-out, with eligible ACT residents beginning to transfer to DisabilityCare from July 2014.

The Budget also expands youth engagement and family support services, with funding allocated for more supported accommodation and outreach assistance for homeless persons.

Design and construction of Common Ground, a safe place for young homeless people, will start.

Community safety remains a priority for the government.

More ACT Worksafe Inspectors will be employed to make our worksites as safe as possible and to ensure that workers can return home safely at the end of the day.

There are funds to target drink and drug driving, and safe drivers will be rewarded with a discount on their driver's licence fee.

The Emergency Services Agency will be strengthened, particularly its fire and rescue capability, and a new fire station will be built in southern Tuggeranong.

Canberra celebrates its culture and diversity. There is extra funding in the Budget for community festivals and events and for Ainslie and Gorman House Arts Centres.

The multicultural community will benefit from extra support for the Community Language School, and scholarships will be introduced to train more interpreters.

Corrective services will receive extra funding, including to support staff to effectively manage offenders on parole or court-ordered sanctions.

ACTION patrons will benefit from the introduction of real time passenger information, more MyWay recharge stations, trials for fare discounts, and interchange and bus stop upgrades.

Growing the economy

Canberra's economy is strong—thanks to the Government's far-sighted and responsible management we have weathered the global financial crisis.

But we must continue to provide support and funding to ensure we keep growing and meet the challenges ahead.

This Budget helps our private sector to diversify, grow and create jobs through continued implementation of the Business Development Strategy.

There is new funding to boost Global Connect—a suite of programs helping local businesses export their goods and services.

And our considerable capital works program will continue to inject funds into our economy.

We will help ensure Canberra remains the services heart of south-east New South Wales, including through investment in the Canberra Urban and Regional Futures program.

Tourism contributes about \$1.3 billion to our economy each year and is a major employer in our city. This Budget funds specific initiatives to increase promotion for major events and blockbusters, and to help establish direct international flights into Canberra.

There are also specific measures, through the Study Canberra initiative, to boost our higher education sector.

Building more affordable homes

Making buying a home more affordable and encouraging investment in new housing is a priority for the Government.

To further this policy objective, the First Home Owner Grant will rise to \$12,500 from 1 September.

It will be retargeted to new and substantially renovated properties. This will boost the construction sector, and aligns the ACT with New South Wales, Queensland, Victoria, South Australia and Tasmania.

The Home Buyer Concession Scheme is being further expanded—from tomorrow the income threshold for eligibility for this scheme rises from \$150,000 to \$160,000 per household, meaning about 70 per cent of Canberra households meet this income eligibility test.

The property threshold for which a full concession is available will increase to \$425,000, with a partial concession available for properties valued up to \$525,000.

Due to these changes a household eligible for the First Home Owner Grant and the full Home Buyer Concession could save more than \$26,000 when buying a \$420,000 home.

The Land Rent Scheme will be retargeted to lower income households—from 1 October it will only be open at the concessional 2 per cent rate.

And in the coming year the Government will release sites for 4,800 new dwellings right across Canberra.

Urban renewal

This Budget lays the foundations for the urban renewal of Canberra.

The Capital Metro Agency will be established, and initial design work will begin.

City to the Lake is another transformational project for our city. It will create a world-class business, residential and entertainment precinct and finally link Lake Burley Griffin to the city.

The Budget includes funding to progress design work on the remaking of Parkes Way, one of the vital first steps of the project.

Improving Canberra's urban landscape and meeting the needs of our growing city are a priority, with \$45.2 million allocated for infrastructure to support urban renewal.

Our parks, playgrounds and nature reserves will continue to receive the funding necessary to meet the standards Canberrans expect.

Local shopping centres will be upgraded with improved paving, seating, parking and lighting.

There will also be numerous road upgrades, with almost \$10 million allocated to improve traffic and pedestrian safety.

Infrastructure in newer suburbs, such as Molonglo, Kenny and Throsby, will continue to be expanded.

Canberra's reputation as the "bush capital" will be maintained through ongoing sustainable land management and biodiversity programs.

We are also providing funding to preserve our much-loved urban treescape with new planting and maintenance programs, and new park ranger positions.

There is also significant funding of \$28 million for the Cravens Creek and Horse Park Drive water quality control ponds.

Conclusion

Today we enshrine reforms that are vital for Canberra's future, and which ensure that our community can grow and prosper.

The Budget has been restructured to fund key priorities—in disability services and education and to allow the delivery of major infrastructure projects in the future.

Canberra becomes an even more innovative and forward thinking city—and an even better place to live, work, study and do business.

I commend the Bill to the Assembly.

Debate (on motion by **Mr Hanson**) adjourned to the next sitting.

Appropriation (Office of the Legislative Assembly) Bill 2013-2014

Mr Barr, pursuant to notice, presented the bill, its explanatory statement and a Human Rights Act compatibility statement.

Title read by Clerk.

MR BARR (Molonglo—Deputy Chief Minister, Treasurer, Minister for Economic Development, Minister for Sport and Recreation, Minister for Tourism and Events and Minister for Community Services) (3.25): I move:

That this bill be agreed to in principle.

