The Assembly met at 10 a.m., pursuant to adjournment. The Speaker (Mr Rattenbury) took the Chair and asked Members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

2 UNPARLIAMENTARY LANGUAGE—STATEMENTS BY MEMBERS—STATEMENT BY MINISTER
Mr Hargreaves, by leave, made a statement regarding unparliamentary remarks made by him last week.
Mrs Dunne, Ms Gallagher (Chief Minister), Mr Coe and Mr Seselja (Leader of the Opposition), by leave, also made statements in relation to the matter.

3 JUSTICE AND COMMUNITY SAFETY—STANDING COMMITTEE (PERFORMING THE DUTIES OF A SCRUTINY OF BILLS AND SUBORDINATE LEGISLATION COMMITTEE)—SCRUTINY REPORT 38—STATEMENT BY CHAIR
Mrs Dunne (Chair) presented the following report:
Justice and Community Safety—Standing Committee (performing the duties of a Scrutiny of Bills and Subordinate Legislation Committee)—Scrutiny Report 38, dated 27 June 2011, together with the relevant minutes of proceedings—and, by leave, made a statement in relation to the report.

4 ESTIMATES 2011-2012—SELECT COMMITTEE—REPORT—APPROPRIATION BILL 2011-2012—GOVERNMENT RESPONSE—MOTION TO TAKE NOTE OF PAPER
Ms Gallagher (Treasurer) presented the following paper:
and moved—That the Assembly takes note of the paper.

Debate ensued.

Mr Corbell (Manager of Government Business) moved—That debate be adjourned.

Question—put.

The Assembly voted—

**AYES, 10**

Mr Barr  Mr Hargreaves  Mr Coe
Dr Bourke  Ms Hunter  Mrs Dunne
Ms Bresnan  Ms Le Couteur  Mr Hanson
Ms Burch  Ms Porter  Mr Seselja
Mr Corbell  Mr Rattenbury  Mr Smyth

**NOES, 5**

And so it was resolved in the affirmative.

Question—That the resumption of the debate be made an order of the day for a later hour this day—put and passed.

5 **COMMUNITY GARDENS—STATEMENT BY MINISTER—PAPER—STATEMENT BY MEMBER**

Mr Corbell (Minister for the Environment and Sustainable Development), by leave, pursuant to the resolution of the Assembly of 9 March 2011, made a statement regarding community gardens and presented the following paper:

Community gardens—Draft site selection criteria.

Ms Le Couteur, by leave, also made a statement in relation to the matter.

6 **ERINDALE AND KAMBAH MASTER PLANS—STATEMENT BY MINISTER—STATEMENTS BY MEMBERS**

Mr Corbell (Minister for the Environment and Sustainable Development), by leave, pursuant to the resolutions of the Assembly of 9 December 2009 and 25 August 2010, made a statement regarding the Erindale and Kambah Master Plans, respectively.

Ms Le Couteur and Mr Seselja (Leader of the Opposition), by leave, also made statements in relation to the matter.

7 **PLANNING AND BUILDING LEGISLATION AMENDMENT BILL 2011**

The Assembly, according to order, resumed consideration at the detail stage.

**Detail Stage**

Clause 1 debated and agreed to.

Remainder, of Bill, by leave, taken as a whole and agreed to.

Question—That this Bill be agreed to—put and passed.

8 **GAMING MACHINE (CLUB GOVERNANCE) AMENDMENT BILL 2011**

The order of the day having been read for the resumption of the debate on the question—That this Bill be agreed to in principle—
Debate resumed.

Question—That this Bill be agreed to in principle—put and passed.

**Detail Stage**

Clause 1 agreed to.

Mr Barr (Minister for Gaming and Racing), pursuant to SO182A(b), was granted leave to move three amendments together.

Clause 2—

On the motion of Mr Barr, his amendment No. 1 (see Schedule 1) was made.

*Paper:* Mr Barr presented a supplementary explanatory statement to the Bill.

Clause 2, as amended, agreed to.

Clauses 3 to 8, by leave, taken together and agreed to.

Clause 9—

Mr Smyth moved his amendment No. 1 (see Schedule 2).

Debate continued.

Question—put.

The Assembly voted—

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<th>AYES, 5</th>
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<tr>
<td>Mr Coe</td>
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<td>Ms Burch</td>
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<td>Mr Corbell</td>
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And so it was negatived.

Clause 9 agreed to.

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

Clause 18—

On the motion of Mr Barr, by leave, his amendments Nos. 2 and 3 (see Schedule 1) were made together, after debate.

Clause 18, as amended, agreed to.

Clause 19 agreed to.

Clause 20 debated.

Question—put.

