



Debates

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Thursday, 14 May 2015

MADAM SPEAKER (Mrs Dunne) took the chair at 10 am and asked members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

**Visit to New Zealand
Ministerial statement**

MR BARR (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Urban Renewal and Minister for Tourism and Events) (10.02), by leave: In February of this year I undertook a short ministerial visit to New Zealand. During the three days I visited Christchurch, Wellington and Auckland and I held meetings with the Chair of the Christchurch City Council Economic Development Committee; Re:START, Christchurch's pop-up mall; Housing New Zealand; the Christchurch Earthquake Recovery Authority; the New Zealand parliamentary secretary for tourism; Wellington City Council; Auckland Airport; Hobsonville Land Co; the Auckland Waterfront Development Agency; Air New Zealand; and New Zealand's Deputy Prime Minister, the Hon Bill English MP.

I also attended the Australia New Zealand Leadership Forum. The forum brought together business and government leaders to forge a stronger bilateral relationship between our two nations. This range of meetings covered a wide range of issues, from direct flights between New Zealand cities and Canberra to urban renewal and affordable housing. My colleagues in New Zealand are committed to working with the ACT government and our business and community sectors to build stronger economic and cultural relationships. There is strong agreement at all levels that direct flights between New Zealand cities and Canberra will be a key step in strengthening ties across the Tasman.

This issue came up time and again in my meetings with Wellington City Council, Christchurch City Council, Air New Zealand, Deputy Prime Minister Bill English, parliamentary private secretary for tourism Ms Jacqui Dean, and the CEO of Auckland Airport, Mr Adrian Littlewood. Both the Deputy Prime Minister and the parliamentary private secretary for tourism agreed that direct international flights between New Zealand and Canberra must be a priority.

I was also able to discuss the compelling case for direct flights with Air New Zealand's chief sales and commercial officer. We will be presenting a business case to Air New Zealand in coming months for their consideration. New Zealand is the number one inbound market for Australia but is the number five market for Canberra; so we need to do better here. The ACT government will continue to work with the New Zealand government, various city councils within New Zealand, airports and the airlines to pursue direct flights between New Zealand and Canberra. Whilst this will prove challenging in the current environment, we believe in our city and we believe in the importance of supporting and diversifying our economy.

I will be meeting with Virgin Australia in Sydney tomorrow to further these discussions. This complements the meetings being held at officials' level with

Tourism New Zealand, who are also supportive of direct flights between New Zealand cities and Canberra. I have also met recently with Qantas to further strengthen our relationship with our national carrier and to ensure that Canberra is well positioned in the aviation market.

In addition to a direct economic relationship, New Zealand and Canberra have a lot of lessons to share in relation to the role of government in sustaining and investing in urban renewal and housing to promote economic growth. My meetings with Re:START, Hobsonville Land Co, Christchurch City Council and the Auckland Waterfront Development Agency offered many insights into how governments and the private sector can form partnerships to achieve results in areas such as regulatory reform, sustainable and affordable building design and development, and place making and activation. It also highlighted the significant outcomes that can be achieved through an ambitious urban renewal agenda.

Christchurch City Council were able to offer specific lessons relevant to the city to the lake project in their approach to early activation pop-ups, the absolute importance of early and sustained stakeholder management and community engagement and the path they have taken in delivering their new convention centre. Urban renewal raises challenges for governments. While the overwhelming majority of citizens support urban renewal, the question of where this renewal occurs is far more vexed. We must also consider complex regulatory and planning environments, finding appropriate funding mechanisms for investment in public infrastructure, and the challenge in delivering truly innovative precincts.

Neither we nor they can shy away from these challenges. Both we and they are embracing urban renewal opportunities. Governments across New Zealand are exploring smoother pathways to urban renewal, simplifying regulatory processes, investing in smart city technologies, and prioritising creativity, design and vibrancy, with cities embracing their roles as important regional centres. Urban renewal in New Zealand, just as in the ACT, is about more than just development or infrastructure. It is about place making. It is about building communities and connecting people to these communities.

Across the three cities I visited I engaged with organisations who have led the charge on urban renewal. Each city has a different character and different communities. In turn the urban renewal agenda of each city references and reflects those differences. For example, the needs of the city of Christchurch and its community differ from those in Wellington. So the responsiveness and the structure of urban renewal differ.

Meeting with the Christchurch Earthquake Recovery Authority was a humbling and inspiring experience. We discussed the importance of being agile, responsive and focused in order to deliver an active and vibrant city. In Christchurch they are reimagining their city. Their process of community consultation, the “share an idea” concept, has some important crossover and relationships with Canberra’s own time to talk. Both asked the community to suspend their current thinking and imagine forward, to picture a city they want to live in. Both are being used to create the city the community asked for and the city the community is ready for.

Madam Speaker, the pop-up movement in New Zealand has gained momentum. These pop-up parks are building a strong sense of renewal in communities and allowing people to re-imagine the possibilities. They also signal the innovation that can come through partnerships with the private sector. Our own pop-up park at West Basin is offering Canberrans the same opportunities. I look forward to other new and innovative ways the government can demonstrate and support renewal on both a small and large scale.

This reimagining is flowing through to the delivery of New Zealand's urban agenda, with a commitment to both vision and creativity. Christchurch has recognised that to truly revitalise its city centre it needs to increase the number of residents living in the city. They have a comparable objective—20,000 extra residents—to our city to the lake project, which would introduce another 15,000 to 20,000 residents to the heart of Canberra.

In Auckland, the development of a waterfront is opening up another perspective on the city. It is there that Auckland will demonstrate that they are smart, innovative and an aspiring digital city. Again, there were useful lessons for our own city to the lake and digital city agendas. The parallels between the ACT government's agenda on urban renewal and the cities of Auckland, Christchurch and Wellington in New Zealand are manifest.

I will continue to foster a closer relationship with New Zealand. To that end, I formally invited Team Wellington—the city council, their economic development arm, their tourism arm—to come to Canberra. During their visit, I hope that we can continue to explore—capital to capital—tourism, cultural, sporting and aviation partnerships between our two capital cities.

I present the following paper:

Ministerial visit to New Zealand—Ministerial statement, 14 May 2015.

I move:

That the Assembly takes note of the paper.

Question resolved in the affirmative.

Roads—investment

Ministerial statement

MR GENTLEMAN (Brindabella—Minister for Planning, Minister for Roads and Parking, Minister for Workplace Safety and Industrial Relations, Minister for Children and Young People and Minister for Ageing) (10.11), by leave: An integrated transport system caters for all modes of travel. The road network, which caters for cars, buses, cyclists, pedestrians and freight, plays a key role in our city's economy. Most indicators show that Canberra has the best road network in Australia. This position comes not only from our predominantly urban form but also from the strong

and ongoing commitment to providing high quality road infrastructure. Construction works for key projects that will improve our road network are underway. Importantly, the next stage of investment is being planned.

Today I would like to talk about the single largest road infrastructure investment ever made in the ACT, the Majura Parkway project. Construction on the Majura Parkway, a \$288 million investment in our regional transport network, commenced in early 2013. The Majura Parkway has been included in the ACT territory plans since the 1970s. In recognition of the importance of this project, the Australian and ACT governments agreed in 2011 to jointly fund the design and construction of the Majura Parkway, each committing \$144 million.

This important economic project will deliver 11.5 kilometres of dual carriageway connecting the federal highway through to the Monaro Highway, which is accompanied by another investment to upgrade the intersection of the Federal Highway and Majura Road, which will become the connection to the Majura Parkway. The road will run through the Majura Valley, duplicating the existing Majura Road, in the northern section, and a new road will continue south of the Molonglo River on an alignment to the west of the existing Majura Road.

From a national perspective, the parkway will improve an important freight route. Residents of surrounding New South Wales and the ACT depend on the national freight network. It is anticipated that the amount of freight that will be carried on our roads will double over the next 10 to 15 years. The Majura Parkway alone is forecast to carry around 40,000 vehicles a day, including up to 6,000 trucks, by 2030.

Currently the existing two-lane Majura Road carries over 18,000 vehicles a day, of which 2,800 are commercial or heavy freight vehicles. For projected future traffic growth, a higher standard link is needed and being delivered. From a regional perspective, the parkway will also provide greatly improved access to Canberra Airport and add to the capacity of the arterial road network.

The Majura Parkway will help take pressure off residential streets and main road corridors in the inner north by removing heavy vehicles and diverting traffic onto the city's outer ring-road. This will also contribute to improving the safety of the local road system in the north of Canberra.

It is estimated that by 2021 it will take seven minutes to travel from the Federal Highway to Fairbairn Avenue via the Majura Parkway, as opposed to 20 minutes via the current Majura Road. Reducing travel and commute time is an important task for any government in Australia. It is one that this government takes seriously and tirelessly works towards achieving. The national and regional benefits of the Majura Parkway are not far from being realised. Almost 80 per cent of the works are complete, with the northbound section of Majura Parkway north of Fairbairn Avenue near completion.

As mentioned earlier, Madam Speaker, an off-road shared user path, which will run parallel to the parkway from the Federal Highway to Morshead Drive, is also being constructed. The path will connect with the paths from Morshead Drive-Pialligo

Avenue intersection, as well as Horse Park Drive and the Federal Highway. This will provide a high quality alternative way for cyclists to get to and from work. It will also help recreational walkers and cyclists, as well as tourists, access the various businesses along the route and the cycle tracks in the Majura pine plantation, which are popular for mountain bikers, and other Majura Valley tourist facilities, which are particularly popular on the weekends.

The Majura Valley has great potential as a cycle tour area for visits to these various tourist and recreational spots. This cyclepath will promote the area and stimulate local business activity. Facilitation of walking and cycling, whether it is for recreation or for commuting, is an excellent way to complement the investment in the territory that we are making into roads infrastructure. Access to active travel is important to promote physical and mental health outcomes in the community.

The completion of works from north of Fairbairn Avenue will result in the corridor being able to shift focus entirely to the southern end of the project, including the Molonglo and Fairbairn Avenue bridges and their associated roadworks. Construction is underway on both bridges. If you drive out to the airport via Morshead Drive, you will pass under the northbound Molonglo bridge. If you drive out via Fairbairn Avenue, you will drive under the Fairbairn Avenue bridge. I am pleased that these important parts of the project are being completed safely.

The Majura Parkway project is running to budget and to schedule. Expected completion of the project remains on time for June 2016. The new Majura Parkway is just one part of our record capital works program. We are working to put in place the modern, well-planned transport infrastructure befitting Canberra's status as the national capital. This includes putting in place the appropriate infrastructure to meet demand in key development areas such as Gungahlin as well as an upgrade to the intersection of Majura Road and the Federal Highway, which will supplement the new Majura Parkway once it is complete.

Road infrastructure needs to support this growing area and meet its transport needs, which is why this year's \$162 million roads program includes new projects in the Gungahlin region. Five key projects are going to be delivered to help build an integrated transport network in the region and relieve congestion once complete.

A 1.6-kilometre section of Gungahlin Drive, southbound from north of Sandford Street to the Barton Highway, will be widened to three lanes. An additional signalised left-turn lane will also be provided from Well Station Drive to Gungahlin Drive to help move more traffic. This section of Gungahlin Drive experiences heavy traffic flows in the morning peak period. This simple improvement will make a big difference.

Upgrades will also be undertaken on the Barton Highway-Gundaroo Drive-William Slim Drive roundabout. An additional lane will be added to each approach to provide greater traffic capacity. This will mean that the roundabout will have three circulating lanes. Traffic signals will also be installed at the four approaches to the existing roundabout. It is expected that traffic lights will improve the flow of traffic and increase safety by removing the decisions drivers need to make to ensure that the existing give-way arrangements work correctly. The Horse Park Drive and Anthony

Rolfe Avenue intersection will be upgraded to improve safety and traffic flow. This upgrade will also provide better access to nearby suburbs, including Harrison, Gungahlin and the new suburb of Throsby.

The few projects mentioned today are part of a suite of construction and design works across Canberra. From design works on stage 2 of the Ashley Drive upgrade project in the south to the upgrade of Constitution Avenue in the city, there is a lot of activity underway in this realm. I am committed to ensuring that Canberra has a safe and effective road network which caters for future growth of the city. We will continue to see improvements in road infrastructure, including active travel facilities such as on-road cycle lanes, dedicated bus lanes to support public transport and shared paths for those who walk or cycle.

Madam Speaker, I mentioned in opening that Canberra has the best road network in Australia. It will continue to uphold this position with our commitment to maintaining and improving our high quality infrastructure. I present the following paper:

Investment in roads—Majura Parkway and Gungahlin upgrade projects—
Ministerial statement, 14 May 2015.

I move:

That the Assembly takes note of the paper.

DR BOURKE (Ginninderra) (10.20): Belconnen roads are an essential part of our community and infrastructure, supporting business and our economy. They require constant attention in this growing city, as part of developing a sophisticated transport mix to serve us for decades to come. Recent local area traffic management works completed or about to be completed in Belconnen include: reduction of the roundabout roadway width at Maribyrnong Avenue and Ellenborough Street to reduce through-vehicle speeds; in Kaleen, three pedestrian refuge islands and associated footpaths on Maribyrnong Avenue; a painted turn lane at the Maribyrnong Avenue and Tyrrell Circuit intersection; the provision of a lit zebra crossing on Maribyrnong Avenue adjacent to Kaleen plaza; speed cushions in three locations, one set on Daintree Crescent and two on Onkaparinga Crescent; and a speed limit reduction from 80 kilometres per hour to 60 kilometres per hour on Baldwin Drive between Ginninderra Drive and Maribyrnong Avenue.

Improvements at the Belconnen Way and Coulter Drive intersection have also made this area much safer. As part of other proven road safety initiatives, new 40-kilometre-per-hour speed limit zones have been implemented at the following Belconnen group centres: Charnwood, Hawker, Jamison, Kaleen, and Kippax. The speed limits will apply 24 hours a day, seven days a week. The slower speed environments will improve safety for all road users, including pedestrians. Forty-kilometre-per-hour speed limit zones have already been successfully implemented in Canberra's town centres at Belconnen, City, Tuggeranong and Gungahlin. Six months after the new limits are in place, an evaluation involving feedback from the community as well as traffic surveys will be undertaken to determine their effectiveness in improving road safety.

Resealing and resurfacing are just part of the ongoing work to keep our roads up to the standards we are accustomed to; however, it is a cost of our road system. It is work less appreciated than an exciting new road, but it is part of the wear and tear of Canberrans getting around our city and part of our overall mix of transport costs. In Belconnen, current or recent works include the College Street reseal, the Ginninderra Drive reseal in Charnwood, the Kerrigan Street reseal in Charnwood, isolated localised reseals on some streets within Belconnen town centre and Florey, the Lhotsky Street roundabout overlay in Charnwood, Emu Bank overlays, the Kingsford Smith Drive overlays in Scullin and Hawker, and the resurfacing on Haydon Drive in Bruce.

These examples show the seriousness of maintaining our transport corridors, improving them and thinking beyond what has been done before—just rolling out more asphalt to cope with future demand. Innovative solutions to getting Canberrans around a modern metropolis are required, like more roads, more traffic lights, more buses, and more car parks for Mr Coe's Audis. New solutions to congestion, such as light rail, also have a cost, but they have a benefit in moving Canberrans and our city forward.

MS FITZHARRIS (Molonglo) (10.23): I thank the Minister for Roads and Parking for his update this morning. As he said, an integrated transport system must cater for all modes of travel. The ACT is investing in public transport, including light rail, but we must also continue to invest in a better road network which caters for cars, buses, cyclists, pedestrians and freight. As a Gungahlin resident and representative, I know how important it is to invest in our road network here in the ACT. In Gungahlin, rapid population growth is undeniable, with an increase from just over 300 people to over 50,000 in the past 25 years. This growth must be directed by a vision that includes high quality transport connections throughout the whole of Canberra.

As Minister Gentleman has said, the Majura Parkway is a vitally important road project that will deliver 11.5 kilometres of dual carriageway connecting the Federal Highway through to the Monaro Highway. This will be accompanied by another investment to upgrade the intersection of the Federal Highway and Majura Road, which will become the connection to the Majura Parkway. This will benefit the people of Gungahlin and, indeed, the whole Canberra community.

The Majura Parkway project was funded in 2011 by the commonwealth and ACT governments and will create significant long-term economic, social and environmental benefits. It will provide improved access to Canberra Airport, take pressure off residential streets and main road corridors, and make our roads safer. It will relieve traffic congestion and provide better access across the Majura Valley, enable better movement of traffic from the north to the south side of Canberra, and provide other important benefits like better fuel consumption and reduced greenhouse gas emissions.

I have driven past and along parts of the Majura Parkway project many times, and each time you can really see the progress being made on this significant \$288 million project. The new developments at Majura Park, including the much anticipated IKEA,

will no doubt be looking forward to the extra business and activity this new road will bring. With 80 per cent of the works complete, it will not be long before we are seeing the benefits of the parkway in action, with expected completion of the project still on track for mid-2016.

As the minister said, the Majura Parkway is just one part of our record capital works program. I would like to talk briefly about the projects the minister mentioned in Gungahlin, and the progress being made there to improve the road network which is so important to local residents and businesses.

It is no secret that Gungahlin is the fastest growing area in Australia, responsible for 71 per cent of the total growth in the territory in 2013-14, with Crace and Harrison gaining an extra 1,000 residents in one year alone. Having been an MLA now for just four months, in this time I have found that roads are the main local issue people raise with me. In a recent Gungahlin Community Council survey of 1,300 people, two-thirds said there were roads or traffic issues in Gungahlin that concerned them. As a resident, I know how congested some of our roads are and that the daily commute is getting longer.

The ACT Labor government has a long-term plan to integrate our roads and public transport system so that we can address these congestion issues. This includes the vital start of the light rail network, capital metro, as well as addressing some of the structural issues with our roads. I have met with the minister on many occasions since coming to this place, and also with representatives from the Territory and Municipal Services Directorate, to discuss road issues and priorities. They understand these concerns and are working hard to address them. I will continue to campaign on local road issues. Indeed, today I will be presenting a petition with more than 1,000 signatures to Minister Gentleman to see Gundaroo Drive duplicated.

It is very important to reiterate the benefits to the community of the recently announced upgrades to Gungahlin Drive that Minister Gentleman spoke about, with the 1.6-kilometre section from north of Sandford Street to the Barton Highway slated to be widened to three lanes. An additional signalised left-turn lane will also be provided from Well Station Drive to help move more traffic. Widening this section of Gungahlin Drive will significantly improve the morning commute for hundreds of people who currently queue back up beyond Palmerston. The government is also upgrading the intersection at Horse Park Drive and Anthony Rolfe Avenue to improve safety and traffic flow, another step in our plan to improve Horse Park Drive. And we have made a commitment to upgrade the Barton Highway-Gundaroo Drive-William Slim Drive roundabout to improve safety and traffic flow on one of the territory's most dangerous intersections.

It is clear that the ACT Labor government is working hard to improve the road network in Gungahlin, and Canberra more broadly, which will help alleviate traffic congestion, particularly at peak times. The projects I have mentioned and that Minister Gentleman outlined are all part of a suite of works across the ACT to ensure we have roads that are safe and that cater to our growing city. I will continue to work with the community to ensure our roads are the best they can be. I thank Minister Gentleman for his update today, and look forward to further updates regarding the progress we are making as we continue to invest in roads around the territory.

MS BURCH (Brindabella—Minister for Education and Training, Minister for Police and Emergency Services, Minister for Disability, Minister for Racing and Gaming and Minister for the Arts) (10.28): It is great to be able to stand in this place and talk about the upgrades this government has made to road infrastructure in the electorate of Brindabella, for the Tuggeranong community.

The ACT government is committed to ensuring that all Canberra residents have a high standard road network to ensure efficient travel for residents of this city. Along with investment in public transport, quality roads ensure a thriving future for this city and its residents. This is especially true of residents in my electorate, who often travel great distances to the north side of town for work and for catching up with family and friends.

The ACT government has invested strongly in roads in Tuggeranong. Investments in arterial roads, implementation of upgrades under the black spot program and resealing and resurfacing works across the south of the city have been welcomed by our residents. I know that the residents of Monash, Gowrie, Richardson, Isabella Plains and, indeed, Chisholm, my suburb, in particular, have been grateful for the upgrades to Ashley Drive delivered by this government.

Stage 1 of the Ashley Drive upgrade was completed in October of last year and saw the delivery of the duplication of Erindale Drive between Sternberg Crescent and Ashley Drive; the introduction of a left slip lane on Erindale Drive on the southbound side at the approaches to both Sternberg Crescent and Ashley Drive; the installation of part-time traffic signals at the intersection of Ashley Drive and McBryde Crescent; and intersection improvements to make the area safer for road users and reduce traffic congestion. These upgrades represented a \$7 million investment on a major arterial road in the Tuggeranong area.

Stage 2 of the Ashley Drive upgrades has been designed and consultation has begun with the Tuggeranong community. Subject to the availability of future construction funding, this upgrade would seek to duplicate Ashley Drive between Erindale Drive and Ellerston Avenue. This major upgrade of Ashley Drive would include upgrades to intersections to allow for better traffic flows for residents of Tuggeranong.

Our investments in roads in Tuggeranong go beyond just Ashley Drive. We are investing \$300,000 in part-time traffic signals to improve traffic flow on the busy Drakeford Drive, Isabella Drive and Athllon Drive intersections during peak-hour periods. These are expected to be installed by June of this year.

Forty-kilometre-per-hour speed zones have been installed in 18 local group centres around the city, six of these being in Tuggeranong: Calwell, Chisholm, Conder, Erindale, Kambah and Wanniasa. The slowing down of traffic in these centres will result in safer roads for pedestrians, cyclists and motorists alike.

We have invested in speed signage improvements across Tuggeranong, safety improvements to roads like McBryde Crescent and Wheeler Crescent, and important upgrades that will see improved safety for the students of the Wanniasa School

campuses. As we all know, children are our most vulnerable road users. As education minister, it pleases me to see safety upgrades like those that have been made around school roads. It reminds me of comments I made in this place last week. Sadly, though, around our school areas, in term 1 of this year over 400—

Mr Smyth: Point of order, Madam Speaker.

MADAM SPEAKER: On a point of order, Mr Smyth.

Mr Smyth: I seek your guidance: I note the question is that the paper be noted. The paper is entitled “Investment in Majura Parkway and Gungahlin upgrade projects”. We are now on our third speaker. Ms Fitzharris mentioned Majura Parkway and/or Gungahlin, but the two other speakers have not even mentioned them. I seek your guidance as to the relevance of what they are saying.

MADAM SPEAKER: Thank you, Mr Smyth. I was wondering as well. I was listening to Mr Gentleman’s speech concerning investment in Majura Parkway and Gungahlin upgrade projects. The ministerial statement itself is entitled “Investment in roads”, and begins:

An integrated transport system caters for all modes of travel. The road network ... plays a key role in our city’s economy.

I was wondering whether, for instance, Dr Bourke, speaking about Belconnen roads, was directly relevant, but given the breadth of the ministerial statement I think it is within the standing orders. Minister Burch.

MS BURCH: Thank you, Madam Speaker. I will take great pleasure in talking about the investment in roads in Tuggeranong, following on from Mr Gentleman and others speaking in this place before a point of order was taken. I am disappointed to see that a fellow member of the electorate of Brindabella had no interest in talking about the upgrades that have been provided to the community of Tuggeranong.

I repeat that 40-kilometre-per-hour speed zones have been installed in 18 group centres around the city, and six of these have been installed in Tuggeranong: Calwell, Chisholm, Conder, Erindale, Kambah and Wanniasa. The slowing down of the traffic in these centres will result in safer roads for pedestrians, cyclists and motorists alike.

Resealing and resurfacing of the roads in Tuggeranong are also important in keeping road areas and road users safe. The ACT government program of resealing and resurfacing has, in recent times, seen improvements to major roads such as Sulwood Drive, Drakeford Drive, Kambah Pool Road, Knoke Avenue and Johnson Drive. Surface improvements have also been made in streets in Gordon, Isabella Plains, Monash, Oxley, Richardson, Theodore and Wanniasa.

The black spot program upgrades funded by the federal government have been implemented at the intersection of Drakeford Drive and Noorooma Street as well as the intersection of Drakeford Drive and Barr Smith Avenue. Federal government investment is welcome in Canberra’s infrastructure, as always.

As I have said, this ACT Labor government is delivering upgrades across the road network to ensure that Canberra retains the high quality roads necessary for a growing city, along with investment in public transport. This government is continuing to roll out upgrades to the city roads network for the benefit of all.

MS LAWDER (Brindabella) (10.36): I thought I might take advantage of this opportunity to speak about the roads in my electorate of Brindabella as well. As Ms Fitzharris has mentioned, roads are one of the most common things that constituents raise, whether it is potholes, speeding, speed humps, dangerous corners or all sorts of other issues that are raised frequently. One example that is quite close to where I live—I get letters about it all the time—is Sternberg Crescent in Gowrie and Fadden. There has been some significant work done there as part of the Ashley Drive phase 1 extension, but that area remains of great concern to many local residents. It has had pulse lights installed, but there is a very short and narrow section of Sternberg Crescent leading up to that big roundabout and there continue to be a number of accidents occurring at the roundabout. I have written to the minister about some of those; I have spoken to local police. I can hear many of those accidents from my house as they occur—or near misses, where you hear the screech of brakes.

I have also noted that in that area there have been a number of repairs taking place, even though it is only a recently opened new stretch of road. It is unfortunate that we cannot seem to get better quality in the construction of our roads. In Sternberg Crescent, from memory, two places were named as two of the most dangerous intersections in Canberra in a recent *Canberra Times* article.

And let us not forget the debacle we had earlier this year with the closure of Tharwa Drive and the significant traffic problems that people coming from Lanyon valley had. It would be nice to see this government do something to allay the concerns of Lanyon valley residents, who have indicated their very deep fear that if there is another emergency—a natural disaster such as the bushfires that we had in 2003—they would have difficulty leaving the area.

Residents I have spoken to are absolutely keen and support the new emergency services centre. Many of them took the advantage of the open day to visit the emergency services centre. That is not at issue here. What is at issue is the planning and the lack of data that was used in order to put the temporary measures in place. There did not appear to be any sound data used at all when the temporary measures were put in place. That is something we have heard very strongly from residents of the Lanyon valley.

Having said that, when I have written to the minister he has been quite receptive and supportive and has made repairs as required. I thank the minister and his directorate for doing that.

Question resolved in the affirmative.

Electricity Feed-in Tariff Schemes Legislation Amendment Bill 2015

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

Title read by Clerk.

MR CORBELL (Molonglo—Deputy Chief Minister, Attorney-General, Minister for Health, Minister for the Environment and Minister for Capital Metro) (10.40): I move:

That this bill be agreed to in principle.

The government is presenting legislation that will amend and improve upon the remarkable success of the ACT's feed-in tariff schemes. These schemes are playing a central role in the ACT's transition to 90 per cent renewable energy by 2020 and in delivering this government's ambitious renewable energy agenda that has put the ACT at the forefront of renewable energy policy development in Australia.

