



Debates

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Legislative Assembly for the ACT

TENTH ASSEMBLY

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Monday, 15 August 2022

MADAM SPEAKER (Ms Burch) (9.00): Members:

Dhawura nguna, dhawura Ngunnawal.
Yanggu ngalawiri, dhunimanyin Ngunnawalwari dhawurawari.
Nginggada Dindi dhawura Ngunnaawalbun yindjumaralidjinyin.

The words I have just spoken are in the language of the traditional custodians and translate to:

This is Ngunnawal Country.
Today we are gathering on Ngunnawal Country.
We always pay respect to Elders, female and male, and Ngunnawal Country.

Members, I ask you to stand in silence and pray or reflect on our responsibilities to the people of the Australian Capital Territory.

Chief Minister

Motion of no confidence

MS LEE (Kurrajong—Leader of the Opposition) (9.01): I move:

That this Assembly no longer has confidence in the Chief Minister, Mr Andrew Barr MLA.

The opposition has lost confidence in the Chief Minister and this Labor-Greens government. This is a fractured government, a deeply divided government, a shambolic government. We bring this motion today because we have lost confidence in the Chief Minister's ability to guarantee supply and to deliver a stable coalition government.

Earlier this month, the Chief Minister delivered a budget that does not have the full support of his government. We know this because Mr Rattenbury, the ACT Greens leader, senior cabinet minister and Expenditure Review Committee member, made the extraordinary admission on the night of the budget that he does not fully support his government's budget and that the Greens would move against certain items of expenditure. Let me read the words of Mr Rattenbury:

There are some elements of this budget that we do not support.

He went on to say:

As such, for the first time, the ACT Greens will move to amend the Budget on the floor of the Assembly to vote against this item.

This is truly extraordinary! Mr Rattenbury and the Greens have said that they do not support elements of Mr Barr's budget. If this is truly an issue of principle for the Greens, they will not be able to support an unamended appropriation bill. Mr Barr does not have the support of his own cabinet for his budget. What this means is that confidence must be tested in the Chief Minister's ability to deliver supply.

The confidence of the parliament to pass a budget is a fundamental requirement of a government.

This extraordinary and shambolic situation creates three possible outcomes: the Greens back away from their position and, in doing so, admit that they are phoney, they are unprincipled and they are sell-outs to their Labor Party political masters; the Chief Minister concedes to the Greens, admitting that it is, in fact, the Greens that hold all the power; or the budget fails, and Mr Barr cannot and must not remain Chief Minister. Regardless of which way this goes, the split in this government is untenable!

The ability to pass the budget and guarantee supply is the most fundamental of duties of a government—without so, the government literally cannot function! This fractured government is falling apart. Ministers are now indicating that they will be voting against their own government! This cannot and must not go on. The Chief Minister has lost control of his government and we have lost confidence in this Chief Minister.

This entire debacle is an insult to everything we know about good government. The position now held by Mr Rattenbury and the ACT Greens is contrary to the Parliamentary and Governing Agreement, which all Labor and Greens MLAs are a signatory to. This agreement requires Labor and Greens MLAs to:

Guarantee support for the passage of the Appropriation Bills—

and:

Agree to work together as a Cabinet and Government.

Those opposite are doing anything but!

This situation makes a complete joke of the Expenditure Review Committee, which is made up of the Chief Minister, the Deputy Chief Minister and Mr Rattenbury as Attorney-General and leader of the Greens. The role of the Expenditure Review Committee is to oversee the budget process and consider all expenditure, revenue, capital, savings, and investment proposals. The committee's recommendations are then proposed, and final agreement to decisions must be ratified by cabinet ministers. Mr Rattenbury's ongoing role on this committee cannot and must not continue.

This position also totally undermines the principle of cabinet solidarity; the bedrock principle of our Westminster system that, once cabinet has made a decision, all cabinet ministers are expected to support the decision publicly. The federal parliament's *Cabinet Handbook* provides an important guidance on why cabinet solidarity is so important, and I quote:

A Westminster-style Cabinet is defined by adherence to the principles of collective responsibility and Cabinet solidarity. These principles are the binding devices that ensure the unity of purpose of the government and underpin the formulation of consistent advice.

But Mr Rattenbury and the Greens have thrown all these principles of good governance and good government out the window, and, as such, the ability of this government is irreparably undermined and damaged.

The Greens, with just 13.5 per cent of the vote in the ACT, are holding the government to ransom. For more than a decade in government, and with the balance of power, the Greens have not used this weapon to hold their government colleagues to account. This is the first time. So it begs the question from the public: why haven't the Greens used this power to make demands about the declining number of public housing properties, the alarming rates of poverty, Aboriginal and Torres Strait Islander disadvantage, or a failing health system that sees patients being treated in the corridors? Why haven't the Greens used this power to make demands about the violence and toxic materials in our schools, the eye-watering cost-of-living pressures facing some of most vulnerable, the housing affordability crisis for purchasers and renters, and the homelessness that is plaguing our city?

Is the Canberra public really to believe that, despite all these matters of vital importance to our community, it is this item that they are using this weapon? Is it this item that they are exercising this nuclear option for? Are we really to believe this? Are we really to accept this?

For government ministers to state publicly that they will not support the government's budget is untenable. The opposition has lost confidence in the Chief Minister's ability to guarantee supply and deliver his budget—and so too have the Greens, if they can be taken on their word. But, as we know, the Greens have demonstrated time and again that they are willing to bend, twist, and compromise on their principles—or simply throw these principles straight out the window!—so as to maintain their compromised grip on power. The Greens have demonstrated time and time again that their alliance with the Labor Party is above the people and the communities that they seek to represent.

But this is an extraordinary step; to publicly announce that they will vote against certain items of expenditure in a budget that they themselves helped prepare. This goes against the 10th Parliamentary and Governing Agreement; this goes against the workings of the government's Expenditure Review Committee, of which Mr Rattenbury is a member; and this goes against the Greens' position in cabinet. When any coalition government is formed, there is always a guarantee of supply, because guarantee of supply is fundamental to stable government. But what we are seeing with this announcement by the Greens is anything but; it is the complete opposite of that.

The opposition has lost confidence in the Chief Minister's ability to guarantee supply and deliver his budget, and now it is obvious that the Greens have also. If the Greens are true to their word, they must support my motion of no confidence against the Chief Minister.

I commend my motion to the Assembly.

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Economic Development and Minister for Tourism) (9.12): The government will be opposing the motion before the Assembly this morning. There is no basis for it. It is petty and pointless. It has no chance of succeeding. Let us be clear: the Greens party have not threatened to block supply, nor have they lost confidence in

the government of which they are part. Minister Rattenbury has already clearly confirmed this. He did this on the very day this shallow and superficial motion was tabled. So, instead of wasting the Assembly's time today with doomed no confidence motions that add absolutely no value to anything, we should be focused on delivering for Canberrans. That is the government's priority.

After extensive examination during the estimates process—if and when that begins—the appropriation bills will be debated in detail in this place during the October sittings, and I confidently predict that they will receive the support of the Assembly. The opposition will vote against them, as they vote against all good initiatives for the people of Canberra delivered through the annual budget process. They are on the record every single year as voting against the budget. Through the appropriation bills, the government will continue to deliver on the priorities that we have agreed and that we have released to the public through the Parliamentary and Governing Agreement.

This no confidence motion has no basis and should not be supported.

MR RATTENBURY (Kurrajong) (9.13): The Greens do not support this no confidence motion, as I flagged when we last met. We have confidence in the Chief Minister. We think this government is functioning well and, as I have already made clear, we support the budget.

We reject this motion from Ms Lee. It is another attempt to oppose and attack the government. That is clear, and that is what oppositions do. And I suppose it is to be expected even more during budget week, when public attention for the opposition can be a little scarce. I think we would all much prefer to see policy ideas from the Liberal Party which we can discuss and debate, rather than these sorts of oppositional stances. I am sure the community would like to see that as well.

The motion also reflects the blinkered and stubborn refusal of the Liberal Party to understand or accept the idea of multiparty governments and to disavow the way this government functions, even though it has been serving the community very well. Maybe it serves their political strategy, or maybe they just cannot countenance a more flexible democracy. But the Liberal Party needs to accept how this government functions.

We have a government made up of two different political parties. We Greens have different ideas and different policies to Labor. I think that is understood. Yet we cooperate, debate and govern in the interests of Canberrans. We have disagreements and sometimes we formally do not support the other's position. That has happened plenty of times throughout this Assembly, in public—through amendments in the Assembly or through votes on motions. Members of the Liberal Party know this.

Sometimes cabinet members disagree, even formally, as Greens and Labor have done on the funding for the racing industry, on Ms Clay's vulnerable road user amendment earlier this year or on a variety of issues throughout the previous Assemblies. Sometimes Greens crossbenchers bring new ideas into this Assembly through bills and motions or campaign on other issues. This is our multiparty Assembly functioning democratically.

There are even processes for disagreement set out in the Parliamentary and Governing Agreement and in the *Cabinet Handbook*. I was amused by Ms Lee offering her interpretation of the parliamentary agreement. I reckon I understand better how it works than she does, having been one of the authors.

It is expected that two parties governing will not always agree on everything, and a parliamentary agreement accommodates that. The two parties do expect to maintain their own identity and voice. Despite the differences, the two governing parties also have shared policy goals. We have been cooperating well. We have advanced many important policy areas, as I set out in my recent budget speech: issues like climate change, housing and justice reinvestment. We are stable, progressive, government serving the people of Canberra.

Just less than two years ago the community voted in very strong numbers for the government we have today, having seen the multiparty government in operation for many years. The government still functions well, and I would say that this invigorating dynamic makes it a much better government than a majority government might be.

As I outlined in my budget speech, there are many ideas being progressed by the government—progressive nation-leading ideas—that are Greens policies and Greens election promises. We are proud and we are helping to implement these in a thoughtful and sensible way.

I would very surprised if Ms Lee is reflecting community sentiment in any way at all with this motion. Is the community really out there saying, “Oh, the Greens opposed funding for the horse racing industry. That must mean the entire government should be dismantled, they cannot govern, and Ms Lee should be installed as Chief Minister immediately”? I do not hear anyone saying that.

Mr Barr: Well, there are about six people who think that, and perhaps not even all of them!

MR RATTENBURY: Fair point, Chief Minister. But no-one wants or expects the government to dissolve just because the two parties disagree on a singular issue. It has happened plenty of times before, and it will probably happen again in the future. The community continues to benefit from having a stable government, but also a government that challenges each other with policy ideas, with debates and sometimes with disagreements. The government works in a way that is much more thoughtful and flexible seemingly than the Liberal Party can comprehend.

The Greens are voting against the budget funding for the racing industry. The Liberal Party can join us to amend the budget if they wish. Over five years, we could instead invest some of that money into housing and homelessness, climate change or many other important areas of priority. The Greens will support the remainder of the budget, however. It advances several significant environmental and social policies that are very important for our community: issues like the transition of fossil fuel gas; the transition to zero emission vehicles; record investment in homelessness; significant investments in affordable housing, health and justice reinvestment.

I am very interested to see if the Liberal Party will in fact vote against the budget and vote against all of this important investment for the community. Yet, when challenged, it seems they will vote to give significant subsidies to the racing industry, making very clear where the Liberal Party's real priorities lie.

To conclude, the Greens will not support this motion. We support the Chief Minister. We support the budget, except for one specific allocation of funding. We continue to have a flexible and functioning multiparty government that is achieving good and important outcomes. We will not support this motion from the Liberal Party. It is not even grounded in reality about how the government works. We prefer to get back to the business of working on policies that will benefit Canberrans.

MR HANSON (Murrumbidgee) (9.19): I rise to support this motion. I commend Ms Lee for bringing it forward. As much as the Greens and the Labor Party seek to dismiss it, the fact that the government, the Labor Party, is going to have to come, cap in hand, to the Liberal Party to pass elements of its own budget is unprecedented and untenable. Ms Lee has made that case.

Mr Rattenbury is trying to dismiss that and say, "No, this is just the way that we do business." If you go to the *ACT Cabinet Handbook*, that is not the way this is meant to be bolted together. It makes it very clear that there is a process to exempt Green ministers from cabinet solidarity:

c) vote against the proposal in the Assembly (other than for the ordinary annual appropriation Bills of government).

Now if this were some nonsense motion from Mr Pettersson that we, sort of, debate in here as a course of business, and the Greens vote for it or against it, that is one thing; this is not that. This is the appropriation! This is the government coming forward with something that should be about running this territory. It should be in unity and must be. For the Greens to be split on this is untenable.

The Labor Party used to believe this, Madam Speaker. The Labor Party, before it became infected with the Greens and did everything it could just to stay in power, used to believe this. If you do not believe me, listen to Mr Stanhope when he was the leader of the party—back when the Labor Party, Madam Speaker, used to stand for something. When he led the Labor Party to victory, Mr Stanhope said—Madam Speaker, those opposite all laugh! They all think it is funny. It is extraordinary that the Labor Party think that their previous longest-serving Chief Minister is a joke! That is what they think. That is how far the Labor Party have distanced themselves from their roots, from when they used to stand for something, when they used to stand for principles, back when they were in opposition, back in 2001, in the time before the Labor Party would do anything just to maintain power, doing deals with the Greens. Even when they have deals and they break those deals, they vote to support what is going on here today.

This is what Mr Stanhope said, back in 2001, about ministers who are thinking about voting against their own government:

This is quite a clear breach of all notions of ministerial responsibility and of cabinet solidarity—a fundamental Westminster principle that when the cabinet acts, when the executive acts, it is clearly understood that it is acting as a unit. It is only in that way that a cabinet or an executive can be held accountable to the Assembly, to the legislature, and through the legislature to the people, for its actions.

That is the fundamental principle of notions of cabinet solidarity and ministerial responsibility. It is perhaps the only device by which an executive can be held responsible to a legislature. What measure of accountability can there be of an executive—that is, the government, the cabinet—if on particular issues the member is simply hived off and says, “Look, I’ll accept responsibility for this decision, but I won’t accept responsibility for that decision.”

It actually dilutes and diffuses the possibility of an executive being held appropriately accountable if the members of the executive, the members of the cabinet, can simply pick and choose which particular items of government decision-making they are prepared to be responsible or accountable to the legislature of the people for, and then decide, “Well, you know, I didn’t really like this very much; I’ll adopt a public position ...

This is exactly what is happening, isn’t it, members? This is exactly what is happening! Mr Stanhope said:

... and then decide, “Well, you know, I didn’t really like this very much; I’ll adopt a public position. I’ll appeal to my particular constituency in the electorate on this particular issue by saying ‘Well, I’m a member of the cabinet, I’m a member of the executive, but I don’t like this particular policy initiative, so I’ll stand down from it’.”

This is what is happening here.

Back when the Labor Party used to believe in the principles of Westminster government, when they actually stood for something, that is the position that they took. That situation is exactly what is happening here.

So it was okay for the Labor Party in opposition, back in 2001, to adopt that position. But Mr Barr now, and Mr Rattenbury now, do not think that is valid. Why is that? Why is that? I think if you looked back to 2001 and saw who voted for that particular item on the notice paper, you will see that all the members of the Labor Party would have supported that! Now, they are more interested in voting to support their shored-up relationship with the Greens; even if it breaches their own ACT handbook on cabinet conventions, and even if it breaches every Westminster convention that this parliament should be acting in accordance with!

If you go to the Australian *House of Representatives practice*, “Aspects of ministerial responsibility”, it talks about collective cabinet responsibility, and it says:

... both are central to the working of responsible government.

Responsible government! So what happens if you breach it? Are you no longer

responsible? We take our guidelines from what happens up on the hill. Go to the PM and C *Cabinet Handbook*, under, “Cabinet conventions and principles”:

A Westminster-style Cabinet is defined by adherence to the principles of collective responsibility and Cabinet solidarity. These principles are the binding devices that ensure the unity of purpose of the Government and underpin the formulation of consistent policy advice.

That is Ms Lee’s point.

Under “Collective responsibility”, the handbook says:

It ensures that the Government is collectively accountable and responsible to the Parliament and to the people of Australia

Under “Cabinet solidarity” it says:

The member from cabinet must publicly support all government decisions made in cabinet:

Members of the Cabinet must publicly support all Government decisions made in the Cabinet ...

This is the point up on the hill. The PM and C handbook continues:

It is the Prime Minister’s role as Chair of the Cabinet, where necessary, to enforce Cabinet solidarity.

I think that is what has happened here. Fundamentally, it is the Chief Minister’s job. He has been elected to do this job. To make sure that this executive, this government, actually works, is effective and behaves in accordance with Westminster principles. He has failed.

Queensland has a parliament not dissimilar to ours; it does not have an upper house. The Queensland Parliament fact sheet on the principles of cabinet states:

By convention, two fundamental principles of the Westminster system are observed in the operation of Cabinet: collective ministerial responsibility and individual ministerial responsibility.

The fact sheet says:

If a Minister is unable publicly to support a Cabinet decision, the proper course is for that Minister to resign from Cabinet.

That is the proper course. That is actually what should have happened here!

If the Greens want to stand for something as well, then they should not be hobbling together with the Labor Party to come up with this circumvented process. If you believe in this—if you are a Greens Party, if you are the radicals that you say you are,

if you are the purists that you say you are and you are not just one of the old parties—resign. If the Greens cannot stomach it, if they cannot stomach their own government, they cannot stomach their own budget, resign.

The way it works then is that, if they are not prepared to resign, then the Chief Minister's job is to sack them. The Chief Minister's job is to say, "If you are not prepared to adhere to cabinet solidarity, to achieve what we have all put together to achieve for the people of the ACT, then you must be sacked."

Can you imagine Mr Stanhope, back in his day, putting up with this? Not a chance! Not a chance. He would not have put up with this. He would have made sure that this did not happen. As would have ministers before him, and as would, the premiers across all the other states—and the Prime Minister! Can you imagine the Prime Minister putting up with this? You know, the Greens hobbling together and voting against his own budget. It would not have happened.

The Queensland Parliament fact sheet says:

Such solidarity of Cabinet portrays a sense of strength and stability of the Government to the electorate.

So what does this situation do today? What is going to happen? If cabinet solidarity portrays a sense of strength and stability, what you have arising from this situation is a sense of weakness and instability, coming from the actions of the minister. That is untenable; it is simply untenable.

Madam Speaker, we members are in the process, all of us, of striving for state's rights. There is going to be a debate in the senate shortly where they are looking at the ACT, saying, "Yes, we want to give them state's rights on issues," we all support that. But what is happening here over this budget is the sort of voting that happens in a town council! You have to make a decision. Are we like a state? Are we going to behave like a state? With rights come responsibilities. Are you going to be a responsible government? Are you going to behave like a state government? Or are you going to say, "No, no, no, we want state's rights over here but when it comes to power sharing agreements and getting what we want, we are going to vote and behave like a town council"? You cannot have it both ways. You cannot have it both ways, as Mr Stanhope said back when the Labor Party used to stand for something.

I support Ms Lee's motion. It is an important one. It is a matter of principle. It is a matter of making sure that we behave as a parliament the way that we should and that you behave as an executive the way that you should.

Simply saying "We are going to choose to vote on this but not on that because there is a constituency over there that we want to appeal to," is not the way any parliament works. Not federally. Not in Queensland. Not in Victoria. Not in New South Wales—it seems only in the ACT!

I do not have confidence in this Chief Minister. There are two courses of action available: either the Greens resign from Cabinet or the Chief Minister sacks them.

MR GENTLEMAN (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (9.30): It seems that we can hardly make it through a sitting week these days without this desperate and out-of-touch opposition bringing a motion of no-confidence that is founded in nothing.

People roll their eyes when they hear that the Canberra Liberals have moved yet another baseless and pointless no-confidence motion on a member of the government.

Mr Parton: They roll their eyes when you stand up, Buddy!

MR GENTLEMAN: They roll their eyes because it comes from the conservative playbook of Zed Seselja. And like her predecessor, Ms Lee does not want to talk about the budget—a budget delivered by one of the ACT’s most successful economic managers.

The ACT economy is booming. The recent *State of the states* report found that the ACT economy is the second strongest in the country—second only to Victoria. This budget reflects that. The budget deficit is \$300 million less than it was predicated last year, and this deficit is expected to shrink in to the future.

Despite the ongoing challenges of COVID-19, household spending is strong—

Members interjecting—

MADAM SPEAKER: Members, this is a serious matter and if you do not think so I ask you to reflect on your behaviour at the moment.

MR GENTLEMAN: Thank you, Madam Speaker. As I was saying, household spending is strong and we have the lowest unemployment in the country. Make no mistake, these outcomes are a result of a strong fiscal and economic policy implemented by our Chief Minister.

This has enabled this Chief Minister to invest in Canberra’s future. The Barr government will always be committed to improving the lives of working Canberrans. This has been demonstrated in the recent budget—a budget that invests in frontline responders and boosts resources to keep workers safe.

Madam Speaker, the worst part about this political stunt is not the timewasting; instead, it is the hypocrisy of the Canberra Liberals to accuse the Chief Minister of losing confidence and supply when the opposition’s own party is so divided itself. At a time when the Canberra Liberals should be soul-searching after their crushing loss in the recent federal election, it seems to me the Leader of the Opposition is more interested in performative politics than in standing up for what she actually believes in.

We have yet to see any evidence that the Canberra Liberals have learned from their loss. They are still the same old washed-up conservatives—

Members interjecting—

MADAM SPEAKER: Members! You have stood on your feet and said, “This is a serious matter,” so, please do not then continue laughing. If you must do that, if you cannot control yourself, you can take yourself outside.

MR GENTLEMAN: Thank you, Madam Speaker. They are still the same old washed-up conservatives as they have always been. It says a lot that the Leader of the Opposition has such little faith in her own budget reply that the only way she thinks she can score a political win is by painting the government as divided.

The Canberra community can see through these stunts, Ms Lee, and they are not impressed. The Treasurer has delivered a strong budget that focuses on the future of Canberra. The same cannot be said for the opposition.

This motion of no-confidence is nothing more than a political stunt by an opposition so listless and misguided that the best criticism of the budget they can offer is to try and censure the Treasurer. The opposition should be ashamed of themselves.

The Chief Minister has my full confidence and the full confidence of this government. All that the opposition has achieved through this stunt is to waste the Assembly’s time, and they should be ashamed.

MS BERRY (Ginninderra—Deputy Chief Minister, Minister for Early Childhood Development, Minister for Education and Youth Affairs, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women) (9.34): I want to speak briefly on this motion today and suggest that it is probably one of the most ridiculous actions by the Canberra Liberals so far! I thought it was a motion of no-confidence in the Chief Minister, but there was a lot of conversation about what the Greens Party were doing right or wrong and whether the Chief Minister had their support. Well, he clearly has their support because the Chief Minister has managed an excellent budget which is being delivered, hopefully, with the support of our Greens political party colleagues, who, despite everything that the Canberra Liberals have tried to describe today, have more in common with ACT Labor than the Canberra Liberals think. That is why we are able to work so closely together.

I believe the Canberra Liberals should do the work of the opposition and hold the government to account. That is appropriate. But it is not appropriate to waste the time of the Assembly on something so silly like this. They really need to stop it and get on to the work of being an actual legitimate opposition in this space.

It is clear that Andrew Barr, the Chief Minister, has confidence of ACT Labor and the Greens political party—that is, both of us working together. I know Mr Hanson went on about processes across other governments in Australia. Well, actually assemblies get to set precedents and precedents change over time.

So, we can do that and do things differently in the ACT, with the support of the Assembly, to make things in this place work more cooperatively in a way where we engage more people in the decision-making processes of government.

MR STEEL (Murrumbidgee—Minister for Skills, Minister for Transport and City Services and Special Minister of State) (9.36): Like other Labor and Greens MLAs in this Chamber, I have full confidence in the Chief Minister. Voters showed their confidence in the Chief Minister at the 2020 election and that confidence continues in this place.

This government's track record of leadership through the COVID pandemic and through the recovery speaks for itself. The latest budget shows a significant improvement in the territory's position and delivers real services for Canberrans. The only real question today is why the Canberra Liberals chose this mechanism to score a political point.

The Greens expressed their confidence on the day notice was given. There has not yet been a debate on the Appropriation Bill and, as the responsible minister, I will continue, in the lead up to that debate, to work with my cabinet colleagues on the issues of funding for the racing industry.

There is no genuine question of confidence or supply, and the statements by members today make that clear. Indeed their positions were already clear on the day Ms Lee gave notice of this motion.

The framework for government is clear and transparent. The terms of the Parliamentary Agreement are online, and they reflect the policies that our government took to an election, and the Chief Minister has welcomed debate on these policies.

Today's debate offers no alternatives to the government's vision and is not genuinely about supply. There is just no question that the government is functioning. Today is another series of stunts by the Canberra Liberals, and that is how the Canberra Liberals, with Alistair Coe, chose to campaign in the 2020 election. We are seeing an opposition and an opposition leader, like her predecessors, that are only interested in stunts but have even less substance.