The Assembly voted—

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<tr>
<th>AYES, 10</th>
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<tbody>
<tr>
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<td>Mr Seselja</td>
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<td>Mr Smyth</td>
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And so it was resolved in the affirmative.
Clause 21 agreed to.
Clause 22—
Ms Hunter moved her amendment No. 3 (see Schedule 3).
Debate continued.
Question—put.
The Assembly voted—

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<tr>
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<tr>
<td>Mr Corbell</td>
<td>Mrs Dunne</td>
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And so it was negatived.
Clause 22 agreed to.
Clause 23 agreed to.
Remainder of Bill, by leave, taken as a whole and agreed to.

Question—That this Bill, as amended, be agreed to—put and passed.

9 QUESTIONS

Questions without notice were asked.

10 PUBLIC ACCOUNTS—STANDING COMMITTEE—REPORTS 15 AND 14—FAILURE TO PROVIDE GOVERNMENT RESPONSES—EXPLANATIONS

Ms Le Couteur (Chair), pursuant to temporary order 254A, asked Ms Gallagher (Chief Minister) and Mr Barr (Minister for Economic Development) for explanations concerning Government responses to the following reports of the Standing Committee on Public Accounts:
Ms Gallagher and Mr Barr, respectively, gave explanations.

11 PRESENTATION OF PAPERS

The Speaker presented the following papers:
Bimberi Youth Justice Centre—Human Rights Audit into conditions—Privilege matters, pursuant to the resolution of the Assembly of 23 June 2011—Copy of letter from the Clerk of the Legislative Assembly to the Speaker, dated 28 June 2011.
Ms Gallagher (Minister for Health) presented the following paper:

Alexander Maconochie Centre—External component of the evaluation of drug policies and services and their subsequent effects on prisoners and staff within the Alexander Maconochie Centre—Final report, prepared by the Burnet Institute—Final Government response—

and moved—That the Assembly takes note of the paper.

Debate ensued.

Question—put and passed.

Ms Gallagher (Treasurer) presented the following paper:


and moved—That the Assembly takes note of the paper.

Debate ensued.

Question—put and passed.

Ms Gallagher (Treasurer) presented the following papers:

Financial Management Act—

Pursuant to section 14—Instrument directing a transfer of funds within the Health Directorate, including a statement of reasons, dated 22 June 2011.

Pursuant to section 16A—Instrument authorising appropriation for payment of accrued employee entitlements within the Cultural Facilities Corporation, including a statement of reasons, dated 23 June 2011.

Pursuant to section 17—Instruments, including statements of reasons, varying appropriations relating to Commonwealth funding to:

Housing ACT, dated 21 June 2011.

Legal Aid Commission (ACT), dated 21 June 2011.

Pursuant to section 19B—Instruments, including statements of reasons, varying appropriations related to:

Health and Hospital Fund—Health Directorate, dated 22 June 2011.


National Disaster Resilience Program, the Natural Disaster Mitigation Program and the Bushfire Mitigation Program, dated 21 June 2011—and, by leave, made a statement in relation to the papers.

15  **HUMAN RIGHTS ACT—DECLARATION OF INCOMPATIBILITY—** _BAIL ACT 1992—GOVERNMENT RESPONSE—PAPER—MOTION TO TAKE NOTE OF PAPER_

Mr Corbell (Attorney-General) presented the following paper:

Human Rights Act, pursuant to subsection 33(3)—Declaration of incompatibility—_Bail Act 1992_, section 9C—Government response—and moved—That the Assembly takes note of the paper.

Debate adjourned (Mrs Dunne) and the resumption of the debate made an order of the day for the next sitting.

16  **A.C.T. CORRECTIVE SERVICES AND ALEXANDER MACONOCHELIE CENTRE—REVIEWS—GOVERNMENT RESPONSE—PAPER—PAPER NOTED**

Mr Corbell (Attorney-General) presented the following paper:


Debate ensued.

Question—put and passed.

17  **PRESENTATION OF PAPER**

Mr Corbell (Minister for Territory and Municipal Services), pursuant to the resolution of the Assembly of 9 March 2011, presented the following paper:

Territory land—Maintenance—Government response.

18  **PRESENTATION OF PAPER**

Ms Burch (Minister for the Arts) presented the following paper:

Cultural Facilities Corporation Act, pursuant to subsection 15(2)—Cultural Facilities Corporation—Quarterly report 2010-2011—Third quarter (1 January-31 March 2011).

19  **PRESENTATION OF PAPER**

Ms Burch (Minister for Community Services) presented the following paper:

20 BIMBERI YOUTH JUSTICE CENTRE—REVIEWS INTO 5 FEBRUARY 2011 INCIDENT—GOVERNMENT RESPONSE TO RECOMMENDATIONS—MINISTERIAL STATEMENT—PAPER NOTED

Ms Burch (Minister for Community Services), by leave, made a ministerial statement concerning recommendations contained in the reviews into the 5 February 2011 incident at Bimberi Youth Justice Centre and presented the following paper:


Ms Burch moved—That the Assembly takes note of the paper.

Debate ensued.

Question—put and passed.