Over 10,000 Canberra households have installed rooftop solar systems since the passage of the Electricity Feed-in (Renewable Energy Premium) Act in 2008. This helped increase ACT rooftop solar generating capacity from less than a megawatt in 2008 to around 43 megawatts today. This remarkable increase stimulated industry growth, generated jobs in the ACT and promoted innovation and competition that contributed to the falling prices of installing these systems.

It is therefore very heartening to note that with these lower prices Canberrans continue to install rooftop solar even without the support of a mandated feed-in tariff. With approximately 16,000 rooftop solar systems now installed, including those not supported by the feed-in tariff, more than one in 10 Canberra houses now has a solar panel on its roof. This is a significant achievement for our community.

The next stage of the government's renewable energy agenda was large-scale renewable energy. The Electricity Feed-in (Large-scale Renewable Energy Generation) Act was passed in 2011, pioneering the use of an innovative reverse auction mechanism that has resulted in highly competitive bids well below industry expectations.

In 2012-13 I announced the results of the first solar auction undertaken under this legislation. The three winning solar farms, with a combined generation capacity of 40 megawatts, will deliver enough clean electricity to power 10,000 Canberra homes. The three successful wind energy projects announced in the auction conducted in 2014-15 go further still. They will provide clean electricity to power over 100,000 Canberra homes. This is a third of the ACT's total electricity demand, reducing carbon emissions by 12 million tonnes over the next 20 years.

In relative terms, this is the biggest step change reduction in greenhouse gas emissions of any Australian jurisdiction ever and it has been achieved at the lowest possible cost. The total cost of the 90 per cent renewable energy target is estimated to peak at \$4.67 per week per household in 2020 and falling thereafter.

This government demonstrated that our energy supplies can be clean as well as affordable. But this is only one side of the story. The other side, not as commonly reported, is Canberra's ongoing emergence as an internationally recognised centre for renewable energy innovation and investment. The ACT continues to lead the nation, taking the initiative to build a high-skills clean energy economy, servicing national and, increasingly, international markets.

Our investments in renewables are stimulating investment in strategic priority areas of our economy—building local infrastructure, intellectual property, knowledge and skills of international significance which are creating long-term opportunities for exports and sustainable jobs growth.

Through this program we are helping to diversify our economy and building our claim to just a part of the \$7 trillion expected to be invested in renewables globally over the next two decades. For example, the three new successful wind farms will be run from new management and operations headquarters located right here in Canberra. In the short term we expect these operations hubs will directly employ highly skilled full-time personnel, with employee numbers expected to grow substantially over time as new wind farms in Australia and overseas are developed and managed from these facilities.

Investments made by one of the successful wind auction proponents will help the Canberra Institute of Technology develop its new Renewable Energy Skills Centre of Excellence to target national and international students looking for hands-on learning in renewable energy asset development and management.

These are just a few examples of investments into the local economy as a direct outcome of the government's policy of requiring successful bidders to demonstrate benefits to the ACT economy through inclusion of contractors and labour force, among other criteria designed to attract further investment, improve our research capacity and stimulate sustained job creation. The government and our community can be proud of our renewable energy record that has put Canberra at the forefront of renewable energy policy development in Australia.

Building on these achievements, this bill amends the Electricity Feed-in (Large-scale Renewable Energy Generation) Act 2011 and the Electricity Feed-in (Renewable Energy Premium) Act 2008 to update and further improve the effectiveness of these laws, and to streamline administrative issues that have been identified since the passage of these acts.

The number of amendments is small and they are primarily technical in nature. These amendments do not represent a change in existing government policy. Amendments to the large-scale feed-in tariff act will provide greater certainty to the territory and to generators supported under the act, should there be a change in commonwealth legislation.

The act currently depends on the continued functioning of the commonwealth's Renewable Energy (Electricity) Act 2000. These amendments allow the government to issue regulations to protect the territory's interests if there is a change in the

commonwealth law. At the same time these amendments also ensure that the payment of the feed-in tariff is not impacted by changes in the commonwealth law. This is intended to reduce sovereign risk and lower financing costs for present and future feed-in tariff entitlement holders under the act.

The bill also amends the large-scale feed-in tariff act to allow the government to determine alternative methods of calculating feed-in tariff support payments, where appropriate, for the benefit of the electricity consumers and generators. This is to take account of future technology, such as storage, where the application of technology could result in an enhanced income stream for the generator. Under these amendments the government could establish a means of sharing these benefits between the generator and ACT electricity consumers through lower feed-in tariff support payments.

Amendments to the small-scale feed-in tariff act will provide for greater scrutiny of the costs and impact of this scheme on electricity users. These amendments enhance compliance and reporting of information by electricity retailers and the distributor through targeted use of new penalties and audits, if required.

Under these amendments the government can require information from retailers and the distributor to inform the reporting of the scheme. A penalty may be issued if this information is not received. Further, the government can require an independent audit if it believes any information provided by the retailer or the distributor is misleading, untrue or incomplete. This is intended to be used only as a last resort, if significant concerns emerge in the future.

The existing monthly and quarterly reporting requirements will be replaced by a single annual reporting requirement. This is intended to streamline existing reporting requirements and help reduce the regulatory burden on electricity retailers and the distributor.

The current monthly requirements are considered redundant with the closure of the rooftop solar scheme. The commencement of the scheme saw substantial additional capacity being installed every month. With the closure of the scheme this is no longer the case. The bill also updates the legislation to reflect the fact that there has been closure of the scheme.

Additionally, these amendments address a concern in relation to existing applicants who are yet to install a rooftop system and connect under the scheme. To ensure these unconnected entitlements do not exist indefinitely into the future, the bill amends the legislation to require installation by 31 December 2016. This date ensures applications made before the scheme was closed will have sufficient time to complete installation and connection.

The government's feed-in tariff schemes are delivering significant local investment benefits to the ACT economy while also enabling one of the largest greenhouse gas reductions for any jurisdiction in Australia at an affordable cost. They are setting up the ACT to become an innovation and investment hub for renewable energy in Australia. These amendments will ensure these schemes continue to function effectively and successfully into the future. I commend the bill to the Assembly.

Debate (on motion by **Ms Lawder**) adjourned to the next sitting.

Education Amendment Bill 2015

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

Title read by Clerk.

MS BURCH (Brindabella—Minister for Education and Training, Minister for Police and Emergency Services, Minister for Disability, Minister for Racing and Gaming and Minister for the Arts) (10.51): I move:

That this bill be agreed to in principle.

School education has changed significantly, nationally and locally, in the past decade. The key driver underpinning this change has been a concerted national policy approach to education with less difference amongst our school sector and system lines. The community interest in and expectations of education policy and practice are rising. It is now widely accepted that education affects individual wellbeing, family dynamics and community cohesion, with positive impacts in the areas of health, crime, parenting, civic participation, social integration and cultural development. This recognition is leading governments to understand the value of receiving high quality advice on how to implement best practice education standards and seek community engagement and stakeholder feedback in strengthening connections across the education sectors, with linkages to business and to various community services.

The ACT government needs to meet these expectations through identifying best practice approaches to formulating education policy and advice. It is timely in this changed environment to revise the current ACT education ministerial advisory arrangements to ensure that they are best adapted to providing high level and strategic advice on school education.

I am introducing this bill today to enable new and different advisory arrangements for the minister responsible for education, arrangements which enable the minister to establish thematically focused, multisectoral, time-constrained forums which allow for input from a variety of government, private and not-for-profit stakeholders to provide up-to-the-minute advice on policy issues as they arise. In particular, the new arrangement would cut across the three school sectors of public schools, independent and Catholic schools, enhancing discussions in areas of common interest, demonstrating the ACT's drive for a connected and a cohesive education system achieving high quality outcomes for all Canberrans. Cross-sectoral, theme-based advisory arrangements would also support the government's agenda in streamlining services and operating in a one-service environment with the aim of making interaction and engagement with the government as simple and straightforward for the community as possible.

Members with skills and knowledge in areas such as finance, policy development, research and trends in education, parent and community engagement and community services could also be included, as needed. Such membership would include but not be limited to the representatives of universities; nationally recognised specialists in parental engagement, early childhood education and care, data policy and analysis, and stakeholder community engagement; ACT school sectors; the unions; and of course the students. The Education and Training Directorate will provide secretariat support to any advisory body established under this new legislation. Remuneration of advisory members has not been specified in the legislation. However there will be flexibility to allow an allowance for the chair, technical experts and professionals as required by the Remuneration Act.

To enable this arrangement requires the disestablishment of the existing government and non-government education councils that were established in 2004 under the then Education Act. I would like to take this opportunity to thank both councils for their work over many years and their attention to providing advice to my predecessors and to me as Minister for Education and Training. I would particularly like to thank the chairs of the two current councils, Mr Craig Curry and Ms Narelle Hargreaves OAM, for their devotion and energy of many years. Both have actively engaged in improving education in the territory and the outcomes for all our students and staff.

Madam Speaker, I commend this amending legislation to the Assembly.

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

Gaming Machine (Reform) Amendment Bill 2015

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

Title read by Clerk.

MS BURCH (Brindabella—Minister for Education and Training, Minister for Police and Emergency Services, Minister for Disability, Minister for Racing and Gaming and Minister for the Arts) (10.57): I move:

That this bill be agreed to in principle.

Today I present the Gaming Machine (Reform) Amendment Bill 2015, which amends the Gaming Machine Act 2004. This bill represents the second stage of regulatory reforms that I announced on 2 October last year as part of the gaming machine reform package. This bill follows the first stage of regulatory reforms that were introduced through the Gaming Machine (Red Tape Reduction) Amendment Act 2014 (No 2), which commenced on 5 December last year. The reforms I introduce today strike the right balance in supporting the ongoing viability of the territory's community clubs while retaining a strong harm minimisation framework.

The bill includes amendments to the act which will provide clubs with access to a gaming machine trading scheme. For the first time, licensees will be able to trade gaming machine authorisations in an open market. The introduction of the trading scheme is underpinned by a new licensing and authorisation framework. The new framework supports trading and reduces administrative burden without compromising the integrity of the industry.

Under the bill, the number of authorisations for gaming machines in the ACT will be reduced in two phases. Phase 1 includes a forfeiture arrangement, with gaming machine authorisation traded between licensees subject to a one-in-four mandatory forfeiture. This phase also provides for a quarantining of gaming machines and authorisations to enable structural adjustments within the industry. Phase 2 implements a maximum ratio of 15 gaming machine authorisations per 1,000 adults in the ACT. Clubs, except for our smaller clubs, will be required to surrender authorisations on a pro rata basis to the extent needed to meet the ratio. The one-in-four mandatory forfeiture of traded authorisations will no longer apply during phase 2. The bill provides opportunities for hotels and taverns to divest themselves of outdated class B gaming machines by allowing existing establishments to sell their authorisations to operate these machines to the clubs, through the trading scheme.

Beginning on 1 July this year the existing tax-free threshold for gaming machine revenue will increase from \$180,000 to \$300,000 per annum. In addition, a new tax rate will be introduced for revenue above \$7.5 million per annum. These changes will result in a marginal increase in the revenue to government over the long term, noting that on commencement they are revenue neutral. The arrangements for community contributions are unchanged within this bill.

The bill repeals a number of outdated functions, including but not limited to existing provisions relating to gaming machine pooling arrangements and the existing arrangements for large and small-scale gaming machine relocations. The bill reaffirms that the Gaming Machine Act 2004 will continue as the primary legislation for controlling gaming machine operations in the ACT and retains the ACT Gambling and Racing Commission's responsibility for the administration of gaming laws and control, supervision and regulation of gaming machine operations in the territory. Without compromising that strong regulatory oversight, the bill provides for a move towards a risk-based regulation in a limited number of areas, with the aim of improving regulatory arrangements for the club industry.

The government will continue to work with the clubs industry to provide information and support during the implementation of the trading scheme and other changes introduced through this bill.

During the bill's development due consideration was given to compatibility with human rights and it has been examined in accordance with section 37 of the Human Rights Act 2004. The bill is compatible with the act and as such a memorandum of compatibility was issued and is presented to the Assembly today along with the bill.

In line with commitments under the memorandum of understanding with ClubsACT, the government will continue to consult the clubs industry and the community more broadly about the measures that can ease the administrative burden and build viability for the future whilst retaining appropriate safeguards for the community.

The introduction of this bill represents a culmination of many months of work and I would like to acknowledge the efforts of the club industry and particularly the officials in the directorate that have worked many a long hour in getting together this complex set of amendments and changes to the bill. I commend the bill to the Assembly.

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

Public Accounts—Standing Committee Proposed reference

MR SMYTH (Brindabella) (11.03): Under standing order 174, I move:

That the Gaming Machine (Reform) Amendment Bill 2015 be referred to the Standing Committee on Public Accounts.

The Assembly has referred to the committee the future of clubs in the ACT. Yet we are now presented with 160-odd pages of legislation and 90-odd pages of explanatory memorandum and are expected to believe that this should be passed before the committee does its work. If there are urgent bits or pieces in the legislation that are perhaps part of a budget or need to be agreed to by 1 July the committee can move quickly and possibly have an interim report in that regard.

This is the problem with this government. The Assembly sets up committees to inquire and this government believe that they can just continue willy-nilly. We saw that, for instance, in the sentencing review that the JACS committee was doing. The government changed the law anyway. Now we have another endeavour. It is not enough to say that it was in the pipeline. If the pipeline is pointed in the wrong direction and the committee finds that it should be going somewhere else, we should give the committee time to do its work properly.

We should also have some respect for the committee system of the ACT Legislative Assembly, something that clearly the government does not. It was the committee's will that the public accounts committee look into the future of clubs in the ACT. Things like tax rates, things like a trading system, will have a profound effect on the future of clubs in the ACT, noting that this might cause some discomfort to those in the club industry in the ACT. It is about getting it right for the long term, not having a patched-up approach, as we seem to have. There is a great opportunity here, through the inquiry, to get this right for a very long time. One of the things that the club industry has asked for is certainty.

The government have one view. They have tabled this view. It may get passed next month and then the report from the committee—I do not know what will be in the

report; we are not anywhere near that stage yet—may say something entirely different. Therefore the certainty goes out of it. To have certainty, this bill should go to the committee. To have good process, this bill should go to the committee. To have respect for the committee system of the ACT Assembly, this bill should go to the committee. If there are pieces that the government feels are vitally important to be passed before the end of the financial year, I am sure the committee would take that into consideration.

MS BURCH (Brindabella—Minister for Education and Training, Minister for Police and Emergency Services, Minister for Disability, Minister for Racing and Gaming and Minister for the Arts) (11.05): I will be short on this. We do not support this going through to the committee. It is not in any way a reflection on the committee structure. We have admiration for the committee structure here in this Assembly. The committees serve this Assembly well.

Mr Smyth has said that the clubs are seeking certainty. The tabling and passage of this amendment bill will provide certainty to the clubs. The trading scheme is something the clubs have been talking to me about, I think, the entire time I have had this portfolio and I am very pleased that I am able to table this today. It is a complex piece of work. It is timely. It stands on its own. It has been tabled today and this should allow us to bring it back, debate it and hopefully pass it next sitting.

MR HANSON (Molonglo—Leader of the Opposition) (11.06): I rise to make a couple of quick points. I certainly support what Mr Smyth has said. We have seen some chaos in this area of late. What we want to do is make sure we do not have a repetition of what has happened. The clubs have been the ones most disadvantaged by this.

I understand, having spoken with various clubs and ClubsACT, that they do want to see this matter dealt with. This would need to be done expeditiously by the committee, and the committee can do that by providing an interim report. But it would be a nonsense, and I think would create some significant problems potentially in the long term, if we were to have one process which is to have a holistic look at the clubs and then have another process which is to look at this legislation in isolation.

I think it would be problematic in the longer term. There may not be any delay, because committees can turn matters around very quickly. Mr Smyth has proven, as the chair of the public accounts committee, that on reviews of things like the Mr Fluffy legislation this can be done very quickly. I think that slowed that legislation by two days or something and that was a much shorter time frame. So I think it would be sensible. I think it would be using the committee process for what it is meant to do.

We have no view. We have not seen the legislation. This does not suggest any opposition by the Liberal Party. What this is trying to do, in actual fact, is seek a bipartisan view by taking it to the committee to try and make it come out of the committee with broad support, which I think would be good, because this was the failure that led to some of the problems that we saw earlier this year when things were done sort of in back rooms by the minister.

I certainly do support Mr Smyth. I think it is sensible. I think it is using the Assembly. I think it is in the best interest of clubs. I have no doubt that the committee, with its members, led by Mr Smyth, will provide something that is both useful and timely.

MADAM DEPUTY SPEAKER: The question is—

Mr Hanson interjecting—

MADAM DEPUTY SPEAKER: Mr Hanson, you have taken your seat. I presume you have finished.

Mr Rattenbury interjecting—

MADAM DEPUTY SPEAKER: Shall we stop the discussion across the chamber and allow Mr Rattenbury to respond to the motion.

MR RATTENBURY (Molonglo) (11.09): Thank you, Madam Deputy Speaker, and my apologies for the interjection. I will not be supporting this referral to a committee. This legislation has been under deliberation and consultation for some period and I think there are a range of usual mechanisms to consider this legislation. Over the coming weeks there are plenty of opportunities for interparty discussion. There are plenty of opportunities to meet with stakeholders to get detailed briefings on it. I think we can deal with it as a regular piece of legislation.

I also support the content of the legislation in the sense that it will start to deliver a reduction in gaming machines in the ACT. I think this has been in train for some time and it is worth getting on with it. The committee will look at a whole range of issues when it comes to clubs, of which this is one part, but I think it is worth getting on with what is contained in this legislation. We can debate it next month when it comes up and the committee can continue its work in the background.

Question resolved in the negative.

Planning and Development (University of Canberra and Other Leases) Legislation Amendment Bill 2015

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

Title read by Clerk.

MR GENTLEMAN (Brindabella—Minister for Planning, Minister for Roads and Parking, Minister for Workplace Safety and Industrial Relations, Minister for Children and Young People and Minister for Ageing) (11.11): I move:

That this bill be agreed to in principle.

It is my pleasure to introduce the Planning and Development (University of Canberra and Other Leases) Legislation Amendment Bill 2015 and its explanatory statement. It is no secret that driving the economic prosperity of the city and, through it, our region is of the highest priority to the ACT government. There was no better demonstration of that than earlier this week when the Chief Minister entered into agreement with the 12 surrounding New South Wales councils to form the Canberra region. The Canberra region brand will provide a strong platform upon which we can promote our competitive strengths to potential visitors, investors, students, residents and businesses. That is why I am pleased today to announce two significant planning reforms which go a long way to help achieving our goals.

Through presentation of this bill today and through the release of a draft territory plan variation DV37, the government is underpinning the future of our tertiary education sector, helping to create jobs, driving growth, encouraging investment and securing our role as the economic centre of our region. The bill will deliver wide-ranging benefits to the Canberra community by helping the University of Canberra to strengthen its foundations and ensure its viability into the future by diversifying its income streams. Whilst the federal government seems determined in its attempts to push ahead with higher education reforms to change the environment in which universities operate, we are certain the reforms we are working closely with the university to put in place will secure its future.

Our universities are operating in a tough global economic environment, made more worrying by the looming pressures from promised federal government reforms and cuts to higher education, following on from last year's federal cuts to education more generally. A 2014 Deloitte report found Canberra has the highest percentage of population studying full time or part time compared to any other city in Australia, and the university sector is the fifth largest industry in the ACT, contributing more than \$1.7 billion worth of activity annually. The university economy is critical to the future of our city and our region, and this government has a strong and coherent vision for the sector which is to be realised through close collaboration with our higher education providers. We must enable our universities to build on their strengths and attract the best minds, cementing Canberra's status as the nation's knowledge capital.

For UC to continue its growth and remain competitive as an elite education provider, the planning controls which govern development on the campus need to be broadened. This broadening of planning controls will allow UC to pursue commercial opportunities that benefit education and research on the Bruce campus as well as within the broader community. Such opportunities are also pursued by other universities around Australia and the world, such as the Australian National University, Monash University and Macquarie University. The ACT government is committed to helping the University of Canberra to pursue these opportunities sooner rather than later, and the campus master plans outcomes delivered through this bill and the proposed territory plan variation will together bring life to the plan and provide the means to deliver on the inspirational vision of the university.

Integral to this vision is significantly growing the existing student population to attract both national and international full fee paying students. Along with this increased student population is an increased academic population and an increase in families that will come to the ACT, for work either at the university or in associated businesses.

The proposed bill will help the UC to prepare for a more competitive and less certain future by providing a mechanism to fully utilise its existing campus land to provide an increased range of high grade facilities for its students, academics and workforce. This development activity will, in turn, generate greater economic activity in the building and construction industries and create more jobs for people in the Canberra region. The bill also recognises that a strong and vibrant university will require less support from the ACT government, freeing up funds for use in other areas of our community.

Whilst I am here to present a bill to the Assembly today, for the information of the Assembly I will outline the details of draft territory plan variation DV347, which I mentioned earlier. DV347 will be released for public comment on the time to talk website from this Saturday, 16 May. I believe the variation and the bill together will provide the means for the university to realise the potential of its main asset, its land. The draft territory plan variation proposes to retain the existing zoning of “community facility zone”, broaden the territory plan to permit a number of uses associated with the operation of a contemporary university, provide greater certainty in relation to building heights, incorporate additional design provisions and general requirements, limit the scale of non-student residential development to 3,300 dwellings, limit the gross floor area of an on-site shop to 200 square metres and supermarkets to 1,000 square metres, and allow for an increase in the scale of non-university-related commercial office development spaces on the campus.

An office development in the community facility zone currently must be used for a not-for-profit organisation and is limited to 400 square metres. The draft variation removes the not-for-profit restriction and amends the limit on office and public agency and business agency to 2,000 square metres per unit. A criterion in the draft variation also allows an office to be larger than 2,000 square metres where it can be demonstrated that the development is not of a scale that will compete unduly with the Belconnen town centre. The draft variation will also allow for a more qualitative approach to assessing multi-unit housing. The proposal aligns with the government’s commitment to the master plan process, including the Belconnen town centre master plan.

The Planning and Development (University of Canberra and Other Leases) Legislation Amendment Bill will deliver two key things: a means, through development opportunity, for the university to fully realise the potential of its crown lease and a strengthening of existing provisions for the subleasing of land.

An important aspect of this bill is that the quantum of the land held by the university is not diminished, and the university in the ACT will retain the land. The university can sublease the land to any number of sublessees specifying the use allowed on the land and can renew a sublease, with a further premium paid for the new sublease. Whilst the current act already provides for the subleasing of land, this bill will strengthen subleasing provisions and stimulate investment by financial institutions.

Further, because the new provisions make it mandatory to register the sublease of the land, both the terms and record of title will be transparent and publicly available.

Therefore, the bill uses a simpler legislative approach that supports the government's commitment to responsible legislative reform. For example, the new leasing model will provide that a further sublease of land on the same land is a new sublease of land. This negates the need to draft complex provisions around the granting of a further sublease that would provide no real benefits. The new sublease is managed in the same way as the original sublease.

Additionally, the new leasing model requires that each sublease of land must be capable of independent provision of utility services to the boundary of the sublease. This will minimise issues that can arise when a building is unit titled, for instance.

The bill also introduces a new leasing model, which adopts similar legislative provisions of crown leases in buildings and commercial leases, uses the Land Titles Register and the Land Titles Act 1925 to record and manage the interests of the sublease, introduces a form of sublease that must be approved by the planning and land authority, and provides a right of appeal for sublessees to the ACT Civil and Administrative Tribunal and the ACT Magistrates Court on certain matters.

Certain land subleases, those granted under the declared crown lease, will be able to access the unit title amendments proposed by the bill, and the University of Canberra will have access to these provisions. Limiting the operation of the bill to the university will allow government to monitor the effectiveness of the proposed new leasing model in a contained environment achieved through the government's arrangements already in place between the university and the ACT government—for example, its ability to extend these provisions by regulation to the Australian National University in the future.

The government is putting the needs of Canberrans first in supporting growth and development in the higher education sector. Our reforms will bring together professional partners and businesses, broadening the horizon of economic opportunities in the ACT and boosting job growth now and into the future for the Canberra region.

Progress in this area is already underway, with the signing in March this year of the agreement of strategic intent, where Professor Stephen Parker and the Chief Minister outlined a shared commitment to development and growth of the university's Bruce campus. The agreement details how the government will work with the university to help diversify its operations, develop its campus and attract like-minded organisations to share its largely undeveloped site.

The Assembly has already passed the first suite of reforms that will enable \$1 billion in investment, development and job creation on the university campus and in the surrounding community. By working with our universities, we will make our campuses more attractive and vibrant, most notably through UC's development of a sporting commons, a health precinct, an innovation precinct and more residential accommodation on the campus.

The health precinct, for example, will change the health landscape, providing a platform for innovations that address the healthcare challenges of the future by

bringing together a range of healthcare facilities, including the University of Canberra public hospital, that will not only service the needs of the general public but also provide a regional training hub for researchers and students of the UC's Faculty of Health. This will create a leading research and training centre for healthcare professionals, bolstering Canberra's reputation as the national leader in medical services.

The sports innovation cluster will support the University of Canberra's goal to become Australia's leading university for sport education and research. The location of the sport technology cluster in close proximity to the Australian Sports Commission and the Australian Institute of Sport will provide the cluster with purpose and direction that will grow the social and economic benefits of sport in Canberra.

The innovation precinct will enable engagement and collaboration with national and international research partners directly from the UC campus. This part will consist of eight integrated development sites, each master planned to focus on commercialising the research conducted at UC and other Australian research organisations.

As I said at the beginning of my remarks, the bill and the proposed territory plan variation are part of an ambitious program of reforms that will drive economic growth in our higher education sector and secure Canberra's position as the education and knowledge capital of this nation. I commend the bill to the Assembly.

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

Veterinary Surgeons Bill 2015

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

Title read by Clerk.

MR RATTENBURY (Molonglo—Minister for Territory and Municipal Services, Minister for Justice, Minister for Sport and Recreation and Minister assisting the Chief Minister on Transport Reform) (11.25): I move:

That this bill be agreed to in principle.

For a number of years now, the veterinary surgeons profession in the ACT has been regulated under the Health Professionals Act 2004. The Health Professionals Act provided generic legislation designed to establish and cover occupational boards to regulate the wide range of health professions that work in our community. The legislation was designed to support occupational boards regulating professions as diverse as chiropractors, nurses, medical practitioners, podiatrists and physiotherapists, to name a few.

In 2010, a new national scheme was introduced to regulate health professions to ensure occupational professionalism and competence on a national scale. The national scheme did not, however, cover veterinary surgeons or, as they are more commonly

known in the community, vets or veterinarians. The professional regulation of vets continues to operate in the territory under the Health Professionals Act. The Veterinary Surgeons Board therefore remains the only health professions board covered by the act. This is no longer appropriate as the act is not targeted to regulate veterinary surgeons alone.

The act instead provides the framework for government to decide if a health profession should be regulated. It gives the parameters and scope for the operation of health profession boards and establishes, amongst other things, a generic registration system and occupational discipline process.