Media events with ice buckets and boxing gloves are all we see from the Canberra Liberals. After the 2020 election, the Canberra Liberals changed their leader, but they have not changed their tactics. They are sticking with stunts over substance.

Canberrans do not reward political stunts. They want to see meaningful policy debates and realistic solutions to the challenges that our community faces. To provide an example of an independent commentator's view on this, Ian Bushnell from Riotact said in an article on 5 August:

The no-confidence motions ... seem more about attempting to build a narrative and hog the spotlight rather than offering a compelling alternative that the electorate might buy.

The Legislative Assembly does not sit too often and many would conclude that such stunts are wasting its precious time.

So, do not take it from me. Members, take it from independent commentators like Mr Bushnell.

Mr Parton interjecting—

MADAM SPEAKER: Mr Parton, next time you will be warned.

MR STEEL: This is just a stunt and it should be called out for exactly what it is.

Members interjecting—

MADAM SPEAKER: Members, there will be warnings.

MR STEEL: We all know what it is: an opposition and an opposition leader with no substance that are all about stunts.

MS CHEYNE (Ginninderra—Assistant Minister for Economic Development, Minister for the Arts, Minister for Business and Better Regulation, Minister for Human Rights and Minister for Multicultural Affairs) (9.39): As we have heard, there are a lot of ways to describe this experience today: a stunt, a feeble attempt at a headline, silly, a gross misunderstanding of how a government works, a gross misunderstanding of the publicly available *Cabinet handbook* and the Parliamentary and Governing Agreement.

Literally, everyone saw through this motion the moment it was listed—everyone in this place, the media and the community. That Ms Lee sought to speak for the Greens before speaking to them, that she fails to comprehend the Parliamentary and Governing Agreement, and that she has then persisted with this motion in this way today, says all you need to know about the Canberra Liberals and Ms Lee's leadership.

We have full confidence in the Chief Minister, obviously. The bluster that we have heard today is a weak attempt to hide what is becoming increasingly apparent to everyone else: this is an opposition devoid of its own ideas. We saw that in Ms Lee's budget reply speech, where literally the only idea she put forward was to create another shadow ministry for herself! We see it every time we meet in this place, where the Liberals fail to put forward genuine alternative policies. We see it in this very motion that cheapens the parliamentary process. It is petty. It is pointless. This speech has given it more attention than it deserves.

MR DAVIS (Brindabella) (9.41): I rise to offer my support to the Chief Minister and Treasurer—

Mr Parton: Sometimes!

MADAM SPEAKER: You are warned now, Mr Parton.

MR DAVIS: In doing so, I want to acknowledge the intellect, capacity and engagement of Canberrans in their democracy. I give a lot of credit to Canberrans. Canberrans think very shrewdly about their vote, about who they vote for and the parties they represent, and about what kind of government they may elect.

At the last election, we saw a lot of new voters for the Greens, and I am very proud of that. I believe those people voted for the Greens not just for our policies, platform and candidates. They saw a track record of our political party engaging in this place collaboratively and consistently with our Labor colleagues and offering progressive, stable government but maintaining our independence, policy platform and what makes us different. We are not ACT Labor, yet we work very well with them.

Mr Pettersson: Shame!

MR DAVIS: Thank you, Mr Pettersson! But we work—

Members interjecting—

MADAM SPEAKER: Members!

MR DAVIS: We work very well with ACT Labor. What concerns me is what this motion sets up for the 2024 poll. We have heard members of the opposition remark about Mr Stanhope and the government that he led. Might I remind members that Mr Stanhope led the only majority government ever elected in this place since we were given self-government in 1989. We have had a majority government once—one time.

It is my personal view, that that particular government was so awful; it was so awful that it motivated my political activism, and it motivated my membership of the ACT Greens. From a very young age and being exposed to what I believe to have been a bad government, it impressed upon me that majority governments do not deliver the best outcomes. Our electoral system, and the way that Canberrans have voted over a long period of time, suggests that Canberrans believe that too. That is why they have overwhelmingly elected minority governments, where they have forced adults to collaborate to try and find consensus and to respectfully disagree when necessary.

What I am concerned about with this motion is that it suggests Ms Lee and the Canberra Liberals she leads do not have either the capacity or intention to lead anything less than a majority government, and yet we have had one majority government since 1989. Talk about betting it all on black! The Canberra Liberal opposition have made it very clear through this motion that they have neither the understanding nor capacity to collaborate or form consensus with anyone that does not ascribe rigidly to their policy platform.

What can the Canberra community expect if, at the 2024 poll, there are independents or other minor parties elected to the crossbench? The ACT Greens have shown an ability over a long period of time to collaborate and form consensus with other parties. ACT Labor has shown a capacity over a long period of time to collaborate and form consensus with other parties. Indeed, the only Liberal government that we have had in this city was a minority government, where even an independent was brought into cabinet. I appreciate that none of the current members of the Canberra Liberal Party were around at that time, given it has been so long since a Liberal government was elected in this city—and I dare say that the more Canberrans get an understanding of this motion and these particular kinds of political tactics, it will be a long time into the future, as well.

I am very concerned about what this says about the Canberra Liberals' capacity to work with others and their capacity to collaborate with other minor parties, micro parties or independents should they be elected at the 2024 poll. I hope Ms Lee will take the opportunity in her closing remarks to answer this. Is Ms Lee pitching this to the electorate at that election, "It's all or nothing, Canberra. Give me 13 seats or bust, because I can't work across the chamber, I can't collaborate with other parties, and I can't compromise and form consensus!"

That is what this motion suggests to me, because the undercurrent of this motion is that you are so aggrieved about the fact that the government is made up of two parties—

Ms Lawder: Madam Speaker, I wish to raise a point of order. I ask that Mr Davis direct his comments to the chair, not to Ms Lee.

MADAM SPEAKER: Thank you.

MR DAVIS: Through you, Madam Speaker. I understand that at the closing of this debate, Ms Lee has an opportunity to summarise the debate. I hope, Madam Speaker, in that closing of the debate Ms Lee can—

Opposition members interjecting—

MADAM SPEAKER: Members!

MR DAVIS: I hope Ms Lee can give us some indication about what future government she would intend to lead. It is to the credit of ACT Labor and the Greens, of which I am proudly a member, that we understand collaboration, consensus and respectful disagreement. The Canberra electorate knows that. That is why the Canberra electorate overwhelmingly elected a Labor-Greens government at the last election.

The Canberra electorate have seen a two-party government in action over a long period of time. They understand that we will not always agree, but they understand that all 16 members of this government are committed to the guiding principle of offering stable, progressive government. It does not mean we are a monolith. It does not mean that we always have to agree with each other. I am really confounded and, frankly, a little bit scared that the Canberra Liberals cannot understand this.

In closing: I have confidence in the Chief Minister; I have confidence in the government; I oppose publicly subsidising the horse racing industry; and I see no contradiction in those three things. I speak through you, Madam Speaker. The Canberra Liberals, through this motion, have clearly set the stage for the 2024 election: it is 13 seats or bust for Ms Lee. The Chief Minister, to his credit, has the capacity to lead a two-party government. I am pleased to contribute and engage in that government. Ms Lee has shown that that is beyond her with this motion today.

Members interjecting—

MADAM SPEAKER: Members, again! Members, before I give Dr Paterson the call, can I remind people that this is probably the most serious matter that can be brought to the Assembly, and some of the behaviour of some members is not giving it that due regard.

DR PATERSON (Murrumbidgee) (9.49): Firstly, the Chief Minister has my full support and my full unwavering confidence in his abilities as Chief Minister and Treasurer. This motion is actually a sign of the desperation of the Canberra Liberals. It is a sign that the Canberra Liberals have no idea, no substance and no plan. The Chief Minister challenged the Leader of the Opposition to put forward an economic plan—to have some vision and to encourage a contest of ideas. But what is really clear through this motion is that there is no contest of ideas coming.

A one-trick pony: that is what the Canberra Liberals are, so desperate for a headline. There are nine cabinet ministers, so you could do a no-confidence motion every second sitting and that would just about get you to the end of the term! Do you know what will happen then? The ACT public will once again vote for no-confidence in the Canberra Liberals.

The cost to the ACT taxpayer for all of us—25 MLAs and support staff in the Assembly—would be tens of thousands of dollars, all for the Canberra Liberals to get one headline. This is a disgraceful waste of everyone's time. I am more than happy to sing the praises of my ACT Labor colleagues and welcome the opportunity, but not at the expense of the entire morning's business.

Mr Barr has delivered an outstanding budget, and I can proudly say that I have full confidence in the Chief Minister.

MS LAWDER (Brindabella) (9.50): A junior coalition party, such as the Greens, has one key responsibility, and that is to ensure the passage of supply in parliament: one key responsibility. Here, we have seen the Greens fail at that key responsibility. We have had speakers opposite accuse us of using this no-confidence motion to score a political point. It is not to score a political point. It is to underscore that key responsibility of ensuring supply.

Instead of ensuring supply, what we see here is chaos and dysfunction in the government—two sides of that coalition unable to agree with each other. In addition to that, we see their disdain for the principles of the Westminster parliamentary system; not for the first or only time for this government have we seen that disdain for the Westminster system. What we get instead is an attempt to dissemble, deflect and divert attention.

The Greens have flagged that they will vote against at least one element of this year's budget. Will they then stand on their principles and vote against the budget as a whole, or is this to make a cheap political point by voting against one aspect of the budget? Is that what they are doing here? Are they trying to appeal to one part of their audience without actually following through on their threat? That is unclear, and we will not know that until we come back and debate the budget.

What is clear here is that this is a coalition that has deep divisions, and they are unable to agree. They are unable to come to this parliament with a unified view on their own budget, and they add insult to injury by demonstrating their complete disrespect and disregard for our Westminster principles of government. That should be to their shame. I commend Ms Lee's motion to the Assembly.

MS LEE (Kurrajong—Leader of the Opposition) (9.53), in reply: This is extremely disappointing but not surprising.

Members interjecting—

MADAM SPEAKER: Members, please!

MS LEE: Do you disagree with that, Chief Minister?

Mr Barr: It was my speech!

MS LEE: It is disappointing but unsurprising because, of course, we see that Mr Rattenbury and the Greens have once again demonstrated that they are all talk when it comes to holding integrity in this government.

Mr Rattenbury went at length in his speech to say that I do not understand the parliamentary and governing agreement. Can I just take him back; the agreement requires Labor and Greens MLAs to:

Guarantee support for the passage of Appropriation Bills for the ordinary annual services of Government.

And to:

Agree to work together as a Cabinet and Government.

What part of that does Mr Rattenbury disagree with? What part of that direct quote from the parliamentary and governing agreement does he take umbrage with? That is the key question here, because the fact is that he and the Greens are in direct breach of those words in their very own parliamentary and governing agreement.

Many of the members from Labor and the Greens went at length to say, "Yes, of course we support the Chief Minister". As we all know, saying so does not make it so. We know because actions always speak louder than words. Actions speak louder than words! I do not know where to go with Mr Gentleman's dribble. He is such an irrelevant minister that anything he puts into this place in debate is the exact same line. We can almost quote him word by word. If the best he has got is a comparison of me to some middle-aged white men from the conservative side of politics, then go for it!

Mr Davis and his work of fiction—I do not even know if he was actually supporting us or supporting Labor and the Greens. Thirteen members, sure—of course that is what we aim for. Of course any party that wants to govern aims for 13. The fact that he said that is just laughable. Every party who wants to govern in the ACT is always going to aim for 13 seats. Do you think that Mr Barr went to the 2020 election saying, "You know what, I'm just going to be happy with my 10"?

Members interjecting—

MS LEE: You know what, that is what he went to the campaign with! That is exactly what he went to the campaign with!

The Greens, once again, have demonstrated that they want to have their cake and eat it too. In fact, in the so-called “budget reply” from the leader of the Greens, he said in one sentence that he is part of the government as well as the crossbench. It is all about wanting to have their cake and eat it too.

The Chief Minister will survive this motion of no confidence today, but—and through you, Madam Speaker—how does he feel about this precedent being set? How does the Chief Minister feel about this precedent being set? The Greens have now clearly demonstrated that they will and are prepared to use this weapon to hold the government to ransom. Think about this: the Chief Minister’s own cabinet colleagues have demonstrated that they will hold him to ransom over the budget.

How does the Chief Minister know that Mr Rattenbury and the Greens will not do this in the next budget or the one after? The Chief Minister indicated that he is going to be delivering the next budget and the one in 2024. How does he know that the Greens will not do this in the next budget and the one after? In fact, Mr Rattenbury in his contribution to this debate today admitted that, yes, we will probably see this again. What will the Greens vote against next? What will the Greens vote against next in the budget that they help put together? Are we going to see a vote by the Greens against the duplication of Athllon Drive? Are we going to see that? I know that that is particularly of interest to you, Madam Speaker. Is that what we are going to see?

How does the Chief Minister feel knowing that a member of the government’s own Expenditure Review Committee, who helped put the budget together one day can turn around the next day and say, “Yeah, nah! Nah, not going to happen.” How does he trust the leader of the Greens and the Attorney-General of this jurisdiction? As Mr Hanson said, it is incumbent on the leader of the Greens to resign his position from the cabinet if he is going to stick to his principles and vote against that item in the budget. If he refuses to do so, then the Chief Minister must sack him. If he does not, and I will use his own words here, “It is pathetically weak to let this farce continue to play out.”

Cabinet solidarity is a fundamental part of our parliamentary system. Federally, we have been governed by coalition governments, and when we look at the federal *Cabinet Handbook*, it is very clear what cabinet solidarity looks like, and I quote:

Members of the Cabinet must publicly support all Government decisions made in the Cabinet, even if they do not agree with them. Cabinet ministers cannot dissociate themselves from, or repudiate the decisions of their Cabinet colleagues unless they resign from the Cabinet. It is the Prime Minister’s role as Chair of the Cabinet, where necessary, to enforce Cabinet solidarity

Of course, the *ACT Cabinet Handbook* itself sets out very well the importance of cabinet solidarity.

Mr Steel mentioned that he will be continuing to negotiate with all his colleagues in relation to the budget. If the Greens decide to pull their heads in and agree not to vote against this expenditure, what an utter farce this will be! The Greens will be saying to the public that it was all for show, and they are as unprincipled as ever. They attempt to throw it back at us and say, “Oh well, you know what—it’s the opposition’s turn to be kingmakers and to make the call whether they want to sit with us the Greens or they want to sit with Labor.” This is a farce. The mere fact that this government may require votes from the opposition to pass their own budget makes a mockery of this parliament!

How about this: why not have the Leader of the Opposition sit as a member of the government’s Expenditure Review Committee? Why not have ministers from all three parties? Why not? Why not do away with government and opposition altogether?

Mr Barr: I don’t think you have the skills to sit on the ERC, but thank you for the application!

MS LEE: That is rich coming from somebody who has Mick Gentleman in the cabinet!

This Labor-Greens government is making a mockery of our parliament—our people’s parliament. Using their votes to dictate that rules simply do not apply to them is the greatest disrespect they can show our democratic system.

This is a truly extraordinary event that we have witnessed today. It has cemented, once again, that Labor and the Greens have absolutely no integrity, accountability or respect for the very institution that they have affirmed they would be faithful to. In doing so, they have shown utter contempt for the people of the ACT.

Question put:

That the motion be agreed to.

The Assembly voted—

Ayes 9

Mr Cain
Ms Castley
Mr Cocks
Mr Hanson
Mrs Kikkert
Ms Lawder
Ms Lee
Mr Milligan
Mr Parton

Noes 16

Mr Barr
Ms Berry
Mr Braddock
Ms Burch
Ms Cheyne
Ms Clay
Ms Davidson
Mr Davis
Mr Gentleman
Ms Orr
Dr Paterson
Mr Pettersson
Mr Rattenbury
Mr Steel
Ms Stephen-Smith
Ms Vassarotti

Question resolved in the negative.

Sitting suspended from 10.04 to 10.18 am.

Legislative Assembly—work health safety notice

Statement by Speaker

MADAM SPEAKER (Ms Burch) (10.18): I wish to make a statement concerning the serving of a prohibition notice on me in relation to the conduct of committee hearings and meetings in the Assembly precincts. This notice was served by WorkSafe ACT on Friday, 12 August, pursuant to various provisions in the Work Health and Safety Act 2011.

I understand that the issuing of the notice occurred against the background of a disagreement between the Select Committee on Estimates and a government minister about arrangements for public hearings and whether or not ministers and officials ought to attend in person or remotely in order to effectively manage risks associated with COVID-19. I understand that it was against this background, and acting on a complaint, that work safety inspectors were dispatched to the Assembly precincts and the prohibition order was subsequently issued by WorkSafe.

Members would have seen a copy of the letter that I sent this morning to the Work Health and Safety Commissioner explaining the fundamental constitutional issues that arise in connection with the issuing of the notice, which purports to prevent all committees in this place from conducting meetings or hearings. On these grounds, I have respectfully asked the commissioner to rescind the notice.

On its face, the notice effectively prevents the exercise of the legislative arm of government of its powers of inquiry and substantially and materially inhibits the scrutiny, accountability and representative roles associated with the form of parliamentary democracy that operates in the territory. That this should occur while the Select Committee on Estimates 2022-23 was in the process of inquiring into the annual budget estimates and appropriate bills is very concerning.

As members, you will have seen that the notice purports to prevent all Assembly committees from conducting meetings and hearings in the Assembly precincts. And, while there are legal questions as to the efficacy of the commission's powers in this matter, it was in an abundance of caution that the Select Committee on Estimates this morning met at premises outside of the Assembly precincts to conduct a meeting. This is unprecedented.

As members would be aware, the Assembly has inherent powers of inquiry. This power adheres to the constitutional design of our system of government and can be traced back through section 24 of the Self-Government Act, which establishes general equivalence between powers, privileges and immunities of the Assembly, its committees and its members with those of the Australian House of Representatives, and also section 49 of the Australian Constitution, which gives the House of Representatives the same powers, privileges and immunities as the UK House of Commons at the time of the establishment of Federation.

These powers, privileges, and immunities were amplified by the Commonwealth Parliamentary Privileges Act 1987. The parliament's power of inquiry is essential to the operation of responsible government and resides untrampled in this place. It is a power that has traditionally been delegated to a parliamentary committee and has recognised that our standing orders provide that a committee has the power to call for papers, persons or records. That an agency of the executive would seek to interfere with the exercise of the legislative powers is indeed concerning.

To be clear: it is the ACT executive that is accountable to this place and to the Assembly committees it establishes in order to exercise the inquiry power. It is unlikely that, absent expressed statutory provisions, enactments such as the WHS Act are capable of interfering with the Assembly's inquiry powers, its jurisdiction over the conduct of its own proceedings or its power to make findings of contempt when improper interference in the work of the Assembly or its committees has been found to occur.

I can advise the Assembly that the Work Health and Safety Commissioner has, this morning, not responded to my letter and has not lifted the prohibition notice. As a result, I am in the process of seeking legal advice on the matter and will keep members up to date as the situation unfolds.

Although it is not for me to direct any of the Assembly's committees until legal questions about the prohibition are resolved, it is prudent that the Assembly's committees consider alternative arrangements which might need to be affected to ensure that they are able to continue effectively to exercise their functions. I table:

Prohibition Notice—WorkSafe ACT—

Copy of Prohibition Notice, issued under section 195 of the Work Health and Safety Act 2011, from WorkSafe ACT to the Speaker of the Legislative Assembly for the ACT, dated 12 August 2022.

Copy of letter from the Speaker of the Legislative Assembly for the ACT to the Work Health and Safety Commissioner, dated 15 August 2022.

Thank you, Members.

Legislative Assembly Sitting pattern 2022

MR MILLIGAN (Yerrabi) (10.23), by leave: I move:

That the resolution of the Assembly of 3 August 2022, amending the sitting pattern for 2022, be amended as follows:

Omit all words after "15 August 2022", substitute "with the only items of business being the motion moved by Ms Lee in relation to the Chief Minister; to deal with any matters in relation to the prohibition notice issued by WorkSafe ACT on Friday, 12 August 2022; and for the Assembly to adjourn after consideration of these items."

Question resolved in the affirmative.

Legislative Assembly—work health safety notice

Statement by Speaker

MADAM SPEAKER: Members, today the Chair of the Select Committee on Estimates 2022-23 gave written notice of an apparent serious breach of the privilege in respect of actions taken by the Work Health and Safety Commissioner in purportedly preventing not just the select committee's performance of scrutiny functions but of all Assembly committees.

Under the provisions of standing order 276, I must determine, as soon as practicable, whether or not the matter merits precedent over other business. If, in my opinion, the matter does merit precedence, I must inform the Assembly of the decision and the member who raised the matter may move a motion without notice forthwith to refer the matter to a select committee appointed by the Assembly for that purpose.

As Speaker, I am not required to judge whether there be a breach of privilege or contempt; I can only judge whether it merits precedence. I have considered the matter and am prepared to allow precedence to the motion to establish a privileges commission committee, should Mr Milligan wish to do so. I present the following paper:

Privilege—Alleged breach—Letter from the Chair of the Select Committee on Estimates 2022-2023 to the Speaker, dated 15 August 2022.

Privileges 2022—Select Committee

Membership

MR MILLIGAN (Yerrabi) (10.25): I move:

That:

- (1) pursuant to standing order 276, a Select Committee on Privileges 2022 be established to examine whether there has been a breach of privilege relating to the actions of the Work Health and Safety Commissioner and any other person, and whether they have improperly interfered with the free exercise of the authority of the Select Committee on Estimates 2022-2023 or breached any other privileges of the Assembly;
- (2) the Privileges Committee shall report back to the Assembly by the last sitting day of October 2022;
- (3) the Committee shall be composed of:
 - (a) Ms Orr MLA;
 - (b) Mr Hanson MLA; and
 - (c) Ms Clay MLA; and
- (4) The chair of the Committee shall be Mr Hanson MLA.

I have noticed that Ms Orr has circulated an amendment to this motion to have herself replaced with Mr Pettersson, which the Canberra Liberals will be supporting. There has been an additional amendment circulated by Mr Gentleman, suggesting that point (4) of my original motion be removed, being Mr Hanson not being chair.

The Canberra Liberals will not be supporting Mr Gentleman's amendment to my motion.

MR GENTLEMAN (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (10.27): I wish to amend this motion; therefore I move:

Omit paragraph (4)

This is just a technical amendment. It is normal procedure for committee chairs to be chosen from within the committee, and I think that that is the way that this should proceed.

MR HANSON (Murrumbidgee) (10.27): That is not the case. When it is a committee that is formed at the will of the Assembly, it is normally the case that the Assembly will dictate who the chair is, often by saying a member of the opposition or a member of the executive. Indeed, I think that was the case with the establishment of the scrutiny committee and the select committees on estimates and COVID. So it is the protocol.

In this case, I think because of the moving parts and the time required, often what would be said is that there be a member of the opposition, a member of the Greens and a member of the Labor Party, with the chair being a member of the opposition. Whereas, naming names, in the interest of time and the fact that other members of parties are tied up with the estimates committee, is not the protocol. So Mr Gentleman is wrong.

Secondly, when you have a situation where, Madam Speaker, as you just said, there is a dispute between a committee and a government minister and, as you further said, the agency involved is an agency of the executive, to then consider that a member of the government would be the chair of that committee is extraordinary!

So there will be a balance of members from the government, there will be one opposition member and I think it is the precedence of this place and given the matters that will be inquired into by this privileged committee, it would need to be a member of the opposition. I am the member of the opposition that the leader of the party has selected. I am ambivalent about that, but I think that the chair would need to be someone with the necessary seniority. My argument on this point is not necessarily that it should be me but that it would certainly need to be a senior member of the opposition to do this job if it is going to perform the role that I think, or hope, that this Assembly would all agree that it needs to perform.

MR BRADDOCK (Yerrabi) (10.30): I just wanted to let the chamber know that the Greens will be supporting the motion to refer the matter to the privileges committee. The question of privilege has clearly arisen, and the standing orders set out the process for that to be addressed. I wish my colleagues well in the examination of the question, and words cannot express how much I look forward to reading the report when they have completed it. I also welcome their fresh examination of the question and wish them well in their examinations.

As a member of this Assembly and a member of the estimates committee, I would like to put to all members here the importance of working constructively and collaboratively together. This needs to be based on trust, mutual respect and working together in genuine partnership.

I also wanted to thank all the employees of the Office of the Legislative Assembly who were required to give up their personal time and be apart from friends and loved ones over the weekend. I appreciate your counsel and your advice as we respond to this situation.

Going to the amendment moved by Mr Gentleman, I advise that the Greens will be supporting that amendment—not that Mr Hanson does not have a point. We have asked for advice from the Clerk, and we are yet to receive a response as to the application of the Latimer House principles in this situation. Once we have that advice, we will then be able to work with the committee to determine who is best placed to chair that committee.