21 SUSPENSION OF STANDING AND TEMPORARY ORDERS—CONSIDERATION OF ASSEMBLY BUSINESS

Mr Corbell (Manager of Government Business) moved—That so much of the standing and temporary orders be suspended as would prevent order of the day No. 7, Assembly business—Report of the Select Committee on Estimates 2011-2012 and the Government response to the Select Committee on Estimates, to be called on and debated cognately with order of the day No. 3, Executive business—Appropriation Bill 2011-2012.

Question—put and passed, with the concurrence of an absolute majority.

22 APPROPRIATION BILL 2011-2012

The Assembly, according to order, resumed consideration at the detail stage.

Detail Stage

Schedule 1—Appropriations—Proposed expenditure—

Part 1.1—Legislative Assembly Secretariat—$7163000 (net cost of outputs), $233000 (capital injection), $5713000 (payments on behalf of Territory), totalling $13109000—debated and agreed to.

Part 1.2—ACT Executive—$6394000 (payments on behalf of Territory), totalling $6394000—debated and agreed to.

Part 1.3—Auditor-General—$2214000 (net cost of outputs), totalling $2214000—debated and agreed to.

Adjournment negatived: It being approximately 6 p.m.—The question was proposed—That the Assembly do now adjourn.

Ms Gallagher (Chief Minister) requiring the question to be put forthwith without debate—

Question—put and negatived.

Part 1.4—Chief Minister’s Directorate—$37471000 (net cost of outputs), $10364000 (capital injection), totalling $47835000—
Debate continued.
Ms Gallagher (Treasurer) moved her amendment No. 2 (see Schedule 4).

Papers: Ms Gallagher presented the following papers:
Supplementary explanatory statement to the Government amendments.
Debate continued.
Amendment agreed to.
Proposed expenditure, as amended, agreed to.
Part 1.5—Territory and Municipal Services Directorate—$270 991 000 (net cost of outputs), $235 826 000 (capital injection), totalling $506 817 000—debated.
Debate adjourned (Mr Corbell—Minister for Territory and Municipal Services) and the resumption of the debate made an order of the day for the next sitting.

23 ADJOURNMENT
Mr Corbell (Manager of Government Business) moved—That the Assembly do now adjourn.
Debate ensued.
Question—put and passed.
And then the Assembly, at 10.53 p.m., adjourned until tomorrow at 10 a.m.

MEMBERS’ ATTENDANCE: All Members were present at some time during the sitting.
SCHEDULES OF AMENDMENTS

Schedule 1

GAMING MACHINE (CLUB GOVERNANCE) AMENDMENT BILL 2011

Amendments circulated by the Minister for Economic Development

1
Clause 2 (1)
Page 2, line 6—

after

commences

insert

, or is taken to have commenced,

2
Clause 18
Proposed new section 147B (1)
Page 9, line 2—

after

satisfied

insert

on reasonable grounds

3
Clause 18
Proposed new section 147C (1) (b)
Page 9, line 20—

after

satisfied

insert

on reasonable grounds
Schedule 2

GAMING MACHINE (CLUB GOVERNANCE) AMENDMENT BILL 2011

Amendments circulated by Mr Smyth

1
Clause 9
Proposed new section 53B
Page 5, line 7—

\[\text{omit}\]

2
Clause 20
Page 10, line 17—

[\text{oppose the clause}]
Schedule 3

GAMING MACHINE (CLUB GOVERNANCE) AMENDMENT BILL 2011

Amendments circulated by Ms Hunter

1
Clause 18
Proposed new section 147B (1)
Page 9, line 2—

    after
    satisfied
    insert
    on reasonable grounds

2
Clause 18
Proposed new section 147C (1) (b)
Page 9, line 20—

    after
    satisfied
    insert
    on reasonable grounds

3
Clause 22
Section 164 (3), definition of contribution, proposed new paragraph (b) (xvi)
Page 11, line 20—

    omit

    , other than a payment required under section 163A (1)
    (Required payment to problem gambling assistance fund)

4
Clause 23
Page 12, line 1—

    [oppose the clause]
Schedule 4

APPROPRIATION BILL 2011-2012

Amendments circulated by the Treasurer

1 Clause 9 (a) (iv)
Page 4, line 8—

omit clause 9 (a) (iv), substitute

(iv) Chief Minister and Cabinet Directorate;

2 Schedule 1, part 1.4
Page 6—

omit schedule 1, part 1.4, substitute

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3 Schedule 1, part 1.13
Page 7—

omit schedule 1, part 1.13, substitute

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4 Schedule 1, part 1.15
Page 7—

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<th>283 761 000</th>
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5 Schedule 1
Page 8—

omit

Total appropriated to agencies
substitute

| Total appropriated to agencies | 2 532 743 000 | 1 207 781 000 | 459 362 000 | 4 199 886 000 |

6 Schedule 2, column 1
Page 9—

omit

Chief Minister’s Directorate

substitute

Chief Minister and Cabinet Directorate

7 Schedule 2, column 1
Page 9—

omit

Sustainable Development Directorate

substitute

Environment and Sustainable Development Directorate