Due to the nature of the act, it is also organised as principal legislation with regulations enacted to address the peculiarities of the scheme. The regulations under the act establish, for example, individual health profession boards, while a schedule to the regulations determines the things required to be prescribed for each of those boards, such as how many members must be appointed and how many members elected. By way of example, the Veterinary Surgeons Board was captured under schedule 12 of the regulations, the only remaining board so scheduled. With only one board operating under the act, many of the act's provisions, indeed whole parts of the act, are no longer relevant or necessary.

Madam Deputy Speaker, today I am introducing legislation that repeals the Health Professionals Act 2004 and associated subordinate legislation and replaces it instead with a profession specific statute that covers the regulation and management of the veterinary surgeons profession in the ACT. The bill, the Veterinary Surgeons Bill 2015, creates legislation which mirrors the current arrangements under which the board operates. It is, however, as already mentioned, profession specific.

Where the previous act provides the scope of the powers under which a health professional board operates, this bill reflects the actual arrangements under which the Veterinary Surgeons Board chose to operate within the context of the Health Professionals Act. In addition, provisions which were originally from the Health Professionals Act and reused in the bill that I am tabling today are modernised and updated to reflect current drafting standards.

Prior to 2007, the Veterinary Surgeons Board operated under occupational specific legislation and was not captured by the Health Professionals Act. The new bill will merely restore the veterinary surgeons profession in the territory to this situation. Although the bill will not change the operation or legislative frame under which the board operates, the following overview will provide members with an understanding of the bill as it is presented.

The bill provides for a board to cover veterinary surgeons regulation. The board will be made up of seven members in total. Four members are appointed by the minister and include a president and three ordinary members, one of whom is a community representative. A further three members will be elected by the membership of registered veterinary surgeons in the ACT. This reflects the existing situation.

The bill also provides for the registration of veterinary surgeons. The registration process will be determined by the board and the detail contained in regulation. Registered veterinary surgeons must have, and maintain, certain qualifications to practise as a vet. It is anticipated that the regulations under the new legislation will reflect the current registration process. Requirements for ensuring that the register of veterinary surgeons is accurate, up-to-date and available to the public are also covered under the bill.

One of the changes that will be made by the bill is in terminology. The former reference to a “report” has been replaced with the term “complaint”. The Health Professionals Act characterised a complaint as a “report” in recognition that a complainant may not be directly affected by a breach of the standards of practice but may in fact be another practitioner or other third party who is aware of a breach and reporting the instance.

The use of “complaint” in the bill clarifies and better captures the actuality of the fact that, whether called a report or not, it is still a complaint. It also provides clarity, as the term “report” is used in other contexts in the bill; for example, in reference to “reports” of professional standards panels that are set up to investigate a complaint.

The occupational discipline process remains the same as that contained in the Health Professionals Act. That is, the Human Rights Commission, through the Health Services Commissioner’s function, continues to have a role in the decision-making process relating to complaints; personal assessment and professional standards panels remain a feature of the system; and the role of the ACT Civil and Administrative Tribunal, or ACAT, remains, which includes a role in determining the removal or suspension of a registered practitioner.

A significant change, though one that does not impact on the operations of the board or profession, is the object of the act. For the first time there is recognition under occupational legislation that veterinarians also have a role in the welfare and protection of animals. Previously, the object of the legislation has only recognised public safety and the need for skill and competence in service provision of health professionals. This reflected the generic nature of the Health Professionals Act under which the Veterinary Surgeons are currently covered. The recognition of animal welfare is fitting, as this is central to the provision of competent and skilled veterinary services.

The functions of the board remain as they are under the Health Professionals Act, as do the powers and authority to make fees, approve forms and the like.

The new act will be called the Veterinary Surgeons Act 2015 and, if passed, will commence on a day fixed by me, as minister. This is to ensure that, when it commences, all supporting legislation and other documentation is in place, ready for a seamless transfer to operation under the new law. For example, the standards of practice for veterinary surgeons will need to be reissued under the new act. I am advised that it will not change except to the extent that it will need to be authorised and reference the new legislation. I anticipate commencement of the act soon after it is passed by the Assembly.

The bill also contains transitional provisions which will ensure the smooth running and transition of the existing board to the new act. This includes carrying over registrations of veterinary surgeons and seamlessly progressing any complaints and investigations which were made or commenced under the Health Professionals Act. In particular, the transitional arrangements will ensure that the current members of the board will see out their terms of appointment whether appointed by me as minister or as elected members. I do note that, due to circumstances unrelated to the introduction of this bill, there are some vacancies and temporary arrangements in board membership which will result in some new appointments in the near future.

It is anticipated that the transition to the new act will be smooth and that the only noticeable change will be changes in the reference to the authority under which the Veterinary Surgeons Board and the profession operate. As I have mentioned, new regulations and required statutory instruments, such as those that set fees, will be remade to commence at the same time that the act will commence.

Lastly, as I have also mentioned, the bill repeals the Health Professionals Act 2004 and associated legislation as no longer required to support a territory scheme for health professional regulation.

Madam Deputy Speaker, while the new legislation will not change things dramatically on the ground, it does herald a renewed recognition of the veterinary surgeon profession. It provides occupational specific legislation and regulatory powers that are targeted to the profession. It will maintain the system of review that is based on recognised standards of practice and, through a legislatively based registration scheme, ensure that vets in the ACT are qualified and provide services which are skilled and competent.

It also provides avenues for complaints and occupational discipline which will allow breaches of professional standards or other areas of professional misconduct to be addressed. It will protect the public, users of veterinary services, and animals.

I am pleased to be able to introduce to the Assembly today this bill that gives this critical profession its own standing in legislation. The veterinary profession deserve the ability to regulate and effectively manage their profession to the highest of standards. This legislation will enable that to happen. I commend the bill to the Assembly.

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

Road Transport Legislation Amendment Bill 2015

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

Title read by Clerk.

MR RATTENBURY (Molonglo—Minister for Territory and Municipal Services, Minister for Justice, Minister for Sport and Recreation and Minister assisting the Chief Minister on Transport Reform) (11.35): I move:

That this bill be agreed to in principle.

I am pleased to introduce the Road Transport Legislation Amendment Bill 2015 into the Assembly today. This bill is an omnibus bill that makes a number of amendments to the road transport legislation and the Crimes Act to improve road safety and improve the administration and enforcement of the road transport legislation.

The first of the amendments made by this bill is to create a new offence of drinking alcohol while driving a vehicle. Members would be well aware of the territory's longstanding road safety message of "drink or drive". While the territory has for many years had laws that prohibit driving with a certain blood alcohol level, there are no laws that prohibit people from actually consuming alcohol while they are in the process of driving. This amendment fixes that anomaly.

The change makes it clear that drivers should not be consuming alcohol while they are driving, because this is potentially dangerous and inconsistent with the safety message that alcohol and driving do not go together.

Drink driving continues to be a significant contributor to death and trauma on our roads. The substantial penalties for drink driving reflect the seriousness with which the community views this behaviour. This government is determined to reduce the damage to Canberra road users and their friends and families by the reckless disregard that drink drivers have for the safety of others.

It is inconsistent with the road safety message to the community about drinking and driving that a driver can lawfully consume alcohol while driving a vehicle. We want to send a clear message that there needs to be separation between drinking and driving.

Quite apart from the inconsistency with the drink or drive road safety message, an obvious risk of allowing drinking while driving is the much more limited scope a drinking driver has to monitor and understand their level of intoxication than a person drinking in a more controlled environment. Closing this anomaly brings the territory into line with other jurisdictions, including New South Wales, Victoria and Queensland.

The second amendment made by this bill is to amend the offence relating to burnouts to clarify that it covers other similar antisocial and risky driving behaviours such as drifting. The current definition of a burnout has been narrowly interpreted by the courts, with the result that potentially dangerous driving behaviours do not fall within the offence in line with the Legislative Assembly's original intent. The offence has been amended so that the focus is now on driving behaviours that involve the loss of traction of a vehicle's driving wheels. This mirrors the approach adopted in New South Wales and Victoria.

The third amendment is to exempt police recruits undergoing driving training from having to comply with specified aspects of the road transport legislation. While the road transport legislation currently provides such an exemption for sworn police officers undergoing this training, it does not currently extend to police recruits. On-road driving and riding training and assessment necessarily involve departures from

the road rules and other provisions of the road transport legislation as these drivers and riders develop their skills in high-speed driving, escort duty and pursuits. This training must necessarily be delivered prior to the recruits being sworn in as police officers if they are to meet the operational requirements for sworn police officers. This amendment ensures that police recruits receive the necessary training to enable them to safely and effectively perform their duties and best protect our community.

The fourth amendment in this bill relates to the vehicle seizure and impounding powers. ACT Policing officers may seize and impound a motor vehicle if the officer believes, on reasonable grounds, that the vehicle is being or has been used by a person in committing certain offences. This amendment will provide ACT Policing officers with the power, as an alternative to immediately seizing the vehicle in such circumstances, to issue a notice of surrender. This notice obliges the responsible person for the vehicle to surrender the vehicle for impounding at the nominated place and by the nominated date and time. The date and time specified in the notice must be reasonable.

This change provides more flexible and efficient means by which vehicles subject to the existing police vehicle seizure provisions can be surrendered to ACT Policing. It will also give the responsible person for the vehicle the opportunity to make alternative transport arrangements before the vehicle is surrendered, and to remove personal items prior to the vehicle being surrendered. There is no change to the underlying vehicle seizure scheme, such as which offences trigger the seizure provisions, nor to the appeal mechanisms that will allow those who have been issued with a surrender notice to seek review of the decision from a court.

The next amendment in the bill provides for an alternative verdict for the offence of culpable driving of a motor vehicle. An alternative verdict provision allows a jury to find a defendant guilty of an offence other than the offence that they were charged with originally, where there is sufficient evidence to prove his or her guilt for a lesser offence for which the defendant was not charged. The amendments will nominate the offence of negligent driving occasioning death or grievous bodily harm as an alternative verdict for the offence of culpable driving.

This will allow a jury which is not satisfied that the accused is guilty of the offence of culpable driving but is satisfied that the accused is guilty of the offence of negligent driving occasioning death or grievous bodily harm to find the accused not guilty of culpable driving but guilty of the alternative offence of negligent driving occasioning death or grievous bodily harm. This amendment will deliver efficiencies in the judicial process and avoid drivers not being appropriately sanctioned for serious driving misconduct that kills or seriously injures other road users. Alternative verdicts are used elsewhere in ACT legislation, and culpable driving is itself already an alternative verdict for the charge of manslaughter.

The next amendment made by this bill is a technical amendment to support the prosecution of offences where there is an issue as to whether land is or is not a road or road related area. In proceedings relating to the application of the road transport legislation it must be demonstrated that the conduct in question occurred on a road or road related area.

The amendment allows for an evidentiary certificate to be issued by an owner of land or a representative of the owner, stating whether or not an area of land is or is not a road and whether or not an area of land is open to or used by the public for driving, riding or parking vehicles. Information presented in this certificate will be evidence of the matter stated, unless there is evidence to the contrary. Creating the power for owners of land to provide evidence by evidentiary certificate means that they will no longer be inconvenienced by having to attend court to give evidence in person for what is often a non-contentious matter.

The final amendment made by this bill is to ban the use of bicycles powered by an internal combustion engine from being used on territory roads or road related areas. Currently, bicycles powered by internal combustion engines are treated as bicycles, so they are able to be used in the territory if the power output of the engine does not exceed 200 watts. ACT Policing reports that it is regularly encountering bicycles that have been fitted with motors, such as lawnmower engines, that significantly exceed the 200-watt limit. People using these bicycles are not only putting themselves in jeopardy by using what are essentially small motorcycles but also risking the safety of other road users. Conventional bicycles are not designed to withstand the significant stresses that these high-powered engines can impose.

In recent years a number of users of these bicycles have been killed or injured, including one person in the ACT. The road safety hazards posed by these devices have led to Queensland and, more recently, New South Wales banning their use.

These devices are motorbikes in all but name, and this change ensures that they will now be treated as motorbikes, subject to the relevant requirements about motorbike registration. In practice, because these modified bicycles will not comply with the relevant safety and design walls for motorbikes, they will not be able to be registered and therefore they will not be able to be legally used on ACT roads or road related areas.

The views of bicycle retailers, cycling clubs and representative bodies such as Pedal Power were sought on the ban on the use of these vehicles. All responses supported the ban proposed by this bill. Respondents also noted the environmental and noise reduction benefits from the ban.

Madam Deputy Speaker, this bill makes a number of changes to the road transport legislation. These changes will assist enforcement efforts and continue this government's ongoing efforts to increase road safety for all Canberrans. I commend the bill to the Assembly.

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

Executive business—precedence

Ordered that executive business be called on.

Planning and Development (Call-in Power) Amendment Bill 2014

Debate resumed from 18 September 2014, on motion by **Mr Rattenbury**:

That this bill be agreed to in principle.

MR GENTLEMAN (Brindabella—Minister for Planning, Minister for Roads and Parking, Minister for Workplace Safety and Industrial Relations, Minister for Children and Young People and Minister for Ageing) (11.46): I support the intent of this bill and note that it has been on the notice paper for some time—since September last year I understand. The government has been working hard with the Greens' office so that it can be debated today. I understand the opposition are looking to adjourn debate on this, but we want to ensure the bill gets through today. My office touched base with the opposition earlier this week, and I understand from that discussion that there were no objections. With that, I look forward to debate in the detail stage.

Motion (by **Mr Coe**) proposed:

That the debate be adjourned.

A division being called and the bells being rung—

Mr Rattenbury: Madam Deputy Speaker, I am not sure we can do anything, but there seems to be a misunderstanding. I think there might be support for adjourning debate to a later hour this day. Is there any opportunity to stop the division at this point and revisit this?

MADAM DEPUTY SPEAKER: I will seek the advice of the Clerk. I understand it is the wish of the Assembly that the division not proceed.

Debate (on motion by **Mr Coe**) adjourned to a later hour this day.

Annual Reports (Government Agencies) Amendment Bill 2014

Debate resumed from 27 November 2014, on motion by **Ms Gallagher**:

That this bill be agreed to in principle.

MR RATTENBURY (Molonglo) (11.50): This is one of those topics that are a little nuanced in the sense that there are probably not too many people in this place who are experts on the annual report directions, but the directions are, nonetheless, very important because they go to the detail of what is contained in annual reports. I thank members for their agreement in the March sitting to send this bill to the public accounts committee because that enabled that detailed examination of what is a very important but for some people a little arcane examination of the content of this bill. In sending the bill to the public accounts committee we have had the chance to scrutinise the bill thoroughly. In conjunction with other issues around annual reporting, we have come to a conclusion on this bill, specifically on issues of online reporting requirements.

The ACT Greens have followed annual reporting requirements fairly closely over the years. As I said, these requirements are extremely important in terms of ensuring that the public, especially interested stakeholders, as well as members of the Assembly of course, are able to see where the government's funds go and how far we are going in achieving the goals of government and fulfilling government strategies.

There are generally two places where such reporting is required: through the Chief Minister's annual reports directions—a notifiable instrument, which is reviewed by the public accounts committee—and legislation that requires specific reporting for specific areas, sometimes as part of that agency's annual report and sometimes separately on their website or elsewhere. This legislation, of course, comes to the whole Assembly.

This bill is an attempt to streamline those requirements so that government staff do not need to replicate their reporting work by reporting from requirements in two places and then also sometimes reporting the information in two places as well. This is an understandable and commendable intent, and it is a welcome effort to make sure resources are spent on the things they need to be and not on things simply being done for perhaps some outdated requirements.

There are certainly many things that need regular reporting. These add up, and often gathering all the right data in the right way can take up a significant amount of staff time. As legislators, we need to weigh up which things are worth this time and effort and ensure that, on balance, we are still receiving sufficient information to be able to see whether the government is making progress towards achieving its goals and strategies. The ACT Greens have worked hard over many Assemblies to get the ACT government to introduce triple bottom line accounting into its decision-making and reporting frameworks. It was addressed as part of the 2008 parliamentary agreement, as we understand the public and MLAs do not just want to hear about the financial bottom line in the annual reports; they are also very keen to hear about whether the funds expended have gone towards achieving our social and environmental aims for the territory.

There is still some way to go in terms of ensuring our annual reports, through their reporting on strategic and accountability indicators, actually do this—that is, whether they tell the public whether we are moving towards our goals. A lot of government strategies are simply not reflected in our strategic or accountability indicators. But I also understand that government agencies find it difficult to create indicators that are meaningful as well as being easily measurable and auditable. Sometimes the data we would like to see simply is not able to be collected with the available technology and staff resourcing. But that may be a long story for another day.

Having moved into a ministerial role and looked at issues of accountability indicators and measures of government achievement, I have sought to make improvements and I have got into detailed discussions with agencies about the availability of data and how a measure might be defined in a way the Auditor-General also finds acceptable. There are complexities involved, and this is one of these spaces where we simply need to keep striving to make them better rather than lamenting too much the fact they are perhaps not what we would like at the moment.

The bill seeks to reduce the number of places that create requirements for agencies for their annual reporting so that agencies are able to look to the Chief Minister's annual report directions for their reporting requirements. I support this proposal in principle. Amendments will be moved today and I will speak to those when we get to them. Overall, as members will have gathered from the points I have made, I support this legislation. I think it will streamline processes, and there has been a very careful discussion to make sure this is not about removing reporting requirements that are valid. Careful consideration has been given to making sure there is not a loss of information available to either the public or members of the Assembly.

A number of the amendments today have come through the public accounts committee process, where there has been further refining of the requirements of this bill. I welcome the Chief Minister's flexibility in addressing a number of the concerns raised by the public accounts committee. I will come to some of those in the detail stage.

MR BARR (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Urban Renewal and Minister for Tourism and Events) (11.55): The proposed amendments to the Annual Reports (Government Agencies) Amendment Bill 2014 have been undertaken in response to recommendations made by the standing committee. For the benefit of the Assembly, the overall intention of the amendment bill is to make agency reports more concise and relevant to agency performance, address the time frame within which agencies must produce annual reports, and consolidate all annual reporting requirements being repealed by the bill from other primary legislation.

As Mr Rattenbury has alluded to—obviously this will be before us in the detail stage—the government has responded to the standing committee's recommendations as they relate to the original bill by adjusting the time frame by which annual reports must be produced from four months to 15 weeks, providing technical clarification within the bill regarding arrangements for the tabling of annual reports in an election year, and reversing previously omitted requirements relating to legislation.

I foreshadowed on Tuesday that the government would be making changes to the bill when I tabled the government response to the public accounts committee report. I circulated those amendments to Assembly members yesterday. In themselves they are minor and technical, and the government has had due consideration to the report presented following the Standing Committee on Public Accounts inquiry into the bill. We are of the view that extending the reporting period from three months to 15 weeks is an appropriate compromise between the bill previously presented and the standing committee's recommendations.

The time frame allows for sufficient rigour to be applied to the reporting process, following the completion of the audit process. It alleviates the significant pressure on affected staff and allows for a high quality product to be delivered without greatly impacting on the annual report hearings or other Assembly business.

In relation to the committee's recommendations to disaggregate data presented in the annual reports, the government remains of the view that whole-of-government reporting is appropriate. This particular amendment to the Annual Reports (Government Agencies) Act supports the embedding of a one service model in the ACT public service. It contributes to the reduction of red tape and unnecessary duplication and, in our view, does not diminish accountability or transparency.

The amendments I will move in the detail stage will implement the government response to the committee report, which addresses many of the issues that have been raised during the committee process. I thank members for their contribution to the debate in principle and look forward to the detail stage providing a way forward and allowing me to table Chief Minister's annual report directions later this afternoon.

Question resolved in the affirmative.

Bill agreed to in principle.

Detail stage

MR BARR (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Urban Renewal and Minister for Tourism and Events) (11.59): Pursuant to standing order 182A(b), I seek leave to move amendments Nos 1 to 8, which are minor and technical in nature.

Leave granted.

Clauses 1 to 4, by leave, taken together and agreed to.

Clause 5.

MR HANSON (Molonglo—Leader of the Opposition) (11.59): We have moved on a little bit since the in-principle debate in this place in March. I indicated then that the opposition was satisfied that the approach that the government was taking to remove elements of information was a good move. We wanted to monitor the detail of that. We said we would keep a close eye on how that took effect but that removing information that was reported on that was nugatory, or duplicated in other places, made sense.

We had significant concerns with the time lines that were being introduced, which essentially said that we wanted to provide less information in annual reports but we wanted an extension of time. So we have made it clear, as I said back in March, that although we support the intent of the streamlining of information, we do not support the proposal to reduce the time lines.

I will foreshadow some of the amendments Mr Barr is going to bring forward. The bill was referred to a committee at that point, the public accounts committee, which looked at the bill and sought advice. I believe there were submissions from the Auditor-General, who said that she had sufficient time. The public accounts committee has broadly reflected what the opposition said, which was that we should stick with the original time frames for reporting. The government has rejected that.

We will not be supporting the original proposal which was put forward in this bill; nor will we be supporting the tweak that the government is bringing in to reduce the time line from four months to 15 weeks. It still does not make sense to reduce the reporting information while asking for more time to do so. I indicate that we will not be supporting this clause; nor will we be supporting the minister's amendments that he will be moving, which make very little difference to the original intent of the bill.

MR BARR (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Urban Renewal and Minister for Tourism and Events) (12.02): I move amendment No 1 circulated in my name and table a supplementary explanatory statement to the government amendments [*see schedule 1 at page 1853*].

As I indicated in closing the in-principle stage, this amendment is the compromise position out of the standing committee's recommendations and changes the reporting period from three months to 15 weeks. We believe this is an appropriate compromise between the original bill as presented and what the standing committee has recommended, and that this time frame allows for sufficient rigour to be applied to the reporting process following the completion of the audit process.

Amendment agreed to.

Clause 5, as amended, agreed to.

Clauses 6 and 7, by leave, taken together.

MR HANSON (Molonglo—Leader of the Opposition) (12.03): Madam Deputy Speaker, I oppose these clauses. I accept that they will be taken together, but I am opposing them.

MR BARR (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Urban Renewal and Minister for Tourism and Events) (12.04): I move amendment No 2 circulated in my name [*see schedule 1 at page 1853*].

MR HANSON (Molonglo—Leader of the Opposition) (12.04): I reinforce the point that we will be opposing these clauses.

Amendment agreed to.

Clauses 6 and 7, as amended, agreed to.

Proposed new clauses 7A to 7E.

MR BARR (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Urban Renewal and Minister for Tourism and Events) (12.05): I move amendment No 3 circulated in my name, which inserts new clauses 7A to 7E [*see schedule 1 at page 1853*]. This amendment inserts a new definition of the "pre-election period", as I outlined in my earlier comments.

Proposed new clauses agreed to.

Clause 8.

MR HANSON (Molonglo—Leader of the Opposition) (12.05): In line with my earlier comments, we will be opposing this clause.

MR BARR (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Urban Renewal and Minister for Tourism and Events) (12.05): I move amendment No 4 circulated in my name [*see schedule 1 at page 1854*]. This is consequential. It flows on from the earlier amendments to provide for the 15-week period.

MR HANSON (Molonglo—Leader of the Opposition) (12.06): We will not be supporting this amendment.

Amendment agreed to.

Clause 8, as amended, agreed to.

Clause 9.

MR HANSON (Molonglo—Leader of the Opposition) (12.06): We will not be supporting this clause.

MR BARR (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Urban Renewal and Minister for Tourism and Events) (12.06): I move amendment No 5 circulated in my name [*see schedule 1 at page 1854*]. This is again a consequential amendment to the previous ones that the Assembly supported.

Amendment agreed to.

Clause 9, as amended, agreed to.

Proposed new clauses 9A and 9B.

MR BARR (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Urban Renewal and Minister for Tourism and Events) (12.07): I move amendment No 6 circulated in my name, which inserts new clauses 9A and 9B [*see schedule 1 at page 1855*].

This amendment again flows on from previous amendments to insert the 15-week period and the pre-election period in this section of the bill.

Proposed new clauses agreed to.

Clauses 10 to 17, by leave, taken together and agreed to.

Schedule 1.

MR BARR (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Urban Renewal and Minister for Tourism and Events) (12.08), by leave: I move amendments Nos 7 and 8 circulated in my name together [*see schedule 1 at page 1855*]. These final two amendments tidy up the rest of the bill, and I commend them to the Assembly.

Amendments agreed to.

Schedule 1, as amended, agreed to.

Title.

MS FITZHARRIS (Molonglo) (12.09): I will be brief. I put on the record that I support the amendments to this bill, and reiterate the comments I made when the report of the public accounts committee was handed down.

I thank the Chief Minister for his interaction with the committee and his response to a number of the committee's recommendations, which I think goes a long way to addressing some of the concerns of the committee and also to balancing what a modern public service and a modern government is accountable for, and the information that it is providing to the community.

The community expectations are now that government is nimbler and more open than it has been in the past. I disagreed in the committee process with some of the recommendations on the basis that it was not, in effect, keeping up with the expectations of the community or modern public sector management practices. So I am pleased that the Chief Minister has taken on board some of the recommendations of the committee. I think the amendments go a great way towards making this a modern piece of legislation for our annual reporting process, which is of course very important but it is now just one aspect of how the government continues to be accountable and provide open information to the community.

Title agreed to.

MADAM DEPUTY SPEAKER: The question is that this bill, as amended, be agreed to.

MR HANSON (Molonglo—Leader of the Opposition) (12.12), by leave: I apologise for not speaking prior to this. As I have indicated, this is not now an improvement to scrutiny. We have said repeatedly that we would have supported this bill if it had been amended in accordance with what PAC recommended. It went to the committee. I was hoping the recommendations that came out of that committee would be acknowledged and supported by the government. That is why we have a committee process to look at these matters. It is disappointing that the government has sought to ignore those comments. We will not be supporting this bill as amended.

Question put:

That this bill, as amended, be agreed to.

The Assembly voted—

Ayes 8

Noes 7

Mr Barr
Dr Bourke
Ms Burch
Mr Corbell

Ms Fitzharris
Mr Gentleman
Ms Porter
Mr Rattenbury

Mr Coe
Mr Doszpot
Mrs Dunne
Mr Hanson

Ms Lawder
Mr Smyth
Mr Wall

Question so resolved in the affirmative.

Sitting suspended from 12.16 to 2.30 pm.

Questions without notice Hospitals—University of Canberra

MR HANSON: My question is to the Minister for Health. Minister, you have repeatedly stated in the Assembly this week and last week that bed numbers at the University of Canberra hospital have not been cut and the hospital will be built with a capacity of 215 beds, including 75 of what you are calling day beds. In a statement released overnight, and reported by the ABC, ACT Health have conceded that they have cut the number of beds at the new hospital and that the day service patients would not occupy a bed. Patients could be treated in a gym, a pool or a consulting room. Minister, given that ACT Health have confirmed that bed numbers have been cut, have you misled the Assembly about cutting beds at the University of Canberra hospital?

MR CORBELL: No, I have not. ACT Health have not confirmed a cut in bed numbers at UCPH. The statement issued to the ABC by ACT Health is very clear. It says that the mix of beds between overnight and day beds or day spaces has been adjusted. The language was “adjusted accordingly”.

Opposition members interjecting—

MADAM SPEAKER: Order, members.