I will pre-empt the amendment moved by Ms Orr and say that, if she sees that there is a conflict there, of course we will support the substitution of one Labor member for another.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 16

Mr Barr	Mr Gentleman
Ms Berry	Ms Orr
Mr Braddock	Dr Paterson
Ms Burch	Mr Pettersson
Ms Cheyne	Mr Rattenbury
Ms Clay	Mr Steel
Ms Davidson	Ms Stephen-Smith
Mr Davis	Ms Vassarotti

Noes 9

Mr Cain
Ms Castley
Mr Cocks
Mr Hanson
Mrs Kikkert
Ms Lawder
Ms Lee
Mr Milligan
Mr Parton

Amendment agreed to.

MS ORR (Yerrabi) (10.34): I move to amend Mr Milligan’s amended motion as follows:

In paragraph (3)(a), omit “Ms Orr MLA”, substitute “Mr Pettersson MLA”.

Given the speed at which everything happened this morning and following a few conversations, it has been decided that Mr Pettersson is better placed to take on this very important responsibility. This amendment reflects that very simple change.

Amendment agreed to.

Original question, as amended, resolved in the affirmative.

Estimates 2022-2023—Select Committee Statement by chair

MR MILLIGAN (Yerrabi) (10.35): Pursuant to standing order 246A, I wish to make a statement on behalf of the Select Committee on Estimates 2022-2023 in relation to the estimates hearings which are due to commence later today.

On Friday, 12 August 2022 officers of WorkSafe ACT attended the Legislative Assembly and, following a discussion with the Clerk and other officers, issued a verbal prohibition notice under section 195 of the Work, Health and Safety Act 2011. Later that afternoon a written notice was issued to the Speaker of the Legislative Assembly.

The prohibition notice purports to prohibit the committee from undertaking any hearings or committee meetings at the Legislative Assembly of the ACT. The notice states that this cannot occur until a risk assessment has been undertaken, adequate control measures are implemented in line with the hierarchy of control and consultation has been undertaken with all affected workers.

The committee is aware of a range of controls already in place, including social distancing, hand sanitiser and room limits. Witnesses are free to wear masks in the precincts. The estimates committee is of the view that this action constitutes a contempt under standing order 277A because it is a clear and unequivocal interference with the Assembly or a committee of its authority.

The estimates committee this morning resolved to write to the Speaker of the Assembly to raise matters of privilege and is seeking advice on the legality of the notice. The committee has this morning also resolved to write to the Work, Health and Safety Commissioner requesting details to be provided in relation to the complainant and the complaint in relation to the prohibition notice by no later than 1 pm today, 15 August 2022. The committee has considered options for continuing with estimates hearings and will advise witnesses in due course.

Reporting date

MR MILLIGAN (Yerrabi) (10.37), by leave: I move:

That the Assembly resolution of 24 March 2022, establishing the Select Committee on Estimates 2022-2023, be amended by omitting paragraph (6) and substituting:

“(6) the Committee is to report on the bills that have been referred on a date that is two weeks after its last public hearing has been held, or the date when the last answer to a question taken on notice or question on notice has been received, whichever is the later;”.

Question resolved in the affirmative.

Financial Management Act—consolidated financial report

MR GENTLEMAN (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (10.38): I seek leave to table the financial papers pursuant to section 26 of the Financial Management Act 1996.

Leave not granted.

Adjournment

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

That the Assembly do now adjourn.

Health—abortion rights

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (10.38): I rise briefly to correct the record. During the debate on Ms Berry's motion regarding access to abortion in the most recent sitting, I made the following statement:

Labor for Choice succeeded in their advocacy for federal Labor to commit, at the 2019 election, to ensuring that abortion would be available for free across Australia. Unfortunately, Labor was not elected in 2019 and the very welcome Albanese government has not repeated this commitment. So in an early letter to the incoming minister, Mark Butler, I called on the new commonwealth government to revisit and take action on this earlier commitment.

While my earlier letter to Minister Butler covered a range of issues of importance to the ACT, on review it did not, in fact, refer to this matter, and on reflection I believe I, instead, raised the issue with the minister verbally in my first meeting with him on 28 June 2022.

I have now written to Minister Butler advising him of the ACT government's budget commitment and seeking consideration of commonwealth action to ensure that women and pregnancy capable people across Australia have access to safe, legal and free abortion services.

I do apologise to the Assembly for the error, and I hope this statement serves to correct the record appropriately.

Financial Management Act—consolidated financial report

MR GENTLEMAN (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for

Planning and Land Management and Minister for Police and Emergency Services) (10.40), in reply: In closing the debate, I table:

Financial Management Act, pursuant to section 26—Consolidated Financial Report—Financial quarter ending 30 June 2022 (2021-22 Interim Result).

Members interjecting—

Mr Hanson: Madam Speaker, on a point of order. I question the ability in accordance with standing orders for a minister to table papers as part of the adjournment debate, particularly when leave was not granted for him to do so earlier, because the motion of the Assembly that we all agreed to was very clear that the business that we were going to deal with was just in relation to the matters in regard to the prohibition notice issued by WorkSafe.

It did not mention other matters, so I think we have all agreed in this place we were going to be debating matters specifically to do with WorkSafe. For the minister to try and sneak in a bunch of other papers that he was not given leave to do so, and that he is trying to do it as part of an adjournment debate, is dodgy.

MADAM SPEAKER: Yes, I understand your point of order. Can I please seek some advice?

On the point of order, Ms Stephen-Smith?

Ms Stephen-Smith: It was my understanding that ministers did not, in fact, need to seek leave to table papers in this place. Leaving that to one side, I would also note that Mr Hanson has quoted Mr Milligan's earlier motion in relation to what the Assembly would be dealing with today, and it very specifically says:

... any matters in relation to the prohibition notice issued by WorkSafe ACT on Friday, 12 August 2022, and for the Assembly to adjourn after consideration of these items.

Mr Milligan then subsequently moved a motion in relation to the Select Committee on Estimates that in fact has nothing to do with the WorkSafe consideration, and we all allowed that motion to be moved and passed.

Members interjecting—

MADAM SPEAKER: Members, enough! I am dealing with a point of order referring to standing order 211, and on advice of the Clerk, whilst unusual, it is within order. I would remind members that we stand adjourned until 20 September 2022 at 10 am.

Question resolved in the affirmative.

The Assembly adjourned at 10.44 am until Tuesday, 20 September 2022 at 10 am.

Answers to questions

Health—elective surgery waiting lists (Question No 771)

Ms Castley asked the Minister for Health, upon notice, on 6 May 2022:

- (1) How many Canberrans are on waiting lists for an initial appointment for elective surgery in the ACT for each service.
- (2) What is the median wait time for each list, each year since 2016.
- (3) How many people from other states are on waiting lists for an initial appointment for elective surgery in the ACT for each service and what is the median wait time for each out of Territory patient on the list, each year since 2016.
- (4) How many Canberrans have been added to wait lists each year for elective surgery in the ACT since 2016.
- (5) What is the median wait time for Canberrans to be removed from waiting lists in the ACT for each category of elective surgery, each year since 2016.
- (6) How many people from other states have been added to wait lists each year for elective surgery in the ACT since 2016.
- (7) What is the median wait time for people from other states to be removed from waiting lists in the ACT for each category of elective surgery, each year since 2016
- (8) What policies and actions have Canberra Health Services (CHS) and ACT Health taken since 2016 for (a) Canberrans and (b) people from other states, to improve median wait times and what success have they had.
- (9) Can the Minister provide a breakdown of the total spending for each policy and action referred to in part (8) and how much is currently being spent on each policy/action.
- (10) How many surgeons have been employed and/or have worked in hospitals by CHS and ACT Health, each year since 2016.
- (11) Can the Minister provide information about the shortages of specialists for elective surgery including in what areas the shortages are and the figures.

Ms Stephen-Smith: The answer to the member's question is as follows:

1. Not all patients are on a list for an appointment for elective surgery. The conversion rate to surgery from referrals varies across specialties and triage categories and is as low as 25 percent for some groups. Patients are seen for initial appointments across a range of settings including public and private facilities and the ACT Government does not have visibility of settings beyond public health services.

As of 30 April 2022, there were 16,853 appointments for specialties that feed into the service that provides elective surgery at Canberra Health Services (CHS), but as above these will not all be for elective surgery.

The level of data granularity required to provide equivalent details for Calvary Public Hospital Bruce is unavailable. Accordingly, to provide a response to this question will be an unreasonable diversion of resources.

2. Not all patients are on a list for an appointment for elective surgery. The following table outlines the median time in days for patients to be removed for an initial appointment from CHS Ambulatory Care wait list from 1 January 2016 to 30 April 2022.

Year	2016	2017	2018	2019	2020	2021	2022
Median	132	97	105	94	112	107	78

3. As above, not all patients are on a list for an appointment for elective surgery and the ACT Government does not have visibility across the range of settings an initial appointment may occur. As of 30 April 2022, there were 4,220 appointments for an interstate person for specialties that feed into the service that provides elective surgery at CHS, as above these will not all be for elective surgery.

The level of data granularity required to provide equivalent details for Calvary Public Hospital Bruce is unavailable. Accordingly, to provide a response to this item will be an unreasonable diversion of resources.

The following table outlines the median time in days for interstate patients to be removed for an initial appointment from CHS Ambulatory Care wait list up from 1 January 2016 to 30 April 2022.

Year	2016	2017	2018	2019	2020	2021	2022
Median	120	86	90	87	105	104	79

4. The following table outlines the number of Canberra patients added to Elective Surgery Wait List in the ACT from 1 January 2016 to 30 April 2022.

Year	Number of ACT residents added
2016	10,593
2017	11,069
2018	11,303
2019	11,460
2020	10,713
2021	12,118
2022	3,658

5. The following table outlines the median time wait time for Canberra patients to be removed from waiting lists in the ACT from 1 January 2016 to 30 April 2022.

ESWL Urgency	2016	2017	2018	2019	2020	2021	2022
1	17	19	19	18	16	15	15
2	64	63	60	61	70	74	90
3	218	182	254	203	250	173	169

Note: Removal for procedure only

6. The following table outlines the number of interstate patients added to Elective Surgery Wait List in the ACT from 1 January 2016 to 30 April 2022.

Year	Number of interstate residents added
2016	4,707
2017	4,664
2018	4,866
2019	5,350
2020	4,934
2021	5,542
2022	1,623

7. The following table outlines the median time wait time for interstate patients to be removed from waiting lists in the ACT from 1 January 2016 to 30 April 2022

ESWL Urgency	2016	2017	2018	2019	2020	2021	2022
1	16	18	17	17	15	15	16
2	63	59	58	62	74	76	90
3	237	211	266	209	235	207	210

Note: Removal for procedure only

8. The following table outlines the policies and action taken since 2016 to improve median wait times and results.

Year	Policy	Spend \$000	Median Wait-time
2016-17	Additional Elective Surgery	\$1,300	46
2017-18	Additional Elective Surgery	\$6,372	54
2018-19	New funding to equal demand New Urology Services at Calvary	\$15,818	48
2019-20	New funding to equal demand New Urology Services at Calvary New Theatre Services Calvary	\$16,052 \$2,932 \$2,179	48
2020-21	New funding to equal demand New Urology Services at Calvary New Theatre Services at Calvary COVID-19 Recovery Elective Surgery	\$16,296 \$962 \$3,302 \$22,000	49
2021-22	New funding to equal demand New Urology Services at Calvary New Theatre Services Calvary Rebasing Elective surgery Additional Surgery towards 60,000 over five years Additional Surgery towards 14,800 surgeries for 2020-21	\$16,550 \$991 \$3,461 \$439 \$5,385 \$2,426	N/A

1. Post Covid shutdown of non-urgent elective surgery

Through continued investment, Elective Surgery median wait times have improved or stabilised in the past three years despite the operational impacts of COVID-19 over the last two years

CHS commenced a Pilot of the Good Life with Arthritis: Denmark (GLA:D) program in June 2021 within existing funding. The GLA:D program is a preventative education and exercise program with hip and knee osteoarthritis helping to reduce pain, analgesic consumption and the need for surgery. Additionally, CHS and ACTHD have been working with Southern NSW Local Health District on reversing flows of residents from NSW living in their region.

9. See above response to question 8.
10. The level of data granularity required to answer this question is not currently available. Accordingly, to provide a response to this question would be an unreasonable diversion of resources.
11. All funded positions within the surgical subspecialties of the Division of Surgery at Canberra Hospital are fully recruited except the following:
 - a. Cardiothoracic by one medical officer, however the corresponding theatres session are covered by other surgeons within the unit;
 - b. Vascular by one medical officer however the corresponding theatres sessions are covered by other surgeons in the unit; and
 - c. Ophthalmology by one medical officer however a recruitment round is currently underway.

Education—alcohol, other drugs and sex education (Question No 796)

Ms Castley asked the Minister for Education and Youth Affairs, upon notice, on 3 June 2022:

- (1) What is the curriculum for drug and alcohol education in ACT public and non-government schools, including details on what curriculum the directorate advises for each year level.
- (2) Do teachers receive any training to teach drug and alcohol education; if so, (a) who provides the training and at what cost and (b) how many teachers are trained in drug and alcohol education.
- (3) Do schools run external drug and alcohol training; if so, what (a) programs provide this, (b) year levels are taught and how and (c) is the total cost.
- (4) What are the current requirements for sex education in ACT public and non-government schools, including details on what curriculum the directorate advises.
- (5) Are teachers trained by the directorate to teach sex education; if so, (a) who provides the training and at what cost and (b) how many teachers are trained in sex education.
- (6) Do schools run external sex education training; if so, what (a) programs provide this, (b) year levels are taught and how and (c) is the total cost.
- (7) Do ACT Government schools offer any access to sexual protection; if so, what (a) schools and (b) is offered to students in each year level; if not, what evidence informed this decision.

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

- (1) All ACT schools implement the *Australian Curriculum* and are responsible for implementing the Health and Physical Education (HPE) learning area of the Australian Curriculum in years P – 10.

This area of the curriculum provides students with opportunities to learn how to access, evaluate and synthesise information and take positive action to protect, enhance and advocate for their own and others' health, wellbeing and safety.

Alcohol and drug content in the *Australian Curriculum: Health and Physical Education* is covered from Foundation to Year 10 where students explore the impact drugs can have on individuals, families, and communities. The 'Alcohol and other drugs' focus area addresses a range of drugs, including prescription drugs, bush and alternative medicines, energy drinks, caffeine, tobacco, alcohol, illegal drugs, and performance-enhancing drugs. The content supports students to explore the impact drugs can have on individuals, families, and communities. In Foundation (Kindergarten) to year two only medicines are covered. Further information about the Australian Curriculum is available on the Australian Curriculum, Assessment and Reporting Authority website (<https://www.acara.edu.au/>).

Early Childhood settings are guided by Belonging, Being and Becoming the Early Years Learning Framework for Australia.

- (2) The Directorate supports teachers to understand and implement the Australian Curriculum but does not provide explicit training to teachers about teaching drug and alcohol education.
- (3) In addition to the Australian Curriculum, there are a range of resources and support agencies who provide teachers information to support alcohol and drug education in ACT schools.

The Directorate does not keep centralised data on additional resources or programs used by schools. Schools make decisions about the resources selected to suit the needs of their students and school communities.

- (4) All ACT schools implement the *Australian Curriculum*. All ACT Public schools are responsible for implementing the Health and Physical Education (HPE) learning area of the Australian Curriculum in years P – 10.

ACT public schools use the Australian Curriculum to plan for and guide students' development in line with the HPE focus area: Relationships and Sexuality. This content supports students to develop age-appropriate knowledge, understanding and skills to establish and manage respectful relationships. It also supports students to develop positive practices in relation to their reproductive and sexual health.

The Australian Curriculum expects all students, at appropriate intervals across the continuum of learning from years three to ten, will learn about practices that support reproductive and sexual health, including contraception and prevention of sexually transmitted infections and blood-borne viruses.

Content is age-appropriate, inclusive, and designed to meet the needs of all students. Schools also work closely with students' parents/carers to engage them and ensure learning programs are sensitive to families' cultural and religious beliefs and preferences.

The Directorate cannot advise on how relationships and sexuality education is provided in non-Government schools.

- (5) The Directorate is preparing to support teachers to understand and implement changes to the Australian Curriculum, specifically the inclusion of consent education from P – 10.

As part of the ACT Government's commitment to embed gender equality in ACT Public schools, a team of gender equality coaches will provide professional learning, coaching and support to ACT public school-based staff to uplift teaching capability and confidence in the delivery of respectful relationships and sexuality education, including consent.

The Directorate works closely with community organisations such as Sexual Health and Family Planning ACT (SHFPACT) who provide a calendar of professional learning for teachers and related resources.

- (6) Schools make independent decisions, if and when, external sexuality and relationships education is provided. The cost of such programs is a matter for individual schools and data is not centrally held by the Directorate.

There are a range of community organisations in the ACT that provide sexuality and relationships education workshops and sessions for schools, including YWCA Canberra and Sexual Health and Family Planning ACT.

The Sexual Health, Lifestyle and Relationships Program (SHLiRP) provides sexual health screening clinics and sexual health education to ACT secondary colleges. The program team visit up to 5 colleges each year. Each cohort of year 11 and 12 students will get an opportunity to participate at least once in their time at college.

- (7) Each school community is unique, and as such, requires different supports and resources. The provision of sexual protection to students is a school-based decision as schools are best placed to know their students and the needs of their community.

Government—Skills Industry Advisory Group (Question No 798)

Mr Milligan asked the Minister for Skills, upon notice, on 3 June 2022:

- (1) How many people are on the ACT Skills Industry Advisory Group.
- (2) Who is on the advisory group.
- (3) Which industries are represented.
- (4) Which institutions are represented.
- (5) Are there independent private registered training organisations (RTOs) represented on the advisory group.
- (6) How many (a) industry representatives, (b) Canberra Institute of Technology representatives and (c) independent private RTOs, are on the group.

(7) How often does the group meet.

(8) When was the group formed.

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

(1) A total of 19 people are on the Skills Industry Advisory Group.

(2) Skills Industry Advisory Group membership comprises:

- Deputy Director-General (Economic Development) Chief Minister, Treasury and Economic Development Directorate (CMTEDD) (Chair)
- CEO, Canberra Business Chamber
- CEO, Master Builders Association
- CEO, ACT Building and Construction Industry Training Fund Authority
- Chair, Aboriginal and Torres Strait Islander Elected Body
- CEO, Canberra Cyber Security Innovation Node
- Chair, Defence Industry Advisory Board
- Secretary, Unions ACT
- CEO, ACT Council of Social Service
- CEO, Canberra Innovation Network
- CEO, Canberra Institute of Technology
- CEO, Independent Tertiary Education Council Australia
- General Manager, Australian Hotels Association
- Managing Director, Ionize Pty Ltd
- CEO, Creative Safety Initiatives
- President, CFMEU ACT Branch
- Executive Director, Construction Industry Training Council
- Executive Group Manager, Economic Development, CMTEDD
- Executive Branch Manager, Skills Canberra, CMTEDD

(3) Industries represented on the Skills Industry Advisory Group are:

- building and construction
- cyber security
- defence
- community and social services
- accommodation and hospitality
- tourism
- education and training.

(4) Institutions represented on the Skills Industry Advisory Group are:

- Canberra Business Chamber
- Master Builders Association
- ACT Building and Construction Industry Training Fund Authority
- Aboriginal and Torres Strait Islander Elected Body
- Canberra Cyber Security Innovation Node
- Unions ACT
- ACT Council of Social Service Inc.
- Canberra Innovation Network
- Canberra Institute of Technology
- Independent Tertiary Education Council Australia
- Australian Hotels Association
- Creative Safety Initiatives
- CFMEU ACT Branch
- Construction Industry Training Council
- Chief Minister, Treasury and Economic Development Directorate.

(5) Yes, independent registered training organisations are represented on the Skills Industry Advisory Group.

(6) There are:

- a) 13 industry representatives,
- b) one Canberra Institute of Technology representative and
- c) two independent registered training organisations represented on the Skills Industry Advisory Group, noting these categories are not mutually exclusive.

(7) The Skills Industry Advisory Group meets bi-annually.

(8) The Skills Industry Advisory Group was formed in April 2021.

Suburban Land Agency—land sales (Question No 799)

Ms Lee asked the Minister for Housing and Suburban Development, upon notice, on 3 June 2022:

- (1) In relation to land release targets and actual sales, and noting that this data was not always clearly disaggregated in past Indicative Land Release Programs or ACT Land and Property Reports, can the Minister advise, for each financial year from 2017-18 to 2021-22, the (a) sales target for single residential blocks, (b) sales target for medium density blocks, (c) sales target for high density blocks, (d) actual number of sales of

single residential blocks, (e) actual number of sales of medium density blocks and (f) actual number of sales of high density blocks

- (2) What was the dollar value of total sales of (a) single residential blocks, (b) medium density blocks and (c) high density blocks, for the 2021-22 financial year.

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

- (1) A-C: The Suburban Land Agency does not set sales (contractual exchange) targets by density.

D-E: The table below provides the actual sales (contractual exchanges) by release type. Financial year 2021-22 is not yet complete – full year results will be available with the Suburban Land Agency Annual Report late in calendar year 2022.

Sales (Exchanges) Year	Single Blocks (dwellings)	Compact Medium Density Blocks (dwellings)	Multi-units (dwellings)
2017-18	606	121	1,887
2018-19	291	87	2,250
2019-20	592	84	1,786
2020-21	1,624	192	2,785

- (2) The financial year 2021-22 is not yet complete. The dollar value of total sales will be available as part of the Suburban Land Agency audited financial statements and Annual Report late in calendar year 2022.

Planning—RZ4 and RZ5 dwellings (Question No 800)

Mr Cain asked the Minister for Planning and Land Management, upon notice, on 3 June 2022:

- (1) What is the proportion of existing residential dwellings and residential dwelling applications zoned RZ4 in the ACT, for the 2021-2022 financial year to date, that are (a) 1 bedroom units, (b) 2 bedroom units, (c) 3 bedroom or 3 or more bedroom units and (d) other.
- (2) What was the proportion of existing residential dwellings and residential dwelling applications zoned RZ4 in the ACT, for the (a) 2019-20, (b) 2018-19 and 2017-18 financial years, that were (a) 1 bedroom units, (b) 2 bedroom units, (c) 3 bedroom or 3 or more bedroom units and (d) other.
- (3) What is the proportion of existing residential dwellings and residential dwelling applications zoned RZ5 in the ACT, for the 2021-2022 financial year to date, that are (a) 1 bedroom units, (b) 2 bedroom units, (c) 3 bedroom or 3 or more bedroom units and (d) other.
- (4) What was the proportion of existing residential dwellings and residential dwelling applications zoned RZ5 in the ACT, for the (a) 2019-20, (b) 2018-19 and 2017-18

financial years, that were (a) 1 bedroom units, (b) 2 bedroom units, (c) 3 bedroom or 3 or more bedroom units and (d) other.

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

The planning and land authority's reporting systems for development approvals do not provide the information requested as data is not available for number of bedrooms.

Government—tenders (Question No 801)

Mr Cain asked the Special Minister of State, upon notice, on 3 June 2022:

- (1) What percentage of the total tender requests by the ACT Government were awarded to (a) Indigenous owned or run businesses, (b) Canberra owned business and (c) small to medium enterprises, in the (i) 2017-18, (ii) 2018-19, (iii) 2019-20 and (iv) 2020-21 financial years.
- (2) What was the breakdown by ACT Government directorate of the total tenders requested in the (i) 2017-18, (ii) 2018-19, (iii) 2019-20 and (iv) 2020-21 financial years.
- (3) What was the breakdown by service type (for example, ICT hardware, ICT software implementation, digital transformation, actuarial, external audit, road maintenance, etc) of the total tenders requested in the (i) 2017-18, (ii) 2018-19, (iii) 2019-20 and (iv) 2020-21 financial years.
- (4) How many of the total tenders requested by the ACT Government were sole sourced in the (i) 2017-18, (ii) 2018-19, (iii) 2019-20 and (iv) 2020-21 financial year.

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

1(a). The percentage of Notifiable Contracts (contracts with a total value of \$25,000 or more) published on the Notifiable Contracts Register awarded to Aboriginal and Torres Strait Islander Enterprises (as defined under the Aboriginal and Torres Strait Enterprise Procurement Policy) is as follows:

- 2019-20 = 2.22%
- 2020-21 = 2.62%

Data is not available for 2017-18 or 2018-19 as this information was not collected prior to the commencement of the Aboriginal and Torres Strait Islander Procurement Policy in July 2019.

1(b). Data on Canberra owned businesses is not held centrally.