This bill provides funding to the Office of the Legislative Assembly. I do not intend to deliver a long presentation speech this afternoon. We will, of course, consider this bill in a cognate debate with the main appropriation bill and I commend this bill to the Assembly.

Debate (on motion by **Mr Hanson**) adjourned to the next sitting.

Paper

Madam Speaker presented the following paper:

Auditor-General Act—Auditor-General's Report No. 3/2013—ACT Government Parking Operations, dated 30 May 2013.

Executive contracts

Papers and statement by minister

MS GALLAGHER (Molonglo—Chief Minister, Minister for Regional Development, Minister for Health and Minister for Higher Education): For the information of members, I present the following papers:

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

Long-term contracts:

Amanda Nuttall, dated 10 May 2013.

Daniel Stewart, dated 28 May 2013.

Erin Brady, dated 8 May 2013.

Ian Hubbard, dated 24 May 2013.

James Corrigan, dated 17 May 2013.

Leanne Wright.

Louise Gilding, dated 20 May 2013.

Neale Guthrie, dated 22 May 2013.

Vanessa Little, dated 9 May 2013.

Short-term contracts:

Brett Stanton, dated 24 December 2012.
Jonathan Quiggin, dated 20 May 2013.
Lyndall Kennedy, dated 3 May 2013.
Mark Collis, dated 28 May 2013.
Meredith Whitten, dated 30 April 2012.
Mon Chan, dated 3 May 2013.
Rhonda Maher, dated 1 May 2013.
Ronald Leonard, dated 10 May 2013.
Stephen Kyburz, dated 29 August 2012.
Wendy Cuzner, dated 11 September 2012.

Contract variations:

Alan Traves, dated 13 February 2013.
Alison Playford, dated 28 and 29 May 2013.
Andrew Parkinson, dated 9 and 13 May 2013.
Chris Tully, dated 10 and 13 May 2013.
Coralie McAlister, dated 8 May 2013.
Daniel Walters, dated 20 and 27 February 2013.
Grant Kennealy, dated 22 and 27 February 2013.
Jayne Johnston, dated 3 and 7 September 2012.
Jennifer Dodd, dated 6 May 2013.
Mark Whybrow, dated 3 and 7 September 2012.
Mark Whybrow, dated 30 November and 10 December 2012.
Mark Whybrow, dated 22 January and 5 February 2013.
Mary Toohey, dated 6 and 7 May 2013.
Mary Toohey, dated 28 and 29 May 2013.
Meredith Whitten, dated 5 and 16 July 2012.
Michael Bateman, dated 9 May 2013.
Michael Chisnall, dated 23 and 24 May 2013.
Sandra Georges, dated 6 and 7 May 2013.
Sandra Georges, dated 28 and 29 May 2013.
Shane Kay, dated 10 and 13 May 2013.
Somasunderam Jeyendren, dated 9 and 13 May 2013.
Stephen Goggs, dated 10 and 20 May 2013.
Sushila Sharma, dated 3 and 7 September 2012.
Sushila Sharma, dated 30 November and 5 December 2012.

I seek leave to make a short statement in relation to the papers.

Leave granted.

MS GALLAGHER: I present another set of executive contracts. These documents are tabled in accordance with sections 31A and 79 of the Public Sector Management Act which require the tabling of all director-general and executive contracts and contract variations. Contracts were previously tabled on 7 May 2013. Today I present nine long term contracts, 10 short term contracts and 24 contract variations. The details of contracts will be circulated to members.

2012-2013 annual report directions Paper and statement by minister

MS GALLAGHER (Molonglo—Chief Minister, Minister for Regional Development, Minister for Health and Minister for Higher Education): For the information of members, I present the following paper:

Annual Reports (Government Agencies) Act, pursuant to subsection 9(5)—
Annual Reports (Government Agencies) Notice 2013—Notifiable instrument
NI2013-243, including a copy of the Chief Minister's 2012-2013 Annual Report
Directions.

I seek leave to make a statement in relation to the paper.

Leave granted.

MS GALLAGHER: The 2012-13 annual report directions largely replicate the 2011-12 directions with some minor and technical amendments. The directions include the amendments to the declarations about public authorities made under sections 12 and 16 of the Annual Reports (Government Agencies) Act. In accordance with section 12 of the annual reports act, as Chief Minister I will be responsible for the ACT executive for the purposes of annual reporting. Under section 16 I may declare that an entity established under an Act is a public authority which is required to prepare an annual report. This year's declaration is largely the same as in previous years with the following omissions: TotalCare has been omitted as it no longer exists; the ACT Accreditation and Registration Council has been omitted as it no longer has any regulatory function; and the Work Safety Council has been omitted as it is a statutory advisory body without legal identity or staff.