MR CORBELL: The reference was in relation to the mix of overnight beds versus day beds or day spaces. That is what ACT Health advised the ABC. My office has complained to the ABC about the manner in which they have reported that statement because it is incorrect, and ACT Health will be seeking further clarification from the ABC in due course.

MADAM SPEAKER: A supplementary question, Mr Hanson.

MR HANSON: Minister, how do you reconcile the contradictory statements made by you and ACT Health that have been reported in the media?

MR CORBELL: There is no contradiction. What I have told this place repeatedly, that the University of Canberra public hospital will comprise 140 overnight beds and 75 day beds or day spaces, is exactly the same advice that has been provided to the ABC by ACT Health. There is no difference between our two statements.

MADAM SPEAKER: A supplementary question, Mr Coe.

MR COE: Minister, will you table the statement provided to the media last night that reportedly confirms that bed numbers at the hospital were cut?

MR CORBELL: As I have said, the statement does not say that. I am very happy to table it.

MADAM SPEAKER: A supplementary question, Mr Coe.

MR COE: Minister, will you table, by the end of question time today, the document that will perhaps put to rest this issue of whether you have cut bed numbers at the hospital?

MR CORBELL: Yes, I will, Madam Speaker.

Hospitals—University of Canberra

MS LAWDER: My question is to the Minister for Health. Minister, in a statement released by ACT Health to the media, they conceded that the new University of Canberra day patients “would not occupy a traditional hospital bed”. The ACT Health statement says that the 75 day bed patients might have their program of treatment “in a gym, the hydrotherapy pool or consultation room”. Minister, in the new University of Canberra hospital, could a hospital bed be a piece of gym equipment, a swimming pool or a chair in a consultation room?

MR CORBELL: A day bed or a day space is a space for treatment for rehabilitation, consistent with the role of a subacute facility. Surprise, surprise; sometimes when you are going through a course of rehabilitation you use a facility like a hydrotherapy pool. Or if you are learning to walk again you might use a gymnasium. That is exactly what the hospital is there to do.

But let us deal with this issue of capacity, which is clearly the issue of concern for those on the other side of this place. This facility will deliver the capacity for at least 215 people a day. That is what it will deliver—215 a day—because it is providing enough spaces, comprising 140 overnight beds and 75 day beds or day spaces. It is a rehabilitation hospital. It is about getting people back on their feet. It is about teaching them to walk again after a stroke or illness or surgery. It is about helping people recover from accident and injury. That is its purpose.

The advice that has been given by ACT Health is no different from the advice that I have given repeatedly in this place. It is no different from the advice that has been given by my predecessor in this place over the past two years. What is extraordinary about those opposite is that they cite a statement from ACT Health as proof when they have not even seen it.

MADAM SPEAKER: A supplementary question, Ms Lawder.

MS LAWDER: Minister, how many day bed spaces are you counting for a swimming pool or hydrotherapy pool?

MR CORBELL: The functional brief for the University of Canberra hospital has been very clear for the last two years.

Mr Hanson interjecting—

MADAM SPEAKER: The Leader of the Opposition, I call you to order.

MR CORBELL: It was clear 12 months ago, when the service delivery model was released for public consultation. A year ago, the government released for public comment the service delivery framework, which outlined that there would be 140 overnight beds and 75 day spaces or day beds. We released, two years ago, advice from the then Minister for Health that confirmed a similar mix of overnight and day beds and day spaces. There is no difference in the government's position today compared to the government's position a year ago, or compared to the government's position a year before that. This facility delivers 250 spaces for treatment—

Mr Smyth: 250?

MR CORBELL: I beg your pardon—215 spaces for treatment.

Members interjecting—

MADAM SPEAKER: Order, members!

Mr Hanson interjecting—

Mr Coe interjecting—

MADAM SPEAKER: The Leader of the Opposition! Mr Coe! When I call members to order, I expect some appropriate response, not a continuation of the noise. A supplementary question, Mr Hanson.

MR HANSON: Minister, how many day bed spaces are you counting for an exercise bike in the gym?

MR CORBELL: This government is focused on delivering to people the care that they need. It is about focusing on making sure we have the right capacity to give people the care they need. Those opposite might think it is funny to laugh at whether people can get good access to a hydrotherapy pool, but we do not think so.

Mr Hanson: A point of order.

MADAM SPEAKER: Stop the clock, please.

Mr Hanson: Madam Speaker, the question was very direct. It was about gym equipment being counted as a hospital bed. That is what is being asserted by the minister—gym equipment and the hydrotherapy pool. That is in the statement, I believe, as reported in the media—that the gym is now being counted by the minister as a day space or a day bed. The question is very direct: how many bed spaces is the minister counting for an exercise bike, which is a piece of gym equipment, which is now, by the minister’s own definition, a bed.

MADAM SPEAKER: Mr Hanson, the point of order should have been in relation to standing order 118(a) about relevance rather than a complete reiteration of the question and a debate. I remind the minister of the provisions of standing order 118(a). I call the Minister for Health.

MR CORBELL: The question is a complete mischaracterisation of the advice that has been provided by ACT Health. Those opposite may consider it funny and laugh about the importance of providing hydrotherapy relief for people who need it; they may think it is funny and laugh about making gym equipment available for people who need rehabilitation after surgery, but we do not think it is funny. We think it is important to provide people with the care they need.

Mr Hanson: Madam Speaker, on a point of order on relevance, the clear question is: how many beds are being counted as pieces of exercise equipment in the gym? The minister said and the statement from ACT Health said—

MADAM SPEAKER: Thank you, Mr Hanson. I think I have got the drift.

Mr Hanson: How many beds is an exercise bike?

MADAM SPEAKER: Mr Hanson! I have got the drift. I remind the minister of the provisions of standing order 118(a) and ask him to be directly relevant to the question—how many day bed spaces are provided by exercise bikes?

MR CORBELL: I have concluded my answer, Madam Speaker.

MADAM SPEAKER: A supplementary question, Mr Hanson.

MR HANSON: Minister, will you now apologise to the public for cutting 60 hospital beds and reinstate those beds at the University of Canberra public hospital?

MR CORBELL: There is no apology required because this government is doing what it said it would do—what it has said it would do ever since 2012—and that is to provide a facility that delivers spaces for at least 215 people every day for subacute care at a purpose-built subacute hospital.

Mr Hanson interjecting—

MADAM SPEAKER: I warn the Leader of the Opposition.

MR CORBELL: There is nothing to apologise for. The government is very proud and I am very proud of the work we are doing to deliver this contemporary, state-of-the-art, dedicated subacute facility for our community.

The only people who should be apologising are those opposite, because they are the ones who, instead of pursuing this issue, should be pursuing their federal leader and the cuts to public hospital services that have been confirmed in the most recent budget, because that is the biggest impact on health services here in the ACT. The biggest impact is the \$600 million fiscal cliff we are going to face over the next decade.

Mr Hanson: Madam Speaker, on a point of order on relevance, I asked the minister whether he would reinstate the 60 beds, and I would ask him to clarify yes or no.

MADAM SPEAKER: I think the minister has answered that and I think that he has the capacity to expand on the subject. However, I also have the capacity to sit him down if I think that he has answered the question or is ranging too far.

Schools—Telopea Park

MR DOSZPOT: My question is to the minister for education. Minister, I quote the following extract from the Telopea Park School newsletter of 6 August 2009:

At the direction of the Minister (Andrew Barr), Montgomery oval has been gazetted as permanent school space, preserved from future urban development. A fence will be built at the school perimeter to provide essential school security for outdoor play after hours when the Kindy playground may be in shade.

Minister, the Telopea P&C have today said:

The Telopea Park School Parents and Citizens Association has lost confidence in the Education and Training Directorate, under the leadership of Minister Burch, for its abject failure to consider the needs of students at Telopea Park School in handing over the school's land with no information or consultation with the school community.

Minister, how is it that you have managed to lose the confidence of yet another section of the school community in your ability to stand up for schools?

MS BURCH: I thank Mr Doszpot for his question. The discussions on Montgomery park and our desire to build a 120-place childcare centre on that site, which will increase the capacity of childcare services in the area, I think would be welcomed by parents who are looking for places. Also attached to that arrangement is an \$800,000 investment in Telopea school. I know that there are many families at Telopea school that will welcome that investment and those enhanced services on their school precinct.

MADAM SPEAKER: A supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, what are you doing to address a growing number of organisations expressing no confidence in you as minister?

MS BURCH: There has been one group. It was the AEU. That has certainly been put in the public domain. I refer those opposite to an interesting editorial in the *Canberra Times*. I think I actually agree with the *Canberra Times* in this instance. They feel that the union have overstepped the mark and gone a tad too far. They have broken one of the golden rules by letting emotion get in the way of a good deal.

I will meet with the P&C. My office is making contact to arrange for that meeting and I will sit down and listen to them. But, first and foremost, there is an \$800,000 investment on the table for enhanced facilities at Telopea school. I know that many other schools would welcome the investment of \$800,000.

MADAM SPEAKER: A supplementary question, Mr Wall.

MR WALL: Minister, why is it that you refuse to stand up for the Telopea Park School retaining the land in the same way that Mr Barr did in 2008?

MS BURCH: What I will do is make sure that we deliver on the \$800,000 investment in Telopea school and make sure that that school community is supported. There are a number of families in that community that are actually looking forward to an \$800,000 investment because their children do not play tennis and they would seek to enhance the sporting facilities through an \$800,000 investment.

MADAM SPEAKER: A supplementary question, Mr Wall.

MR WALL: Minister, why did you not consult with the Telopea Park School community during the lead-up to the decision that was taken? Why do you still refuse to meet with the school community and what communication has your office or directorate had with them over this period?

MS BURCH: Yet again it is the set question; they do not listen to the answer beforehand. In response to a question a minute ago, I said my office is in contact with the P&C. We are arranging a meeting; I will meet with them.

Mr Doszpot: Madam Speaker—

MADAM SPEAKER: You already asked your question without notice.

Mr Doszpot: I have asked the question, but the minister has not—

MADAM SPEAKER: No. This is question time. You have had your question, Mr Doszpot.

Mr Doszpot: The minister has not answered the question, Madam Speaker.

Ms Burch: How many times do you need to be told, Steve?

Mr Hanson: Madam Speaker—

Ms Burch: I do apologise, Madam Speaker.

Mr Hanson: on a point of order, I ask that the member withdraw that interjection.

MADAM SPEAKER: Did you withdraw or did you apologise?

Ms Burch: I will do both.

Economy—policy

MS PORTER: Chief Minister, how does the ACT government's budget support the territory economy?

MR BARR: I thank Ms Porter for the question. Through the spending policies and programs that are handed down by the territory government in our annual budget we can take a number of different policy stances. We can seek to stimulate the territory economy or we can seek to stymie growth, investment and job creation. Those are the choices before us as we prepare for the 2015 budget.

The budget that I will hand down next month will be cast with an eye to supporting economic growth in the territory. We will always put the people of Canberra first. We will support our community, our residents and our businesses. We will always support the economy, to keep people in jobs and to help our businesses grow, invest and create new jobs.

There is no doubt that in the past few years our city has been hit by a significant economic shock from the federal Liberal government. Though our private sector has grown and diversified, the commonwealth is still a major driver of economic activity in the territory. The contraction in jobs and spending and the lack of new investment from the commonwealth government in our economy has certainly hit hard.

It has fallen to the territory government to step up and support economic growth. We have done this in recent budgets and we will continue to do so in the budget this year. We will continue our focus on economic growth. We will continue to invest in infrastructure right across our city. The infrastructure program will provide for new and upgraded facilities right across the territory in health, education, emergency services and transport, amongst other areas of investment. We will continue to invest in major projects, particularly related to health, public transport and urban renewal. Not only are these projects responsible long-term planning for our city's future, to help us to cater for the needs of a growing city, but they will also create thousands of jobs for our economy.

Our forthcoming budget will continue to lower conveyance duty and insurance taxes. Every homebuyer will see a reduction in their stamp duty bill, making buying a home more affordable for Canberrans. Insurance taxes will again be cut, as part of our approach to abolishing this tax once and for all from the territory's statute books.

The upcoming budget will continue to support the territory's private sector, invest in programs and assistance to help local businesses to create jobs and continue to invest in the sectors of our economy that are driving growth, most particularly higher education and research. We will also focus on front-line service delivery, particularly in health, education, emergency and community services.

Let's be very clear why we are doing this—because the commonwealth cuts have hurt Canberrans. The Abbott government made it very clear in last year's budget and in this year's budget that we are on our own. We are going to have to make our own luck if we want our city and our economy to grow in the coming years. By taking an expansionary and stimulatory approach to the economy, we will continue to implement the right policies to support jobs and investment by laying the groundwork for growth in the territory economy.

MADAM SPEAKER: Before I call Ms Porter for her supplementary question, the question Ms Porter asked was: how does the ACT government support the economy, which I thought was a rather general question. The answer given by the Chief Minister had the feel of a ministerial statement and the announcement of policy. I ask both Ms Porter, in asking the question, and the Chief Minister, in answering any further questions, to be mindful of standing order 117(c)(ii) and the provisions of standing order 118. A supplementary question, Ms Porter.

MS PORTER: My supplementary question is: what are the government's priorities in the upcoming budget?

MADAM SPEAKER: Before I call the Chief Minister, not being privy to the budget, I do not know whether the government's priorities are going to change in the budget. So you can ask the Chief Minister what his priorities currently are, but you cannot ask him to announce new policy, in accordance with standing order 117(c)(ii).

MS PORTER: Do you want me to repeat the question and ask him—

MADAM SPEAKER: No, I have got the question. I am just not entirely sure that the answer is going to be in order.

MR BARR: Thank you, Madam Speaker. The priorities for this government will always be supporting our economy and our community. Funding for health and education makes up more than half of the territory's annual budget. We are proud of this fact. We are proud that we are funding a world-class health system and a world-class education system. This focus will continue. There will be a range of programs and new initiatives to ensure that Canberrans remain the happiest, healthiest and best educated people in this nation.

As I have indicated before on many occasions, jobs will always be this government's priority. The economic and personal dignity that comes from work should never be underestimated. That is why this government has supported the territory economy and supported jobs growth. We will continue this approach to maintain, and indeed boost where appropriate, spending on infrastructure that has stimulatory effects for our labour market. And we will continue to support the private sector through programs that help local businesses to grow, to innovate and to create jobs.

MADAM SPEAKER: A supplementary question, Ms Fitzharris.

MS FITZHARRIS: Chief Minister, why is it important for the territory government to support the ACT economy?

MR BARR: It is certainly clear that the commonwealth's contraction in spending and employment has hit the territory's economy hard. The commonwealth reducing their employment and spending has flowed on to local businesses, particularly by way of reduced consumer confidence and retail activity. In such circumstances governments have a choice. They can either do all that is within their power to support growth and to encourage job creation or they can follow a mean, narrow-minded path of austerity, the tea party approach that is favoured by those opposite.

We will never step back and watch growth and jobs suffer. Without the stimulatory effects of the territory government's infrastructure program and our prudent spending initiatives to support the private sector, Canberra would have suffered even more from the commonwealth cuts. There are those, mostly sitting opposite, who advocate a different course of action. They champion austerity.

Mr Hanson: Do we?

MR BARR: They do. They seek to cut spending and services. That is the Liberal Party way. We saw it in the federal budget last year. We are seeing it in the approaches of state Liberal governments. This is the alternative approach and one that I am sure we are going to hear—

Mr Smyth interjecting—

Dr Bourke: On a point of order—

MADAM SPEAKER: Stop the clock.

Dr Bourke: Mr Smyth just interjected that the Chief Minister was spouting hypocrisy or saying hypocrisy.

MADAM SPEAKER: I did not hear it. "Hypocrisy" is one of those words that are in a grey area. I will review the transcript. I call the Chief Minister.

Mr Smyth: Madam Speaker, I am happy to help. I said, "The hypocrisy is galling."

MADAM SPEAKER: Are you going to withdraw it now that you have outed yourself?

Mr Smyth: You have just said that it is a vague area. If you want to rule on saying, "The hypocrisy is galling," I will withdraw it.

MADAM SPEAKER: No. I will contemplate the transcript because it is a grey area.

Mr Smyth: Context is often important.

MADAM SPEAKER: Context is everything. The Chief Minister.

MR BARR: Thank you, Madam Speaker. Yes, context is everything and the context of the longest serving shadow treasurer in the history of the commonwealth is there for all to see.

MADAM SPEAKER: Come to the point in your remaining five seconds.

MR BARR: We are about growth and choice. *(Time expired.)*

MADAM SPEAKER: A supplementary question, Dr Bourke.

DR BOURKE: Chief Minister, how has the territory government supported the ACT in past budgets?

MR BARR: Through an aggressive program of investment in infrastructure and in the community services that this community needs; through a desire to support jobs growth; through a desire to ensure that this community's interests are put first, put ahead of many other competing priorities—competing priorities that those opposite seek to put forward as a higher priority. For example, we will hear a lot, I am sure, in coming weeks about debt and deficit. I am certain of that. The other thing I am certain of—

Mr Hanson interjecting—

MADAM SPEAKER: Order! Remember that you are on a warning, Mr Hanson.

MR BARR: is that the budget I deliver will have a more credible path back to surplus than the one that was delivered two nights ago. In fact, this government will be able to deliver improved community services, the investment in infrastructure that this city needs, supporting jobs, encouraging economic growth, encouraging new investment in our economy, and doing so in a way that brings people with us and ensures that this economy continues to grow. That will be the very clear contrast—a party with vision and an approach for the future, and the narrow, fiscal darwinism that we see from those opposite.

Opposition members interjecting—

MADAM SPEAKER: Order! I would like to hear—

Mr Hanson interjecting—

MADAM SPEAKER: Mr Hanson!

Bimberi Youth Justice Centre—drugs

MR WALL: My question is to the Minister for Children and Young People. Minister, in recent weeks has there been an internal or AFP-led investigation or raid regarding illicit drugs at Bimberi?

MR GENTLEMAN: I thank Mr Wall for his question. We are doing an inquiry into some allegations that we have received at Bimberi, but I am unable to go to the detail of that inquiry whilst that investigation takes place.

MADAM SPEAKER: A supplementary question, Mr Wall.

MR WALL: Minister, are any detainees currently under investigation as a result of this inquiry?

MR GENTLEMAN: Madam Speaker, I refer to my earlier answer. I am unable to go to any detail whilst that investigation is underway.

MADAM SPEAKER: A supplementary question, Ms Lawder.

MS LAWDER: Have any Bimberi staff subject to investigation been stood down as a result?

MR GENTLEMAN: I refer to the earlier question and answer.

Mr Hanson: Madam Speaker, on a point of order.

MR GENTLEMAN: Whilst the investigation is underway, it is improper—

MADAM SPEAKER: Have you got a point of order?

Mr Hanson: I have a point of order on relevance. The question has been asked. To dismiss this as “I am not able to answer whether or not staff are stood down” is not relevant to the investigation. I ask that the minister be relevant.

MADAM SPEAKER: I do not think I can uphold the point of order. I cannot—

Members interjecting—

MADAM SPEAKER: Do you want the ruling?

Mr Hanson: Yes, I do, Madam Speaker. There was an interjection from Mr Barr.

MADAM SPEAKER: Yes, and you should not respond, remembering that you are on a warning. I do not really uphold the point of order. I think that the minister should have the flexibility to answer the question in the way he sees fit. Do you have anything more to add to the answer, Mr Gentleman?

MR GENTLEMAN: No.

MADAM SPEAKER: A supplementary question, Ms Lawder.

MS LAWDER: Minister, who is conducting the investigation?

MR GENTLEMAN: We have chosen a particular external source to look after the investigation. It would be improper to provide details of that source until the investigation is complete.

Planning—Building Act

MR COE: My question is to the Minister for Planning. The *Canberra Times* reported on 29 December 2014 that “the first discussion paper in a series that will pave the way for a complete rewrite of the Building Act in 2015 is to be released in mid-February”. Why has the discussion paper been delayed?

MR GENTLEMAN: I thank Mr Coe for his question. Yes, we are doing a complete review of the Building Act. Some of the work that has been occurring alongside that is the work I have been doing with stakeholders on the statement of planning intent. It is important that we gather all of the information that we can from the community across the territory and from key stakeholders in regard to the review of the Building Act.

MADAM SPEAKER: A supplementary question, Mr Coe.

MR COE: Minister, what happened, following 29 December 2014, that led to the considerable delay in the report, and who is preparing the paper?

MR GENTLEMAN: I guess the biggest change is the change from the work involved in the statement of planning intent. EPD are working on the paper, alongside some agency work. I will get some more detail and come back to Mr Coe on the time line for that.

MADAM SPEAKER: A supplementary question, Mr Wall.

MR WALL: Minister, when will the exposure draft of the new Building Act be presented, given the delay in releasing the first discussion paper?

MR GENTLEMAN: I thank Mr Wall for his supplementary question. We have gone through the initial design of the approval and construction stage of the Building Act. I do not have the time line for completion right in front of me now, but it was proposed that we would be looking at June this year. I am happy to come back with further detail on that.

MADAM SPEAKER: A supplementary question, Mr Wall.

MR WALL: Minister, what consultation will take place on the discussion paper and exposure draft?

MR GENTLEMAN: I thank Mr Wall for his supplementary question. We will be trying to do as much consultation as possible through that process, which is appropriate, and I will advise on the consultation process as we go forward.

Federal government—budget

DR BOURKE: My question is to the Minister for Education and Training. Minister, can you provide advice to the Assembly on the Australian government budget measures in relation to child care and how these changes will affect Canberra families?

MS BURCH: I thank Dr Bourke for his interest. We are pleased the Australian government has given some consideration in its recent budget to measures that address the issues of affordability and accessibility to early education and care. What we know so far from the package is there will be a new childcare subsidy, commencing 1 July 2017. This will replace the current three subsidies with a single means-tested childcare subsidy. Early analysis of the proposed subsidy, including where benchmark prices are set, indicates that the change is not likely to have a great impact on many Canberra families. However, the Australian Liberal government has said the measures are contingent on passing the reforms to the family tax benefit, which would see families losing much-needed support when their children turn six years of age.

The Australian Liberal government has also announced cuts to the paid parental leave scheme which are intended to offset the cost of the childcare subsidy. This will remove the ability of parents—and some of those parents are known to many in this Assembly—to access both the government and the employer-funded parental leave schemes, potentially limiting the time parents can afford to stay at home with a new baby. It is understood the childcare subsidy will have a new activity test that will see children with a stay-at-home parent not eligible for any subsidised care under the current scheme, except for families with incomes of less than approximately \$65,000 a year. This has the potential to reduce access to quality early childcare education and care for children whose parents are not working. It is often these children who derive the most benefit from early education.

Another component of the jobs for families package is a two-year in-home care nanny pilot. While the full scope of the details is yet to be revealed, we know this program will not require people caring for children under this arrangement to meet the current requirements of the national quality framework. In particular, they do not need to hold the minimum qualification. This policy announcement goes against the Productivity Commission's recommendation to extend subsidies to care provided by nannies but only if minimum standards can be assured by including them under the national quality framework. Providing funding for nannies may see some families withdraw their children from regulated, quality education and care services, including family day care, to be cared for at home by nannies with no qualifications.

The package provides limited access to early childhood education and care for families that need this flexibility. It is disappointing that, under this package, we will

see many families disadvantaged, quite clearly. Stay-at-home parents in particular will not be eligible for any subsidised care under the current system unless their family income is less than \$65,000 a year.

MADAM SPEAKER: A supplementary question, Dr Bourke.

DR BOURKE: Minister, why is it important that families have access to high quality and affordable child care?

MS BURCH: The ACT government have, for a long time, been working to ensure that all families have access to affordable and high quality education and care. In fact, we have been working on this since 2001, and we know how important it is to have early education and care that is high quality, accessible, affordable and meets the needs of working families.

Historically, the focus on education has been on children over the age of three. Yet we know that the first three years of life are particularly influential on a child's development. While physical care of infants is important, so too are the interactions and experiences that lay the foundations for all aspects of their learning and development.

That is why we signed up to the national quality framework that has at its core the recognition that children are learners from birth. It is not about teaching children their letters and numbers while they are still in nappies; it is about play-based programs that support children to develop a strong sense of identity and become confident, successful learners. It is about recognising the incredible capacity of young children to actively participate in learning.

The ACT has a high number of children in early education and care settings and we owe it to these children, their families and the community as a whole to provide them with the opportunities to develop this foundation. This is why the ACT government has been such a strong supporter of the national quality framework. It is about ensuring the highest quality care for our children. There should be no stronger aim than to make sure that the care provided to our children is of a high quality. That is why we support the national quality framework and will continue to support our early education and care sector in the ACT.

MADAM SPEAKER: A supplementary question, Ms Porter.

MS PORTER: Minister, how is the ACT government supporting the growth of childcare places in the ACT?

MS BURCH: I thank Ms Porter for her question. Since 2001 there has been 95 per cent growth in the number of long day care places, including an anticipated 1,200 places in the 12 months from October last year. Additional places continue to become available as a result of the \$13.3 million put aside for infrastructure over the last four budgets. Extensions and upgrades to 10 education and care centres have been completed, with a further three under construction and one out to market for tender. Other facilities have also been refurbished to bring them up to today's standards. This investment will create around 235 extra places for children under preschool age.

Construction of the new \$7.5 million early learning centre in Holder was completed and it opened in May last year. This centre provides an additional 124 places to support families in Weston Creek and the growing area of the Molonglo valley. It was built with the new quality standards in mind and provides a great environment to support the learning of our young children.

The ACT Labor government continues to identify suitable sites for education and care centres as part of the planning for new suburbs and to respond to emerging demand in newly established areas, as well as those that are already in place. Sites for education and care centres have been identified in the forward planning and design of Moncrieff, Throsby, Lawson, west Macgregor, Denman Prospect and Molonglo. We will continue to support Canberra families through these investments.

MADAM SPEAKER: A supplementary question, Ms Fitzharris.

MS FITZHARRIS: Minister, why is it important to have a well-qualified childcare workforce?

MS BURCH: I thank Ms Fitzharris for the question. Substantial research shows that higher qualified educators improve outcomes for children. The higher their qualifications, the greater their understanding of child development, health and safety issues.

In recent years, the ACT government has worked to grow a highly skilled and capable early education and care workforce in the ACT. This year, the ACT's new training initiative, skilled capital, will contribute over \$2 million to at least 570 training places in a wide range of approved early education and care qualifications. In addition, the early childhood scholarship program established in 2012 covers full course fees for a cert III qualification, a start-up and completion incentive and funding to release working educators so that they can attend classes. To date, the program has provided 145 places. A further 30 places will be offered next year.

Under the NQF, all early childhood educators counted in the educator to child ratios are now required to be working towards a minimum qualification of a cert III. This gives us confidence that our young children are being educated by professionals with appropriate skills and knowledge to work in partnership with families. To ensure the sector is able to meet these requirements into the future, we have committed recurrent funding to the early childhood degree scholarship program, providing up to \$6,000 to support those educators. The first 25 places of the degree scholarship were offered last year, and 25 additional places will be offered each year in 2015 and 2016.