1(c). The percentage of Notifiable Contracts published on the Notifiable Contracts Register awarded to small to medium enterprises is as follows:

- 2017-18 = 49.54%
- 2018-19 = 54.43%

- 2019-20 = 53.74%
- 2020-21 = 49.48%

Small to medium enterprises are identified based on information provided for publication on the Notifiable Contracts Register by the contracting Directorate or Agency.

2. The information requested can be obtained from the data that is publicly available on Tenders ACT.
3. The information requested can be obtained from the data that is publicly available on Tenders ACT.
4. Sole source procurements are generally facilitated directly by Territory entities rather than centrally through Tenders ACT and it would be an unreasonable diversion of resources to gather this information from ACT Government agencies to respond to this request.

While information on the number of tenders released through a sole source is not available, information on Notifiable Contracts that were awarded between 2017-18 to 2020-21 as the result of a sole source procurement methodology is publicly available on the Notifiable Contracts Register.

Housing—Affordable Home Purchase Scheme (Question No 803)

Mr Cain asked the Minister for Housing and Suburban Development—

- (1) How many detached homes are planned through the Affordable Home Purchase Scheme over the next four years.
- (2) What is the breakdown by percentage of houses, townhouses, terraces and apartments of the planned homes referred to in part (1).

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

- (1) Annual targets for affordable housing are established each year based on the sites and number of residential dwellings included in the Indicative Land Release Program. The sites identified on the Indicative Land Release Program are determined each year based on suitability for release to market, and the locations for affordable housing are based on consideration of proximity to shops, services and public transport, as well as the existing amount of affordable, public and community housing in any given location.
 - (2) There are no sites for detached houses identified in 2022-23 due to the number of large multi-unit sites identified for release. It is not yet known the exact number of sites that will be identified for detached houses over the next four years as that is dependent on the development status and suitability of sites for release.
-

**Firearms—licences
(Question No 804)**

Mr Cain asked the Minister for Business and Better Regulation, upon notice, on 3 June 2022:

How many customer interactions at Access Canberra occurred in the (a) 2018-19, (b) 2019-20 and (c) 2020-21 financial years, for (i) a request for a firearms licence and (ii) a processed firearms licence.

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

1. As background, Access Canberra is responsible for processing payments regarding firearms licences. The Firearms Registry, which is managed by ACT Policing, are responsible for processing applications.

Firearms licence payments can be made at Access Canberra Service Centres and online via a webform; however specific breakdown of the different applications is not captured.

The below responses to questions (a)(i), (b)(i) and (c)(i) represent firearms licence payments made through Access Canberra (webform and Service Centres).

In relation to responses to questions (a)(ii), (b)(ii) and (c)(ii), ACT Policing have indicated that to provide an accurate response to these questions it would require a manual review of all individuals who had a firearms licence processed, which is an onerous task that would unreasonably divert police resources from other priorities.

- (a) 2018-19
 - i. 1,580.
 - ii. Please see above response.

- (b) 2019-20
 - i. 1,567.
 - ii. Please see above response.

- (c) 2020-21
 - i. 1,656.
 - ii. Please see above response.

**COVID-19 pandemic—vaccination rollout
(Question No 806)**

Ms Castley asked the Minister for Health, upon notice, on 3 June 2022:

- (1) What centres are still administering COVID-19 vaccines in the ACT, including (a) what age groups the clinics cater for, (b) the times/days each centre is open, (c) what vaccines are available, (d) how many Canberra Health Services staff are employed at

each clinic and their job title/classification (eg, student nurse, enrolled nurse) and (e) how many vaccines/booster injections have these clinics administered in the last six months.

- (2) What options are there for parents who cannot take time off work and attend between 8 am and 3 pm to ensure their children have a booster jab.

Ms Stephen-Smith: The answer to the member's question is as follows:

- (1) The ACT Government continues to deliver COVID-19 vaccinations at the Access and Sensory Clinic. The Clinic offers the Pfizer vaccine to eligible patients aged 5 years and older in accordance with recommendations of the Australian Technical Advisory Group on Immunisation (ATAGI).

The Access and Sensory Clinic operates three days a week (Monday, Tuesday and Saturday) from 8:30am to 3pm on a bookings-only basis.

This Clinic provides COVID-19 vaccines to people living with disability and sensory barriers and their carers and is staffed by five Registered Nurses and one Administrative Service Officer. In the past six months (from 1 January to 27 June 2022), the Access and Sensory Clinic has administered 1,981 COVID-19 vaccine doses, inclusive of 656 first booster and 131 winter booster doses.

- (2) For working parents, the Access and Sensory Clinic offers appointments on Saturdays from 8.30am to 3pm.

There are also 83 General Practices, 65 Pharmacies and 3 GP Respiratory Clinics operating in the ACT that offer COVID-19 vaccines by appointment. Appointments can be made using the COVID-19 Vaccination Clinic Finder online via <https://covid-vaccine.healthdirect.gov.au/booking/>

Government—sport and recreation policy (Question No 807)

Mr Davis asked the Minister for Sport and Recreation, upon notice, on 3 June 2022:

- (1) How many ACT Government employees, broken down by directorates, work on sports and recreation policy.
- (2) Is there a dedicated policy team for community sports and recreation in the ACT Government; if so, how many ACT Government employees, broken down by directorate, are dedicated to community sports and recreation policy.
- (3) What ACT Government support currently exist for people from low socio-economic backgrounds and/or for young people to participate in sports and recreation in the ACT.

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

- (1) Policy advice on sport and recreation is developed and prepared for Government consideration within the various teams within Sport and Recreation (CMTEDD) or Sport and Recreation Facilities (TCCS). There are nine relevant staff in Sport and Recreation and four relevant staff in Sport and Recreation Facilities (TCCS).

(2) No.

(3) There is no designated ACT Government support for this very broad cohort of our community to participate in sport and recreation beyond our existing investment in sporting peak bodies, capital works and programs, all of which have potential to impact the cost of participation.

The ACT Government's Tenant Participation Grants program aims to encourage and support participation by public housing tenants in social networks by engaging with the community through a range of activities for physical, social, and personal development. This includes sporting participation.

<https://www.communityservices.act.gov.au/hcs/grants>

Other funding support is available through the programs below:

- Future of Education Equity Fund - <https://www.education.act.gov.au/support-for-our-students/financial-and-resource-assistance-for-families>
- Youth Interact Scholarships
<https://www.communityservices.act.gov.au/youth/grants/guidelines>
- Indigenous Sport Grant Program (Commonwealth Government Funding, ACT residents can apply) <https://www.wbacc.gov.au/indigenous-sports-grants/>

Funding to support kids who would otherwise be unable to participate in junior sport has also previously been available through Every Chance to Play, however this program is not currently running.

Health—anti-smoking measures (Question No 808)

Mr Davis asked the Minister for Health, upon notice, on 3 June 2022:

How many infringement notices have been issued under the Smoke-Free Public Places Act since its amendment in 2016.

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

One Criminal Infringement Notice (CIN) was issued by ACT Policing in July 2018. There have been no infringements issued by Access Canberra or ACT Health under the Smoke-Free Public Places Act since its amendment in 2016.

Canberra Institute of Technology—surveys (Question No 809)

Ms Lee asked the Minister for Skills, upon notice, on 3 June 2022:

In relation to the Canberra Institute of Technology, can the Minister provide the internal survey results on (a) Strategic Compass 2020 and (b) Strategic Compass – Futures 2025.

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

The Canberra Institute of Technology (CIT) is an independent authority established under the *Canberra Institute of Technology Act 1987*, with a governing board. I have been advised by the CIT that the answer to the Member's question is as follows:

The Canberra Institute of Technology (CIT) undertakes regular staff surveys. Questions and their responses in relation to Strategic Compass are as follows. Results in percentage represent the percentage of those responded with Agree and Strongly Agree.

2017 CIT Staff Survey

A total of 522 survey responses were received (an overall participation rate of 59%).

- I understand the need for the changes and directions outlined in the Strategic Compass – 76%
- I have a good understanding of CIT's Strategic Compass – 70%
- I understand how my role contributes to CIT's Strategic Compass – 69%
- My team's objectives are aligned CIT's Strategic Compass – 70%

2019 Staff Survey

A total of 544 survey responses were received (an overall participation rate of 59%).

- I understand the need for the changes and directions outlined in the Strategic Compass – 81%
- I have a good understanding of CIT's Strategic Compass – 77%
- I understand how my role contributes to CIT's Strategic Compass – 76%
- My team's objectives are aligned CIT's Strategic Compass – 81%

2021 CIT Staff Survey

A total of 440 survey responses were received (an overall participation rate of 44%).

- I understand the need for the changes and directions outlined in the Strategic Compass – 74%
- I understand CIT's Strategic Compass – 2025 – 69%
- I understand CIT's Strategic Compass Priorities – 70%
- The Strategic Compass priorities resonate with the work of my team – 61%

Major Projects Canberra—workplace bullying (Question No 810)

Ms Lee asked the Treasurer, upon notice, on 3 June 2022:

- (1) Does Major Projects Canberra (MPC) have a bullying policy and procedure; if so, can the Treasurer provide a copy; if not, why not.
- (2) Is there a procedure for bullying complaints made about the Chief Projects Officer; if so, can the Treasurer provide a copy; if not why not.

- (3) Does MPC track bullying complaints; if so, can the Treasurer describe how these are tracked and reported; if not, why not.
- (4) Does MPC track or document informal (eg, verbal) bullying complaints; if so, can the Treasurer describe how these are tracked and reported; if not, why not.
- (5) Have there been any complaints against members of the MPC executive since it was established; if so, how many complaints.
- (6) Did any members of the current MPC executive have bullying complaints made against them in other ACT Public Service roles; if so, how many.

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

- (1) Major Projects Canberra (MPC) uses the ACT Government's Respect, Equity and Diversity (RED) Framework (2010), the Respect at Work Policy and the Preventing Work Bullying Guidelines that were developed to provide ACT Public Service (ACTPS) employees with information relating to treating others with respect in the workplace and preventing unacceptable behaviour such as bullying, harassment and discrimination.

MPC's Respect, Equity and Diversity intranet page contains a comprehensive list of whole of government resources to assist staff if they have a specific issue in relation to work bullying, harassment or discrimination. Along with links to the whole of government guidance listed above, the page also contains information on the RED framework, an MPC Form to escalate a complaint (copy attached) MPC Form - Respect, Equity, Diversity Complaint.docx

MPC has five RED contacts officer available for staff. Their names and contact details are available on the internal MPC SharePoint site for all staff to access.

- (2) Staff are able to make a complaint, using the MPC Form - Respect, Equity and Diversity or can report work bullying or harassment through their supervisor or manager, Executives or via the MPC HR team.

MPC applies the "Resolving Workplace Issues – Work Bullying, Harassment and Discrimination Policy" and notes that staff may also contact Worksafe ACT, the Fair Work Commission, Fair Work Ombudsman or the ACT Human Rights Commission. This information is listed on the MPC SharePoint page for staff to access and have open access to contact the HR team if they have any questions or concerns

- (3) MPC Human Resources (HR) tracks all discipline matters that are reported to it, including bullying complaints. The HR team also report all matters to the Professional Standards Unit, whether they are referred for investigations or not.
- (4) All employees who contact the MPC HR team are provided with the information they need to be able to progress their concerns. Employee are advised of the process under Section H of the Enterprise Agreement of how discipline matters are managed. Noting that any matter that is deemed to be investigated will be sent to the Professional Standards Unit to undertake the investigation. Employees are also advised that their privacy will be respected, however they need to be aware that if they would like to remain anonymous it does add complexity for the appropriate sanctions to be enabled.

- (5) One anonymous complaint against a member of the MPC executive has been received and the matter has been resolved.
- (6) The Public Sector Standards Commissioner received one bullying complaint against a member of the current MPC Executive prior to their commencement in MPC.

(A copy of the attachment is available at the Chamber Support Office.)

Light rail—stages 3 and 4 (Question No 811)

Ms Clay asked the Minister for Transport and City Services, upon notice, on 3 June 2022:

- (1) What progress has been made on pre-feasibility studies for Light Rail Stages 3 and 4 since \$250,000 was allocated over 2019-20 and 2020-21 in the mid-year budget.
- (2) Was the aim of these investigations to examine the objectives and opportunities for future corridors, with a view to further defining strategic alignment and staging options for the east west link as well the further extension of the north south spine to Tuggeranong; if so, what (a) objectives and opportunities and (b) strategic alignments and staging options, were identified.
- (3) Given that in mid-2020, Transport Canberra appointed a technical advisor to undertake these pre-feasibility investigations, the results of these preliminary technical investigations were expected to be finalised in late 2020-21, has this work been completed.
- (4) Will details of proposed alignments or timelines for development of these stages of light rail be published.

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

The ACT Government is committed to delivering a modern, clean and efficient public transport system for Canberra. The current priority in relation to light rail is delivering Stage 2 to Woden, with planning, design and construction on key enabling projects like raising London Circuit and Stage 2A to be the focus of work in this term of the Assembly.

Based on the size of the ACT's budget and competing infrastructure investment priorities in areas like health, education and community facilities, the ACT Government expects that roughly one stage of light rail will be delivered per decade in coming years.

In relation to the Member's specific questions:

- (1) Transport Canberra and City Services is committed to progressing future light rail planning, including pre-feasibility studies for stages three and four. Prioritisation of resources and ordering of commitments will mean that 'Future Light Rail Network Plan' refresh has been deferred to calendar year 2023. This work will update the light rail network plan, including by identifying high-level principles, values and opportunities for each network stage. Light rail stages three and four pre-feasibility will be completed and reported afterwards.

- (2) Pre-feasibility work will define the objectives for each stage and identify strategic opportunities, define alignments and staging implementation options. This pre-feasibility work is dependent upon updating the light rail network plan first.
- (3) The work undertaken by the Technical Advisor has concluded. This investigation study contributed valuable insights and findings that have informed the scope of the Light Rail Network Plan refresh, as well as identified options for the strategic objectives and opportunities that will be further explored and developed as part of pre-feasibility investigations and reports for each stage.
- (4) Yes.

Education—STEM skills (Question No 812)

Ms Clay asked the Minister for Education and Youth Affairs, upon notice, on 3 June 2022:

- (1) Given the ACT Government prepared the ACT Defence Industry Strategy 2017 which had a priority to promote STEM (space and cyber) career pathways in ACT primary and secondary school with a measure of their success being the number of space and cyber career initiatives (primary and secondary school), how many (a) ACT schools are currently running these programs and (b) students are participating in these programs.
- (2) Does the Government have a similar strategy document for promoting the skills needed for any other specific, named industries, such as renewable energies or the health sciences.
- (3) What other programs exist which are targeted to increase employment in areas with a need for more skills, given there has also been a recent announcement of further funding for the Understanding Building and Construction Program to encourage students in years 7-10 about the building and construction industry.

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

- (1) The Directorate does not collect this information centrally. Engagement of programs and initiatives are a school-based decision, based on the needs of their students and school communities. The Education Directorate continues to ensure there are opportunities for students in STEM (space and cyber) to explore career pathways and gain knowledge, in line with the ACT Defence Industry Strategy.
- (2) The Education Directorate uses the *Skills Needs List* produced by Skills Canberra to ensure alignment with industry needs in the coming year with career related opportunities. *CBR Switched On* sets out the ACT Government's economic development priorities and *Skilled to Succeed* supports this agenda by outlining priorities and plans to support achievement of the agenda.
- (3) Head Start is a new ASbA initiative for ACT public school students and an ACT Government Election Commitment. It provides a tailored school-based apprenticeship

program matching a students' job interest with a local business in need of skilled workers and in industry sectors targeted for future growth. Head Start provides all the benefits of existing ASbA programs, with the added support of a dedicated Head Start team to provide tailored support for students and employers including a career coach and social worker.

ACT Corrective Services—Corrections Information System (Question No 813)

Mrs Kikkert asked the Minister for Corrections, upon notice, on 3 June 2022:

- (1) What is the current status of the roll-out of the Corrections Information System (CORIS).
- (2) Which areas of the prison are currently using CORIS as part of business-as-usual activities.
- (3) What is the anticipated completion date of the roll-out of CORIS.
- (4) Has the roll-out of CORIS gone over budget; if so, how over budget is it.

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

- (1) ACT Corrective Services (ACTCS) launched CORIS on 27 June 2022.
 - (2) See response to question 1.
 - (3) See response to question 1.
 - (4) The total capital budget allocated to this project was \$7.773m (GST exclusive), and as of June 2022 ACTCS has spent \$7.606m (GST exclusive).
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ACT Corrective Services—detainee programs (Question No 814)

Mrs Kikkert asked the Minister for Corrections, upon notice, on 3 June 2022:

- (1) Does ACT Corrective Services (ACTCS) measure and record the number of hours detainees spend in therapeutic or educational programs.
- (2) Does ACTCS have a standard for how many hours in therapeutic or educational programs detainees should be participating in before release.

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

1. ACTCS records individual detainee participation in criminogenic programs. Each ACTCS program has a prescribed number of sessions for a set number of hours (with missed sessions requiring a 1:1 catch up session).

Education programs will be provided by an external provider, and ACTCS expects to

receive regular reporting from the provider regarding hours detainees spend participating in education programs.

2. There is no standard requirement for the number of hours detainees should engage in therapeutic or educational programs. An individual detainee's Sentence Management Plan (SMP) will outline the specific therapeutic program requirements for that detainee based on individual circumstances, needs and their identified criminogenic risk factors.

Alexander Maconochie Centre—PrisonPC (Question No 815)

Mrs Kikkert asked the Minister for Corrections, upon notice, on 3 June 2022:

- (1) What internet websites are accessible via PrisonPC.
- (2) What can a detainee do on PrisonPC.
- (3) Is the use of PrisonPC subject to the behaviour of a detainee.
- (4) Will access to PrisonPC be impacted by the introduction of the Incentives and Earned Privileges policy in any way.

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

1. The PrisonPC system has a number of websites that are available on the bookmarks page for all detainees. The websites are:
 - ABC News online
 - ACT Charter of Rights for Victims of Crime Online Survey
 - ACT Corrective Services
 - ACT Corrective Services DAIP Questionnaire
 - ACT Law Handbook Austlii
 - ACT Legislation
 - AFP Reporting Historical Sexual Assault
 - Australian Electoral Commission Enroll to Vote
 - Canberra Community Law
 - Community Services Guide 1 Child Concern Reports
 - Community Services Guide 2 Court and Reuniting Families
 - Community Services Guide 3 Children in Care
 - Community Services Guide 4 Raising Concerns
 - Community Services Guide 5 Self Representation
 - Court User Satisfaction
 - COVID 19 Information ACT Government
 - Federal Legislation

- Hot Topics Find Legal Answers State Library of NSW
- Legal Aid Information and Education Topics
- NSW Law Handbook
- Project Gutenberg eBooks
- SBS News online
- Sentence Administration Board
- Victorian Law Handbook
- Fantastic Phonics

Detainees may submit a detainee request form to have extracurricular websites whitelisted, such as legal websites or educational websites. Examples of these websites include:

- Curtin University
- Murdoch University
- University of Southern Queensland
- Australian Tax Office
- Specially requested funeral video streams

Further, the PrisonPC system hosts material provided to detainees such as the Detainee Handbook, information from the Activities team, lists and information such as the free call list.

2. The PrisonPC system allows detainee to access email, webpages, games, education and learning material, TV and media content in a highly controlled environment. The PrisonPC devices provide:

- Free-to-air TV and locally-hosted content media streaming
- Email access with approved social and professional contacts
- Internet Webpages as listed above
- Personal file storage
- Office-style applications
- Games and educational applications
- Local web-based capabilities such as cottage buy-ups via online form

3. Detainees may have their ICT access, including PrisonPC, restricted in line with the *Detainee Access to Education, Library and Information Communication Policy 2019*, the *Detainee Discipline Policy 2022*, and the *Incentives and Earned Privileges Policy 2022*.

4. Detainees on the lowest IEP level may not have access to a tv or a computer in their cell under the new *Incentives and Earned Privileges Policy 2022*, however would continue to be able to access communal devices.

**ACT Corrective Services—staff leave
(Question No 816)**

Mrs Kikkert asked the Minister for Corrections, upon notice, on 3 June 2022:

- (1) How many personal leave hours were taken by corrections officers in the financial years of (a) 2018-2019, (b) 2019-2020 and (c) 2020-2021.
- (2) How many COVID leave hours were taken by corrections officers in the financial years of (a) 2019-2020 and (b) 2020-2021.

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

1. a. In the 2018-2019 financial year, a total of 26,040.90 personal leave hours were taken by Correctional Officers (COs).
b. In the 2019-2020 financial year, a total of 29,314.85 personal leave hours were taken by COs.
c. in the 2020-2021 financial year, a total of 32,153.87 personal leave hours were taken by COs.
2. a. In the 2019-2020 financial year, a total of 1,619.63 COVID leave hours were taken by COs.
b. In the 2020-2021 financial year, a total of 2,691.95 COVID leave hours were taken by COs.

**COVID-19 pandemic—teachers
(Question No 817)**

Mrs Kikkert asked the Minister for Education and Youth Affairs, upon notice, on 3 June 2022:

- (1) Have any government classroom teachers who did not comply with the COVID-19 vaccine mandate been dismissed for not complying with the mandate; if so, how many.
- (2) Have any government classroom teachers, who did not comply with the mandate who were redeployed, been reassigned back to their teaching roles; if so, how many; if not, why not, and is there a process in place to reassign those teachers back to their teaching roles should they want to return to their teaching roles.
- (3) Have any government employees classified as School Leader A who did not comply with the COVID-19 vaccine mandate been dismissed for not complying with the mandate; if so, how many and what were these employees' local designations.
- (4) Have any government employees classified as School Leader A who did not comply with the mandate who were redeployed, been reassigned back to their roles; if so, how many; if not, why not, and is there a process in place to reassign those employees back to their previous roles should they want to return to their previous roles.

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

- (1) No.
 - (2) Most employees who were redeployed to alternate settings because of choosing not to disclose their vaccination status have returned to their substantive schools. Some employees have chosen to remain at temporary alternate workplaces, others have permanent transfers and a small number remain on approved leave.
 - (3) No.
 - (4) See (2).
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**Planning—Kippax master plan
(Question No 818)**

Mrs Kikkert asked the Minister for Planning and Land Management, upon notice, on 3 June 2022:

- (1) What is the status of the environmental site investigations that were to be conducted at Kippax for the redevelopment.
- (2) Is the second stage of the sale of the site on track to commence in the second half of 2022; if so, when will the second stage commence; if not, what steps are still to be completed before the second stage of the sale of the site commences.

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

1. The environmental site investigations for the Kippax redevelopment, including assessments and approvals, continue to be progressed and are expected to be completed in quarter three of 2022.
 2. The second stage of the sales process is anticipated to commence late in 2022, subject to the outcomes of environmental assessments, remaining approvals and Suburban Land Agency's land release (sale) processes.
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**Child and Youth Protection Services—family group conferencing
(Question No 819)**

Mrs Kikkert asked the Minister for Families and Community Services, upon notice, on 3 June 2022:

- (1) In relation to the ACT Government policy to provide universal access to Family Group Conferencing for Aboriginal and Torres Strait Islander families who engage or enter the child protection system, how many Aboriginal and Torres Strait Islander families engaged with or entered the child protection system during 2020-21.
- (2) Of those instances referred to in part (1), in how many instances was the appraisal closed with no further engagement from Child and Youth Protection Services.

- (3) How many (full-time equivalent) Family Group Conference (FGC) facilitators are currently providing this service to Aboriginal and Torres Strait Islander families in relation to the child protection system.
- (4) What is the average length of time a family must wait to access that service, once a family accepts a referral to a FGC.
- (5) On average, how much of the wait time is administrative in nature (ie, arranging for the FGC), and how much is caused by the need to wait for a facilitator to be available.

Ms Stephen-Smith: The answer to the member's question is as follows:

- (1) In 2020-21, a total of 3,927 Child Concern Reports relating to Aboriginal and Torres Strait Islander children and young people were received by Child and Youth Protection Services. Of those, 629 were appraised as Child Protection Reports relating to the safety of Aboriginal and Torres Strait Islander children and young people.
- (2) Of the 3,927 Child Concern Reports relating to Aboriginal and Torres Strait Islander children and young people, 629 proceeded to appraisal, 506 reports were closed and 123 were substantiated.
- (3) The Family Group Conferencing team consists of 3 facilitators and 1 Practice Leader, all of whom are Aboriginal.
- (4) There is no wait to access this service and engagement with the family commences as soon as acceptance to undertake a Family Group Conference has been agreed by the family.
- (5) Family Group Conferencing preparation time in engaging with the family can take up to 4 to 6 weeks, depending on the family's level of engagement and if family members wish to travel from interstate to participate in person rather than through audio visual means. There is no wait time for a facilitator to be available.