To reflect the changes in administrative arrangements in 2012, annual reports will be prepared for the former Treasury Directorate covering the period July to 9 November 2012, and containing the audited finance sections; the Chief Minister and Treasury Directorate for the period July 2012 to June 2013, covering the former Chief Minister and Cabinet Directorate, and those parts of Treasury that transferred; and the Commerce and Works Directorate for the period 10 November 2012 to June 2013 covering all areas that transferred to the new Directorate.

Within the body of the annual report directions only minor and technical amendments have been made. I note the following key amendments that have been made: section C.9, Workplace Health and Safety, has been amended to reflect the annual report requirements of the Australian Work Health and Safety Strategy 2012-2022; section

C.27, ACT Property Crime Reduction, has been introduced to reflect annual reporting requirements of the ACT Property Crime Reduction Strategy 2012-15; Attachment 4, Reporting Period for Specific Public Authorities, has been introduced to enable public authorities to report on a calendar year basis, consistent with past practice and currently includes CIT and the University of Canberra; section 8, Publication, has been amended to allow for the reasonable use of colour and photography; and section 9, Access and Distribution, has been amended to make reference to Web Content Accessibility Guidelines 2.0, to assist with presentation.

The annual report directions were provided to the Standing Committee on Public Accounts for consultation in accordance with section 8 of the Annual Reports (Government Agencies) Act 2004. The Committee responded on 13 May 2013 with no comments for consideration in the 2012-13 annual report directions.

Annual reports must be tabled within three months of the end of the financial year. The last sitting day falls on 19 September, which agencies have indicated does not provide sufficient time for finalisation of their annual reports. Accordingly, annual reports will be provided through ministers to the Speaker in the usual three-month timeframe, but will not be tabled until the first sitting day in October.

I should also note that a major review of the annual report directions is currently underway and expected to be completed later in the year for implementation in 2014.

Papers

Ms Gallagher on behalf of **Mr Corbell** presented the following papers:

Subordinate legislation (including explanatory statements unless otherwise stated)

Legislation Act, pursuant to section 64—

Dangerous Goods (Road Transport) Act—Dangerous Goods (Road Transport) Fees and Charges Determination 2013—Disallowable Instrument DI2013-63 (LR, 15 May 2013).

Health Professionals Act—Health Professionals (Veterinary Surgeons Fees) Determination 2013 (No 1)—Disallowable Instrument DI2013-53 (LR, 13 May 2013).

Housing Assistance Act—Housing Assistance Public Rental Housing Assistance Program 2013 (No 1)—Disallowable Instrument DI2013-52 (LR, 13 May 2013).

Legal Aid Act—Legal Aid (Commissioner—Financial Management) Appointment 2013—Disallowable Instrument DI2013-70 (LR, 16 May 2013).

Legal Profession Act—Legal Profession (Barristers and Solicitors Practising Fees) Determination 2013—Disallowable Instrument DI2013-55 (LR, 16 May 2013).

Public Place Names Act—Public Place Names (Coombs) Amendment Determination 2013 (No 2)—Disallowable Instrument DI2013-56 (LR, 13 May 2013).

Road Transport (General) Act—

Road Transport (General) Driver Licence and Related Fees Determination 2013—Disallowable Instrument DI2013-58 (LR, 15 May 2013).

Road Transport (General) Fees For Publications Determination 2013—Disallowable Instrument DI2013-62 (LR, 15 May 2013).

Road Transport (General) Numberplate Fees Determination 2013—Disallowable Instrument DI2013-59 (LR, 15 May 2013).

Road Transport (General) Parking Permit Fees Determination 2013—Disallowable Instrument DI2013-61 (LR, 15 May 2013).

Road Transport (General) Refund and Dishonoured Payments Fees Determination 2013—Disallowable Instrument DI2013-60 (LR, 15 May 2013).

Road Transport (General) Vehicle Registration and Related Fees Determination 2013—Disallowable Instrument DI2013-57 (LR, 15 May 2013).

Adjournment

Motion by **Ms Gallagher** agreed to:

That the Assembly do now adjourn.

The Assembly adjourned at 3.32 pm.

Schedule of amendments

Schedule 1

Justice and Community Safety Legislation Amendment Bill 2013 (No 3)

Amendments moved by the Chief Minister

1

Clause 2

Page 2, line 4—

omit clause 2, substitute

2

Commencement

- (1) This Act (other than part 1.4) commences on the day after its notification day.

Note The naming and commencement provisions automatically commence on the notification day (see Legislation Act, s 75 (1)).

- (2) Part 1.4 commences on a day fixed by the Minister by written notice.

Note 1 A single day or time may be fixed, or different days or times may be fixed, for the commencement of different provisions (see Legislation Act, s 77 (1)).

Note 2 If a provision has not commenced within 6 months beginning on the notification day, it automatically commences on the first day after that period (see Legislation Act, s 79).

2

Proposed new part 1.4

Page 4, line 7—

insert

Part 1.4

Road Transport (Vehicle Registration) Act 1999

[1.4] Section 22 (3)

omit

registration label

substitute

a registration label for a heavy vehicle

[1.5] Section 30 (1) (a)

omit

registration label

substitute

a registration label for a heavy vehicle