That is in stark contrast to what we saw come out of the Australian Liberal government. Their in-home nannies pilot— (*Time expired.*)

ACT Emergency Services Agency—properties

MR SMYTH: My question is to the Minister for Police and Emergency Services. Minister, the facilities management contract for ESA properties went to tender in 2008 for a five-year period that expired in 2013. Has the contract been retendered, extended by option or is it just ongoing?

MS BURCH: I will have to take that on notice and bring an answer back to you, Mr Smyth.

MADAM SPEAKER: A supplementary question, Mr Smyth.

MR SMYTH: Minister, what procurement process was undertaken by ESA to provide facilities management for its properties at this time?

MS BURCH: I have no direct line of sight to those tenderers and those arrangements. All of the questions, as they come through, Mr Smyth, I will take on notice.

MADAM SPEAKER: A supplementary question, Mr Coe.

MR COE: Minister, would you please also take on notice what is the annual cost of the contract and why the contract has not yet been retendered?

MS BURCH: I will get the detail and bring it back, Madam Speaker.

MADAM SPEAKER: A supplementary question, Mr Coe.

MR COE: Minister, would you provide to the Assembly any reports which guide the directorate's decisions regarding facilities management at the ESA?

MS BURCH: I am happy to include some relevant information when I come back to the Assembly.

Federal government—budget

MS FITZHARRIS: My question is to the Minister for Women. Minister, as the minister with responsibility for women's policy in the ACT government, can you update the Assembly on how measures in Tuesday's federal budget will impact on women in the ACT?

MS BERRY: I thank Ms Fitzharris for this question. It is regrettable that, having made the decision to spend big in the budget, the commonwealth has managed to disadvantage and alienate women across Australia, including here in the ACT. As members would know, the budget takes \$1 billion away from women by stopping women from accessing both an employer scheme and a government scheme. This is despite the fact that the Prime Minister had for so long championed a universal maternity leave scheme of 26 weeks at full pay. Instead, he has gone backwards on that quite quickly. When did the commonwealth government announce this? On Mother's Day.

In the post-budget analysis I find myself in agreement with Karl Stefanovic, when he said that Mr Abbott will go to the next election "having broken a significant promise and that is to the women of Australia". This budget hits Canberra's women by taking away precious bonding time and pressuring women back to work sooner. Canberra's women should have been able to expect more support from the Prime Minister who made himself the minister for women.

It is, quite frankly, offensive the way the Prime Minister, the Treasurer, the finance minister, the social services minister and others set out to characterise working mums as double-dippers, welfare cheats and rorters. And it is doubly offensive for the public servants of Canberra, who, as usual, were the first ones lined up for cheap shots about being on easy street.

What I have been pleased to see is that the Canberra Liberals spokeswoman, Mrs Jones, has come out and called it for what it is—appalling. Mrs Jones says:

Why do we leave women with children feeling like they are left to fight over the left overs?

Why do we do that?

You can ask the same question when it comes to funding for domestic violence. I was not alone in hoping that this budget would bring real commitment to addressing domestic violence. For all the current awareness brought about by campaigners like the Australian of the Year, Rosie Batty, domestic violence continues to be the leading cause of death, injury and homelessness for women under 45.

In the lead-up to this budget the commonwealth showed genuine interest in tackling domestic violence in Australia and they have rightly elevated it to COAG. But, again, the women of Canberra and Australia have been let down by the commonwealth, as the budget gives no additional resources to combat domestic and family violence.

MADAM SPEAKER: A supplementary question, Ms Fitzharris.

MS FITZHARRIS: Minister, are you aware of any other people raising concerns in relation to the effect of federal budget measures on women claiming paid parental leave?

MS BERRY: Yes, I am. I want to again acknowledge Mrs Jones's comments—that the policy is “playing one group of mums against another”. And I agree with her that, when it comes to this commonwealth government, “women's empowerment has a long way to run”.

Former minister Arthur Sinodinos has also come out and acknowledged the obvious—that the justification for this policy is unacceptable. He said that it is “not a good look to have a go at young mothers”. No, it is not; and it is not good policy either. As former Chief Minister Kate Carnell said:

It's hard to see why employers would continue to pay parental leave if it meant the government stopped paying and they were simply footing the bill ...

It is quite remarkable; I would have thought employers would want to be an employer of choice and attract women to the workforce by providing better and substantial parental leave. The Australia Institute said:

If an employer was offering the same or less than the government, they'll just withdraw their scheme and save the money because the government will pay.

I welcome federal Labor coming out strongly against this change. I have spoken to my federal colleagues this morning. As the former minister who introduced the scheme, Jenny Macklin, has said, Labor's maternity leave scheme was designed precisely to complement employer schemes. I also welcome the comments of Greens Adam Bandt and Sarah Hanson-Young, indicating their opposition.

Members interjecting—

MADAM SPEAKER: Can we stop the conversation across the chamber, Mr Coe and Mr Barr.

MS BERRY: I hope this unanimous position remains here in the Assembly. I welcome other members arguing against this unfair and ill-thought-out policy, with its potential to disadvantage Canberra women and families.

MADAM SPEAKER: A supplementary question, Ms Lawder.

MS LAWDER: Minister, are you aware that domestic violence is not the leading cause of homeless among women? It is one of the leading causes, according to AIHW data, despite what you have said on several occasions.

MS BERRY: Yes, it is one of the causes leading to homelessness. It is one of the main causes leading to homelessness across the country, not just here in the ACT. After 18 months of the "Prime Minister for women" talking about domestic violence as a national issue that requires a national response, we have seen exactly how deep that commitment is. Domestic violence is not only a national problem in its scope. It is a national problem and it requires a response. The culture of violence causes women to flee across the country in search of stability, support and a fresh start.

It is one thing to raise awareness, but in terms of funding needs, the rubber hits the road when women take the courageous step of leaving. It is the most dangerous point in the cycle of violence and for many women, and it is a process that they will go through many times before they finally escape. Here in the ACT we commit significant funding to providing support, not just in our crisis services but in our housing system, which provides long-term support and the hope of a fresh start.

There is always more that we can do, and it needs to be a national response. When speaking recently with women from across Australia at the Beryl Women's Refuge, I heard firsthand about the disparity of responses offered by state governments. I heard about housing waiting times, even for women in crisis, and about the short-term nature of support that was offered in other jurisdictions.

It is not viable for states to cross-subsidise each other. What we need is a serious response from our national government that allows women to stay in their own communities, that makes sure that high quality services are available wherever women live, and that goes beyond awareness to a full response.

MADAM SPEAKER: A supplementary question, Dr Bourke.

DR BOURKE: Minister, what other impacts will there be for women as a result of the federal budget?

MS BERRY: Unfortunately, there is not a lot of good news for women in this budget. The commonwealth really does need to get a handle on how many of its policies have a disproportionate impact on women. University deregulation—\$100,000 degrees—is still on the cards. The cuts to community services are continuing. There are continuing cuts to foreign aid. It is women that will be affected most by the cuts to foreign aid.

This budget quietly recommitted to deregulation for Australian universities, the starting point for high fees and higher student debts. Low income, female and regional students will inevitably be hardest hit by these changes. As the gender pay gap persists and they take career breaks around children, this policy will just perpetuate the inequalities that Canberran and Australian women need to face each day. We need more women going to university, not fewer. And, quite clearly, we need more women in the federal cabinet.

Mr Barr: I ask that all further questions be placed on the notice paper.

Supplementary answers to questions without notice

Energy—solar

Hospitals—University of Canberra

MR CORBELL: Yesterday in question time Ms Lawder asked me a question about reporting of the output of the Royalla solar farm and why it did not appear on the website of the Australian Energy Market Operator, or AEMO. I can advise Ms Lawder as follows. Under the national energy rules, the NER, AEMO is responsible for collecting data for the purposes of market settlement. FRV has a licensed meter service provider that collects and provides data to AEMO for the purpose of market settlement and market regulation. That is commercial-in-confidence under the national energy rules. Under another national energy rule, generators over 30 megawatts are obligated to provide data to AEMO, which it publishes. FRV is not a generator over 30 megawatts and therefore is not required to report under this rule.

In addition, FRV is providing data to AEMO on a voluntary basis for an AEMO solar forecasting project. Whilst AEMO did publish FRV data for a short time, they subsequently became aware that the data was not provided under any national energy rule requirements and that, as it was provided by FRV on a voluntary basis for a specific purpose, they therefore did not have the right to publish the data. The ACT government had no involvement in this issue. FRV are required to provide an annual generation report to the territory under their deed of entitlement. Under the Electricity Feed-in (Large-scale Renewable Energy Generation) Act 2011 the distributor is required to provide quarterly reports to the minister.

Also in question time today I took a question from, I believe, Mr Coe in relation to the tabling of the statement provided by ACT Health to the ABC in relation to the University of Canberra public hospital. I present the following paper:

University of Canberra Hospital—Statement from ACT Health to the ABC, dated 13 May 2015.

Planning—Building Act

MR GENTLEMAN: I took a question earlier about the Building Act review and can advise the Assembly that, following the review, there is a rolling program of administrative policy and legislative reforms. Three bills have been enacted to date. The first focused on licensing and compliance powers, the second focused on offences and penalties for failing to comply with a rectification order under the Building Act for noncompliant work, and the third focused on better access to information for consumers. As part of the Building Act review the Environment and Planning Directorate has consulted on the regulation of design and construction practitioners.

This has also had links to the *Getting home safely* report. Consultation on that part of it closed in February this year. The directorate is conducting follow-up meetings on regulatory options during forthcoming public consultation, and, although there is support from industry and the community for improving practices, opinions expressed by members of the public, industry associations and individual practitioners in community forums and the media show that there is considerable divergence of public opinion on the scope and scale of the problem, who is responsible for noncompliance and how the problems should be addressed.

After consultation, options and recommendations will be developed for consideration by the government in the second half of the year. A new act will be released in exposure form for a period of public comment. Depending on funding, the new act could be released in 2015-16.

Annual report directions 2014-15 Paper and statement by minister

MR BARR (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Urban Renewal and Minister for Tourism and Events): For the information of members, I present the following paper:

Annual Reports (Government Agencies) Act, pursuant to subsection 9(6)—
Annual Reports (Government Agencies) Notice 2015—Notifiable instrument
NI2015-207, including the Chief Minister's 2014-2015, 2015-2016 Annual
Report Directions, dated 13 May 2015.

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

Leave granted.

MR BARR: The 2015 directions reflect the completion of a major review of annual report directions. In conjunction with the bill, the directions make agency annual reports more concise and relevant to agency performance, consolidate all annual reporting requirements being repealed by the bill from other primary legislation, and support the need to keep annual reports available to the public to allow historical comparison.

The directions will allow agencies to produce more concise annual reports through whole-of-government reporting, reporting by exception and combining sections to focus on narrative. In consultation with reporting entities, whole-of-government reporting has been agreed. Where it facilitates improved governance and accessibility of related information, central data collation and reporting have been incorporated into the directions.

Whole-of-government reporting will now apply for the following information and reporting entities: community engagement, territory records within the Chief Minister, Treasury and Economic Development Directorate; bushfire risk management, freedom of information, human rights, legal service directions within the Justice and Community Safety Directorate; workplace culture and behaviour, public interest disclosure and workforce profile—although, where appropriate, workforce profile information will also be represented in a disaggregated format.

The Annual Reports (Government Agencies) Act 2004, the annual reports act, requires ACT government directorates and public authorities to produce annual reports. The Commissioner for Public Administration and territory-owned corporations are defined as public authorities under the dictionary of the annual reports act and produce stand-alone annual reports.

The declaration of public authorities includes entities that may not be required to produce an annual report under their establishing legislation or under the Financial Management Act 1996 but have functions which make them appropriate to declare as public authorities for the purposes of facilitating open government.

The directions also include amendments to the declarations about public authorities made under sections 12 and 16 of the Annual Reports (Government Agencies) Act. Under section 16, I may declare that an entity established under the act is a public authority which is required to prepare an annual report.

Compared to last year's declaration, the following changes have been made. The ACT Civil and Administrative Tribunal will be responsible for preparing its own annual report which will be administered outside the annual report directions. The ACT Architects Board, ACT construction occupations and the Environment Protection Authority will, as part of Access Canberra, be annexed to the Chief Minister, Treasury and Economic Development Directorate annual report.

The annual report directions were provided to the Standing Committee on Public Accounts for consultation in accordance with section 9 of the act. The committee responded on 13 March 2015 and also in their recent report of 5 May this year, providing comment on the 2015 annual report directions. The government thanks the committee for its contributions, which have been considered fully in the preparation of the Annual Report Directions 2015 Notifiable Instrument. In addition to these changes, annual reports must now be produced within 15 weeks of the end of the financial year.

Papers

Mr Barr presented the following papers:

Remuneration Tribunal Act, pursuant to subsection 12(2)—Determinations, together with statements for:

Canberra Institute of Technology—Governing Board—Determination 5 of 2015, dated April 2015.

Clerk of the Legislative Assembly—Determination 6 of 2015, dated April 2015.

Full-time Statutory Office Holders—Determination 4 of 2015, dated April 2015.

Head of Service, Directors-General and Executives—Determination 3 of 2015, dated April 2015.

Members of the ACT Legislative Assembly—Determination 2 of 2015, dated April 2015.

Public service respect, equity and diversity framework—final report on review Paper and statement by minister

MR BARR (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Urban Renewal and Minister for Tourism and Events): For the information of members, I present the following paper:

Review of the Respect, Equity and Diversity Framework—Final report, dated May 2015.

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

Leave granted.

MR BARR: In line with recommendation 8 of the Standing Committee on Public Accounts report 11, *Report on Annual and Financial Reports 2013-2014*, I table the final report on the review of the respect, equity and diversity framework. I thank the committee for its report and the opportunity for members to consider the outcomes of the review of the respect, equity and diversity framework, known across the ACT public service as the RED framework. The report was completed in December 2014 and provides six recommendations to assist the ACT public service to move into the next iteration of its journey to embed a positive workplace culture and to renew its focus on the employment of Aboriginal and Torres Strait Islander people and people with a disability respectively.

The Standing Committee on Public Accounts was particularly interested in the following three aspects of the outcomes of the review: the adequacy of the ACT public service preventing work bullying guidelines, what further initiatives are in place to monitor the incidence and handling of bullying complaints in addition to the state of the service reporting, and the adequacy of the ACT public service training regime on workplace bullying.

The report outlines that the RED framework has set the foundation in the ACTPS to identify and act upon unacceptable workplace behaviour. It confirms that the RED framework has been successfully embedded, that it is a known brand and that it has created a common language to discuss workplace behaviour across the public service. The report leaves little doubt that a culture has been developed across the public service where the principles of respect, equity and diversity are present in everyday business.

There is, however, always room to grow. The report found that it is now time to align the RED framework with the one service model and the ACT public service code of conduct and to build on the framework's early successes by providing practical tools to further prevent inappropriate workplace behaviour. In this context, a whole-of-government working group has been convened to steer the implementation of these and other recommendations, and it is driving much of the work that I will outline.

Firstly, in regard to the committee's particular interests, the report found the preventing work bullying guidelines have proven to be a highly valuable resource in creating and maintaining positive and safe working environments. They are currently being reviewed and updated to reflect best practice and to ensure that they remain modern and comprehensive. Work is also being undertaken to improve the reporting of bullying and misconduct incidents in the ACTPS state of the service report. These changes will facilitate a more streamlined and centralised approach to incident reporting.

Ongoing training on the principles of respect, equity and diversity is a key component in maintaining a positive workplace culture. To support this, work is underway to further embed the ACT public service code of conduct—

MADAM DEPUTY SPEAKER: Mr Barr, could you resume your seat for a moment. Members, if you want to have discussions amongst yourselves, would you please go out into the anteroom. Sometimes I can hardly concentrate on what Mr Barr is saying. Thank you. Mr Barr.

MR BARR: They are all attentive now. As I was saying, work is being undertaken to improve the reporting of bullying and misconduct incidents in the state of the service report, and these changes will facilitate a more streamlined and centralised approach to incident reporting.

Ongoing training on the principles of respect, equity and diversity is a key component in maintaining a positive workplace culture. To support this, work is underway to further embed the code of conduct and the RED framework into whole-of-government induction material delivered to new employees. RED training, which is available to all employees, is being reviewed to ensure consistent messaging is being delivered across the public service. Training specifically delivered to RED contact officers is also captured in this review to further clarify their roles and their reporting requirements.

The challenge for the public service is to continue to build on its strength as a unique service—to operate as a single dynamic organisation which is agile, responsive and innovative in delivering the government's priorities and in delivering excellent

services to the people of Canberra. Key to meeting this challenge will be the ACT public service's ability to improve culture and capability. One of the most important messages coming out of the report is the requirement for leaders in the public service to lead by example—to demonstrate the values and behaviours outlined in the code of conduct. A comprehensive set of workplace strategies and practical tools is being created to further develop our leaders' ability to lead by example and to support the prevention of inappropriate workplace behaviour.

MADAM DEPUTY SPEAKER: Sorry, Mr Barr, if you could resume your seat for a moment. Members, I have asked you once before. I do not think you realise how loud your voices are. If you would not mind keeping the noise down or going out into the anteroom if you want to have conversations. Sorry, Mr Barr.

MR BARR: Thank you, Madam Deputy Speaker. The release of the ACT public service performance framework in 2013 introduced a discussion on how public servants demonstrate the ACT public service values and behaviours in the workplace. The public service is now taking this initiative one step further with the development of a shared capability framework.

A series of workshops for ACT public service executives is also currently being held to foster skills in creating productive teams who know what is expected of them. Events are also planned to increase the capability of middle managers to innovate, to encourage empowerment and to lead by example.

The release of the framework introduced a discussion on how public servants demonstrate these values, and these capabilities will apply to everyone in the public service, regardless of their level or specific role. They will describe key behaviours, skills and understandings that can be universally expected in every workplace.

The public service has listened to feedback from directorates which highlighted a need for resources and tools to manage workplace behaviour and for these to be more accessible. In response, an online manager's toolkit has been developed to bring together all the relevant tools a manager requires to deal with issues quickly, consistently and with confidence.

The report not only dealt with matters relating to workplace behaviour but also with issues associated with employment strategies for Aboriginal and Torres Strait Islander people and people with a disability respectively. The Assembly would be aware that the ACT public service has struggled to meet targets outlined in the employment strategies, specifically in relation to the employment of Aboriginal and Torres Strait Islander people.

These and other matters were extensively discussed during hearings of the Standing Committee on Health, Ageing, Community and Social Services inquiry into ACT public service Aboriginal and Torres Strait Islander employment which took place in the period from May 2013 until March 2014. As discussed during the inquiry, not meeting the targets can be attributed to a number of factors, including the initial development of the targets, the loss of champions relating to the strategies, accountability to meet the targets and a shift in focus with the implementation of the code of conduct.

However, the ACT public service has renewed its focus on employment in these areas. In February the Head of Service wrote to directors-general reminding them of their employment obligations and that she takes the commitments outlined in these strategies very seriously and expects significant improvements to be made. The Head of Service further outlined that she expects the ACT public service to, at a minimum, double the 2013-14 growth rates for Aboriginal and Torres Strait Islander people and people with a disability in the 2014-15 period.

From the financial year 2015-16 onwards, each directorate will adopt an annual growth rate of 10 per cent for these groups, which will enable the ACT public service to reach and potentially exceed the original 2015 diversity targets by 2018-19. Further, the Head of Service has proposed to add diversity employment targets into directors-general performance agreements.

With this renewed focus on diversity employment being championed by the Head of Service and the Commissioner for Public Administration, numerous initiatives are already underway. An Indigenous employment pathways program was developed in December 2014 that links an Indigenous traineeship, cadetship and the ACT public service graduate program. Significant work has commenced for the implementation of the Indigenous traineeship, with 22 positions being identified across the public service, which is on track to commence in July this year.

Importantly, the traineeship improves on past programs where the ACT public service is partnering with habitat personnel to identify participants and organise relevant training. Mentoring for the trainees will be sourced from members of the Murranga Murranga, formerly known as the ACTPS Indigenous staff network. Most significantly the elements of the Indigenous pathways program will provide permanent employment upon successful completion and is being piloted to provide a similar program for the employment of people with disability.

With that in mind, a key recommendation coming out of the report is that both employment strategies should be redesigned as stand-alone, whole-of-government policies and that the 20 recommendations which the government agreed to in principle coming out of the inquiry are the best practical way for the next iteration of the best employment strategy to be implemented.

At this point it is worth reminding the Assembly that the principles of respect, equity and diversity framework are a strong, positive focus in our workforce initiatives. These key principles enhance our workplace and empower our workforce. It is, for example, through diversity of staff that we encourage and support innovation, a key component of our workforce strategy in the future alongside, of course, respect and equity.

In concluding, the report highlights that the RED framework has been instrumental in developing and fostering a positive workplace culture and should remain a fundamental element to support the ACT public service code of conduct into the future. The framework has successfully provided a foundation on which employees have built and should continue to ensure all the elements are being fully implemented.

Its durability across the unique ACT jurisdiction has also provided a platform which is easy to apply through organisational change to both white and blue-collar work environments.

Implementing the recommendations outlined in the report will provide a maturing public service with the necessary tools to further develop its culture in line with the vision of the RED framework and the code of conduct, which will, in turn, provide better services to the citizens of the ACT and the surrounding region. I commend this report to the Assembly.

Papers

Mr Barr presented the following papers:

Financial Management Act—

Pursuant to section 16B—Instrument authorising the rollover of undisbursed appropriation of the Chief Minister, Treasury and Economic Development Directorate, including a statement of reasons, dated 11 May 2015.

Pursuant to section 18A—Authorisation of Expenditure from the Treasurer's Advance to the Legal Aid Commission (ACT), excluding a statement of reasons, dated 13 May 2015.

Pursuant to section 26—Consolidated Financial Report for the financial quarter ending 31 March 2015.

Mr Corbell presented the following paper:

Gene Technology Act, pursuant to subsection 136A(3)—Operations of the Gene Technology Regulator—Quarterly reports—1 October to 31 December 2014, dated 5 March 2015.

Public Accounts—Standing Committee Report 8—government response

MR RATTENBURY (Molonglo—Minister for Territory and Municipal Services, Minister for Justice, Minister for Sport and Recreation and Minister assisting the Chief Minister on Transport Reform) (3.49): For the information of members, I present the following papers:

Public Accounts—Standing Committee—Report 8—Review of Auditor-General's Report No 1 of 2014: *Speed Cameras in the ACT*—Government response, including the ACT Government's Road Safety Camera Strategy and Mobile Camera Program—Deployment Strategy, and the report on the evaluation of the ACT Road Safety Camera Program by the University of New South Wales and TARS Research.

I move:

That the Assembly takes note of the papers.

I am pleased to present to the Assembly the government's response to the Standing Committee on Public Accounts report 8 *Review of Auditor-General's report No 1 of 2014* and the various other documents I have presented today. The Auditor-General's report *Speed cameras in the ACT*, which was tabled in March 2014, identified a range of shortcomings and brought into question the strategic basis for the ACT road safety camera program. It also identified the need for the program to be evaluated.

Clearly there were issues with the strategic and operational management of the cameras, which the government has readily acknowledged and which I am determined to address. I want to emphasise that the clear goal of the ACT's road safety camera program will be to make the strongest possible road safety contribution. The new strategy that I am releasing today is designed around this principle. An ACT government position on the Auditor-General's report was provided to the Standing Committee on Public Accounts in November 2014. In March this year Mr Smyth presented the standing committee's report *Review of Auditor-General's report No 1 of 2014: Speed cameras in the ACT*.

The government position, as provided to the standing committee, agreed to all recommendations made in the audit report with the exception of recommendation 5, which was noted. This recommendation was about developing and implementing a relatively large, network representative, speed monitoring system in order to determine changes in the extent of speeding.

A speed monitoring system to this scale is not presently resourced. However, existing speed surveys undertaken by the Territory and Municipal Services Directorate can assist with identifying the extent of speeding at specific locations. Some information about self-reported patterns of speeding is also obtained through regular national policing surveys. The standing committee report includes eight recommendations in relation to the audit report and on the implementation of the audit recommendations. Today I am tabling the ACT government response to the standing committee report.

The government agrees to all recommendations except recommendation 5, which is noted. Recommendation 5 of the standing committee report is for me to make a statement to the Assembly if the report on the University of New South Wales evaluation is not tabled by the last sitting day in May 2015. I am tabling that report now and will speak about its findings shortly. The government's response noted that all recommendations made by the standing committee are consistent with the action the government was already taking in response to the Auditor-General's audit and the recommendations arising from that audit.

Recommendation 8 of the standing committee report called on the ACT government to inform the Assembly of its position on the matter of hypothecation of revenue from speed enforcement activities directly back to road safety initiatives. Hypothecation of road safety camera revenue is a practice which has been adopted in some jurisdictions, including New South Wales, as a means of addressing concerns about cameras being used for raising revenue.

Directing camera revenue back to road safety sounds impressive but for the ACT it would really just be a drop in the ocean compared with the amount the ACT government spends each year on road safety through road safety infrastructure improvements, vehicle inspections, driver training and testing, road safety awareness and education programs, legislation and policy reforms, and policing. The cost of these functions goes well beyond the approximately \$12 million in penalties from road safety cameras.

The effect that hypothecation has on improving community attitudes is also unproven. However, I suspect that some in our community are unlikely to change their views on cameras no matter what we do. Whatever the case, the best way of changing community attitudes is to get the strategic operation of the cameras right and then be able to show, through evaluations, the effect they have on reducing speeds and crashes.

Improving the community's understanding about the role and use of road safety cameras is also important. The Justice and Community Safety Directorate will implement the recommendations of the Auditor-General's review by publishing and promoting information about the purpose, performance and effectiveness of the speed camera systems. This will include improved community engagement by inviting participation, input and feedback on the use of cameras in the ACT.

The Auditor-General recommended that the government evaluate the ACT road safety camera program and develop and implement a speed camera strategy. In March 2014 it was announced that the University of New South Wales had been engaged to undertake an evaluation of the ACT's road safety camera program. The evaluation was to include an analysis of the camera program as a whole, including its impact on speed and crashes. As well as the statistical analysis, the evaluation was to include a literature review to provide guidance for developing options for improved strategic and operational management and governance, including future and ongoing evaluation of the cameras.

The evaluation found that mean percentile speeds reduced by six to eight per cent on roads with mobile cameras in the first few years after their introduction in 1999. This reduction in speeds coincided with a 25 per cent to 30 per cent reduction in serious injury crashes on roads where the cameras were being used.

A rising trend in serious injury crashes was identified from 2006 when the number of mobile camera operations undertaken in the ACT decreased by around 30 per cent. This was mostly due to ageing camera equipment which became prone to breaking down—an issue which was resolved last year with the replacement of all mobile cameras. This demonstrates that mobile camera enforcement must remain at sufficiently visible levels to ensure the effectiveness of this type of speed enforcement.

The evaluation also showed that serious injury crashes at red light camera intersections dropped. The report does not include a statistical analysis of crash impacts of fixed mid-block cameras as pre-2011 crash data does not accurately identify the crash location on the mid-block. A statistical analysis of crash impacts for point-to-point cameras could not be undertaken as these are recent installations and insufficient data was available for a meaningful analysis.