**Waste—green waste services relocation
(Question No 820)**

Mrs Kikkert asked the Minister for Transport and City Services, upon notice, on 3 June 2022:

In relation to the relocation of the Parkwood green waste facility, has the lodgement of a development application for the new site been submitted; if so, when was it submitted; if not, why has it not been submitted.

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

A Development Application was formally lodged with the Environment, Planning and Sustainable Development Directorate on 26 May 2022.

**Umbagog District Park—amenities
(Question No 821)**

Mrs Kikkert asked the Minister for Transport and City Services, upon notice, on 3 June 2022:

- (1) In relation to the feedback from the Umbagog replacement bridges in-person consultations at Umbagog and Kippax Library, how was feedback collected from constituents who attended the in-person consultations.
- (2) Will there be a listening report released that contains the feedback received or summary of the feedback received; if so, when; if not, why not.
- (3) What changes to the designs are being considered following the consultation period.

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

- (1) Feedback was collected from constituents through a process of:
 - i. actively listening to, and having exploratory conversations on topics raised;
 - ii. clarifying feedback using props such as artist impressions of the bridges and a tape measure to demonstrate balustrade heights;
 - iii. documents/ sketches received from the community during the sessions were recorded; and
 - iv. Territory representatives in attendance took notes of issues, questions and comments raised during the in-person sessions.
- (2) A What We Heard report summarising the feedback received during the engagement period is currently being finalised and is expected to be released later this month.
- (3) Key design changes being considered are:
 - v. improving pedestrian views from bridge 1193 by including a lookout area;
 - vi. providing a seat for pedestrian views on the lookout area;
 - vii. passing space on the bridges expanded from 1.8 metres to two metres;
 - viii. providing natural 'rusted-finish' handrails rather than stainless steel; and
 - ix. signage to encourage cyclists to adopt slower speeds on the bridges.

**Municipal services—Charnwood shops
(Question No 822)**

Mrs Kikkert asked the Minister for Transport and City Services, upon notice, on 3 June 2022:

Is there an estimate for when draft plans will be open to community feedback for the trip hazards at Charnwood shops project.

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

Community consultation on this project will be undertaken in the coming few months following the completion of the feasibility studies and draft concept options.

**Aboriginals and Torres Strait Islanders—children and families advocate
(Question No 823)**

Mrs Kikkert asked the Minister for Human Rights, upon notice, on 3 June 2022:

- (1) What is the expected start date for the new Aboriginal and Torres Strait Islander Children and Families Advocate that was posted on the jobs.act.gov.au website (E1226) on 12 May 2022.
- (2) Why has this job listing been removed from the jobs.act.gov.au website despite an application closing date of 13 June 2022.
- (3) Can the Minister provide a copy of the official detailed description for this job.
- (4) As the ACT Aboriginal and Torres Strait Islander Children and Young People Commissioner position has been advertised as a short-term contract for up to nine months, what is the expected date by which an Aboriginal and Torres Strait Islander Children and Young People Commissioner will be in place.
- (5) Has the co-design process for this office been completed; if so, can the Minister provide the detailed description of this position; if not, when will this process be complete.

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

1. The Aboriginal and Torres Strait Islander Children and Families Advocate is an independent executive role, within the Justice and Community Safety Directorate, created to provide leadership and advocate for the wellbeing of Indigenous children and young people in the ACT. It is an interim role while a new ongoing statutory office holder role of an Aboriginal and Torres Strait Islander Children's Commissioner for the ACT is designed and established in legislation.

Applications for the Aboriginal and Torres Strait Islander Children and Families Advocate closed on 13 June 2022. The process has not yet been finalised by Justice and Community Safety Directorate.

2. I understand that the job listing for this role was taken down from the jobs.act.gov.au website for a short period due to an administrative error, which was rectified. The job was also advertised digitally via the Koori Mail, National Indigenous Times, and on the Pipeline Talent jobs board for the entire period for which applications were sought.
3. I attach a copy of the position description for the Aboriginal and Torres Strait Islander Children and Families Advocate. The position description was developed in consultation with the Our Booris, Our Way Implementation Oversight Committee and Aboriginal and Torres Strait Islander Elected Body.
4. The Government is committed to establishing a permanent Aboriginal and Torres Strait Islander Children's Commissioner for the ACT, as recommended by the Our Booris, Our Way Review. The Justice and Community Safety Directorate engaged the Jumbunna Institute for Indigenous Education and Research at UTS to facilitate a

co-design process with ACT stakeholders to inform. The co-design process included participation from the Our Booris, Our Way Implementation Oversight Committee, Aboriginal and Torres Strait Islander Elected Body, Aboriginal community-controlled organisations, the Human Rights Commission, and government stakeholders. The process aimed to develop and refine the proposed Commissioner's scope, functions, governance arrangements and recruitment process.

The Government has received the final report on the co-design process prepared by the Jumbunna Institute and is currently considering it. We will release that report and the Government's response shortly to provide further information to the community about the next steps for this reform. Necessarily, the date by which an Aboriginal and Torres Strait Islander Children's Commissioner is expected to be in place depends on the progress of the reform process.

5. As indicated in response to question 4, the co-design process has now concluded and the Jumbunna Institute have now provided their final co-design report containing its recommended model for the establishment of the Commissioner's office. The Government intends to release its response to the report, in the coming months.

Alexander Maconochie Centre—detainees with schizophrenia (Question No 824)

Mrs Kikkert asked the Minister for Justice Health, upon notice, on 3 June 2022:

- (1) How many detainees in the Alexander Maconochie Centre are diagnosed with schizophrenia, as of 2 June 2022
- (2) How many of the detainees referred to in part (1) are (a) male and (b) female.

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

- (1) We are unable to provide this information as it is personal health information of current detainees.
- (2) See above.

Canberra Institute of Technology—procurement (Question No 825)

Ms Lee asked the Minister for Skills, upon notice, on 10 June 2022:

- (1) Can the Minister provide a detailed explanation as to why the Canberra Institute of Technology (CIT) entered into contract 2021.2706153.220 for substantially the same services as contracts 2020.2147.220 and 2018.31001.220 (valued at a combined total of \$2,925,001.00), particularly when those contracts contain clauses (Schedule 2, 3.1.11 and Schedule 2, 3.1.13 respectively) stating "As a guide it is expected that as the knowledge passes from the Consultant to CIT staff and the capability of CIT staff grows the utilisation of the Consultant should naturally diminish".
- (2) Can the Minister advise the payment instalment amounts, per Schedule 1, Item 3, (2).

- (3) Can the Minister advise whether any hourly or daily rates were tendered by the contractor and agreed to in the contract.
- (4) Can the Minister provide any correspondence, minutes or other documentation of interactions between CIT and the Government Procurement Board regarding the tender and contract 2021.2706153.220.
- (5) Can the Minister provide details of all travel disbursements, including dollar value and dates paid, per Schedule 1, Item 3, clauses 3 and 4 of the contract.
- (6) Can the Minister provide details of all payments made, including the nature of services provided, dollar value and dates agreed to, and dates paid, per Schedule 1, Item 3, clause 6 of the contract.
- (7) What is the name of all persons who delivered services under the contract, per Schedule 1, Item 4.
- (8) What is the name of the consultant's contract manager, per Schedule 2, clause 5.1.2.
- (9) Can the Minister advise if any personnel changes were made and agreed to by CIT, along with copies of any relevant documentation, per Schedule 2, clause 5.1.4.
- (10) Can the Minister provide details of any subcontractors that delivered services under the contract, including company name, name of persons who delivered services, subcontract dollar value, nature of services provided, and dates services were provided, per Schedule 2, clause 5.2.
- (11) Can the Minister provide details of coaching, guidance, or mentoring services, including number of occurrences, and dates of unscheduled and scheduled conversations and meetings, per Schedule 2, clause 2.2.1 (a).
- (12) Can the Minister provide details of how CIT's processes, systems and structures have changed, and the subsequent outcomes of any change, per Schedule 2, clause 2.2.1 (b), and Schedule 2, clause 2.2.2, (a), (b), (c) and (d).
- (13) Can the Minister provide details of the types, quantity and uses of data collected per Schedule 2, clause 2.2.3 (a), the coherence and connections of stakeholders, per Schedule 2, clause 2.2.3 (b), and context appropriate options per Schedule 2, clause 2.2.3 (c).
- (14) Can the Minister provide details of the facilitated activities, including the number of activities, dates held, number of participants at each, venues, expenditure incurred (eg, venue hire, catering), survey results from activities, and any documented outputs or products produced as a result of holding the activities, per Schedule 2, clauses 2.2.5, 2.2.6 and 2.2.7.
- (15) Can the Minister provide details, including dates, conversation summaries, and copies of any documented agreements, following meetings held, per Schedule 2, clauses 6.1.1 and 6.1.2, and any materials or products delivered as a result.
- (16) What documented deliverables were agreed to, per Schedule 2, clause 6.2.2.
- (17) Can the Minister provide copies of any assessments against contractor KPIs, per Schedule 2, clause 8.1.1, and any supporting documentation used to undertake those assessments, such as survey results.

- (18) Were contractor key performance indicators altered, per Schedule 2, clause 8.1.2.
- (19) Can the Minister provide copies of any local industry participation plans, reports and final reports submitted by the successful tenderer for contract 2021.2706153.220, per Schedule 3, Item 2.
- (20) Can the Minister provide the economic contribution test documentation submitted with the successful tender for contract 2021.2706153.220.
- (21) Can the Minister provide any correspondence, minutes or other documentation of interactions between CIT and the Government Procurement Board regarding the tender and contract 2021.2706153.220.
- (22) Can the Minister provide any conflict of interest documents related to 2021.2706153.220.

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

This question and related questions are matters that are currently the subject of an investigation by the ACT Integrity Commission. To ensure the Integrity Commission's work can proceed without interference, these questions cannot be responded to at this time.

Canberra Institute of Technology—procurement (Question No 826)

Ms Lee asked the Minister for Skills, upon notice, on 10 June 2022:

- (1) Can the Minister provide a detailed explanation as to why the Canberra Institute of Technology (CIT) entered into contract 2022.GS3003590.220 (valued at \$4,999,990.00) for substantially similar services as contracts 2021.2706153.220, 2020.2147.220 and 2018.31001.220 (valued at a combined total of \$3,437,051.00), particularly when the latter two contracts contain clauses (Schedule 2, 3.1.11 and Schedule 2, 3.1.13 respectively) stating “As a guide it is expected that as the knowledge passes from the Consultant to CIT staff and the capability of CIT staff grows the utilisation of the Consultant should naturally diminish”.
- (2) Can the Minister provide the finalised outline of the contractor's methodology provided to CIT upon execution of the contract, detailing how the contractor will undertake the services, collaborate and communicate with CIT, design the work, and identify appropriate timelines.
- (3) Can the Minister advise the payment instalment amounts, per Schedule 1, Item 3, (3).
- (4) Can the Minister advise whether any hourly or daily rates were tendered by the contractor and agreed to in the contract.
- (5) Can the Minister provide any correspondence, minutes or other documentation of interactions between CIT and the Government Procurement Board regarding the tender and contract 2022.GS3003590.220.
- (6) What is the name of all persons who are currently delivering services under the

contract, per Schedule 1, Item 4, and how those persons meet the service delivery requirements per Schedule 2, clause 2.2.1.

- (7) Can the Minister provide any written documentation or outcomes as a result of any meetings already held under the contract, per Schedule 2, clause 2.3.2.
- (8) What is the name of the consultant's contract manager, per Schedule 2, clause 5.1.2.
- (9) Can the Minister provide any documents or artefacts delivered per Schedule 2, clause 4.1.
- (10) Can the Minister provide copies of any local industry participation plans and reports submitted by the successful tenderer for contract 2022.GS3003590.220, per Schedule 3, Item 5.
- (11) Can the Minister provide the economic contribution test documentation submitted with the successful tender for contract 2022.GS3003590.220.
- (12) Can the Minister provide any conflict of interest documents related to 2022.GS3003590.220.

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

This question and related questions are matters that are currently the subject of an investigation by the ACT Integrity Commission. To ensure the Integrity Commission's work can proceed without interference, these questions cannot be responded to at this time.

Canberra Institute of Technology—procurement (Question No 827)

Ms Lee asked the Minister for Skills, upon notice, on 10 June 2022:

- (1) Can the Minister provide a detailed explanation as to why the Canberra Institute of Technology (CIT) contract 2020.2147.220 was varied by the sum of \$1.
- (2) Can the Minister provide a detailed explanation as to why CIT entered into contract 2020.2147.220 (valued at \$1,705,001.00), for substantially the same services as contract 2018.31001.220 (valued at \$1,220,000.00), particularly when the latter contract contained a clause (3.1.13) stating "As a guide it is expected that as the knowledge passes from the Consultant to CIT staff and the capability of CIT staff grows the utilisation of the Consultant should naturally diminish".
- (3) Can the Minister provide copies of any analysis or assessment undertaken to support the extension of the contract.
- (4) Can the Minister advise the amount of the extension referred to at Schedule 1, Item 3, (2).
- (5) What are the payment instalment amounts, per Schedule 1, Item 3, (3).
- (6) Were any hourly or daily rates tendered by the contractor and agreed to in the contract.

- (7) Can the Minister provide details of all travel disbursements, including dollar value and dates paid, per Schedule 1, Item 3, clauses 4 and 5 of the contract.
- (8) Can the Minister provide details of all payments made, including the nature of services provided, dollar value and dates agreed to, and dates paid, per Schedule 1, Item 3, clause 6 of the contract.
- (9) What is the name of all persons who delivered services under the contract, per Schedule 1, Item 4.
- (10) Can the Minister provide details of any subcontractors that delivered services under the contract, including company name, names of persons who delivered services, subcontract dollar value, nature of services provided, and dates services were provided.
- (11) Can the Minister provide details of coaching, guidance, or mentoring services, including number of occurrences, and dates of unscheduled and scheduled conversations and meetings, per Schedule 2, clause 3.1.3 (a).
- (12) Can the Minister provide details of the bespoke activities, including the number of activities, dates held, number of participants at each, venues, expenditure incurred (eg, venue hire, catering), survey results from activities, and any documented outputs or products produced as a result of holding the activities, per Schedule 2, clause 3.1.3 (b).
- (13) Can the Minister provide copies of all resource materials provided to CIT, per Schedule 2, clause 3.1.3 (c).
- (14) Can the Minister provide copies of all written materials and/or documents, and a summary of any verbal advice, provided to CIT, per Schedule 2, clause 3.1.3 (d).
- (15) Can the Minister provide copies of all written materials and/or documents, and a summary of any verbal advice, provided to CIT, per Schedule 2, clause 3.1.3 (e).
- (16) Can the Minister provide details, including dates, conversation summaries, and copies of any documented agreements, following meetings held, per Schedule 2, clauses 5.1.1 and 5.1.2, and any materials or products delivered as a result.
- (17) Can the Minister provide copies of progress reports, per Schedule 2, clause 5.1.4, and any related materials or products.
- (18) Can the Minister provide copies of any assessments against contractor key performance indicators (KPIs), per Schedule 2, clause 6.1.1, and any supporting documentation used to undertake those assessments, such as survey results.
- (19) Were contractor KPIs altered, per Schedule 2, clause 6.1.2.
- (20) In relation to safe to fail experiments mentioned in Schedule 2, Table 3, can the Minister advise the benchmark number, and the number at the conclusion of the contract, and a brief summary of each safe to fail experiment conducted over the duration of the contract.
- (21) Can the Minister provide details of the surveys and tools mentioned in Schedule 2, Table 3 that were utilised over the duration of the contract.

- (22) Can the Minister provide copies of any local industry participation plans, reports and final reports submitted by the successful tenderer for contract 2020.2147.220, per Schedule 3, Item 2.
- (23) Can the Minister provide a detailed explanation as to why Schedule 4 is confidential.
- (24) Can the Minister provide the economic contribution test documentation submitted with the successful tender for contract 2020.2147.220.
- (25) Can the Minister provide any correspondence, minutes or other documentation of interactions between CIT and the Government Procurement Board regarding the tender and contract 2020.2147.220.
- (26) Can the Minister provide any conflict of interest documents related to 2020.2147.220.

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

This question and related questions are matters that are currently the subject of an investigation by the ACT Integrity Commission. To ensure the Integrity Commission's work can proceed without interference, these questions cannot be responded to at this time.

Canberra Institute of Technology—procurement (Question No 828)

Ms Lee asked the Minister for Skills, upon notice, on 10 June 2022:

- (1) Can the Minister provide a copy of the response by the Canberra Institute of Technology (CIT) to the update requested by the Government Procurement Board (GPB) on the performance of the contractor against contract 2018.31001.220, and if outcomes have been achieved, per the minuted action item from the GPB's Tuesday 21 January 2020 meeting.
- (2) Can the Minister provide any correspondence, minutes or other documentation of interactions between CIT and the GPB regarding the tender and contract 2018.31001.220.
- (3) Can the Minister provide copies of any analysis or assessment undertaken to support the extension of the contract.
- (4) What was the payment instalment schedule and amounts, per Schedule 1, Item 3, (3).
- (5) Were any hourly or daily rates tendered by the contractor and agreed to in the contract.
- (6) Can the Minister provide details of all travel disbursements, including dollar value and dates paid, per Schedule 1, Item 3, clauses 4 and 5 of the contract.
- (7) Can the Minister provide details of all payments made, including the nature of services provided, dollar value and dates agreed to, and dates paid, per Schedule 1, Item 3, clause 6 of the contract.

- (8) What is the name of all persons who delivered services under the contract, per Schedule 1, Item 4 of the contract.
- (9) Can the Minister provide details of any subcontractors that delivered services under the contract, including company name, names of persons who delivered services, subcontract dollar value, nature of services provided, and dates services were provided.
- (10) Can the Minister provide details of coaching, guidance, or mentoring services, including number of occurrences, and dates of unscheduled and scheduled conversations and meetings, per Schedule 2, clause 3.1.3 (a).
- (11) Can the Minister provide details of coaching, guidance, or mentoring services, including number of occurrences, and dates of unscheduled and scheduled conversations and meetings, per Schedule 2, clause 3.1.3 (b).
- (12) Can the Minister provide details of workshops held, including the number of workshops, dates held, number of participants at each, venues, expenditure incurred (eg, venue hire, catering), survey results from workshops, and any documented outputs or products produced as a result of holding the workshop/s, per Schedule 2, clause 3.1.3 (c).
- (13) Can the Minister provide copies of all resource materials provided to CIT, per Schedule 2, clause 3.1.3 (d).
- (14) Can the Minister provide copies of all written materials and/or documents, and a summary of any verbal advice, provided to CIT, per Schedule 2, clause 3.1.3 (e).
- (15) Can the Minister provide copies of all written materials and/or documents, and a summary of any verbal advice, provided to CIT, per Schedule 2, clause 3.1.3 (f).
- (16) Can the Minister provide copies of all documented agreements following meetings, per Schedule 2, clause 6.1.2, and any materials or products delivered as a result.
- (17) Can the Minister provide copies of progress reports, per Schedule 2, clause 6.1.4, and any materials or products delivered as a result.
- (18) Can the Minister provide copies of any assessments against contractor key performance indicators (KPIs), per Schedule 2, clause 7.1.1, and any supporting documentation used to undertake those assessments, such as survey results.
- (19) Were the contractor KPIs altered, per Schedule 2, clause 7.1.2.
- (20) Can the Minister provide the economic contribution test documentation submitted with the successful tender for contract 2018.31001.220.
- (21) Can the Minister provide any conflict of interest documents related to 2018.31001.220.

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

This question and related questions are matters that are currently the subject of an investigation by the ACT Integrity Commission. To ensure the Integrity Commission's

work can proceed without interference, these questions cannot be responded to at this time.

**ACT Health—Insecure Work Taskforce
(Question No 832)**

Ms Castley asked the Minister for Health, upon notice, on 10 June 2022:

- (1) How long has the Secure Work Taskforce been operating.
- (2) Since the taskforce was established, can the Minister provide a breakdown for each (a) year and (b) round, of how (i) many casual and temporary employees were identified as being eligible for full-time consideration, (ii) many casual/temporary employees received a full-time offer, (iii) many casual/temporary staff rejected the offer, (iv) many employees were converted to full time and (v) long the (A) scanning and (B) offer stages take for each round.
- (3) Do all eligible casual and temporary staff receive full-time offers; if not, how does the taskforce determine who receives offers.
- (4) What are the top 10 reasons, this financial year, for employees rejecting a full-time position and how many employees cite these reasons for rejection.
- (5) How many staff were employed (headcount and full-time equivalent) to work on the taskforce, for each year since the taskforce began.

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

This question was originally asked of the Minister for Health, and the answer relates to that Minister's portfolio. Noting that, the answer to the Member's question is as follows:

The Insecure Work Taskforce and was established through the ACTPS Enterprise Agreements in 2018.

(a) (b)

- 2020 (i) 625 were assessed (ii) 156 found eligible (iii) 102 refused conversion (iv) 54 were converted (v) (A) up to 8 weeks (B) 8 weeks
- 2021 (round 1) (i) 329 were assessed (ii) 49 found eligible (iii) 22 refused conversion (iv) 27 were converted (v) (A) up to 4 weeks (B) 4 weeks
- 2021 (round 2) (i) 246 were assessed (ii) 104 found eligible (iii) 84 refused conversion (iv) 20 were converted (v) (A) up to 4 weeks (B) 16 weeks
- 2022 (round 1) (i) 377 were assessed (ii) 229 found eligible (iii) 142 refused conversion (iv) 87 were converted (v) (A) up to 3 weeks (B) 6 weeks

Both casual and temporary employees are assessed for conversion to permanent employment. Reasons for not being offered conversion to permanent employment include:

- Not yet worked more than 12 months service with the Territory
- Not having permanent residency or Australian citizenship

- Not having worked in a regular or systematic way over preceding six months
- Casual and temporary employees backfilling nominally filled positions
- Temporary employees in training positions
- Resigned from the ACTPS
- Recently permanently appointed
- Casual and temporary employees engaged in limited period Commonwealth funded roles.
- Consideration of clause 18 of the Secure Workforce Conversion policy, which includes whether there is an ongoing need for the employee in the current or substantially similar role, ease of deployment into other areas of the ACTPS, whether the employee has been subject to a merit process and whether the employee has satisfactorily met the performance objectives of their role.

Those employees who have provided reasons have noted one of the following reasons:

- They already have permanent employment elsewhere
- They require flexible working arrangements that temporary and casual employment brings
- They wish to remain casual as it suits their work/life balance
- They wish to remain casual on-call
- They prefer flexible employment whilst they pursue study.

There were no staff specifically employed for this project since commencement in 2020. Generally, two staff assist with each round of assessment.

ACT Health—staffing (Question No 834)

Ms Castley asked the Minister for Health, upon notice, on 10 June 2022:

- (1) Can the Minister provide a breakdown of all staff exits, by category (eg, retirement/redundancy/fired), since 2016.
- (2) Does each staff member referred to in part (1) have an opportunity to provide exit feedback; if not, why not; if so, what feedback are staff able to provide and how many staff have completed this feedback each year since 2016.
- (3) Can the Minister provide a breakdown by job title/classification of the top 10 types/categories of feedback and how many staff provided each type of feedback, since 2016.

Ms Stephen-Smith: The answer to the member's question is as follows:

- 1) Canberra Health Services (CHS) exit survey data commenced being collated electronically in October 2019. Prior to this date, data is unable to be sourced readily and would be an unreasonable diversion of resources to provide, as such only data dating from October 2019 to present has been reported.

CHS Resignation Reason	Headcount
CASUAL NOT WORKED IN 12 MONTHS	54
CESSATION - CONTRACT END	963
DEATH OF EMPLOYEE	8
DISMISSAL	10
RESIGNATION	1423
RETIREMENT	201
OTHER	10

Calvary Public Hospital Bruce – January 2016 – December 2021	
Cessation / Contract ended	80
Resignation	473
Retirement	50

- 2) Every CHS staff member is provided the opportunity to provide written feedback as part of an anonymous online survey as well as the opportunity to undertake an exit interview.

Staff exiting the organisation can provide confidential and anonymous responses to a range of questions focused on improving CHS such as their reason for leaving, how their team members work together, is recognition afforded and regularly provided, how visible the values are in the organisation and how supported the staff member felt in their role. Staff are also able to provide open comment on their experience with CHS including what improvements they would recommend. If they wish, they may also leave their contact details and request a one-on-one interview with their manager, a HR professional, an Executive or the Chief Executive Officer.

Data collated electronically commenced in October 2019. Data collected since that time has shown 1,025 CHS staff have completed feedback through the exit survey process.

Calvary Public Hospital Bruce (CPHB) offers every staff member the opportunity to provide written feedback and undertake an exit interview. The number of staff that have provided feedback is not captured in an easily retrievable manner and would be an unreasonable diversion of resources to provide.

- 3) Due to the confidentiality and primarily anonymous nature of the CHS exit survey process, job title and classification are not provided for reporting purposes. As feedback is provided through open ended responses, we are unable to supply the top 10 types of feedback however we have listed the top three responses to questions in the survey.

The top three reasons staff listed as their reason for leaving CHS were:

- i. promotion or new employment opportunity,
- ii. change in personal circumstance, and
- iii. end of temporary employment.

The above three reasons accounted for 62 per cent of all responses received.

When asked what the best thing was about working at CHS, the top responses were:

- i. team and colleagues,

- ii. work life balance, and
- iii. being in a supportive environment.

When asked what CHS could do better, the top responses were:

- i. less paperwork and better technology,
- ii. more leadership and management development, and
- iii. more opportunities for personal development.

When asked if they would be interested to work for CHS again, 57 per cent commented 'yes' with the remainder leaving the question blank or stating 'no'.

Calvary Public Hospital Bruce has advised the information for this question is not captured in an easily retrievable format and would be an unreasonable diversion of resources to provide. Anecdotally, Calvary advises that the main reasons for staff to leave employment are employment opportunity and relocation.

ACT Health—workers compensation claims (Question No 836)

Ms Castley asked the Minister for Health, upon notice, on 10 June 2022:

- (1) What has been the (a) actual spend and (b) budgeted spend for workers compensation premium charge since 2016.
- (2) How many staff incidents have there been in Canberra Health Services (CHS) each year since 2016.
- (3) How many compensation claims have been lodged since July 2020 for each month until present.
- (4) Can the Minister provide a breakdown of the reasons that claims are (a) rejected and (b) withdrawn.
- (5) Can the Minister provide a breakdown of all compensation claims by division in the hospital (surgery, medicine etc) for (a) all claims, (b) claims withdrawn, (c) accepted claims and (d) rejected claims, for each month since July 2020.
- (6) Can the Minister provide a breakdown for (a) all compensation claims, (b) accepted claims and (c) rejected claims by mechanism of injury since July 2020.
- (7) What is the average cost of a compensation claim.
- (8) What is the average time off following an accepted claim.
- (9) Can the Minister provide a breakdown from the most expensive to least expensive compensation claims by mechanism of injury since July 2020.
- (10) How many staff (headcount and full-time equivalent) work in Work health and Safety for CHS?

- (11) How many staff assess claims of workers compensation.
- (12) What is the average time for (a) an accepted and (b) a rejected compensation claim in CHS.
- (13) How many cases are (a) opened and (b) closed, each month since July 2020?

Ms Stephen-Smith: The answer to the member's question is as follows:

- 1) For the purposes of providing a timely response after multiple attempts to clarify the intent of the question, it is assumed the Member is inquiring about Canberra Health Services (CHS) staff as all following questions are specific to CHS. Please note that CHS was established in 2018 and as such data will only be provided from this time. The workers' compensation premium charge at CHS, budget and actual for financial year 2018-19 to current, is outlined in the below table.

Financial Year	Budget (\$)	Actual (\$)
2018-19	18,846,558	18,831,426
2019-20	14,490,213	14,478,843
2020-21	14,879,502	14,250,829
2021-22	12,300,119	12,838,094

*Please note Canberra Health Services was established in October 2018

- 2) The number of staff incidents in CHS reported from the Work Health Safety unit each year since 2018 is per the below table. CHS was established in 2018 and as such information prior to this time has not been provided.

CHS Total Staff Incident Reports entered to RiskMan

Financial Year	Staff Incident Reports
2018-19	2003
2019-20	2138
2020-21	2573
2021-22*	2604

*to 20 June 2022

- 3) CHS compensation claims that have been lodged since July 2020 for each month until 31 May 2022 is as per the below table. This data is provided from the Workplace Safety and Industrial Relations unit within Chief Ministers, Treasury and Economic Development Directorate (CMTEDD).

Calendar Year	Calendar Month											
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2020							12	14	15	13	17	12
2021	13	16	8	8	10	13	10	14	18	7	9	12
2022	11	20	18	11	14							

- 4)
- a) Workers' compensation claims are assessed and either accepted or rejected, by the insurer EML. A claim is typically rejected by the insurer on the basis that there is

insufficient medical evidence to support that the workplace is a significant contributing factor to the injury.

- b) In respect of withdrawn compensation claims, in the event an employee withdraws their claim, this is done directly with the insurer and CHS is not privy to the reasons for this.
- 5) Due to the breadth of the Member's question, the amount of data required to be exported and summarised to provide an answer would require significant time and resourcing. I have therefore been advised that CHS is unable to provide this data as this would be an unreasonable diversion of resources.
- 6) The following table provides a breakdown for all CHS compensation claims, both accepted and rejected, by mechanism of injury since July 2020. This data is provided from the Workplace Safety and Industrial Relations unit within CMTEDD.

(Available at the Chamber Support Office).

- 7) The average cost of a compensation claim for CHS is approximately \$90,160. This figure is based on the 2022-2023 premium pool and devolution estimates for CHS.
- 8) For CHS compensation claims reported since 1 July 2020, the average time off for an accepted claim is 8.3 weeks, noting that the claims are still developing and that this figure reflects experience to 31 May 2022.
- 9) The following table depicts the highest and lowest cost CHS compensation claims paid to date as reported since 1 July 2020, noting that the claims are still developing and that these figures reflect experience to 31 May 2022. This data is provided from the Workplace Safety and Industrial Relations unit within CMTEDD.

Mechanism of Injury	Total Cost (\$)
Falls on the same level	1,300,613
Contact with, or exposure to, biological factors of human origin	495

- 10) The WHS team at CHS currently has a head count of 12 with 10.6 FTE.
- 11) All compensation claims are assessed by the ACT Government's claims manager, EML. EML presently has five case managers that actively manage CHS Workers' Compensation claims, including the assessment of claims. There are up to 30 case managers in total that assess Workers' Compensation claims for the ACT Public Sector Workers' Compensation program under the self-insurance arrangement.
- 12) For CHS compensation claims reported since 1 July 2020, the average time for initial liability decision is 15.2 days for an accepted claim and 42.7 days for a rejected claim.
- 13) The numbers of CHS compensation claims that are a) opened and b) closed, each month since July 2020 are set out in the below table. This data is provided from the Workplace Safety and Industrial Relations unit within CMTEDD.

Report Month	a) New opened / reopened claims	b) Closed Claims
Jul-20	26	19
Aug-20	20	15
Sep-20	21	20
Oct-20	17	10
Nov-20	24	16
Dec-20	22	31
Jan-21	13	18
Feb-21	29	27
Mar-21	17	19
Apr-21	17	20
May-21	11	11
Jun-21	20	13
Jul-21	15	24
Aug-21	16	15
Sep-21	21	9
Oct-21	13	36
Nov-21	16	21
Dec-21	16	21
Jan-22	14	13
Feb-22	20	15
Mar-22	23	17
Apr-22	17	16
May-22	16	10

**ACT Health—workplace culture improvement strategy
(Question No 837)**

Ms Castley asked the Minister for Health, upon notice, on 10 June 2022:

- (1) Can the Minister provide an update of the 68 initiatives for Fostering Organisational Culture Improvement Strategy (FOCIS), including a brief summary of (a) the completed initiatives, (b) the initiatives still progressing and (c) initiatives yet to commence.
- (2) When is the strategy due to be completed.
- (3) Will the strategy be completed on time.
- (4) How much has been (a) budgeted and (b) spent on each initiative and survey.
- (5) Is the survey conducted internally or externally.
- (6) If the survey is conducted externally, who conducts the survey and how much does it cost Canberra Health Services (CHS).
- (7) What are the results of the June Pulse Survey.
- (8) Will CHS's assessment against the Organisational Culture Improvement Model be made publicly available; if not, why not.

- (9) Why was the original FOCIS performance framework reviewed in October 2020.
- (10) Who conducted this review and how much did it cost.
- (11) How many staff were trained or received material from the original FOCIS.
- (12) How much was spent on the original strategy before it was reviewed.
- (13) How many managers attended the training in May 2022.
- (14) Given that freedom of information documents from CHS state “Further analysis of the results (Workplace Culture Survey 2021) and action planning for improving priority areas is being undertaken during February and March 2022”, (a) what analysis has been undertaken, (b) how is it being conducted and (c) by whom.
- (15) Can the Minister provide a copy of all (a) analysis CHS has completed on the results and (b) action planning for improving priority areas.

Ms Stephen-Smith: The answer to the member’s question is as follows:

- 1) The Canberra Health Services Fostering Organisational Culture Improvement Strategy (FOCIS) 2020-2022 outlines 50 activities which were consolidated into 29 key initiatives as per the Key Initiatives Document (**attached**).

Completed initiatives:

1. Monitoring progress and achievement of Strategic Plan, Corporate Plan through the Corporate Plan Tracker.
2. Progressing the Improving Medical Engagement and Culture Strategy.
3. Implementing the Clinical Governance Framework by progressing the eight Frameworks which inform systems and processes.
4. Governance structures are aligned to strategic priorities and have clear purposes and responsibilities.
5. Showcasing CHS Values quarterly.
6. Continuing to monitor embedding values-led behaviour through the Workplace Culture Survey 2021.
7. Implementing internal communication strategy.
8. Workshops with nursing leaders to determine best methods for communicating with a 24/7 workforce.
9. Evidence and consultation are used to develop policies and procedures.
10. Reporting lines are clear and well-articulated.
11. Our People Framework outlines how we will invest and care for our people.
12. Evaluating effectiveness of people training programs and identify training needs.

13. Refreshing the Performance Framework to support our people with role clarity and performance development.
14. Implementing an Awards and Recognition Program, including an annual CEO awards ceremony.
15. Factsheets and a manager toolkit to guide how to best resolve workplace issues.
16. Refreshing manager training to build capability so managers effectively resolve workplace issues and complaints.
17. Continuing the Workplace Resolution and Support Service.
18. Pilot evidence-based civility program.
19. Refreshing of the Respect, Equity and Diversity Contact Officers (REDCO) network.
20. Implementing improvement in complaints and grievance processes.
21. Implementing Speaking up for Safety (SUFS) and Promoting Professional Accountability Program (PPA).
22. Develop workforce action plans and staff networks to support inclusion in-line with the Inclusion Roadmap.
23. Continuing to evaluate our people's views on being consulted on decisions that impact them through the Workplace Culture Survey 2021.
24. Continuing to evaluate team behaviours and cohesion in the Workplace Culture Survey 2021.

Initiatives still progressing:

1. Leadership Strategy.
2. Promoting Professional Accountability.
3. Improving recruitment practices to make them more inclusive.
4. Establishing a team business planning process, where teams identify their objectives and how they support the goals of CHS.
5. Education on delegations for managers within induction.

There are no initiatives yet to commence.

- 2) The lifespan of the Strategy is 2020-2022, however many of the initiatives will continue as business as usual.
- 3) Yes.
- 4)
 - a) The FOCIS Strategy was funded as part of the \$12 million 2019-20 ACT Budget

measure Implementing the Independent Review into the Workplace Culture within ACT Public Health Services.

b) Reporting against this budget measure is not conducted at the initiative and survey level. Actual expenditure against this measure is outlined in the ACT Health Directorate (ACTHD) 2019-20 Annual Report and 2020-21 Annual Report. Links below:

<https://www.health.act.gov.au/sites/default/files/2020-12/ACT%20Health%20Directorate%20Annual%20Report%202019-20%20Accessible.pdf>

https://www.health.act.gov.au/sites/default/files/2021-12/ACTH%20Annual%20Report%202020-21_Accessible.pdf

- 5) The 2021 CHS Workplace Culture Survey was conducted by an external provider.
- 6) The 2021 CHS Workplace Culture Survey was conducted by Best Practice Australia Analytics and cost \$129,951 (GST excl).
- 7) The June 2021 Pulse Survey results were a 45 per cent response rate with 38 per cent engaged, placing CHS in a Culture of Reaction.
- 8) The 2020 Organisational Culture Improvement Model (OCIM) results are publicly available in the 'Culture in the ACT public health system: Second Independent Annual Review'.
- 9) From October to December 2020 CHS reviewed use of the Whole of ACTPS Performance Framework in CHS following 2019 CHS Workplace Culture Survey data that indicated performance plans were not well embedded in CHS. This was not a review of the FOCIS performance framework as the original FOCIS performance framework was not in existence at that time.
- 10) The review was conducted by senior staff in the Workforce Culture and Leadership Unit, with nil cost associated with the review itself. The cost of professionalising the revised performance and development plan and associated guides was \$4,455.
- 11) As per the answer to question 9, there was no original FOCIS performance framework.
- 12) There was no spend on an original FOCIS Strategy as the current FOCIS Strategy was developed in late 2019.
- 13) This question cannot be answered because CHS conducts a range of training, and it is not clear which 'training in May 2022' is being referred to.
- 14)
 - a) The purpose of the survey data analysis was to identify those work units in CHS that had the weakest culture from the 2021 CHS Workplace Culture Survey results.
 - b) Desktop analysis of the survey data was conducted.
 - c) Senior staff in the Workforce Culture and Leadership Unit, People and Culture Division.
- 15)
 - a) I am advised that releasing the CHS analysis of results would be inappropriate as this

could reveal an individual's responses. CHS staff are assured complete anonymity when completing workplace surveys and releasing the analysis would breach this assurance.

However, results from the 2021 CHS Workplace Culture Survey at the Division and Unit level have been made available to teams on the CHS intranet. A Freedom of Information application that was responded to on 8 July 2022 includes detailed results, which also include a summary level analysis from Best Practice Australia Analytics.

- b) Engagement with teams has been ongoing to outline the activities and actions recommended from the analysis to inform team-based plans. Priority areas have agreed to undertake culture improvement activities as recommended from the analysis. Action plans are currently under development, and in some cases being implemented, and are not appropriate for release for the same reasons noted in response to question 15(a).

(A copy of the attachment is available at the Chamber Support Office).

Crime—Yerrabi (Question No 838)

Ms Castley asked the Minister for Police and Emergency Services, upon notice, on 10 June 2022:

- (1) Can the Minister provide a breakdown of all (a) reported crimes and (b) crimes that have been charged by ACT Policing, for each suburb in Yerrabi each year since 2020.
- (2) What policies is the Government implementing to reduce crime in Yerrabi.
- (3) What are the most common crimes in Yerrabi for 2021-22.
- (4) What crimes are increasing in Yerrabi for 2021-22.
- (5) What is the budget for ACT Policing in Gungahlin and how much has been spent for the year 2021-22.
- (6) How many crimes have been reported in Ngunnawal and what categories have they been, for each month since May 2021.
- (7) Have there been any specific programs, policies or initiatives to reduce or investigate crimes in Ngunnawal.

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

(1)(a)(b) Reported crimes broken down by suburb are readily and publicly available on the ACT Policing website. For ACT Policing to provide an accurate breakdown of offences charged per suburb within the electorate of Yerrabi, would be an onerous task that would unreasonably divert resources. However, resources are available to review related information via the following websites:

- ACT Policing Crime Statistics: <https://www.policenews.act.gov.au/crime-statistics-and-data>.
- ACT Policing Annual Reports: <https://www.police.act.gov.au/about-us/publications/annual-reports#annual-report>.

- Australian Bureau of Statistics: <https://www.abs.gov.au/statistics/people/crime-and-justice/recorded-crime-offenders/2020-21#australian-capital-territory>.

(2) What policies is the Government implementing to reduce crime in Yerrabi?

Within the *Agreement between the ACT Minister for Police and Emergency Services, Australian Federal Police Commissioner, and the Chief Police Officer for the ACT for the provision of policing services to the Australian Capital Territory 2017-2021*, it is an agreement to reduce crime within the ACT.

Through the Police Services Model, ACT Policing was allocated funding for an additional ten Full Time Employee (FTE) positions at Gungahlin Police Station. The additional FTE positions will be filled within the 2022-23 financial year and increase the resourcing and capabilities of the station.

(3) What are the most common crimes in Yerrabi for 2021-22?

Please see resources listed above.

(4) What crimes are increasing in Yerrabi for 2021-22?

Please see resources listed above.

(5) What is the budget for ACT Policing in Gungahlin and how much has been spent for the year 2021-22?

The budget for direct costs for Gungahlin Police Station is \$5.28m. ACT Policing spent \$5.33m of this budget between 1 July 2021 and 31 May 2022. This budget does not include other centrally held costs such as fleet and property, nor does it include services delivered by other ACT Policing Units including Criminal Investigations or Enabling Services for example.

(6) How many crimes have been reported in Ngunnawal and what categories have they been, for each month since May 2021?

Please see resources listed above.

(7) Have there been any specific programs, policies or initiatives to reduce or investigate crimes in Ngunnawal?

Crime reduction strategies are regularly implemented for all areas within Yerrabi, including Ngunnawal. These strategies are developed in response to intelligence trends relating to crime rates and types. Resourcing from other investigative areas such as Criminal Investigations teams are also engaged to assist in addressing reoccurring offences.

Some examples of routine crime reduction strategies include:

- high visibility patrols;
- plain clothes covert operations;
- targeted traffic operations and enforcement; and,
- social media messaging.

**National Arboretum Canberra—pay parking
(Question No 839)**

Ms Lawder asked the Minister for Transport and City Services, upon notice, on 10 June 2022:

- (1) How long has the National Arboretum Canberra enforced paid parking.
- (2) How much revenue has been raised, per year, since the enforcement of paid parking.
- (3) Of the revenue referred to in part (2), how much has gone directly into the maintenance and functioning of the Arboretum.
- (4) If there is any remaining revenue, where have these funds been allocated to.

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

- (1) Parking fees have been collected since March 2015.
- (2) The revenue collected from parking fees since the beginning of their collection is:

2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022*
\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
128	342	366	345	264	514	250

*to May 22

- (3) All car parking revenue goes to the maintenance and functioning of the National Arboretum. This constitutes on average 5 per cent of the Arboretum's total revenue.
- (4) The entire revenue is spent in the financial year received.

Stromlo Forest Park—pay parking (Question No 840)

Ms Lawder asked the Minister for Transport and City Services, upon notice, on 10 June 2022:

Will there be paid parking implemented at Stromlo Forrest Park; if so, will the revenue solely fund the upkeep and function of Stromlo Forrest Park.

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

The construction of the paved car park at Stromlo Forest Park is due for completion in 2022-23. Any proposal to implement paid parking on the site, including the use of that revenue, would need to be considered by ACT Government.

Public housing—relocations (Question No 841)

Mr Parton asked the Minister for Housing and Suburban Development, upon notice, on 10 June 2022:

- (1) How many of the over 300 freestanding public housing properties that received relocation letters are being moved to (a) 1 bedroom apartments, (b) 2 bedroom apartments, (c) 2 bedroom townhouses, (d) 3 bedroom townhouses, (e) 3 bedroom free standing home and (f) another type of housing including details of housing.

- (2) How many of the 300 properties identified will be (a) sold, (b) redeveloped and (c) renovated.
- (3) Of those being sold, how many are due to (a) block size, (b) location and (c) expected cost of sale.
- (4) Of those being redeveloped, how many will be redeveloped into (a) townhouse complex and (b) duplexes.

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

- (1) The tenants who received letters will be relocated to properties within their bedroom entitlement, taking into consideration the tenants area preferences and reasonable property needs i.e no stairs in a property, class C accessible property etc.
- (2) Approximately 89 per cent of the properties in question have been identified for sale, with the remaining 11 per cent slated for redevelopment.
- (3) Assets are identified for disposal based on several criteria, for which the relative weighting varies dependent on individual property and suburb characteristics, within the context of the broader portfolio.

Whilst the individual elements contributing to each asset being identified for disposal vary slightly, those assets slated for divestment are predominantly Housing ACT's older, no longer fit for purpose stock, that has reached the end of its useful life within the portfolio.

The average asset identified for sale is a 58-year-old three-bedroom property, in a suburb with above average holdings; the average block is too small and of insufficient zoning to facilitate any uplift upon redevelopment.

When considering options for disposal, Housing ACT considers both the potential redevelopment and sale outcomes, and how they may contribute to realising some of the Program's underlying objectives, such realigning the Territory's housing stock with contemporary tenant needs and balancing supply across Canberra.

- (4) Of those sites identified for redevelopment, 3 will yield new single residences, 8 will yield new dual-occupancies, 3 will yield new tri-occupancies, and the remaining 20 will yield townhouse developments.

Environment—wood heaters (Question No 843)

Ms Lawder asked the Minister for the Environment, upon notice, on 10 June 2022:

- (1) How many environmental officers are employed on a full-time basis by the Government to respond to complaints from the public about residential woodsmoke pollution.
- (2) How many complaints has the Government received from the public regarding neighbourhood woodsmoke pollution in (a) 2015-16, (b) 2016-17, (c) 2017-18, (d) 2018-19, (e) 2019-20, (f) 2020-21 and (g) 2021-22.

- (3) How many of the complaints, referred to in part (2), resulted in (a) visits by environmental officers to offending households, (b) letters sent to offending households, (c) warning notices issued to offending households, (d) breaches issued and (e) fines applied.

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

1. There are 17 Environment Protection Officers (EPOs) in the Environment Protection Authority (EPA), which sits within Access Canberra, who are involved in regulating activities that cause or have the potential to cause environmental harm as part of their functions under the Environment Protection Act 1997. This includes responding to complaints received from the public concerning woodsmoke pollution as well as to multiple other environment protection matters such as planning, assessment, licensing, education, monitoring, and compliance activities.

The allocation of all EPOs to multiple environment protection priorities is the most effective use of resources and it would be an unreasonable diversion of resources to try and determine the equivalent FTE time spent on the regulation of a particular activity, such as response to woodsmoke complaints.

2. Due to changes in Access Canberra complaint monitoring systems and a move to a tiered system of complaint classification on 1 July 2019, the historic information regarding woodsmoke cannot be identified down to the level of detail requested prior to FY 2019-20.

The following complaints were received regarding woodsmoke in the past three financial years:

- 2019-20 – 35 complaints
- 2020-21 – 25 complaints
- 2021-22 – 93 complaints

3. Details of visits by EPOs, letters or warning notices sent to offending households regarding woodsmoke complaints cannot be easily sourced without significant manual effort and this would require a diversion of resources away from their core environmental protection functions.

Nonetheless, I can provide the following information:

- a. The total Air Pollution complaints (which includes woodsmoke, dust & odour and smoke complaints not relating to in-house woodfires) received for the financial year 2021-22 is 445;
- b. The total education and advisory letters sent related to Air Pollution for the financial year 2021-22 is 306;
- c. The total number of complaints received about woodsmoke in the financial year 2021-22 is 93;
 - i. It is standard practice to send education and advisory letters to relevant households and it can be assumed that letters were sent in each of these instances, where a relevant household was identified.
 - ii. The work required to accurately identify which letters about air pollution were specifically about "woodsmoke" would involve examining each letter and

associated case which would be a significant diversion of resources, and this has not been undertaken.

- d. The EPA provides details of infringement notices issued in the CMTEDD Annual Reports. For the past three financial years no infringement notices have been issued in relation to woodsmoke.

The EPA operates in accordance with the Access Canberra Accountability Framework, which can be viewed via its website: www.accesscanberra.act.gov.au. Within this Accountability Framework, there is an Environmental Protection compliance framework document that outlines the objectives and general principles for compliance and enforcement activities undertaken by the EPA to ensure a healthy environment that supports a thriving and liveable ACT.

Canberra Institute of Technology—staffing (Question No 844)

Ms Lee asked the Minister for Skills, upon notice, on 10 June 2022:

- (1) How many redundancies have been offered by the Canberra Institute of Technology (CIT) each year from the 2016 calendar year to the present
- (2) Of those redundancies referred to in part (1), (a) how many have been finalised by CIT, (b) what was the dollar amount of each redundancy finalised and (c) what was the (i) business area, (ii) age and (iii) gender of employees who had a redundancy finalised.
- (3) How many employees have resigned from CIT each year from the 2016 calendar year to the present.
- (4) Of those resignations referred to in part (3), what was the (a) business area, (b) age and (c) gender of employees who resigned.
- (5) How many employees have commenced stress leave, extended personal leave, or other leave, each year from the 2016 calendar year to the present.

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

- (1) As of 22 June 2022, the number of voluntary redundancies offered through a formal process are as follows:

Year	Voluntary redundancies offered
2016	1
2017	6
2018	4
2019	9
2020	5
2021	1
2022	0

- (2) (a) As of 22 June 2022, the number of voluntary redundancies finalised by CIT are as follows:

Year	Voluntary redundancies finalised
2016	1
2017	6
2018	4
2019	9
2020	5
2021	1
2022	0

- (b) The dollar amount of each redundancy is shown below. The amounts are the total of the severance and notice period components for the individual redundancy payouts. Payouts of accrued annual and long-service leave are not included in the figures below.