In relation to the development of a speed camera strategy, work had been progressed in 2012-13 on a draft road safety camera strategy document, which was based on making no significant change to the current arrangements until the existing program was evaluated. Finalisation of that strategy was deferred so that the evaluation of the camera program could be completed to ensure that the strategy would be evidence-based and address the issues raised by the audit report and the evaluation.

The ACT road safety camera strategy, which I am releasing today, was informed by the University of New South Wales evaluation of the ACT's camera program. It addresses the issues raised by the Auditor-General and sets clear objectives for each of the camera types used in the ACT road safety camera program. It also outlines how the effectiveness of the cameras will be improved, measured and monitored to inform future decisions about their use.

One policy change outlined in the strategy is in relation to the fixed mid-block cameras. The original proposal for the use of these cameras in the ACT was based on using them on mid-block sections of road with a history of crashes or high speed offences, consistent with research at the time that the cameras could achieve a local effect at such sites. This is not the basis on which they were subsequently deployed, with the existing sites being selected based on survey data relating to traffic volumes and speeding, and environmental and technical suitability.

The siting methodology for the existing mid-block cameras was intended to provide a general deterrent across the network. However, as noted in the Auditor-General's report, the fixed mid-blocks cannot be used to achieve this effect unless there is a high density of cameras. The audit report indicates this would require one camera for every four kilometres of road.

Any new or relocated fixed mid-block cameras will be deployed in the ACT in accordance with the objective to address locations with a known crash history or that are identified as being high risk. This approach is supported by the University of New South Wales evaluation report, which confirmed the mid-block cameras as having a limited localised effect, rather than a capacity to influence driver behaviour across the road network.

The government will commission an appropriately skilled independent consultant to develop a methodology for identifying locations that are high risk or have a high frequency and severity of crashes for possible future deployment of fixed speed cameras. The government will not relocate any existing fixed mid-block cameras pending the development of an appropriate methodology, which may identify more suitable locations for their operation. Any consideration of relocation of the existing mid-block cameras will take account of the remaining life span of the cameras.

Existing mid-block cameras will be retained at their existing locations as they continue to contribute to localised speed management at these sites. This benefits road safety by reducing the increased crash risk that is known to be associated with higher levels of speed. Retaining the cameras provides a 24-7 enforcement capability at these sites which would otherwise need to be enforced by police or mobile cameras.

The review of siting criteria and of the locations of the existing cameras will be undertaken by a skilled independent consultant. I am pleased to advise that Martin Small Consulting has already been engaged to undertake this review. Martin Small has over 18 years leadership experience in road safety, covering every aspect of road safety management and the full range of intervention options, including road safety cameras.

He is the former chair of the National Road Safety Management Group in New Zealand and former director of road safety in South Australia. He is currently advising the World Bank on speed camera programs, specifically in relation to site selection for use by countries in the Middle East and north Africa. Mr Small will be assisted by Dr Jeremy Woolley, deputy director at the University of Adelaide's Centre for Automotive Safety Research.

As noted, this review will develop revised siting criteria for the cameras, consistent with the ACT road safety camera strategy, and will advise on whether any existing cameras should be relocated to alternative locations, in accordance with revised siting criteria. The review will also look at the siting criteria for point-to-point cameras to ensure that future point-to-point camera sites are located appropriately on roads that are free of major intersections.

The criteria developed will take account of the concern raised by the Auditor-General about the value for money of point-to-point cameras relative to other speed management treatments. The camera strategy notes that the main concern with the existing point-to-point camera locations is the Athllon Drive site, which has two major intersections within the enforcement area.

The locations of the ACT's two existing point-to-point road safety cameras at Hindmarsh Drive and Athllon Drive were selected based on a forward design study undertaken by an independent engineering consultant and subsequent analysis and ranking of a range of potential sites. This work considered the suitability of a range of sites and prioritised potential point-to-point camera locations, based on a fifty-fifty weighting of safety and traffic considerations.

The forward design study recognised that in implementing point-to-point cameras in an urban environment the impact of intersections needed to be considered in selecting sites. In short-listing sites against the ranking criteria, those sites with the least non-free flow intersections per kilometre were ranked more favourably. Sites with more than one non-free flow intersection per kilometre were excluded from consideration. In spite of satisfying the current siting criteria, early analysis of the Athllon Drive site suggests that the intersections located within the enforcement area have limited the effectiveness of the cameras to reduce speeds across the point-to-point enforcement zone.

In conjunction with the expert review of siting criteria being undertaken by the expert consultant, the ACT government will review the locations of the existing point-to-point cameras and consider their relocation to sites where they would make a more effective contribution to road safety outcomes. The review will include an assessment

of the impact of other existing or possible future road infrastructure and traffic treatments and the associated constraints on current or future performance and effectiveness of the cameras. In the meantime the cameras will be left at their current locations. It should be noted they do still continue to make a safety contribution.

One of the key aspects of the new road safety camera strategy is that it will improve the use of mobile speed cameras in the ACT. As I noted earlier, statistical analysis of the impact of the ACT's mobile cameras, undertaken as part of the UNSW evaluation, found that mean percentile speeds on ACT roads with mobile cameras reduced by six to eight per cent in the first few years after the introduction of the cameras and remained at that level for a few years more.

The reduction in speed coincided with a 25 to 30 per cent reduction in serious injury crashes. That is a significant statistic—a 25 to 30 per cent reduction in serious injury crashes—and it is consistent with Nilsson's power model, which provides that a six to eight per cent reduction in speed will result in a 20 per cent reduction in casualty crashes. These types of results are exactly the reason for using road safety cameras on ACT roads: to reduce speeds, to improve safety, and to reduce the terrible trauma that comes from road casualties and fatalities.

Mobile speed cameras are also an aspect of the speed camera strategy that resonates with the community, with ACT community road safety surveys showing that the community considers mobile cameras to be the most effective camera technology to reduce speeding. The UNSW review identified that after several years of the ACT's mobile camera strategy, levels of serious injury crashes on roads with mobile cameras increased to pre-camera levels, coinciding with decreasing and less consistent enforcement at mobile camera sites. The new camera strategy, with a focus on mobile cameras, intends to correct this and to ensure mobile cameras again lead to good road safety results.

Firstly, the ACT government will increase funding to mobile cameras by more than \$1.2 million over the next four years. I expect this will fund an additional four mobile camera operators and increase mobile camera operations on ACT roads by approximately 120 hours per week. Secondly, the mobile cameras will be used to implement a genuine anytime, anywhere approach to speed enforcement. (*Extension of time granted.*)

The Auditor-General's report noted that the ACT's relatively limited number of sites where mobile camera vans may operate is an impediment to the achievement of an anytime, anywhere approach. To address this, I intend to amend the road transport legislation to allow cameras to be used on any road in the ACT. Currently a mobile camera can only be used on a limited number of roads. The new approach will ensure cameras can be generally deployed anywhere, anytime on any road in the ACT.

A mobile camera deployment strategy has also been developed, as recommended by the Auditor-General. The mobile camera deployment strategy provides the framework for improved operation and strategic deployment of the mobile cameras. The deployment strategy will see the mobile cameras deployed to roads across the territory based on three deployment principles. The first deployment principle is to target roads

with a history of crashes and speeding. The second is to use mobile cameras to complement and support police enforcement. The third is to use them on randomly selected roads in support of the anytime, anywhere approach. The split of operations across the three deployment principles will be a third each.

The mobile camera deployment strategy also provides for better targeting of the mobile cameras by using them at locations and times of day when crash rates are higher. For example, on weekends the mobile cameras will be used to target holiday and recreation traffic on roads such as the ACT section of the Kings Highway and Tidbinbilla Road.

As I have said, this mobile speed camera strategy, in conjunction with the other aspects of the government's new road safety camera strategy, is designed to reduce speed, to save lives and to stop injuries. The government has a "vision zero" road safety strategy aiming for the goal of zero fatalities on our roads. Speed kills. It is implicated in a significant proportion of fatal and serious injury crashes on our roads.

ACT Policing reports that speeding was identified as a contributing factor in 31.7 per cent of fatal crashes between 2010 and 2013. It is also the main causal factor in fatal crashes nationally, contributing in about 30 per cent of cases. Road safety cameras are an effective way to reduce speeds and improve safety. This new strategy describes how the government will improve, measure and monitor their effectiveness to ensure they are used in the best possible way to improve road safety.

I conclude by thanking the Auditor-General, the public accounts committee and the University of New South Wales for their respective efforts in helping the government reach this point today. There is still work to be done, but I am confident we are on the right track and that we now have a strategy and plan which will ensure the investment the government has made in camera technology will result in the best road safety outcomes for the ACT community. I have already tabled the government's response. I commend the papers to the Assembly.

Question resolved in the affirmative.

Papers

Ms Burch presented the following papers:

Subordinate legislation (including explanatory statements unless otherwise stated)

Legislation Act, pursuant to section 64—

Building Act and the Construction Occupations (Licensing) Act—Building (General) Legislation Amendment Regulation 2015 (No 1)—Subordinate Law SL2015-14 (LR, 4 May 2015).

Health Professionals Act—Health Professionals (Veterinary Surgeons Fees) Determination 2015 (No 1)—Disallowable Instrument DI2015-61 (LR, 4 May 2015).

Health Professionals Regulation—

Health Professionals (Veterinary Surgeons Board) Appointment 2015 (No 1)—Disallowable Instrument DI2015-64 (LR, 4 May 2015).

Health Professionals (Veterinary Surgeons Board) Appointment 2015 (No 2)—Disallowable Instrument DI2015-65 (LR, 4 May 2015).

Legislative Assembly (Members' Staff) Act—

Legislative Assembly (Members' Staff) Deemed Date of Termination of Employment of Members' Staff 2015—Disallowable Instrument DI2015-76 (LR, 11 May 2015).

Legislative Assembly (Members' Staff) Deemed Date of Termination of Employment of Office-holders' Staff Direction 2015—Disallowable Instrument DI2015-77 (LR, 11 May 2015).

Legislative Assembly (Members' Staff) Members' Hiring Arrangements Approval 2015 (No 1)—Disallowable Instrument DI2015-73 (LR, 11 May 2015).

Legislative Assembly (Members' Staff) Office-holders' Hiring Arrangements Approval 2015 (No 1)—Disallowable Instrument DI2015-75 (LR, 11 May 2015).

Legislative Assembly (Members' Staff) Variable Terms of Employment of Members' Staff Determination 2015 (No 1)—Disallowable Instrument DI2015-71 (LR, 11 May 2015).

Legislative Assembly (Members' Staff) Variable Terms of Employment of Office-holders' Staff Determination 2015 (No 1)—Disallowable Instrument DI2015-72 (LR, 11 May 2015).

Legislative Assembly (Members' Staff) Variable Terms of Employment of Office-holders' Staff Determination 2015 (No 2)—Disallowable Instrument DI2015-78 (LR, 11 May 2015).

Lifetime Care and Support (Catastrophic Injuries) Act—Lifetime Care and Support (Catastrophic Injuries) Regulation 2015—Subordinate Law SL2015-15 (LR, 4 May 2015).

Planning and Development Act—Planning and Development (Protected Matters) Declaration 2015 (No 1)—Disallowable Instrument DI2015-62 (LR, 28 April 2015).

Racing Act—Racing Appeals Tribunal Appointment 2015 (No 1)—Disallowable Instrument DI2015-63 (LR, 28 April 2015).

Business—support

Discussion of matter of public importance

MADAM DEPUTY SPEAKER: Madam Speaker has received letters from Dr Bourke, Mr Doszpot, Ms Fitzharris, Mr Hanson, Ms Lawder, Mr Smyth and Mr Wall proposing that matters of public importance be submitted to the Assembly. In accordance with standing order 79, Madam Speaker has determined that the matter proposed by Mr Hanson be submitted to the Assembly, namely:

The importance of supporting ACT small businesses.

MR HANSON (Molonglo—Leader of the Opposition) (4.08): I am delighted to be able to speak about small business here in the ACT Assembly. I think it is widely recognised in our community that small business is central to the philosophy of the Liberal Party and everything it encompasses in the sense of enterprise and people getting out there and having a go.

Mr Barr: You've got the memo too. Eighteen times in this speech?

Mr Rattenbury: Have a go.

Mr Barr: Have a go, Jeremy.

MR HANSON: I certainly will have a go. I am delighted that those opposite in the Labor Party and the Greens are now repeating the messages being put forward by the Liberal Party. That is a great thing. I hope they acknowledge the great work that has been done by the Liberal Party locally. I hope they decide it is time to let small business have a go. Let us hope we will see that from those opposite. I hope they share with me the view that small business really is in so many ways the driver of our economy, both nationally and locally. For millions of people across Australia, for thousands and thousands of people here in Canberra, supporting small business has to be something that is central to us.

We know that in the ACT the growth of small business, supporting small business, is more important now than ever. The sad reality is that we do not want to be beholden to the public service. I am a strong advocate for the Australian public service. I would never endorse the comments made by former Prime Minister Kevin Rudd that we would want to see a meat axe taken to the Australian public service. I think they were despicable comments. We certainly condemned them at the time; it is disappointing that they were not condemned by the local Labor Party.

After the 14,500 jobs that were cut by Kevin Rudd and then the couple of thousand more by the federal Liberal Party, we have to make sure we have policies in the ACT and nationally that support small business. That is where jobs growth will come from. Jobs, jobs, jobs—that is what this is about. Jobs will be created in this economy through small business. That is not to ignore the role of the university sector and larger businesses or, as I said, the public service. But if we want to get jobs going in this town, particularly for youth, particularly for people perhaps with less education, it is small businesses that are more agile, small businesses that get out there and create growth in our economy.

We need growth in our economy. We know this is a government that is cutting hospital beds. We know this is a government that is cutting resources for police. It is not putting nurses into special schools where they need to go. We need to make sure it is a growing economy that can pay the bills.

In the Liberal Party, this is, as I said, central to our beliefs. We have a shadow minister for small business, Andrew Wall. I look forward to hearing him speak shortly. Andrew Wall comes from small business. Mr Wall is someone who is passionate about small business. Across the opposition benches you will not find a member who does not share these views.

In our town we have many small businesses—the cafes, small builders, small start-ups, techs and so on. They are all facing a difficult environment in the ACT. The Sensis report that was released a while ago makes it very clear that it is the policies of the ACT government that are an impediment to business in this town. As much as Mr Barr and his colleagues come in here and attack the federal government, and complain and whinge and moan, the reality is that when you speak to the people who are involved in business, they will tell you, “Actually, the problem is the local ACT government and their policies.” We see the excessive rates, fees and charges.

Let me tell you about the impact of the increase in rates on businesses locally: it is having a massively detrimental effect. You only need to speak to local small businesses in this town about the fees, charges and rates they are paying, the exponential growth in those rates, fees and charges that are really affecting their ability to operate. We have had a significant number of representations from small business about the impact of those changes. I have a letter—which, if I have time, I will read out—that goes through some of those massive increases that those businesses are facing.

Cutting red tape and providing support for small business are central to what we do. I was delighted at the initiatives put forward for small business in the federal budget handed down by the Treasurer, Mr Hockey, on Tuesday night. Those opposite spend their time attacking the federal government, deriding the federal government. We have seen the comments from Mr Barr—“Toxic Tony” and so on. They wonder why the relationship is not as good as it could be, perhaps, as they are out there smearing and taking every opportunity they can to try and attack the federal government. The reality is that this budget is good news for small business.

Mr Wall interjecting—

MADAM DEPUTY SPEAKER: Mr Wall, you are going to be speaking soon, I believe.

MR HANSON: I was at the federal budget Business Council breakfast on Wednesday morning. There was a good conversation there. It was a very good conversation, because on the stage we had the Minister for Small Business, Bruce Billson, and from the Labor Party we had Bernie Ripoll. What was good was that both sides of the debate were being put forward about the budget. It was great to hear from the Liberal side; it was great to hear from the Labor side. In actual fact, what was good was that Bernie Ripoll commended the government for these initiatives brought forward. He thought they were good. But he had some good insights. He had really useful contributions to make.

As we know, in the ACT we used to have a similar debate. After the ACT budget, the following morning, the Business Council, now the Business Chamber, would have a breakfast. There was an invitation for the Chief Minister and the Treasurer to put their case forward and for the Leader of the Opposition and the shadow treasurer to put their case forward. That happened for years and years—until Andrew Barr became the Chief Minister. What happened? He shut down debate. Why? He was too scared to debate the opposition. He was cowardly in his behaviour; he would not front up and debate. Jon Stanhope was prepared to; Katy Gallagher was prepared to. But Andrew Barr was not.

If you are proud of your budget, if you are proud of your initiatives, surely you would be proud to stand up in front of business in this town and say, “This is what we represent.” Andrew Barr will not do that with the opposition there, because the opposition will point out the failings from the ACT government—which are many.

As I say, this is good news in the federal budget, and it compensates for much of the failure we have seen here locally by the ACT government. We will see the lowest small business company tax rate in almost 50 years. That is great news for small business. There are tax cuts of 1.5 per cent—that is down to 28.5 per cent—for incorporated small businesses with annual turnovers of up to \$2 million. That is fantastic news.

Unincorporated small businesses will get a five per cent tax discount of up to \$1,000 a year. Small businesses can claim an immediate tax deduction for each and every asset purchased up to \$20,000 from Tuesday night through to 30 June 2017. I am sure you would agree, Madam Deputy Speaker, that that is great news for small business. Start-ups will be allowed to immediately deduct professional expenses, providing cash flow benefits, and there are expanding tax concessions for employee share schemes. That is fantastic, I think we would all agree, in terms of immediate tax relief to support cash flow for small businesses. It is their money. They now can actually use their money to spend on developing, enhancing and growing their businesses. That means economic growth, productivity and jobs, jobs, jobs.

The growth we are going to see includes measures to reduce red tape and regulatory impediments that hinder small business growth. There are changes to the fringe benefits tax system which will expand the FBT exemption for work-related portable electronic devices. As I see the Chief Minister on his portable electronic device, as well as Mr Gentleman, I am sure they can appreciate how important that will be to small business. We have seen reforms to capital gains tax. Rollover will enable small businesses to change the legal structure of their businesses without incurring a liability.

The government will consult on potential changes to the Corporations Act to reduce compliance costs and make it easier for small proprietary companies to raise new capital. Start-ups will be immediately able to deduct professional expenses incurred when they begin a business, such as legal expenses for establishing a company trust or partnership, rather than writing it off over five years. Again, this is about cash flow. And it is their money.

Streamlined business registration processes will make it quicker and simpler to set up a new business, and a single online registration site will be developed for business registration, including company registration. And the government will remove obstacles to crowd-sourced equity funding to help promote small businesses’ access to finance by increasing the availability of innovative sources of funding.

From 1 July 2015 expanded tax concessions for employee share schemes will make it easier for small start-up companies to attract and retain the skills and talent that they need to grow.

There is much that needs to be done to support small business, because small business in this town is struggling. As I have been getting around the place to various cafes and restaurants to talk to staff and proprietors, getting out to Mitchell or Fyshwick and talking to people, I know how tough they are doing it.

When the findings of the Regional Australia Institute's [In]Sight data were released, the ACT was ranked 33rd out of 55 for economic diversification and 53rd for "dominance of large employer". On many measures we are being rated poorly comparative to other jurisdictions. We are rated poorly, 47th, for export-import-wholesale activity.

If we want to stimulate small business, if we want to get small business moving in this town, isn't it wonderful, Madam Deputy Speaker—I am sure we would all agree—to see this really strong package, this really concerted package that has, I understand from Mr Billson, been created over a period of detailed consultation with business. These are initiatives in many cases that business wanted. They are now going to enable businesses to operate in a better business environment.

So federally we are on the right track. When it comes to small business, these changes put us on the right track. It is not just me saying that. These were described as fabulous initiatives by sections of the media that were at the budget breakfast. The Labor member there endorsed them; he acknowledged they were good and, I think, congratulated Bruce Billson for the work that he had done. There is always more work to be done, and I know that the federal government has its eye on that.

The problem is one locally. We know that this government has very strong ties to the unions. We know that, for example, United Voice were out with a crowd walking around Kingston, banging, screaming, shouting and complaining about business. That is the sort of spirit that we get from the Labor Party—out there protesting against small business, going around Kingston in a mob, banging, yelling and screaming out, "We'll be back," going around small businesses.

That is not our attitude, Madam Deputy Speaker. We do not want to intimidate small business. We do not want to threaten and pressure small business. We want to help small business. I beseech everybody in this place to do what we can locally and follow the example of those federally to support small business in the ACT.

MR WALL (Brindabella) (4.23): The minister with the closest responsibility for small business is more interested in his iPad than he is in participating in this debate. Hopefully, he will rise to his feet and give assuring words to the business community in Canberra that they will not be beaten with the same stick that this Treasurer has wielded for a number of years now—namely, the stick he uses to increase rates on commercial and residential properties in an attempt to triple people's rates.

Mr Hanson spoke about some of the good news that small business around the country got on Tuesday night when the federal Treasurer Joe Hockey announced his budget. It is good news for business across the country, particularly here in the ACT, where, as I think all members in this place understand, things have been tough for quite some time, going back a good four-odd years to the days of the Rudd-

Gillard-Rudd government. But the initiatives announced on Tuesday will go some way to bringing back the confidence and certainty that those that operate small businesses rely on to invest, develop, innovate, employ and grow.

Most importantly of all, the biggest headline has been the 1½ per cent cut to the company tax rate. This means businesses in Canberra will have more of their own money in their pockets to reinvest into their businesses to potentially create new job opportunities and further invest in this city of ours. The opportunity to instantly write off a company asset purchase up to \$20,000 provides some much-needed stimulus to the business sector across the country. Retail wholesalers that service businesses in the ACT have welcomed this move, as it will certainly bring in the short term an increase in business which will help those green sprouts of confidence germinate and flourish, which is what we all require.

The other very welcome news for small businesses and start-ups in the ACT is the opportunity to deduct professional expenses for setting up a business. That is often one of the most costly exercises—someone has a great idea but how do they get that idea from conception into a market reality? It often takes a lot of professional services and, therefore, fees to establish a business—making sure they have adequate insurance and registrations and setting up premises. Those professional fees being deducted in the first year of operation will be of great benefit to the cash flow of a business in its infancy.

So too will expanding the tax concessions on employee share schemes. Whilst they are attracting the expertise, technical skill and knowledge required to go to the next level, small start-ups often offer part ownership of the business as an incentive so that the right employee can buy in and be a part of the success the business may one day become. Removing the need to pay tax on those shares until such time as they realise an income from them is a common-sense move and will offer greater flexibility for business, particularly in the ACT, which we are trying to promote as a destination for start-ups. It is much-welcomed news.

Businesses in the ACT had the confidence boost they were looking from the federal government in the Tuesday night's budget; what they are now concerned about is the impact of the budget this Chief Minister and Treasurer of the ACT Labor-Greens government will introduce on the first Tuesday in June. We have heard time and again of the impact Mr Barr's so-called budgetary reform—that is, tripling people's rates—is having on people's bottom lines.

Just the other day my colleague Mr Doszpot quoted from a letter we received from a good friend of ours with a business on Newcastle Street in Fyshwick who, in the last two years, has experienced a 35 per cent increase in his rates. From 2009 to 2013 his rates were consistently between \$6,000 and \$7,000 a quarter—usually around \$6,700. We are talking about \$26,000 a year. Jump forward to 2014-15 and he is now paying \$9,227 per quarter. That equates to a 35 per cent increase. With one stroke of the pen, this Treasurer can undo all the goodwill and all the good work done by the federal government on Tuesday night to help support, stimulate and grow small business, not just in the ACT but across the country. With one stroke of the pen it can all be undone, and the lack of confidence, the doldrums, the dark days, the struggle will continue for so many ACT businesses.

That is just one example. I have heard this across Fyshwick from businesses that are in Barrier Street, Yallourn Street, Wollongong Street, Canberra Avenue—they are all experiencing the same unrealistic increases in the cost of doing business on a day-to-day basis. Many of them are now resorting to looking further afield to other areas where they might be able to set up their businesses to avoid paying such unrealistic rates and charges. Businesses that do not need a physical presence in the ACT are packing up shop and moving across the border to Queanbeyan. Our loss is Queanbeyan's gain, and we see that time and again. That is disappointing for our economy and is simply not acceptable.

The budget the ACT Treasurer hands down next month needs to give an incentive to local established businesses as well as those looking to broaden their horizons by looking for new markets to venture into to make the ACT an attractive place to set up and do business from. If we are to diversify the economy effectively, if we are to remove our reliance on public service employment, the Treasurer needs to outline a clear path as to how the ACT is going to be a competitive place to do business compared with other places in our greater region.

There has been a lot of discussion about the region recently, and most of our regional partners are quite happy with the tax reform going on in the ACT because, as I said before, our loss is their gain, and good on them for capitalising on this. We are making decisions that are driving businesses out of town. They are happy to welcome them with open arms because they recognise the benefits not just in direct employment but the flow-on costs as professional services, professional fees and employment increase in their regions and districts.

I lay down the challenge to Andrew—have a go; be encouraging; be fair to business. Have a go at outlining a clear and decisive vision that will encourage business to invest and grow in this city as opposed to using a big stick and driving them out of town and out of business.

MR BARR (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Urban Renewal and Minister for Tourism and Events) (4.32): I welcome the opportunity to speak this afternoon on the importance of supporting ACT small business. As we are all no doubt aware, small businesses represent a large and important part of our economy and our community. Over recent years the Abbott government has created significant impediments for our local business as they have had to operate within a local economy that has been subjected to savage cuts in employment and in commonwealth expenditure. That has undoubtedly flowed through to retail spending and consumer sentiment in the territory. There is no doubt that the federal government has contributed massively to difficulties for local small business.

It is ironic that today the Leader of the Opposition now wants to talk about the federal government's role in supporting small business. They have been bludgeoned for a number of years by cut after cut after cut. This year they have stopped kicking us. We are battered and bruised by the side of the road, and this is apparently something to celebrate. The Liberal Party have been busy systematically destroying the customer

base of small businesses, throwing thousands of people out of work and then wondering why that might have an impact on small businesses in the territory. They have been very busy suppressing wages growth and wondering why anaemic wage growth means there is less disposable income for people to spend in our small businesses. Now we have discovered small business at a national level. This is at least a welcome advance on what has been the policy prescription for the territory from the Liberal Party.

As I noted in the Assembly yesterday, the budget has eased up a little on the beatings of the ACT economy, but there is still a lot of healing required. To help support the healing process and reinvest in growth and investment in Canberra business, the creation of Access Canberra, as announced in December last year, has brought together a range of regulatory functions for the purpose of improving ACT government service, particularly to small business. Access Canberra is playing a pivotal role in reducing the cost of doing business in the territory by providing a seamless customer experience. In this instance, in the simplest of terms, the bureaucrats do the running around behind the scenes, not business owners and employees. We have increased the number of services we make available online, broadened the number of services available from government shopfronts, joined up regulatory activities, coordinated better our events approvals process, streamlined regulation and reduced duplication of processes.