Severance and notice payout
\$80,813
\$95,597
\$95,597
\$100,907
\$91,487
\$78,220
\$64,678
\$112,221
\$60,399
\$73,328
\$57,862
\$113,379
\$86,465
\$62,167
\$76,112
\$68,069
\$82,358
\$75,267
\$56,331
\$50,996
\$99,570
\$41,172
\$50,885
\$59,532
\$47,326
\$35,410

(c) (i) The table below represents the business area that the employee was in on their last day of service.

Business area	Number of VRs
Building, Engineering and Surveying	5
Creative and Design Industries	4
Yurauna Centre	4
Access Education (Year 10 program)	3
Management and Business	1
Tourism, Hospitality and Events	1
Science	1
ICT and Library Studies	1
Horticulture and Floristry	1
Student Services – Student Support	1
Corporate Services – Facilities	3
Corporate Services – Audit, Risk and Governance	1

(c) (ii)

Age	Number of VRs
37	2
41	1
54	3
56	2
57	2
58	2
60	1
61	1
62	2
63	1
64	2
65	1
66	2
67	1
68	3

(c) (iii)

Recorded gender	Number of VRs
Female	14
Male	12

(3) As of 22 June 2022, based on the employee's last date of service, resignations by year are as follows:

Year	Number of resignations
2016	36
2017	40
2018	35
2019	46
2020	37
2021	53
2022	30

- (4) (a) The business areas are shown in the table below and is the business area that the employee was officially assigned to on their last day of service. There have been several structural changes over this period. Where practicable, the current name of the area has been used to avoid confusion, however this has not been possible where areas have been abolished and there is no current direct equivalent. It should be noted that the size of, and therefore the number of employees working for, each of CIT's business areas varies considerably.

Business area	Number of resignations
Board and Executive support	1
Business and Leadership College	19
Pathways College	19
Yurauna Centre	8
Corporate Services	29
Education and Training Services management	4
Health, Community and Science College	56
Industry Engagement and Stakeholder Relations	15
People and Organisational Governance	7
Student and Academic Services	49
Technology and Design College	25
Trade Skills College	45

- (b)

Age	Number of resignations
18	2
19	1
20	3
21	2
22	3
23	6
24	4
25	7
26	2
27	3
28	14
29	5
30	5
31	7
32	9
33	6
34	4
35	4
36	7
37	7
38	11
39	3
40	8
41	3
42	6
43	7
44	7
45	8

Age	Number of resignations
46	10
47	8
48	3
49	12
50	6
51	4
52	2
53	7
54	1
55	10
56	7
57	6
58	4
59	5
60	4
61	5
62	9
63	5
64	7
65	2
67	3
73	1
74	1
75	1

(c)

Recorded gender	Number of resignations
Female	169
Male	108

- (5) Stress leave is not a category of leave under CIT's enterprise agreements. CIT employees may take Personal Leave for a range of reasons. As of 22 June 2022, the number of employees who submitted at least one leave application in each calendar year for which the provided reason included the word "stress" (for any reason) is shown in the table below. Some individual employees have submitted Personal Leave applications with the word "stress" in more than one year and therefore will be counted more than once.

Year	Number of applications
2016	5
2017	5
2018	5
2019	5
2020	5
2021	4
2022	5

As an indicative measure, a single contiguous period of personal leave lasting for more than 20 working days has been used in collating the table below for the extended personal leave referred in your question. There were 236 such occurrences since 2016

to 22 June 2022 representing 143 employees, with some employees having more than one occurrence. Each separate occurrence is counted separately here, which will include multiple occurrences concerning the same employee in the same or a different calendar year.

Year	Personal leave > 20 days
2016	39
2017	32
2018	28
2019	38
2020	35
2021	38
2022	26

‘Other leave’ is a leave type available in the enterprise agreements and is available for a variety of different circumstances. Since 2020 this category has been primarily used for COVID-19 leave, indicated by the increase in applications for this period. The total number of applications for ‘Other’ leave in each year is as follows, noting that some employees may have submitted multiple applications and will therefore be counted more than once.

Year	Number of applications
2016	19
2017	10
2018	12
2019	16
2020	51
2021	95
2022	145

Canberra Institute of Technology—tenders (Question No 845)

Ms Lee asked the Minister for Skills, upon notice, on 10 June 2022:

In relation to the tender process for the Canberra Institute of Technology CIT contracts (a) 2022.GS3003590.220, (b) 2021.2706153.220, (c) 2020.2147.220 and (d) 2018.31001.220, without revealing commercial information, what is the dollar value offered in each tender received for each of these contracts.

Mr Steel: The answer to the member’s question is as follows:

This question and related questions are matters that are currently the subject of an investigation by the ACT Integrity Commission. To ensure the Integrity Commission’s work can proceed without interference, these questions cannot be responded to at this time.

Canberra Institute of Technology—course offerings (Question No 846)

Ms Lee asked the Minister for Skills, upon notice, on 10 June 2022:

- (1) How many courses have been dropped from the Canberra Institute of Technology (CIT) curriculum since 2016, and for each course what was the (a) title of the course, (b) duration of the course, (c) accreditation for completion of the course, (d) teaching load to run the course, (e) total cost of delivering the course at the time it was discontinued and (f) date when the course was discontinued.
- (2) Was an evaluation conducted for each course referred to in part (1); if so, can the Minister provide copies of all evaluations done; if not, why not.
- (3) How many courses have been added to the CIT curriculum since 2016, and for each course what is the (a) title of the course, (b) duration of the course, (c) accreditation for completion of the course, (d) teaching load to run the course, (e) total cost of delivering the course and (f) date when the course started.

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

- (1) CIT's response is provided in line with the following assumptions:
 - a) "Dropped" is understood to mean courses CIT decided to discontinue while the course was still current nationally, and an equivalent training was not available at any other course at CIT.
 - b) Courses replaced nationally within Training Packages with the replacement subsequently implemented at CIT are not included (regardless of changes in title or specialisation).
 - c) Courses that naturally reached the end of their accreditation periods are not included.
 - d) Courses still on CIT's scope but delivery is paused while the course is reconfigured are not included.
 - e) Accredited courses are included; non-accredited short courses are excluded.
 - f) Qualifications are included; short courses which are subsets of qualifications are excluded.

Based on these criteria, CIT has ceased the following courses:

Title	Notes	Duration in hours	Accreditation end date	Teaching load ^	Delivery cost ^	Date discontinued
Certificate III in Engineering – Mechanical Trade	Traditional trade without uptake; CIT supported all students to exit	1,000	31 Dec 2022 *	180	\$54,205 Note 1	23 Jun 2017 #

Title	Notes	Duration in hours	Accreditation end dates	Teaching load[^]	Delivery cost[^]	Date discontinued
Certificate II in Surveying and Spatial Information Services	Low student numbers	256	11 Jan 2022 *	Nil	Nil	19 Feb 2018 #
Certificate IV in Spatial Information Services	Low student numbers	800	11 Jan 2022 *	99	\$16,611	14 Jul 2017 #
Certificate IV in Surveying	Low student numbers	706	11 Jan 2022 *	Nil	Nil	13 May 2019 #
Diploma of Surveying	Low student numbers;					
unable to attract specialist teachers	1,052	11 Jan 2022 *	Nil	Nil	13 May 2019 #	
Diploma of Spatial Information Services	Low student numbers;					
unable to attract specialist teachers	1,020	11 Jan 2022 *	Nil	Nil	13 May 2019 #	
Diploma of Library and Information Services	Low student numbers and low job outcomes	990	19 Apr 2022	552	\$105,785	7 Mar 2022 ~
Certificate III in Library and Information Services	Low student numbers and low job outcomes	375	19 Apr 2022	340	\$60,272	7 Mar 2022 ~
Certificate III in Captive Animal	Draft agreement with National Zoo and Aquarium not finalised	710	12 Apr 2022	Nil	Nil	7 Mar 2022 ~

^ Load and costs relate to year decision was made

* CIT ceased delivery but retained scope to ensure issuance to any student partially completed, until ceased nationally

Ceased new intake; teach-out only until accreditation end date

~ Removed from CIT's scope before ceased nationally

Note 1: Costs include staff costs and materials cost

- (2) Evaluations were conducted at the time according to CIT's Closure Policy (https://cit.edu.au/policies/course_closure_policy_vet).

The evaluations are available at:

- Attachment A - Report on training requirements in the Surveying and Spatial Industry – ACT and Region
- Attachment B - Certificate III Engineering – Mechanical Trade: Email and Report
- Attachment C - Library and Information Studies: Report and Sample Letter to Students

Please note that these evaluation reports contain information from external parties that were not obtained with permission for public release. On that basis some information has been redacted.

- (3) CIT's response is provided in line with the following assumptions:

a) "Added" is understood to mean courses in an area not previously delivered at CIT.

b) Courses replaced nationally within Training Packages with the replacement subsequently implemented at CIT are not included (regardless of changes in title or specialisation).

c) Courses paused for delivery while the course is reconfigured are not included.

d) Accredited courses are included; non-accredited training is excluded (for example: training with enterprise accreditation such as Global Wind Organisation).

e) Qualifications are included; short courses which are subsets of qualifications are excluded.

Based on these criteria, CIT has added the following courses:

Title	Notes	Duration in Hours	Accreditation End Date	Teaching Load ^	Delivery Cost ^	Date Course Began
Certificate III in Captive Animals	Discontinued					
Draft National Zoo and Aquarium not finalised	710	12 Apr 2022	Nil	Nil	Semester One, 2019	

Title	Notes	Duration in Hours	Accreditation End Date	Teaching Load ^	Delivery Cost ^	Date Course Began
Certificate III in Barbering		830	Current *	1,260	\$223,360	Semester One, 2017
Certificate IV in Cyber Security		880	Current *	612	\$112,688	Semester Two, 2017
Certificate III in Live Production and Services	Replacement under development; no current students	514	16 Oct 2022	Nil	Nil	Semester One, 2019

^ Load and costs relate to year decision was made

* No accreditation end date for current VET qualifications

ACT Policing—body worn cameras (Question No 847)

Mr Braddock asked the Minister for Police and Emergency Services, upon notice, on 10 June 2022:

- (1) Does ACT Policing collect data on body camera activation practices; if not, why not; if so, who will the data routinely be made accessible to and will this be public.
- (2) What tools are ACT Policing and other relevant bodies using to analyse the data, including the names of any software.
- (3) What is the number of times, as well as a percentage (where relevant), in the last 12 months, that members of ACT Policing have (a) failed to activate their body worn camera (BWC) in required instances, broken down by the categories under ‘When must a police officer use a BWC?’ in section 4.7 and 4.8 of the Crimes (Surveillance Devices) Body-worn Cameras Guidelines 2022 (the Guidelines), (b) chosen to activate their BWC under section 4.9 of the Guidelines, broken down by the stated purpose under the guidelines, (c) failed to record an interaction after being requested to record, (d) ceased to use a BWC due to reasons listed under ‘Exceptions to use’ in the Guidelines, broken down by the categories, (e) received a complaint about the use of, or failure to use, a BWC and (f) failed to record the reason for using or not using a BWC against the Guidelines.
- (4) Is geographic information about failures to comply with the Guidelines and corresponding legislation collected; if so, can the Minister provide this information; if not, why not.
- (5) Is demographic information about members of the public involved in ACT Policing officers’ failures to comply with the Guidelines and corresponding legislation collected; if so, can the Minister provide this information; if not, why not.
- (6) What demographic information is collected about members of the public who are recorded by BWCs, and in what situations is this information recorded.

- (7) Further to part (6), if recorded, how is this information used and analysed, and how will it inform future reviews and adjustments to BWC guidelines and practices.
- (8) Can the Minister provide a copy of the AFP Better Practice Guide – Body Worn Cameras (ACT Policing), as it does not appear to be on the ACT Policing website.
- (9) What is the planned timing and scope of a review of the new scope and use of BWC, introduced in February 2022.
- (10) Is ACT Policing systematically conducting audit logs of BWC footage and associated records to reduce the risk of mishandling footage and developing a measure of outcomes in camera use in legal proceedings and complaints; if so, can the Minister detail how these are being conducted, recorded and shared.
- (11) How many times have members of the public requested access to footage.
- (12) Of those requests referred to in part (11), how many requests have been granted.
- (13) On what grounds have requests been refused, broken down by the categories listed in the Guidelines.

Mr Gentleman: The answer to the member’s question is as follows:

(1)

ACT Policing collects, records and stores Body Worn Camera (BWC) activated data. As part of best practice for ACT Policing officers, the device is to be ‘on’ at all times, with the onus being on the officer to justify the circumstances under which it is not.

The captured data is not routinely made accessible to the public. This does not however, negate an individual’s ability to make a request to view or obtain BWC recordings captured by a police officer in the ACT.

Section 6.17 of the *Crimes (Surveillance Devices) Act, Body Worn Camera Guidelines 2022* states any person can submit a request to access recordings as long as the request adheres to the following legislative provisions:

- Australian Federal Police Act 1979 (Cth), s 60A;
- Freedom of Information Act 1982 (Cth); or
- Privacy Act 1988 (Cth) and Australian Privacy Principle 12.

Instances where BWC recordings may be released externally (only once appropriate authority has been granted under the relevant governance) include:

- when in relation to legal proceedings, to all parties and/ or their legal representatives;
- to other Government agencies;
- Third parties including insurance providers, or an individual who has been nominated in writing, to represent the individual requesting the footage; and
- media agencies.

Further information regarding how to request a copy of recordings or to submit a freedom information request is available on ACT Policing’s website.

(2)

ACT Policing uses AXON Evidence.com to store digital records captured using approved BWCs. Evidence.com is a cloud-based evidence management system that at its core is designed to collect, manage and share information, generated by the BWCs, during policing activities.

(3)

All officers issued with a BWC must wear their BWC in accordance with the Guidelines, ACT Policing's internal governance and BWC procedures.

BWCs must be switched 'on' and ready to record whenever an ACT Policing appointee is wearing a Conducted Electrical Weapon and/or firearm outside of the secure perimeter of a police station.

The Chief Police Officer for the ACT has agreed to the undertaking of publicly reporting on the use of BWCs in the ACT Policing Annual Report, with the first year for inclusion being 2021-22.

The Ombudsman can, and does, seek explanation and statistics around specific use-of-force incidents and is empowered to make recommendations for the ongoing transparency of use-of-force recording and reporting processes.

From 1 June 2021 to 20 June 2022, no complaints regarding the use of, or failure to use, a BWC have been submitted to Professional Standards (PRS). Furthermore, no complaints have been submitted involving the non-compliance or governance breaches against mandatory BWC use, based on the amendments to the Crimes (Surveillance Devices) Act 2010 (ACT), in February 2022.

(4)

Canberra's condensed geographical nature means that ACT Policing officers are able to move across the territory quickly with police regularly undertaking duties in different patrol zones if the resources are required. Due to the ACT being such a small jurisdiction, to then group specific teams and patrol zones in order to analyse 'failures to comply' data and where these have occurred, would be an unreasonable use of ACT Policing resources.

(5), (6), (7)

ACT Policing does not collect or determine demographic information of any member of the public who has or has not been captured on a BWC.

ACT Policing will incorporate any learning outcomes, including those provided by PRS, to ensure use of the BWC remains appropriate. This information may then be used in future reviews.

(8)

The Better Practice Guide is intended for internal AFP use. Disclosing any content must comply with Commonwealth law and the AFP National Guideline on information management.

As a result of legislative changes that came into effect with the *Crimes (Surveillance Devices) Act*, Body Worn Camera Guidelines 2022, ACT Policing is currently in the process of re-drafting its AFP Better Practice Guide – Body Worn Cameras (ACT Policing), in order to meet the requirements of the Guidelines.

Once finalised and approved, an application for a copy may be made under Freedom of

Information and the document listed for publication on the AFP website as per the Information Publication Scheme.

(9)

The changes that came into effect on Friday 11 February 2022 require police to use their BWCs when interacting with members of the public in most circumstances, in both public and in private settings.

Locations where police are now permitted to film include when a person is stopped by police while driving their car, or when an officer comes into a home in response to a domestic incident.

ACT Policing remains confident that these changes will benefit the ACT community and assist our officers in carrying out their duties in a way that supports the delivery of high-quality policing services to the ACT.

ACT Policing continually reviews procedures and equipment used by its frontline responders, to ensure officers are appropriately resourced and supported when performing their duties. As such, reviews of phase three of the BWC implementation are ongoing, and any further changes will be appropriately progressed to ACT Policing's Executive for consideration before briefing the Director General ACT Justice and Community Safety Directorate, as mandated in the Guidelines.

(10)

ACT Policing conducts regular audits. The subjects of these audits are randomly selected. All footage and associated records are reviewed as part of the process. These reviews are shared internally only, and reinforce or inform new methods of best practice procedures.

ACT Policing members are to refer to internal processes and guidelines when addressing the use of BWC's or concerns with the physical device.

(11), (12), (13)

ACT Policing has processes in place to ensure footage involving a member of the public is available if requested. The process will differ dependent on the circumstances of the recording and the intended purpose of the request, for example: for use in court proceedings or in review of a complaint against an ACT Policing officer.

Each request is considered on a case-by-case basis, with regard to the *Freedom of Information Act 1982*. Commonly, footage will be blurred to remove images of other members of the public or images of AFP members.

A request may be refused on the basis of personal privacy (for example if someone is seeking footage of someone other than themselves) or due to operational reasons (for example if it involves an ongoing investigation).

Freedom of Information applications are governed by the *Freedom of Information Act 1982* (the Act) and the guidelines issued by the Office of the Australian Information Commissioner (OAIC).

The Act aims to give individuals access to their personal records kept by Government and enables them to submit requests to correct any information that is incomplete, inaccurate, out of date or misleading.

**Taxation—payroll tax waivers
(Question No 849)**

Ms Clay asked the Treasurer, upon notice, on 10 June 2022:

- (1) Are payroll tax exemptions still provided to EOS (a company operating in the space and weapons industry), given that in 2019 it was stated that EOS was receiving ACT payroll tax exemptions.
- (2) What payroll tax exemptions, if any, are being provided to companies across the ACT which operate principally in the space or weapons industry.
- (3) What is the nominal value of payroll tax exemptions to companies in the space or weapons industries.
- (4) Can the Treasurer provide a list of all companies currently receiving payroll tax exemptions.
- (5) What is the nominal value of exemptions to all companies which are currently granted payroll tax exemptions.
- (6) What are the reasons for the ACT Government providing payroll tax exemptions to these and other companies.

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

- (1) Details about the tax affairs of a particular taxpayer are confidential and covered by the secrecy provisions of the *Tax Administration Act 1999*.
- (2) There are certain exemptions that taxpayers may qualify for under Part 4 of the *Payroll Tax Act 2011*. However, there is no specific exemption for companies that operate in the space or weapons industry.
- (3) There are no specific exemptions granted to the space or weapons industry.
- (4) Details about the tax affairs of a particular taxpayer are confidential and covered by the secrecy provisions of the *Tax Administration Act 1999*.
- (5) The ACT Tax Expenditure Statement 2019-20 (most recent) provides an estimate of the revenue foregone due to payroll tax exemptions of \$210.01 million for 2019-20. This includes the cost of the tax-free threshold, other specific exemptions, and waivers, which are explained in more detail in Table 4 of the Tax Expenditure Statement.
- (6) The Government only provides payroll tax exemptions as set out in the *Payroll Tax Act 2011*. These include exemptions for the charitable sector, non-government schools, and non-government hospitals. Employers (or groups of employers) with an annual total Australia-wide taxable payroll of \$2 million or under are not liable for payroll tax in the ACT.

When I provide a waiver of payroll tax to an individual business under the *Financial Management Act 1996* (FMA), I consider the following principles:

- The legislation is producing an unforeseen or perverse outcome; or

- The Territory has contributed through action or inaction of its agencies, to the liability or value of the debt; or
- A fair or just result can only be brought about by a waiver of the debt.

The total value of payroll tax waivers under the FMA is reported in annual reports (see p. 107, https://www.cmtedd.act.gov.au/__data/assets/pdf_file/0008/1909934/Volume-2.1-CMTEDD-annual-report-2020-21.pdf).

The total amount in payroll tax waived was around \$3.3 million in 2019 20 and around \$5.9 million in 2020-21. Note this includes support to local businesses during the COVID-19 health emergency.

Active travel—Belconnen bikeway (Question No 850)

Ms Clay asked the Minister for Transport and City Services, upon notice, on 10 June 2022:

- (1) What consultation was conducted for the second stage of Belconnen Bikeway.
- (2) Was consultation done on the final alignment of the second stage of the Belconnen Bikeway.
- (3) Was a detailed alignment diagram, which included the off-road design and number of trees requiring removal, provided during any consultative process for the project.
- (4) How did Transport Canberra and City Services (TCCS) inform residents that significant tree removals would be undertaken as part of this project.
- (5) Were residents, directly adjacent to the project on Baudinette Circuit, pro-actively consulted at any stage.
- (6) Why was a development application not required for this project.
- (7) Was consideration made by TCCS to remove a lane on Battye Street to accommodate the second stage of the bikeway without the need for tree removals.
- (8) What factors does TCCS consider when deciding whether or not to build paths by removing on-road parking or car lanes.
- (9) Why was the decision made to retain four lanes of car traffic on Battye Street, given low ordinary traffic volumes on this street and the Government's commitment to building a Civic stadium to replace Bruce stadium by the end of the decade.

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

- (1) The second stage of the Belconnen Bikeway currently under construction brings together delivery of two separate pieces of design work:
 - the final section of the Belconnen Bikeway along Haydon Drive, from College Street towards Purdie Street, and

- the Battye Street link, addressing the missing link in the C3 City to Belconnen Principal Community Route (PCR) with a separated cycleway along Battye Street connecting into the existing trunk path along Masterman Street, which continues under the Gungahlin Drive Extension to O'Connor.

Consultation on the Belconnen Bikeway first occurred in 2017-2018 with internal stakeholders and community organisations including Pedal Power, Belconnen Community Council, Heart Foundation, COTA (Council of the Ageing), Blind Society, University of Canberra and AIS. This process consulted on the bikeway alignment from Joynton Smith Drive through the Town Centre to Purdie Street on Haydon Drive. It included consultation on the missing link along Battye Street as an important future connection to complete the C3 City to Belconnen Principal Community Route.

Consultation with the broader community was then undertaken on the Belconnen Bikeway concept design in 2018 through YourSay, community information sessions and email. This consultation focused on the Belconnen Bikeway only and did not include the Battye Street link. The community was broadly supportive of the proposal through this process. Since that time targeted consultation has occurred through each stage of the project. Feedback has largely been focused on the safety of cyclists, pedestrians and motorists.

Further targeted consultation was undertaken on the Belconnen Bikeway and the Battye Street link in 2019-2020 and 2020-2021. This consultation was with internal stakeholders and targeted community stakeholders such as Pedal Power and the Australian Institute of Sport.

- (2) Targeted consultation was undertaken on the Belconnen Bikeway and the Battye Street alignment in 2019-2020 and 2020-2021, including on the final alignment. As noted above, this consultation was with internal stakeholders and targeted community stakeholders including Pedal Power and the Australian Institute of Sport.
- (3) In July through to September of 2021 detailed consultation with internal stakeholders and community organisations was undertaken on the final alignment of the Belconnen Bikeway stage 2, including the Battye Street section. This process included landscape plans showing the proposed tree removal and tree replacement plan.

A tree assessment was undertaken during design that considered the health, maturity and quality of the trees on site to inform the design process and finalisation of the alignment. As a principle, mature trees rated as high quality and in good health were maintained where possible. In the area adjacent to Baudinette Circuit, above the existing retaining wall, a number of trees were rated as low quality and in poor health. The replacement trees and shrubs in this area and landscape design took into consideration visual amenity, screening and species selection to support a quality urban outcome and the growth of healthy, mature trees and shrubs appropriate for the conditions. Direct consultation was not undertaken with the residents of Baudinette Circuit on the detailed plans.

- (4) Signs were placed on trees that required removal at least two weeks prior to removal in accordance with TCCS procedures. In May 2022 residents of Baudinette Circuit and the surrounding area were also contacted by letterbox drop to advise that works were due to commence.

- (5) The residents of Baudinette Circuit and surrounding streets were notified in May 2022 of the upcoming commencement of construction. The City Services website has been regularly updated on the progression of the project.
- (6) The works are exempt development under the Planning and Development Act 2007.
- (7) Yes, TCCS did consider the removal of a lane on Battye Street to accommodate the bikeway. Refer to the response under question 9.
- (8) Considerations for removing on-road parking or car lanes include numerous factors such as traffic volumes, parking demand and capacity, above and below ground services, existing pavements levels, existing site conditions, existing infrastructure (such as trees, paths, stormwater assets, streetlights), land ownership, cost, user amenity and the safety of pedestrian, cyclists and vehicle drivers.
- (9) TCCS undertook a feasibility study that investigated options for the alignment of the bikeway along Battye Street. The current alignment of the bikeway was chosen through careful consideration to minimise the number of trees removed, accommodate the complex system of below and above ground services, manage grade/ level changes, retain streetlight and stormwater assets, and ensure the safety of cyclist and pedestrians, particularly during events when large volumes of traffic will be within a short distance of both cyclists and pedestrians.