Focusing on making things easier for the customer is what Access Canberra is about. There is no doubt that small businesses are important customers for Access Canberra. To that end they are developing simple, streamlined information services for small business, recognising that many small business owners and operators in the territory do not have time to read pages and pages of legislation or detailed guidance material. They are moving to provide more and more services online so that they are available 24 hours a day, seven days a week to be accessed when it is convenient for small businesses owners. My objective is that Access Canberra is able to provide business with very simple forms that are easy to access and can be filled in and submitted online. Examples include payroll tax forms, outdoor cafe permits and funding agreements for registered training organisations. Access Canberra is working on bringing stamp duty payments, lottery applications and food business licence applications, amongst others, online in coming months.

The government's commitment to support ACT small businesses can also be seen through our business development strategy. A key imperative of growth, diversification and jobs was to create the right business environment to provide a strong and stable foundation for small business to grow. The strategy has delivered a mix of programs and initiatives providing targeted support for these businesses to achieve their aspirations. Over the last three years we have been translating that strategy into action. I was very pleased to report to the Assembly not that long ago that all 26 commitments in that first phase of the strategy have now been implemented.

One of those key commitments was a series of successive payroll tax cuts, which mean that small businesses in the ACT benefit from the highest payroll tax-free threshold in Australia, the most generous payroll tax arrangement in Australia. Increasing the payroll tax-free threshold has delivered a tax cut to small business in

the ACT. Those who have payrolls above the threshold have been given a payroll tax cut of \$25,000. It is interesting Mr Wall never mentions \$25,000-a-year payroll tax cuts when he talks about tax reform.

By raising the threshold, we have removed business entirely from the payroll tax system, and that is the point. We have the highest payroll tax-free threshold, three times that of New South Wales. So for those jurisdictions that have payroll tax thresholds where businesses with payrolls of \$600,000 start paying tax, compared to the ACT's of \$1.85 million, there is a very clear distinction. If you move across the border to New South Wales you will be paying more payroll tax if you are a small business operator. Having the highest payroll tax-free threshold in Australia assists small businesses to grow, and Mr Wall makes my point perfectly. How many small businesses pay payroll tax in the ACT? Not many, because we have the highest payroll tax-free threshold in the nation.

We have made changes to the way the government purchases goods and services to provide better access for local and medium-size enterprises to participate in government procurement. We have established the local industry advocate. If work can be done by local businesses we should ensure we are building capacity and economic activity in our city. It is essential we do not over-engineer our procurement processes to reward certain players ahead of others for no practical reason.

As important as all of this support is, ensuring we are consistent with our program of red tape reduction and regulatory reform is another priority for my government. It is particularly important for small business owners—that is acknowledged—and we want to ensure there is less time spent complying with regulation and more time spent growing businesses. As I have already mentioned, there is no denying that many small businesses have been doing it tough in the wake of the massive cuts made by the commonwealth government. However, our local enterprises and small businesses are resilient. We continue to see many new businesses forming in the territory at a rate faster than a number of states see business formation. Their aspirations and ambitions have not been dulled by the federal attacks of the past two years.

One example I would like to share with the Assembly today is Enabled Employment, a company with a unique approach to using flexible arrangements to enable highly capable people with a disability to find productive and well-paid employment. Enabled Employment is a unique business model that brings together highly capable people with a disability and employers searching for these skill sets.

Mr Wall: You keep holding up this one example. One example! You use it; Joy uses it; Mick used it.

MR BARR: It is disappointing the shadow small business minister seeks to interject and belittle this organisation. This group, as of April 2015, had 1,359 clients for placement, 98 registered employers and 85 jobs advertised. Employers include a range of organisations from high end corporates and government agencies to small and medium-size companies. Its private sector clients include companies like Aspen Medical. Enabled Employment is one of the first businesses to go through the Griffin accelerator program, an initiative of a group of ACT entrepreneurs who are prepared

to fund, support and work with selected companies. The Griffin accelerator recently closed its 2015 round of applications. As I mentioned the other day, a total of 84 were received, more than double the previous year.

The government is building on its business development strategy to support small business. It is putting in place the policy settings that will ensure Canberra continues to be one of the most small business friendly cities in Australia.

Discussion concluded.

Planning and Development (Call-in Power) Amendment Bill 2014

Debate resumed.

MR RATTENBURY (Molonglo) (4.43), in reply: I thank Mr Gentleman in particular for his support on this, and I understand Mr Coe is also supporting the bill. The purpose of the bill is around the fact that call-ins can be very controversial. They are often on issues that receive considerable community discussion. The Greens have the view that a call-in can be used to circumvent public discussion.

Similarly it was motivated by the fact that our experience is that where pre-DA consultation is undertaken it has a positive influence on the outcome of this discussion because, as I said in my opening remarks on this bill when I tabled it, at that pre-DA point the developer perhaps has some greater flexibility and there is room for discussion with the community. Our experience has been that where there is pre-DA consultation there is less controversy, the projects often proceed more quickly and there is a higher level of community satisfaction.

That was the motivation behind the bill—to improve that level of engagement between proponents and the community in particular and to try and overcome some of the shortcomings of call-ins. I think it is well known that the Greens would prefer call-ins to be a disallowable instrument, to give the Assembly a space to oversee the planning minister's powers. That is not something we have been able to garner support for in this Assembly, but it is a case we will continue to make.

Mr Gentleman will be moving a series of amendments and I will speak to those at the time. I am pleased to have been able to work with Minister Gentleman and the planning agency in order to find a way forward that achieves some of the objectives I set out to achieve, even if it is in a different form from what I originally proposed. I will be happy to discuss those matters more at the detail stage. I should possibly make my remarks now, having regard to Mr Coe's continuing absence, but I will let Mr Gentleman introduce his amendments first. I thank Mr Gentleman and other members of the Assembly for their support of the bill.

Question resolved in the affirmative.

Bill agreed to in principle.

Detail stage

Bill, by leave, taken as a whole.

MR GENTLEMAN (Brindabella—Minister for Planning, Minister for Roads and Parking, Minister for Workplace Safety and Industrial Relations, Minister for Children and Young People and Minister for Ageing) (4.45), by leave: I move amendments Nos 1 to 5 circulated in my name together [*see schedule 2 at page 1855*]. I am pleased to move the amendments to the Planning and Development (Call-in Power) Amendment Bill 2014 that have been circulated in my name. The bill was presented by Mr Rattenbury on 18 September last year. I take this opportunity to thank Mr Rattenbury for the work on this bill and for raising related issues. I also thank him and his office for their willingness to talk through the issues it raises with the staff in my directorate.

By way of introduction, I note that the bill relates to the exercise of what is known as the minister's call-in power—that is, the ability of the minister to call in a development application and assess and decide the application. This power is set out in existing sections 158 to 162 of the Planning and Development Act. As members would be well aware, the key consequence of an exercise of this power is that the development application can be decided by the minister rather than the planning and land authority and any such decision is not subject to ACAT merit review.

I also note that the bill relates to the requirement in the act for the proponent to undertake community consultation prior to lodgement of certain prescribed development applications. This is in section 138AE and it applies to certain development proposals only as listed in section 20A of the Planning and Development Regulation. These include projects that are likely to have significant impacts on neighbouring properties, including a residential building with three or more storeys and 15 or more dwellings, a building with a gross floor area of more than 5,000 square metres or 25 metres or more in height, and finally a variation of lease to remove its concessional status. For convenience I will refer to this early community consultation that is already required in the act as “pre-lodgement community consultation”.

The government recognises that the bill of the ACT Greens raises an underlying issue which needs to be addressed. The issue is this: there is a need to ensure as much as practicable that adequate community consultation has occurred prior to any exercise of the call-in power by the minister. Currently the Planning and Development Act does not require a minimum level of public consultation or public engagement prior to the exercise of this power. The government agrees this issue needs to be addressed. The government proposes to do so through government amendments to the existing bill of the ACT Greens. I note that the underlying methodology of the government's approach has been discussed with the office of Mr Rattenbury.

As I have indicated, the government recognises the issue around community consultation but is not able to support the bill in the form that has been presented. The government proposes significant amendments which effectively replace the method used in this bill. The proposed approach is preferred for the reasons which I will outline.

The existing bill from the ACT Greens requires a development proposal to have been subject to pre-lodgement community consultation prior to any exercise of the call-in power. This means that the proponent must have completed the pre-lodgement community consultation before the call-in powers are to apply. If there is no pre-lodgement community consultation then the call-in power cannot apply. This is the effect of new section 158(1A), inserted by clause 5 in the existing bill, in conjunction with amended section 138AE, as amended by clause 4 of the bill.

For the purposes of this restriction on the call-in power, it does not matter whether the pre-lodgement community consultation was done because it was required by the Planning and Development Act or done as a voluntary exercise by the proponent. This is because the existing bill expressly permits a proponent to undertake the prescribed pre-lodgement community consultation even if this is not required by the act. This is the effect of new section 138AE(4) of the existing bill as inserted by clause 4.

The government has the following issues with these features of the bill as it is currently drafted. While it is evident that the Greens bill is about ensuring adequate community consultation on a DA before the minister calls it in, it is the government's view that the requirement for pre-lodgement community consultation does not achieve this. The bill still leaves open an unrestricted potential for the development application to be called in even if the pre-lodgement consultation is arguably insufficient or the post-lodgement public notification of the development application is incomplete.

It is also the government's view that the bill is inflexible in that it does not permit the minister to call in a DA and refuse it in the public interest if the DA did not undergo the prescribed pre-lodgement consultation. This is not only a matter of inflexibility. This requirement as drafted could also detract from the integrity and independence of the minister's call-in process. This is because in some circumstances the bill effectively permits the proponent to control whether the minister can exercise the call-in power or not. A proponent can do this by electing to undertake or not undertake pre-lodgement community consultation. If this consultation is not undertaken the development application cannot be called in.

This issue obviously does not apply if the pre-lodgement consultation is mandatory under the Planning and Development Regulation. However, the potential for this issue to arise in some circumstances is unacceptable. The minister should have an unfettered ability to make a call-in if required in the public interest. The minister should be accountable to the Assembly and the broader community and not be bound by the choices made by the proponent of the development.

Further, I also note the following. The bill includes unnecessary red tape in that it has a provision to permit a proponent to undertake pre-lodgement community consultation. This is not necessary because proponents can already do this and are encouraged to do so. There is no need for this legislative permission. The proposed amendments to the bill recognise the importance of adequate community consultation prior to the exercise of the call-in power but do so in a manner that is more comprehensive and more flexible than the existing bill before the Assembly.

The proposed approach requires the minister to be satisfied that adequate community consultation has taken place before a development application can be considered for a call-in, taking into account the criteria under existing section 159(2) of the act. In summary, existing section 159(2) permits the minister to call in a DA only if the minister is of the opinion that the DA raises a major policy issue that has a substantial effect on a relevant object of the territory plan or involves a possible substantial public benefit. The proposed approach requires the minister to be satisfied that there has been sufficient community consultation to permit the minister to properly assess the criteria under section 159(2). This assessment of community consultation must be based on all relevant circumstances rather than the existence or otherwise of a single procedural step.

Under the proposed approach the minister cannot make a call-in unless satisfied there has been sufficient community consultation, taking into account the nature of the proposal itself as well as a range of other relevant circumstances. This is the effect of new section 158A in proposed new clause 6 in the government amendments and also revised section 159(1) in proposed new clause 7. The minister must also consider whether pre-lodgement community consultation was undertaken, whether DA notification has been undertaken, as well as the overall level of public awareness of and debate on the proposal.

If the minister is not satisfied that sufficient community consultation has taken place, taking into account all of these matters, the minister has a number of options. The minister can either return the DA to the planning and land authority or require an extended period of public notification of the DA. The minister can also direct the planning and land authority to notify specific stakeholders.

The minister can also direct the planning and land authority to require the proponent to provide further information pursuant to existing section 141 of the act. This request for further information could involve a requirement for the proponent to provide more information about community attitudes to the proposal—for example, through further consultation with local neighbours. This and other options are all set out in new section 158B in proposed new clause 6.

Following completion of any such further steps, the minister is able to reassess whether it is in the public interest to call in the matter or not. As I indicated earlier, this is a more comprehensive approach in that it permits the minister to take account of all relevant circumstances determining whether community consultation has been adequate.

The proposed approach is more flexible than the existing bill because it permits a call-in even if community consultation is arguably incomplete, if the public interest so requires. For example, the minister may call in a DA on the basis that the development proposal is self-evidently not in the public interest and should be immediately refused to prevent unnecessary disquiet and uncertainty in the community. *(Second speaking period taken.)*

The proposed approach is also more flexible and more comprehensive because it permits the minister to require further community consultation, following an initial review, prior to a call-in and so permits the minister to take steps to address any shortfall in community consultation to that point. This is a significant measure.

I also note that the government amendments to the bill include a provision to make it clear that the call-in power does not apply to development applications assessable in the code track. This feature is put forward to make this position clear. The relatively minor nature of code track development applications means that these are simply not appropriate for the exercise of the call-in power. This is the effect of proposed amendments in new section 158(1A) in clause 5 of the bill.

For all of these reasons I believe the proposed approach of the government is a more effective and comprehensive method for addressing the underlying issue of community consultation and the exercise of the call-in power. I commend the government amendments to the Assembly and thank members for their assistance.

MR COE (Ginninderra) (4.57): The Canberra Liberals will be supporting the Planning and Development (Call-in Power) Amendment Bill 2014. We have all seen examples of development proposals that are controversial but might have been more palatable for the community if consultation had actually taken place. Local residents and community groups are often better placed than proponents to know the impact of a development in their local area. It is local residents who understand traffic and parking implications from their own day-to-day experience. Local residents are also the ones who have to deal with any negative impacts from a development going into the future. We are not saying, of course, that the local community should necessarily have the final say in every development decision. However, where discussion takes place, proponents and the community can work together and get a better outcome.

This bill is designed to encourage community consultation before a development application is submitted for some DAs. Although the bill does not require community consultation for every development application, community consultation will be a prerequisite for the minister calling in an application. This means that any development application that may be considered controversial should have community consultation to make sure that it is eligible for the minister to then call it in.

The current legislation requires community consultation for the following types of projects: a building for residential use with three or more storeys and 15 or more dwellings, a building with a gross floor area of more than 5,000 square metres, a building or structure more than 25 metres above the finished ground level, or a variation of a lease to remove its concessional status.

Under the provisions of this bill, proponents of these types of projects will continue to have no choice about whether to consult with the community. However, proponents of other types of projects may now be required to consult if they want their project to be eligible for a ministerial call-in. This could have some relevance for any projects under the Mr Fluffy scheme.

This bill proposes to require the same pre-lodgement consultation process as already applies to large projects. This requires a proponent to fill in a form that says that consultation has taken place. The form includes a letterbox drop, a meeting with the community council, a community meeting, or any other possible consultation.

While the bill does require community consultation as a prerequisite for a call-in, it also states that a “defect or irregularity” in community consultation does not affect the validity of a decision about the application. This means that a proponent who genuinely seeks to consult with the community before lodging the development application would not be disadvantaged due to a problem in the consultation process.

The government’s amendments remove the requirement for community consultation as a prerequisite for calling in a development application. Instead, the amendments insert a requirement for the minister to consider whether sufficient consultation has taken place.

This, I think, is actually a fairly significant deviation from the bill that Mr Rattenbury put forward, so in some ways I am surprised that Mr Rattenbury is supporting it. If the minister does not believe the consultation is sufficient then additional information can be sought. The government’s amendments are intended to increase the level of community consultation, but in fact they make it easier for the minister to call in a development application. The minister could decide that a sufficient level of community consultation is no consultation. These amendments do not actually demand increased consultation; they are really just words.

Of course, Mr Rattenbury’s bill is relatively light on too. It is, I think, another example of Mr Rattenbury trying to look like he is doing something in this space. Mr Rattenbury might want to go back to his party and say, “Look what I did with regard to call-ins.” However, I do not think this is actually the action that many people in his party will be requesting that he take.

I think Mr Rattenbury is so desperate to get this bill passed today that he will, in effect, take any amendment that gets put forward by the government—even one that waters down his bill considerably. Mr Rattenbury’s complicity with the government on decisions about Downer, Yarralumla, Telopea Park and many others is making people angry, and I do not think this light-hearted bill is going to change much.

The Canberra Liberals will support this bill today because we believe that the community should have a say in planning matters. That said, the bill will not change much at all, if anything. Encouraging community consultation before a development application is lodged is an important step and something which is already included for most development applications that are likely to cause some concern in the community. This latest bill, if amended, will still, in effect, give the minister the same discretion he has now.

We will watch closely to see whether there are any real changes which come about as a result of this bill.

With regard to the first amendment, it of course removes the requirement for community consultation as a prerequisite for the minister to call in the DA. The clause that this amendment removes is central to the original bill introduced by Mr Rattenbury. The government has raised concerns about the way the original clause operates, particularly when the minister is considering call-ins of a development application when they want to refuse them. However, totally removing this clause appears to be unnecessary.

Madam Assistant Speaker, in conclusion, the opposition will be supporting the bill and supporting the amendments, but we do not expect much to change as a result of this debate.

MR RATTENBURY (Molonglo—Minister for Territory and Municipal Services, Minister for Justice, Minister for Sport and Recreation and Minister assisting the Chief Minister on Transport Reform) (5.04): I will be supporting Mr Gentleman's amendments today. As Mr Coe has just highlighted, it is certainly not what I put forward originally, but I think what this discussion has drawn out—and I welcome this—is a recognition of the Greens' concerns that current legislation does not adequately address the requirements for the planning minister to consider the adequacy of community consultation before using call-in powers. That was one of the things I was trying to achieve with this legislation.

Mr Gentleman spoke about the reservations he had about my draft. Certainly, with the assistance of PCO, Parliamentary Counsel's Office—I acknowledge their contribution—as well as staff in the ACT planning and land authority, we have collaborated to find something that is acceptable to the government and which I think is a step forward.

Mr Coe's remarks were perhaps a bit lacking in generosity but I am actually encouraged and I will now take this matter up further. The Greens have made many attempts over the years to deal with call-in powers, and usually in the votes we have lost 13 to four or 16 to one—whatever the numbers might be. But I am encouraged by Mr Coe's desire to go harder, so I will contemplate what matters I might bring forward and seek support on from the Liberal Party. Mr Coe has indicated enthusiasm for perhaps some stronger steps, and I look forward to building that alliance to improve the planning situation in the ACT.

Nonetheless, I think these steps do move us forward in improving community consultation opportunities in the planning process, particularly when it comes to DAs. As I said in my earlier remarks, it always concerns me—it has concerned the Greens for a long time—that call-ins can be a way of circumventing public discussion and getting around community opposition. Our experience is that pre-DA consultation tends to be a very positive thing in terms of getting better outcomes for projects in neighbourhoods and across the city.

This bill puts the pressure on to get more public consultation, and I think that is a positive. It says to developers, "You need to go out and get this done." Mr Gentleman spoke in detail about the provisions that he has put forward. I do not intend to reiterate

that other than to say that I think this has moved us forward and improved the level of community consultation when it comes to the ACT's planning process—something the Greens have chipped away at over the years. We have had quite a series of bills—Ms Le Couteur was particularly active on this in the last term—over the years that have incrementally improved the ACT's planning laws. This is another example of that, and I am pleased to have secured this progress today.

Amendments agreed to.

MR RATTENBURY (Molonglo) (5.07): I seek leave of the Assembly to propose an amendment which has not been circulated in accordance with standing order 178A.

Leave granted.

MR RATTENBURY: I move amendment No 1 circulated in my name [*see schedule 3 at page 1858*].

Firstly, thank you, members, for leave to circulate this late amendment. I acknowledge that it did come late in the discussion, but, as we worked through the details of the proposals put forward by Mr Gentleman, this did seem a small but valuable amendment. It requires that when the minister decides to call in a development application they are required to report to the Assembly, and there are a number of things set out in the legislation which the minister is required to do at that point. This small insertion requires that the minister also present a summary of community consultation under section 138AE and “section 158B(2)(b) (if any); and” the latter. That latter one particularly relates to where the minister has directed that further consultation be undertaken.

For my mind, this is part of the improvement of the transparency of the process. It will give the rest of the Assembly an indication of what consultation has taken place. If ultimately the Greens' preferred position is that call-ins become disallowable this would be a point at which the Assembly would have the information to help it decide whether it wanted to make a disallowance of that nature. So this is a brief and uncomplicated amendment but one which, as I said, seeks to increase the transparency in the process and ensure that the Assembly and the community are better informed if a call-in power is used.

MR COE (Ginninderra) (5.09): The opposition will be supporting Mr Rattenbury's amendment. I hope it is noted by Mr Rattenbury that we gave him leave despite, of course, this issue from 27 November 2012 being raised by Mr Rattenbury himself. Mr Rattenbury, in terms of the 24-hour rule for bringing an amendment, said:

The consequence of this new standing order will be that if members do not have their amendments ready in time, the debate simply will not proceed; the debate can be adjourned. If members suddenly at the last minute discover an issue, they can come in here and seek the support of the chamber to adjourn the debate. That is a perfectly appropriate way to proceed. It may mean some things take a little longer to get done, but we will not have any last-minute amendments coming into the chamber. I think that will produce better lawmaking in the territory, which is always something I am sure the community will appreciate.

Mr Hanson interjecting—

MADAM ASSISTANT SPEAKER (Ms Lawder): Mr Hanson.

MR COE: That is what Mr Rattenbury said. In response, I said at the time—

Dr Bourke: On a point of order, Madam Assistant Speaker, I draw your attention to the fact that the opposition leader has already been warned twice today by the Speaker for not complying with the standing orders, and that you have again drawn his attention to this.

MADAM ASSISTANT SPEAKER: Thank you, Dr Bourke. As you noted, I had already asked Mr Hanson to be quiet before you rose.

MR COE: On 27 November, in response, I said:

We do not think this is reasonable and we do not think it is possible. I think we have all seen in this place many occasions where amendments are brought on closer than 24 hours to the discussion of the relevant issue. However, that is for good reason. In effect, rather than having debates on this chamber floor, the government want to have debates, they want to have discussions, they want to have deals done in the back room rather than in the transparency of this place.

Once again we see a Greens proposal that would have gone to the branch meeting in early December—perhaps at the Christmas party—or in November or December 2012. They would have waved around the standing orders and said, “Look, on day one we have already got something done.” The Canberra Liberals said it was not workable, and here we are proving in this place that Mr Rattenbury’s rules are not workable.

I see a certain synergy between the standing orders, that discussion we had on 27 November 2012 and the call-in bill we have before us today. In effect, not much is going to change. The only outcome we are going to get as a result of this is Mr Rattenbury turning up to the main meeting of the Greens and waving around his call-in powers bill, which has been amended to give the minister, in effect, the same discretion he had before, yet Mr Rattenbury gets a run on the board.

So, Madam Assistant Speaker, we will allow this amendment to go through, but, like so much of what Mr Rattenbury does, it is simply noise.

Amendment agreed to.

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

Bill, as amended, agreed to.

Adjournment

Motion by **Mr Gentleman** proposed:

That the Assembly do now adjourn.

Project Box Seat

MR COE (Ginninderra) (5.13): I rise this afternoon to talk about Mr Cliff Armitage PSM OAM and his charity, Project Box Seat. Project Box Seat is a charity which provides a state-of-the art entertainment unit for seriously ill children and their families. The unit contains a large television and a surround sound system, as well as several videogame consoles and the most up-to-date DVDs and games.

The system is provided free of charge to families across the ACT and New South Wales for a month at a time upon referral from medical staff and other charities working with children. For seriously ill children and their families, the fun and enjoyment of the latest videogames, DVDs and online movies provide welcome relief from the day-to-day struggles that they face.

On top of this, the charity maintains a set of entertainment gear at the Canberra Hospital and a collection of movies and books at the Leukaemia Foundation respite house. Project Box Seat is also flexible in its endeavours and has previously provided relief to a terminally ill parent as well as to families who lost their homes in the 2003 bushfires.

The charity was started 15 years ago by Mr Cliff Armitage, a former lawyer and public servant, who played a very influential role in the Howard government's gun buy-back scheme. Project Box Seat was originally managed through the auspices of Camp Quality, although control now has moved on to the Anglican Diocese of Canberra and Goulburn.

Mr Armitage got his idea for Project Box Seat after lending his DVD collection to his next-door neighbours. The neighbours had a severely disabled son, and they found the DVD collection to be really helpful. From that moment Mr Armitage and Project Box Seat have been providing entertainment to children right across our region.

One of the biggest challenges faced by Mr Armitage is the rapidly changing technology market. In order to provide the best possible entertainment, something with a wow factor, Project Box Seat must continue to update their equipment. Today's top-of-the line curved HD LED-LCD smart televisions bear no resemblance to the old-fashioned tube television, and children are no longer playing Mario Kart on Nintendo 64.

To ensure that Project Box Seat continues to thrive, Mr Armitage has worked tirelessly to raise funds, mostly through book fairs, so that the project can continue to amaze children. He needs to raise about \$57,000, and I am hopeful that this speech will in part increase awareness of what Mr Armitage is doing so that some generous Canberrans might be able to contribute to this very worthy cause.

The charity survived a scare last year when its centrepiece item, a curved LG TV, was damaged irreparably. Thankfully, WIN News were able to bring some media to the charity's plight, and Westfield Canberra kindly donated \$6,000 to meet some of the costs. Mr Armitage is now looking for partners in order to help him continue to raise funds.

Finally, in order to encapsulate the work of Mr Armitage, I thought I would read a testimonial from a family whose young daughter suffered from cancer. The testimonial reads:

We have had the most wonderful time—thank you so much for offering us this experience. We have enjoyed having the DVD collection and the surround sound as it is like being at the movies! We have also had lots of fun on the Wii and the Playstation—especially the Wii ... It has been a fun thing for the girls to play with—as we don't go to too many fun play centres ... so it was great that the fun stuff came to us.

Project Box Seat and Mr Cliff Armitage bring much joy to seriously ill children in our region. I commend to the Assembly Mr Armitage and his charity and I encourage all members to visit the project's website at www.projectboxseat.com.

Roads—Gundaroo Drive

MS FITZHARRIS (Molonglo) (5.17): I rise this evening to speak about duplicating Gundaroo Drive in Gungahlin, which I have been working hard to see prioritised in the 2015-16 ACT budget. Gundaroo Drive is a bottleneck that frustrates many Gungahlin residents on a daily basis, is the scene of frequent rear-end accidents and is a particular bottleneck between Mirrabei Drive and Gungahlin Drive. Duplicating this road will take a lot of pressure off surrounding suburbs, particularly in the morning peak period and on Saturday mornings, which always gets worse over the winter sport season.

The design work was completed a couple of years ago and I understand the duplication can get underway as soon as funding becomes available. That is why I am pushing to see it funded in the 2015-16 budget.

I also know that Gungahlin residents want this road duplicated as a priority. I know because they told me in the community survey conducted by the Gungahlin Community Council at the end of last year and they told me in person at my first GCC meeting as an MLA on 11 February this year. The message was clear. So I asked the meeting whether they would like me to start a petition and they said yes. That is how the community petition started, to show just how much community support there is for this project.

I have held a number of mobile offices around the Gungahlin area since becoming an MLA and on some days people have lined up to sign. They have told me that duplicating Gundaroo Drive would greatly improve the local community and make it easier to get around. Over the last four months I have collected more than 1,000 signatures for this petition and I was proud this morning to be able to present the petition to the minister for roads, Minister Gentleman. And I would like to thank Minister Gentleman for listening to the Gungahlin community about local roads. His leadership in this vital part of our transport system is good for all of Canberra.

More than most, Mr Gentleman knows the importance of roads. That is why he also recently announced a third lane for Gungahlin Drive southbound to ease pressure on

Gungahlin commuters in the morning peak period and why he continues to invest in roads around the territory. With more than 1,000 signatures I believe it is clear that duplicating Gundaroo Drive should get underway in this year's budget.

I am proud to be part of the ACT Labor government that has a long-term plan to make our roads and public transport network more sustainable by maintaining high quality roads, funding an efficient bus system, investing in walking and cycling infrastructure and starting vital work on a light rail network.

While our roads are essential and we must ensure they meet the needs of communities as they grow and change, we cannot keep building more and more roads. For our longer term future, we must start to invest in new forms of transport. A fully integrated public transport system will deliver better options for people commuting across our city, and capital metro will go a long way to addressing some of the congestion issues on our roads.

But we still need to address some of the structural issues with our roads as soon as possible. It is no secret that Gungahlin is the fastest growing area in Australia, and the total population of the region is expected to reach 55,450 by 2019. This means that congestion on our roads will get worse. It is already costing the ACT community more than \$100 million each year.

These are some of the issues I have regularly raised with the minister and the directorate as a local Gungahlin member, and I hope I have made it clear that Gungahlin residents would like the ACT government's budget to address some of these issues.

The duplication of Gundaroo Drive should be a priority, and the first stage of this project should be the duplication between Mirrabai Drive and Gungahlin Drive, a particular bottleneck. This is a vital piece of road infrastructure for the Gungahlin region. With the completion of Majura Parkway, Horse Park Drive in particular will also have heavier use. Design of the duplication of Horse Park Drive also needs to get underway as soon as possible. Of course, the ACT government must deliver a responsible budget and invest evenly across our city and support communities at different times in their development.

Finally, I would like to thank the 1,033 people who signed the petition for their support. As I said in my first speech to the Assembly, I commit to be an MLA who listens, advocates, explains and leads. This is one of the key priorities for the Gungahlin community, and I hope I have done right by them in listening, advocating and leading in the Assembly on this important project.

Question resolved in the affirmative.

The Assembly adjourned at 5.21 pm until Tuesday, 2 June 2015, at 10 am.

Schedules of amendments

Schedule 1

Annual Reports (Government Agencies) Amendment Bill 2014

Amendments moved by the Chief Minister

1

Clause 5

Page 5, line 7—

omit clause 5, substitute

5

Responsible Minister to present annual report Section 13 (1) and (2)

substitute

- (1) The responsible Minister for an annual report must present the report to the Legislative Assembly—
 - (a) within 15 weeks after the end of the reporting year (the *15-week period*), and on the day (if any) declared under subsection (2); or
 - (b) if the 15-week period coincides with all or part of the pre-election period for a general election of members of the Assembly—on the 2nd sitting day after the election is held.
- (2) The Chief Minister may declare that an annual report to which subsection (1) (a) applies must be presented to the Legislative Assembly on a stated day that is within the 15-week period.

2

Clauses 6 and 7

Page 5, line 12—

omit clauses 6 and 7, substitute

6

Section 13 (4)

omit

If an annual report has not been presented to the Legislative Assembly before the last 7 days of the 3-month period for the report,

substitute

If an annual report to which subsection (1) (a) applies has not been presented to the Legislative Assembly before the last 7 days of the 15-week period,

7

Section 13 (4) (a) and (c) (i)

omit

3-month period

substitute

15-week period

3

Proposed new clauses 7A to 7E

Page 5, line 21—

insert

- 7A** **Section 13 (6), new definition of *pre-election period***
insert
pre-election period—see the *Electoral Act 1992*, dictionary.
- 7B** **Extension of time for presenting annual reports**
Section 14 (2)
substitute
- (2) An application for an extension must be made before the end of the period in which, or day when, the report is required under section 13 to be presented to the Legislative Assembly or given to the Speaker.
- 7C** **Section 14 (6)**
omit
3-month period
substitute
15-week period
- 7D** **Section 14 (7)**
substitute
- (7) The statement mentioned in subsection (3) must be presented to the Legislative Assembly before the end of the period in which, or day when, the report is required under section 13 to be presented to the Legislative Assembly or given to the Speaker.
- 7E** **Section 14 (8)**
omit
- 4**
Clause 8
Page 6, line 1—
omit clause 8, substitute
- 8** **Presentation of annual reports of Office of the Legislative Assembly and officers of the Assembly**
Section 15 (2)
substitute
- (2) The Speaker must present the report to the Legislative Assembly—
- (a) within 15 weeks after the end of the reporting year; or
- (b) if the 15-week period coincides with all or part of the pre election period for a general election of members of the Assembly—on the 2nd sitting day after the election is held.
- 5**
Clause 9
Page 6, line 8—
omit clause 9, substitute
- 9** **Section 15 (3)**
omit

However, if the report has not been presented to the Legislative Assembly before the last 7 days of the 3-month period for the report,

substitute

If an annual report to which subsection (1) (a) applies has not been presented to the Legislative Assembly before the last 7 days of the 15 week period,

6

Proposed new clauses 9A and 9B

Page 6, line 12—

insert

9A Section 15 (3) (a) and (c) (i)

omit

3-month period

substitute

15-week period

9B New section 15 (6)

insert

(6) In this section:

pre-election period—see the *Electoral Act 1992*, dictionary.

7

Schedule 1, part 1.12

Amendment 1.16

Page 11, line 16—

omit amendment 1.16, substitute

[1.16] Sections 6 (5), 8 (2) and 31 (3)

omit

8

Schedule 1, proposed new part 1.19A

Page 13, line 11—

insert

**Part 1.19A Public Interest Disclosure
Act 2012**

[1.24A] Section 45

omit

Schedule 2

Planning and Development (Call-in-Power) Amendment Bill 2014

Amendments moved by the Minister for Planning

1

Clause 4

Page 2, line 10—

[oppose the clause]

2

Proposed new clause 4A

Page 3, line 21—

*insert***4A Representations about development applications
Section 156 (3), new note***insert*

Note 2 The Minister may direct the planning and land authority to extend the public notification period (see s 158B (2) (b)).

3

Clause 5**Proposed new section 158 (1A)**

Page 3, line 27—

omit

unless the proponent of the development proposal to which the development application relates has complied with the requirements for community consultation in accordance with section 138AE (1) to (3) (Community consultation for development proposals).

substitute

in relation to an application for a development proposal in the code track.

4

Proposed new clause 6

Page 3, line 31—

*insert***6 New sections 158A and 158B***insert***158A Minister to consider level of consultation before considering development applications**

- (1) The Minister must not consider an application referred to the Minister under section 158 (1) unless the Minister is satisfied that the level of community consultation carried out by the proponent of the development proposal to which the application relates is sufficient to allow the Minister to form an opinion under section 159 (2).
- (2) In making a decision under subsection (1), the Minister—
 - (a) must consider the following:
 - (i) the nature of the development proposal;
 - (ii) whether the proponent has undertaken community consultation in accordance with section 138AE (Community consultation for certain development proposals);
 - (iii) whether the authority has publicly notified the development application under division 7.3.4 (Public notification of development applications and representations) and, if so, the kind of the notification;
 - (iv) if the authority has publicly notified the application under division 7.3.4, any representations the authority has received in response to the notification;

- (v) the level of community awareness, discussion and debate in relation to the development proposal;
- (vi) the information and documents given to the Minister by the planning and land authority under section 158 (4) and section 158B (2) (b) (if any); and

Examples—par (vi)

- 1 information about whether the proponent carried out community consultation other than in accordance with s 138AE
- 2 the written notice required under s 138AE (4)
- 3 information about the outcome of community consultation carried out by the proponent
- 4 any advice received from an entity under s 149

Note An example is part of the Act, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

- (b) may consider any other relevant information.

158B Action if insufficient community consultation

- (1) This section applies if—
 - (a) an application is referred to the Minister under section 158 (1) (Direction that development applications be referred to Minister); and
 - (b) the Minister is not satisfied that the proponent of the development proposal to which the application relates has undertaken sufficient community consultation in relation to the proposal.
- (2) The Minister must—
 - (a) refer the application back to the planning and land authority for further action and decision; or
 - (b) direct the authority to do either or both of the following:
 - (i) extend the public notification period under section 156 (3) (Representations about development applications) for a stated period and, if the Minister considers it necessary, tell stated people about the extended notification period;
 - (ii) ask the proponent, under section 141 (Authority may require further information—development applications), to give the authority stated further information in relation to the development application.

Example

information about community attitudes towards the development proposal

Note An example is part of the Act, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

- (3) The authority must give the Minister any additional information and documents it receives under subsection (2) (b).

5

Proposed new clause 7**Page 3, line 31—***insert*

7

Minister may decide to consider development applications**Section 159 (1)**

substitute

- (1) This section applies in relation to an application—
- (a) referred to the Minister under section 158 (Direction that development applications be referred to Minister); and
 - (b) in relation to which the Minister is satisfied that the level of community consultation carried out by the proponent of the development proposal to which the application relates is sufficient to allow the Minister to form an opinion under subsection (2).
-

Schedule 3

Planning and Development (Call-in Power) Amendment Bill 2014

Amendment moved by Mr Rattenbury

1

Proposed new clause 6

Page 3, line 31—

insert

6

After Minister decides referred development applications

New section 161 (2) (f)

insert

- (f) a summary of community consultation under section 138AE and section 158B (2) (b) (if any).
-

Answers to questions

Health—Lyme disease (Question No 382)

Mr Hanson asked the Minister for Health, upon notice, on 17 March 2015:

Noting the progress report on Lyme disease in Australia by the Australian Government's Chief Medical Officer dated 31 July 2014 which recognises that there are patients suffering from a Lyme-like syndrome in Australia and stating the federal Department of Health will maintain an interest in Australian Lyme disease-like syndrome and act as a point of contact within Australian Government for state and territory authorities, how is the ACT Government (a) consulting with the Australian Government on monitoring Lyme disease, (b) managing patients suffering from Lyme-like syndrome and (c) providing current information on Lyme-like syndrome.

Mr Corbell: The answer to the member's question is as follows:

(a) Since July 2014, the Australian Government has been monitoring Lyme disease, in consultation with the states and territories, through the Communicable Diseases Network Australia. Before July 2014, the Australian Government's Chief Medical Officer had established a Clinical Advisory Committee on Lyme Disease (CACLD) to provide advice on the evidence for Lyme disease in Australia, diagnostic testing, treatment and research requirements. Although the CACLD ceased in July 2014, the outcome of its four meetings is available at: <http://www.health.gov.au/internet/main/publishing.nsf/Content/ohp-cacld-lyme-disease.htm#consultations>

(b) The ACT Government agrees with the position of the Australian Government Department of Health on Lyme Disease, which is that doctors must always use their best clinical judgement as to the cause of any illness their patients may be experiencing and act accordingly.

(c) The Australian Government Department of Health maintains an interest in an Australian Lyme disease-like syndrome. Updates on the department's work and relevant research findings on Australian Lyme disease-like syndrome are available at: <http://www.health.gov.au/internet/main/publishing.nsf/Content/ohp-lyme-disease.htm>.

ACT Policing—failed prosecutions (Question No 389)

Mr Hanson asked the Minister for Police and Emergency Services, upon notice, on 24 March 2015:

How much has ACT Policing spent on costs awarded against them for failed prosecutions in the (a) 2010, (b) 2011, (c) 2012, (d) 2013 and (e) 2014 calendar years.

Ms Burch: I am advised by ACT Policing that the answer to the member's question is as follows:

SUMMARY BY CALENDAR YEAR COST OF FAILED PROSECUTIONS	
2010	\$156,816.47
2011	\$311,960.05
2012	\$445,277.92
2013	\$427,534.56
2014	\$404,264.81
Grand Total	\$1,745,853.81

*Accurate as of 9 April 2015

Canberra Institute of Technology—Auslan (Question No 393)

Mr Doszpot asked the Minister for Education and Training, upon notice, on 24 March 2015:

- (1) What advertising, including when, where, what cost and what frequency, was undertaken by and on behalf of CIT for the (a) Certificate II, (b) Certificate III, and (c) CIT Solutions 2015 Auslan courses.
- (2) How many expressions of interest did CIT receive for the Certificate II in 2015 and how were they processed/advised.
- (3) Is CIT planning to offer a Certificate III in 2016; if so, (a) from where will students come, given there are no Certificate II students this year.
- (4) If the course is ending its certification and this is an issue for CIT, is the Minister able to say how other TAFEs manage this issue.
- (5) What steps has CIT taken to ensure certification is continued for Auslan courses.
- (6) What is the usual process for courses that require renewal of their certification and is it usual practice for such courses to continue being taught while the necessary steps are taken to re-establish the certification; if so, which courses/how many/how often does this happen.
- (7) Does CIT get funded for a certain number of hours of Auslan classes; if so, (a) how many hours/amounts involved, (b) how many students does the funding cover, (c) who provides the funding and (d) what happens to the funding if the courses don't proceed.
- (8) Will the Minister provide the full breakdown of expenses relating to how much CIT has spent on Auslan classes each year for the past 10 years on delivering the (a) Certificate II course, (b) Certificate III course and (c) CIT Solutions community Auslan course.

- (9) How many hours of teaching is involved in one year of (a) Certificate II course, (b) Certificate III course and (c) CIT Solutions courses.
- (10) How many Auslan-using deaf students are enrolled at CIT in 2015.
- (11) How many Auslan-using deaf students were enrolled in 2014 and 2013 and (a) what courses were they enrolled in and (b) what is the gender breakdown.
- (12) Does CIT employ Auslan interpreters; if so, how many.
- (13) How many hours of interpreting did CIT use in (a) 2010, (b) 2011, (c) 2012, (d) 2013 (e) 2014 and how many hours of interpreting are projected for 2015.
- (14) What qualifications does each interpreter used by and at CIT have and are they CIT staff or external consultants; if CIT, are they full time or part time.
- (15) What qualifications are teachers in the Auslan courses required to have.
- (16) Are all lecturers engaged in teaching Auslan fully qualified in accordance with required standards.

Ms Burch: The answer to the member's question is as follows:

- (1) (a and b) It is not common practice for CIT to promote individual courses across its 400 programs offerings. CIT did advertise the Certificate III in the CIT 2015 Course Guide which was available from 30 August 2014 (open day) and in December 2014 and January 2015 as outlined below.
 - Print advertisements appeared in the Canberra Weekly publication on Thursday 18 December 2014 and Thursday 22 January 2015.
 - Print advertisements appeared in the Chronicle publication on Tuesday 16 December 2014 and Tuesday 20 January 2015.
 - "Whole of Government" online advertising appeared on Tuesday 16 December 2014 and Tuesday 13 January 2015.
- (c) The total cost of advertising for the Auslan courses was \$2,292.93. The Auslan program was included in the course listing on the CIT website throughout 2014 and 2015. CIT Solutions does not advertise its Auslan courses separately to other short courses. It advertises all upcoming short courses twice a year in a brochure inserted in the Canberra Times print publication. It also has a list of email subscribers that it contacts regularly throughout the year advising of upcoming courses, short courses and accredited training courses. Information regarding all CIT Solutions short courses is available on their website and periodically promoted through the whole of government online message.
- (2) CIT does not keep official EOI lists for all its courses. At the end of January 2015, a list compiled by staff in that area contained the names and contact details of 37 persons who had expressed interest in the Certificate II in Auslan in the previous year. On the week of 10 February 2015 CIT attempted to contact each person named on the list.

The officer was able to make contact with 24 of the people on the list. When possible, a message was left (with the officer's contact details) when the person could not be contacted. Of those contacted, 14 continued to express an interest in studying Auslan at

CIT, three people indicated that the CIT Solutions short course was better suited to their requirements and seven said they were no longer interested in studying Auslan at CIT.

- (3) CIT cannot offer the current accredited Certificate III in Auslan in 2016 to new students. The Auslan Certificate II and Certificate III courses previously delivered by CIT expire on 31 December 2015. Applicants must have successfully completed the Certificate II in Auslan or be able to demonstrate equivalent skills before being accepted into the Certificate III course.
- (4) The accredited Auslan course delivered by CIT expires at the end of 2015. A project considering the reaccreditation for the Auslan qualifications has commenced, coordinated by deafConnect Ed (Victoria) and Government Skills Australia. CIT is monitoring the outcome of this process. It is up to each TAFE institution to manage the delivery of its courses.
- (5) CIT is not in a position to ensure “certification” is continued for the current Auslan courses. The Auslan program was developed and proposed for accreditation by the Kangan Institute in Victoria. It was accredited by the Victorian Registration and Qualifications Authority until 31 December 2015. The Kangan Institute ceased teaching the Auslan program in 2013. Reaccreditation of the Auslan courses is a matter for the Victorian consortium (including deafConnect Ed) which has taken over delivery of the Auslan program and Government Skills Australia.
- (6) The majority of non fee-for-service courses offered by CIT are part of nationally recognised training packages, whereas the Auslan program was accredited by the Victorian Registration and Qualifications Authority. The Industry Skills Councils responsible for national training packages usually have any new training package in place before the review date of outdated training packages.
- (7) Funding for Auslan training is included in CIT’s yearly Training Profile referred to in the Statement of Intent agreed with Government and funded through budget appropriation. The Training Profile is a listing of courses on offer in the forthcoming academic year and an estimate of the training hours to be provided for each course.
 - (a) Over the past few years CIT has allocated between 7,000 and 10,000 training hours to Auslan.
 - (b) The funding covers training hours (as described above) not a number of students. Students enrol in individual Auslan units. A student might enrol in only one unit in a program, or several units. Some students have progressed to complete an entire program, such as the Certificate II in Auslan. Training hours for Auslan are relatively small based on low student demand and low unit and program completion rates.
 - (c) The funding allocated under CIT’s yearly Training Profile is provided by the ACT Government through the ACT budget.
 - (d) If the CIT does not offer a course, any funds allocated for that course may be redistributed to other courses in high demand.
- (8) CIT estimates that total direct teaching delivery costs to run the accredited Auslan programs are in the order of \$100,000 per annum with additional support costs in terms of supervision, teaching resources, teaching support, curriculum support etc. on top of the direct teaching component.

- (9) CIT is paid on curriculum hours for structured learning which includes class time, self-managed learning (online and elearn access), and other course requirements. Curriculum hours are:
- a) Certificate II 450 hours
 - b) Certificate III 460 hours
- Auslan 1 and 2 at CIT Solutions offer 12 hours of class time delivered over six weeks based on fee-for service course.
- (10) Currently at CIT in 2015 there are 16 Auslan-using deaf students.
- (11) In 2013 there were 12 Auslan-using deaf students enrolled at CIT. In 2014 there were 17 Auslan-using deaf students enrolled at CIT. Due to the small number of students, identifying gender and course enrolments cannot be provided as this may impact on the privacy of the students.
- (12) CIT currently has one employee (Education Advisor - Disability) who is also an accredited interpreter. Up to half of this employee's time is spent interpreting in Auslan. CIT also currently employs four interpreters on a casual, part time basis as required. On occasions when employed interpreters are not available, CIT engages an interpreter through Auslan Services.
- (13) Details of Auslan interpreting hours used by CIT are as follows:
- (a) 2010 estimate 430 hours
 - (b) 2011 estimated 438 hours
 - (c) 438 hours in 2012
 - (d) 253 hours in 2013
 - (e) 232 hours in 2014
 - (f) In 2015 projected hours for Auslan interpreting services at CIT are 250.
- (14) Auslan/English interpreters employed by CIT are required to be NAATI (National Accreditation Authority for Translators and Interpreters) paraprofessional or professional interpreters. CIT employs a full time Education Advisor - Disability who is also an accredited interpreter. Interpreting for Auslan-using deaf students involves approximately half the Advisor's working hours per week. CIT currently employs four interpreters on a casual, part time basis as required.
- (15) As a registered training organisation, all teachers at CIT are required under the Standards for Registered Training Organisations 2015 to:
- (a) have vocational competencies at least to the level being delivered and assessed
 - (b) relevant industry skills
 - (c) current knowledge and skills in vocational training
 - (d) Certificate IV in Training and Assessment or equivalent competencies.
- (16) Yes.

**Skywhale—Global Ballooning contract
(Question No 399)**

Mr Smyth asked the Chief Minister, upon notice, on 25 March 2015:

- (1) In relation to the *Skywhale*, what investigations did the Government carry out regarding the normal commercial terms around purchasing and operating a special shape balloon and what were the findings.
- (2) Why was Australia's largest operator of special shape balloons not contracted for advice.
- (3) What due diligence was conducted on Global Ballooning as to their suitability for owning, scheduling and operating the asset prior to transferring ownership to them and what were the findings.
- (4) Did staff at Events ACT have any pre-existing relationships with Global Ballooning prior to awarding the contract to manage and own the *Skywhale*; if so, (a) what is the nature of these relationships and (b) were conflict of interest considerations applied.

Mr Barr: The answer to the member's question is as follows:

- (1) After consideration of various options for the ownership and management of a hot air balloon, including advice from the ACT Government Solicitor's Office and conducting a risk and value for money assessment, it was agreed that ownership by a hot air balloon company was an appropriate way to reduce the risks associated with ongoing maintenance and operation.

Up to three staff from Procurement Shared Services were embedded in the Centenary of Canberra team to assist and manage its procurement activities, since November 2010. Informed by the ACT Government Solicitor's Office advice, Procurement staff assisted in the development of a procurement plan that was endorsed and approved by all relevant delegates.

- (2) A request for proposal for a feasibility study for design and manufacture of a balloon was sent to five companies with expertise in special shaped balloons.
 - Kavanagh Balloons
 - Cameron Balloons
 - Firefly Balloons
 - Ultramagic Balloons
 - Lindstand Hot Air Balloons Ltd

One submission was received, from Cameron Balloons. Cameron Balloons was engaged to provide a feasibility report, which determined the balloon shape was feasible.

Request for Proposal for commission and operation of the balloon was sent to three companies, targeting companies from south east Australia and based on consultation with stakeholder, local balloon enthusiasts and industry experts. Two submissions were received and assessed before Global Ballooning was determined successful. Global Ballooning manufactures the significant majority of specialised balloons across the world.

- (3) Global Ballooning was assessed by the Centenary's Tender Evaluation Team as having a clearly demonstrated capacity and experience with the operational elements of the Statement of Requirements issued for the balloon project. This demonstrated

capacity is the result of over 25 years' experience in the ballooning industry, including operating special shaped balloons such as the Monsters Inc special shaped ballooning tour, the Liberty Financial special shaped balloon tour and the Encyclopaedia Britannica Schools tour.

- (4) Events ACT staff were not involved in the procurement and contracting process for The Skywhale. Events ACT was part of the Economic Development Directorate at that time.

**ACTION bus service—kilometres travelled
(Question No 404)**

Mr Coe asked the Minister for Territory and Municipal Services, upon notice, on 26 March 2015:

- (1) What was the total number of kilometres travelled by ACTION buses during the financial year 1 July 2013 to 30 June 2014.
- (2) What was the total number of kilometres travelled by ACTION buses during the financial year 1 July 2013 to 30 June 2014 when buses were dead running.

Mr Rattenbury: The answer to the member's question is as follows:

- (1) The total number of kilometres travelled by ACTION buses during the financial year 1 July 2013 to 30 June 2014 was 28,770,581 kms.
- (2) The total number of kilometres travelled by ACTION buses during the financial year 1 July 2013 to 30 June 2014 when buses were dead running was 5,437,640 kms.

**Housing—rentals
(Question No 416)**

Ms Lawder asked the Minister for Housing, upon notice, on 7 May 2015:

How does the ACT Government plan to:

- (1) Increase the supply of affordable rental housing in the ACT.
- (2) Reduce the rental costs for low to moderate income households in the ACT.
- (3) Encourage large-scale investment and innovative delivery of affordable rental housing in the ACT.

Mr Barr: The answer to the member's question is as follows:

- (1) Increase the supply of affordable rental housing in the ACT.

The Government has implemented a number of measures to increase the supply of affordable rental housing in the ACT. These include:

- Participating in the National Rental Affordability scheme (NRAS). The ACT secured incentives for a total of 2,446 dwellings.
- Establishing of Community Housing Canberra (CHC) as a not-for-profit entity independent of government. CHC has delivered 367 homes for affordable rental as at December quarter 2014.
- Reducing land tax on rental properties with an average unimproved land value between \$75,000 and \$390,000, to improve the supply of standalone houses and units available for rent.

Since 2011-12 the overall number of both standalone houses and units available for rental in the ACT has increased by 3,894.

(2) Reduce the rental costs for low to moderate income households in the ACT.

As outlined above, the ACT has implemented a number of measures to reduce the rental costs for low to moderate income households by improving the supply of affordable rental properties.

(3) Encourage large-scale investment and innovative delivery of affordable rental housing in the ACT.

The ACT has encouraged further institutional investment in affordable rental properties participating in the National Rental Affordability Scheme.

As part of the NRAS, the ACT secured incentives for a total of 2,446 dwellings.

The ACT currently has a total of 1,322 properties operating under the NRAS. Of these, around 947 have been delivered through the ANU, 226 through CHC and 174 through the University of Canberra. Around 25 properties are no longer subsidised.

The average weekly rent paid by those in NRAS properties is \$290, with a subsidy of \$128 provided. The total annual value of the subsidy in NRAS properties is currently \$8.9 million.

Questions without notice taken on notice

Kangaroos—cull

Mr Corbell (*in reply to a question by Mr Wall on Thursday, 7 May 2015*): The fertility control research project will cost \$530 000 over two years. This figure includes the cost of a Senior Fauna Ecologist, a Research Officer as well as materials and equipment to carry out the research.

The Territory and Municipal Services Directorate 2014 conservation cull was delivered at a cost of \$365 678. This figure includes the cost of a program co-ordinator, staff overtime costs, contractor costs and incidental costs associated with delivery of the program.

Health—private medical records

Mr Corbell (*in reply to a question and supplementary questions by Mr Smyth and Mr Hanson on Thursday, 7 May 2015*): Both companies apply Australian Privacy Principles (APPs) contained in the *Privacy Act 1988* to all transcription activities.

There is a confidentiality agreement with Ozescribe which clearly documents their obligations in relation to confidentiality under Australian legislations. This includes protection from unauthorised disclosure and binds all employees and contractors.

Under the Terms and Conditions of the Agreement with Pacific Solutions, all information is managed in line with the APPs. Again, this covers all employees and sub-contractors.

ACT Health is unable to stipulate that the work is required to be conducted only in the ACT due to specialised requirements for transcription. The demand for services is higher than skilled workforce availability.

As stated above, both companies have provided assurances that they abide by the APPs and thereby ensure the confidentiality of personal health data of Canberrans.

Other specialties within Canberra Hospital and Health Services outsource transcription services due to the need to provide timely responses and meet demand.

The two companies previously stated, Ozescribe and Pacific Solutions are also the providers for these services.