When events are held at the AIS stadium or GIO stadium, Battye Street accommodates the entry and exit of very large volumes of traffic. Removal of traffic lanes along Battye Street was considered as an option. However, this was found to have a significant impact on access during events. A partial lane closure arrangement was also considered where the outside vehicle lane would be used for the bikeway outside of events and reopened for traffic during events. This option was not found to be feasible and did not achieve a safe and workable outcome for cyclists, pedestrians and road traffic. In addition, this option would limit the opportunity for active travel access to events.

The current stadium site may still be used for large events even with provision of a new stadium in the city. This is expected to create an ongoing need for clearance of large volumes of traffic at times.

Parks and conservation—campground host volunteer program (Question No 851)

Ms Clay asked the Minister for Planning and Land Management, upon notice, on 10 June 2022:

- (1) When was the campground host program suspended and for what reason.
- (2) What is the annual cost of the campground host program.
- (3) When will the campground host program be re-instated.

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

- (1) The campground host program was suspended in early 2021 due to concerns about the wellbeing and safety of volunteers working in remote locations.

- (2) It is estimated that a campground host program costs approximately \$5,000 per year in direct costs such as training and consumables, excluding staff time to manage and support the program.
- (3) There are no current plans to reinstate the campground host program.

Justice—sentence appeals (Question No 852)

Mrs Kikkert asked the Minister for the Prevention of Domestic and Family Violence, upon notice, on 10 June 2022:

- (1) Given that the Government did not agree to the recommendation to override *Barbaro v The Queen* [2014] (HCA 2), p 24, on the basis of protecting the discretion and independence of the court, in the process of considering this recommendation, what limited evidence was available to indicate that the rule in *Barbaro* lead to an increase in appeals based on manifestly inadequate or excessive sentences.
- (2) Did the Government consider the evidence and reasoning behind the Queensland Government’s decision to legislatively override the rule in *Barbaro*.
- (3) Have there been instances where the rule in *Barbaro* was effectively overridden in ACT courts despite the lack of legislative stipulation.
- (4) What measures will the ACT Government take to gather more relevant evidence that may lead to the reconsideration of this recommendation.

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

- (1) The ACT Government is not aware of evidence that indicates that the rule in *Barbaro* has led to an increase in appeals in the ACT based on manifestly inadequate or manifestly excessive sentences. The Sentencing Council of Victoria has suggested that the rule in *Barbaro* may have contributed to a slight increase in the number of sentence appeals by the Victorian Director of Public Prosecutions (Sentencing Advisory Council, *Sentence Appeals in Victoria: Second statistical research report*, August 2018). However, there was no direct data attributing the increase in Crown appeals to the rule in *Barbaro*. In addition, the High Court in *Barbaro v The Queen* [2014] HCA 2 (obiter) did not anticipate that the proffering of a sentencing range would lead to a reduction in appeals and noted that it would not do anything to help the judge avoid specific error.
- (2) Yes, the ACT Government considered the decision of the Queensland Government to amend the Penalties and Sentences Act 1992 (QLD) to allow the court to receive a submission from a party to the proceedings on what they consider to be the appropriate penalty or range of appropriate penalties to be imposed. The amendment revived a longstanding practice in Queensland and was supported by the Queensland legal profession and other relevant stakeholders. However, the ACT Government notes that the rule in *Barbaro* supports the fundamental discretion and independence of the court, and the importance of these protections was highlighted by ACT stakeholders during consultation on this recommendation. In addition, an amendment to override the rule may limit rights including the right to a fair trial (section 21 of the

Human Rights Act 2004). Queensland did not have human rights legislation at the time of the amendment to override the rule in *Barbaro*.

- (3) The ACT Government is not aware of any cases in the ACT where the rule in *Barbaro* has been overridden by the courts. Prosecutors continue to have an obligation to draw the attention of the judge to the facts that it is submitted should be found, the relevant principles that should be applied and what has been done in other comparable cases. The court will have all necessary information to decide on an appropriate sentence without any need for the prosecution to proffer its view about available range.
- (4) The ACT Government will consider data that indicates the number of sentence appeals to determine whether this figure is increasing and, if so, whether this can be attributed to a particular cause such as the rule in *Barbaro*. The ACT Government will also consider any feedback received from relevant stakeholders, such as the ACT Director of Public Prosecutions, identifying specific appeals that can be attributed to the rule in *Barbaro* or highlighting other concerns.

Development—Lawson stage 2 (Question No 855)

Mrs Kikkert asked the Minister for Housing and Suburban Development, upon notice, on 10 June 2022:

- (1) In relation to the development of Lawson Stage 2, when does the Minister expect the sale of section 50 block 1 and section 51 block 1 to be complete.
- (2) Why has the development of Lawson Stage 2 been divided into two stages, with Stage 2A consisting of the two exclusively residential blocks referred to in part (1).
- (3) Will proceeds from the sale of these and future blocks be used to fund the development of the amenities originally planned for Lawson Stage 2; if not, where will this funding come from.
- (4) Will all of the amenities promised for Lawson Stage 2 still be developed, including (a) a central neighbourhood park that includes a toddler playground with shade structure, a playground for six to 12-year-old children with shade structure, barbecue facilities (including shelters with tables, seats, bins, bubblers etc), grassed open space, and outdoor seating, (b) a public plaza that includes seating, bins, bike racks, a 50-seat amphitheatre, and pedestrian and cycle path connections and (c) College Creek recreational facilities that include a jetty with seating, a kayak/canoe launching area, and a boardwalk next to Lake Ginninderra.
- (5) What is the expected completion date for each of the outdoor recreational facilities referred to in part (4).
- (6) What is the expected total cost for the design and construction of the outdoor recreational facilities referred to in part (4).
- (7) Will the development of Lawson Stage 2 include a small shopping and commercial precinct as represented in the original masterplan, and when is the development of this precinct expected to be finished.

- (8) Will the development of Lawson Stage 2 include two community facility blocks as represented in the original masterplan.
- (9) Will the development of the community facility blocks be accomplished by the ACT Government or by private developers, and when is the expected date by which such facilities will be finished.

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

- (1) The settlement of Block 1 Section 50 and Block 1 Section 51 is expected prior to March 2024. This timeframe is contingent on completion of civil works.
- (2) Block 1 Section 50 and Block 1 Section 51 can be released under the existing approvals as they are not impacted by the electrical infrastructure that traverses the site. The remaining area of Stage 2 requires some amendment to the existing plan associated with the powerlines and can be released following these changes.
- (3) All estate works including parks, playground and other amenities are funded by the SLA.
- (4) There are no plans to change the existing planned amenity for Lawson Stage 2.
- (5) Approximately 2024-25FY, subject to planning approvals and construction completion.
- (6) Refer to 3 above. Total cost for recreational facilities has not been finalised. The necessary detailed designs of the outdoor facilities are yet to be completed. Elements of the designs will also form part of the greater civil infrastructure works.
- (7) Yes. Completed facilities are subject to the planning approvals and construction by the future developer/owner of the site which may be around 2025-26.
- (8) Yes.
- (9) The release method for the community blocks has not been decided at this point.

**Planning—Hawker shops
(Question No 856)**

Mrs Kikkert asked the Minister for Planning and Land Management, upon notice, on 10 June 2022:

Does the ACT Government have any plans to upgrade the Hawker shops or any plans to allow developers to further develop the shops; if so, what is the nature of these plans.

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

The Hawker shops are not currently identified for upgrade by Transport Canberra and City Services.

As at 14 June 2022, there are no undetermined development applications before the ACT Planning and Land Authority for the Hawker shops.

**Development—Jarramlee Nature Reserve
(Question No 857)**

Mrs Kikkert asked the Minister for Planning and Land Management, upon notice, on 10 June 2022:

What is the nature of the development in Jarramlee Nature Reserve, off Hilda Kincaid Crescent, Macgregor and when is the development intended to be complete.

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

Construction works in Jarramlee Nature Reserve will address the following key objectives:

- remediate legacy buried infrastructure associated with the Former West Belconnen Sewerage Treatment facility decommissioned in the 1980s;
- restore native grassland for threatened species including the golden sun moth; and
- establish visitor infrastructure in the form of a walking track and placemaking (seating, signage) to showcase the ecological and cultural significance of the Jarramlee landscape.

Construction is anticipated to be completed by the end of 2022.

**Alexander Maconochie Centre—programs
(Question No 858)**

Mrs Kikkert asked the Minister for Corrections, upon notice, on 10 June 2022:

- (1) Were any programs such as the Adult Sex Offender Program put on hold during the time that the Alexander Maconochie Centre was on lockdown due to COVID-19; if so, which programs were put on hold.
- (2) Were any programs stopped for the entirety of the lockdown period.
- (3) How often is each program in the Programs Compendium run, during business-as-usual operating times.
- (4) If there is no consistent time for each program to be run (eg, once every two weeks) how is it determined when a program will be run.
- (5) What is the course length for each of the programs in the Programs Compendium.
- (6) Which organisation runs each program.
- (7) How much is each organisation paid to run these programs.

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

1. One sex offender treatment group was cancelled due to COVID restrictions in late August 2021. This group, and one additional group, commenced on 18 November 2021.

The roll out of the new EQUIPS suite of programs was impacted, as the delivery of the training package was unable to commence until November 2021 due to COVID-19 related travel restrictions.

In addition, there were eight Brief Intervention Programs partway through completion when COVID-19 restrictions were enacted. These groups were postponed on 12 August 2021 and recommenced on 26 October 2021.

The Solaris Therapeutic Community ceased on 12 August 2021 as the ACTCS external provider, Karralika, was unable to access the Alexander Maconochie Centre due to the restrictions. ACTCS provided an equivalent program in their absence with no gap in program delivery.

In order to continue detainee engagement during COVID-19 restrictions, the Corrections Program Unit (CPU) developed six new self-paced booklets that were distributed to detainees. Between 13 August 2021 and 31 December 2021, over 300 certificates were awarded to detainees who had completed booklets to a competent standard.

2. No programs were ceased for the entirety of the lockdown period.

- Sex Offender Treatment Program: twice a year
- Sex Offenders with a Learning or Intellectual Disability (SOLID): as required
- Sex Offender 1:1: as required
- EQUIPS Domestic Family Violence: twice a year
- EQUIPS Aggression: twice a year
- EQUIPS Foundation: twice a year
- Self Management And Recovery Training (SMART): as required
- Alcohol and Other Drug (AOD) focused Dialectical Behaviour Therapy (DTB): six times a year
- EQUIPS Addiction: two – four times a year
- Solaris Therapeutic Community: three times a year
- Brief Interventions ('Readiness', 'Healthy Relationships', 'AOD Program' 'Thrive', 'Thrive Extended', and 'Making my Way'): once a year in each accommodation area.

It is noted that various changes were made to the suite of programs on offer following a review of programs in early 2021. Changes included cessation of some programs, updates to others, and the introduction of contemporary evidence-based programs to address matters covered in the programs that were ceased. These changes came into effect mid-late June 2021.

4. Programs timetables are developed two weeks in advance. Most programs run on a regular schedule, but can be affected by staff absences, AMC directives or detainee need.

5. Course length for current programs is as follows:

- Sex Offender Treatment Program: 24 weeks (moderate intensity) or 37 weeks (high intensity)
- SOLID: as needed
- Sex Offender 1:1: as needed
- EQUIPS programs ('Domestic Family Violence', 'Aggression', 'Foundation', and 'Addiction'): ten weeks
- SMART: six weeks
- AOD focused DBT: eight weeks
- Solaris Therapeutic Community: 20 weeks
- Readiness: four sessions
- Healthy Relationships: six sessions
- AOD Program: six sessions
- Thrive: six sessions
- Thrive Extended: seven sessions
- Making my Way: six sessions
- Self-Paced Booklets: minimum of two hours
- Peer mentor program: total of eight hours facilitated in three sessions
- Individual support and counselling services: 1:1 as determined by treatment goals.

6. Solaris Therapeutic Community is delivered by Karralika, in conjunction with ACTCS. ACTCS has engaged an external specialist psychologist who specialises in 1:1 sex offender treatment and the SOLID sex offender program. ACTCS CPU are responsible for the delivery of all other programs and interventions.

7. Karralika receives external Federal Government funding to deliver their program component.

Alexander Maconochie Centre—parole conditions (Question No 859)

Mrs Kikkert asked the Minister for Corrections, upon notice, on 10 June 2022:

- (1) How many detainees, since 1 January 2018, have remained incarcerated in the Alexander Maconochie Centre (AMC) past their earliest release date due to not being granted parole because they did not have a suitable address to reside in after leaving prison.
- (2) How many of the detainees, referred to in part (1), had applied to Housing ACT for a home but had either been denied a home or not been granted a home by the time they were eligible for release.
- (3) How many detainees, since 1 January 2018, have remained incarcerated in the AMC past their earliest release date due to not being granted parole because they had not completed relevant programs such as the Adult Sexual Offender Program.

- (4) How many of the detainees, referred to in part (3) were not able to complete the relevant programs due to circumstances outside of their control (eg, the program was not being run by ACT Corrective Services).

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

ACTCS does not readily collect/record this data. A manual review of detainee records over a four year period would be complex and require an unreasonable diversion of resources to respond.

Alexander Maconochie Centre—detainee safety (Question No 860)

Mrs Kikkert asked the Minister for Corrections, upon notice, on 10 June 2022:

- (1) Have any detainees at the Alexander Maconochie Centre received compensation payouts from instances involving use-of-force since 1 January 2018; if so, (a) what is the average payout and (b) how much has been paid out to detainees in total.
- (2) Did these use-of-force incidents involve corrections officers applying force to detainees.

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

- (1) Yes. There is one claim since 2018 where compensation was paid relating to a matter that was settled out of court. This claim involved an allegation of excess use of force and one other allegation about denial/delay of provision of medical services, stemming from an incident in February 2018. No formal finding of excess use of force is associated with this claim and there are no other cases located where there were payouts made based on an excess use of force.
- (a) As there has been one claim, there is no average payout figure.
- (b) This matter settled for \$120,000.00 inclusive of all statutory paybacks and the plaintiff's costs and disbursements. However, compensation amounts are usually made as a general figure and not apportioned into amounts for specific allegations within a claim.
- (2) The application of force is inherent in any use of force. It is noted that force may only be used by trained Correctional Officers, in line with the *Use of Force and Restraint Policy 2022*.

Major Projects Canberra—workplace culture (Question No 861)

Ms Castley asked the Chief Minister, upon notice, on 10 June 2022:

- (1) What mechanisms do staff for Major Projects Canberra have to make complaints, including general complaints as well as reporting misconduct and workplace bullying and harassment.
- (2) Is this information publicly reported; if so, where can it be found; if not, why not.

- (3) Is there a human resources department within Major Projects Canberra; if so, how many staff are in the Human resources team and what is their classification (headcount and full-time equivalent (FTE)).
- (4) How many staff are employed to work in Major Projects Canberra, including a breakdown of job title and classification (headcount and FTE).
- (5) Are there any other managers/executives/senior bureaucrats who investigate staff complaints; if so, what is their classification and job title.
- (6) How many complaints have been made about workplace misconduct, bullying or harassment to (a) the Chief Minister's Office and (b) human resources for Major Projects Canberra since the agency started.
- (7) How many of the complaints, referred to in part (6), resulted in an investigation and how many of those investigations resulted in findings of misconduct.
- (8) Is there an appeal system if a complaint is deemed to have no findings of misconduct; if so, how many appeals have been lodged by staffing members of Major Projects Canberra since the agency started.
- (9) What is the annual turnover rate for staff in Major Projects Canberra since the agency opened.
- (10) Have there been any internal or external reviews into the internal operation of Major Projects Canberra; if so, (a) what is the name each review, (b) who conducted the review, (c) what was the purpose of the review, (d) what was the cost of the review and (e) what were the findings of the review.

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

- (1) Major Projects Canberra (MPC) staff are able to make a complaint using the MPC Form - Respect, Equity and Diversity or can report work bullying or harassment through their supervisor or manager, Executives or via the MPC Human Resources (HR) team. MPC applies the "Resolving Workplace Issues – Work Bullying, Harassment and Discrimination Policy" and notes that staff may also contact Worksafe ACT, the Fair Work Commission, Fair Work Ombudsman or the ACT Human Rights Commission. This information is listed on the MPC SharePoint page for staff to access and have open access to contact the HR team if they have any questions or concerns.

MPC also have five (5) Respect Equity and Diversity (RED) Contact Officers. Their names and contact details are listed the MPC SharePoint site for all staff to access.

- (2) MPC is required to disclose the number of investigations referred to the Senior Executive Responsible for Business Integrity and Risk (SERBIR) in its Annual Report.

The total number of misconduct processes commenced and completed across government is reported in the ACT Government's State of Service Report. The State of the Service Report also reports on the total number of contacts made to the various mechanisms available to employees to report bullying and harassment within the ACTPS (e.g. via RiskMan). These figures not broken down by directorate.

The Integrity Commission is required to report annually on their investigations.

These are not broken down by directorate.

- (3) MPC has a HR team of 3.5 FTE, headcount 3. One (1) FTE – Senior Officer Grade B; two (2) FTE – Senior Officer Grade C; and 0.5 FTE- Administrative Services Officer 6.
- (4) As at 25 May 2022, the breakdown of MPC staff was:

Classification Group	25/05/2022
Executives	15
Administrative Services Officer 2	1
Administrative Services Officer 4	2
Administrative Services Officer 5	14
Administrative Services Officer 6	18
Senior Officer Grade C	23
Senior Officer Grade B	16
Senior Officer Grade A	11
Infrastructure Officer 1	5
Infrastructure Officer 2	7
Infrastructure Officer 3	23
Infrastructure Officer 4	42
Infrastructure Officer 5	9
Infrastructure Manager 1	14
Infrastructure Manager 2	2
Infrastructure Manager 3	6
Graduates	2
Senior Professional Officers C and B	2
Professional Officer 2	1
Total FTE excluding 4 Board Members	213

- (5) Please refer to response (1) above. MPC's process is that preliminary assessments which recommend an investigation are referred to Professional Standards Unit for the investigation to be conducted.
- (6) (a) No referrals have been received from the Chief Minister's Office regarding workplace misconduct, bullying or harassment by MPC employees.
- (b) MPC HR has received 6 complaints since 1 July 2019.
- (7) In relation to 6 (b) above, one (1) matter was referred from MPC HR for investigation and misconduct was found.
- (8) Enterprise Agreements set out the appeals mechanism for employees and the Guide for Appeal Panels is available for all staff to access. MPC has not had any appeals lodged.
- (9) For the July 2019 – June 2020 period, MPC had 11 separations, 2.99% rate.
For the July 2020 – June 2021 period, MPC had 12 separations, 4.68% rate.
As at 25 May 2022, MPC has separation rate for the last 12 months of 7.4%, equalling 25 employees.
- (10) MPC frequently reviews various aspects of its operations, utilising both internal and external support. This includes a comprehensive internal Audit program, led by MPC's Audit Committee

Canberra Hospital—cardiology department (Question No 863)

Ms Castley asked the Minister for Health, upon notice, on 10 June 2022:

- (1) How many staff work in the Canberra Hospital's cardiology department.
- (2) What is the breakdown of staff numbers, job title and classification.
- (3) How many staff complaints have been made about the cardiology department since January 2021.
- (4) What is the breakdown of the types of staff complaints.
- (5) How many doctors are rostered on for duty in the department each day.
- (6) How often have those doctors, referred to in part (5), not been in the hospital when they were rostered on duty.
- (7) How many doctors have been involved.
- (8) Where have those doctors been.
- (9) Who is responsible for ensuring the doctors rostered on duty actually turn up to the cardiology department.
- (10) Who is responsible for contacting the doctors who do not turn up when rostered for duty.
- (11) Have there been complaints about doctors in other hospital departments who have been rostered on duty but not actually been in the building.
- (12) How has patient care in the cardiology department been affected if doctors rostered on for duty are not actually in the building (according to a media report in The Canberra Times on Sunday, 5 June 2022).

Ms Stephen-Smith: The answer to the member's question is as follows:

1. As of 31 May 2022, the CHS Cardiology Department comprised 86.88 FTE.
2. The cardiology department comprises cardiologists, nurses, allied health and administrative staff. The breakdown for the unit is per the following table:

Cardiology unit	Role	Classification	FTE
	Cardiologist	Specialist	6.97
	Registrar	Registrar	4
	Office Manager	ASO4	1
	Booking & Scheduling Officer	ASO3	4.2
	Front Counter / Customer Service Officer	ASO2	3
Coronary Care Unit	Registered Nurse (RN)	RN2	13.93
	Clinical Nurse Consultant (CNC)	RN3	1
	RN	RN1	17.11
	Graduate Nurse	RN1	1

Cardiology Outpatients	CNS / Advanced Practice Nurse (APN)	RN3	3
	RN	RN2	3.52
	Cardiac Sonographer	MI4	3
	Cardiac Physiology & Sonography Manager	HP5	1
	Cardiac Sonographer	HP4	0.62
	Senior Cardiac Physiologist	HP3	1
	Cardiac Physiologist	HP2	3.8
	Graduate Cardiac Physiologist	HP1	3
Cardiac Catheter Laboratory	CNC	RN3	1
	RN	RN2	4
	RN	RN1	6.63
	Graduate Nurse	RN1	1
	Medical Support	TO2	1
Electrophysiology	Cardiologist	Specialist	1.1
	Office Manager	ASO4	1

3. Since January 2021, there have been eight staff incidents/complaints made concerning the Cardiology Department.
4. Of the eight incidents reported since January 2021, two related to claims of sexual harassment, two relating to inappropriate behaviour and four claims relating to bullying / inappropriate behaviour.
5. The number of Cardiologists varies daily based on contractual obligations and other clinical commitments. Generally, the unit has between five and nine Cardiologists rostered from Monday to Friday.
6. CHS is unable to comment as there is an ongoing investigation into the attendance of Cardiologists.
7. See above.
8. This information is related to allegations which are currently under investigation and therefore it is not appropriate to respond at this time.
9. Responsibility for this sits with the Director of Cardiology.
10. This is the responsibility of the Director of Cardiology and may be delegated to the Deputy Director of Cardiology or to an Administrative Support staff member.
11. CHS has no information to suggest such complaints have been made.
12. This information is related to allegations which are currently under investigation and therefore it is not appropriate to respond at this time.

Questions without notice taken on notice

Schools—staffing

Ms Berry (*in reply to a question by Mrs Kikkert on Tuesday, 22 March 2022*):

126 Classroom Teachers employed within ACT public schools applied for COVID-19 Leave during the week of 21/03/2022-25/03/2022. Absences range from part-day leave to leave over multiple days.

Leave is often applied for retrospectively, therefore some staff absences may not be recorded where leave has not yet been applied for by the staff member.

The data is based on COVID-19 Leave applications that have been submitted by employees and includes applications that have not yet been approved.

The figures above do not take into account other forms of leave, such as annual leave or personal leave, that employees may have taken for COVID-19-related matters. Examples may include leave taken due to a failure to comply with mandatory vaccination requirements or symptoms or illness experienced beyond the seven-day COVID-19 leave entitlement.

Education—class sizes

Ms Berry (*in reply to a question by Mr Parton on Tuesday, 5 April 2022*):

The Education Support Office does not hold central records on class sizes across individual schools.

Principals may vary the number of students from the class size requirements as outlined in the Class Size Policy, where circumstances justify.

Education—class sizes

Ms Berry (*in reply to a question by Mr Hanson on Tuesday, 5 April 2022*):

The staffing profile for public schools in the ACT is unique to each school and changes can occur rapidly on any given day. The size, context and staffing profile of each school has the potential to mitigate or exacerbate the impact of increased staff absences as a result of the COVID-19 pandemic.

In preparing for increased staffing absences with the return to school in 2022, the Education Directorate established principles and processes to support schools in responding to COVID-19 related staff shortages.

These strategies prevented widespread system shortages, although in week 10 of Term 1 there was a total of six schools operating with partial school remote learning in place. These schools included Calwell High School, Campbell Primary School, Gordon Primary School, Macgregor Primary School, Mount Rogers Primary School and Namadgi School.

The Directorate will continue to work with schools on a daily basis monitoring staffing levels and supporting the implementation of different initiatives as required to alleviate the impact of shortages.

Calwell High School—safety

Ms Berry (*in reply to a question by Mr Hanson on Tuesday, 5 April 2022*):

For the six-month period between 1/10/2021 and 8/04/2022, 10 students and 12 staff were identified as being physically assaulted at Calwell High School from reports available to the Education Directorate.

The Education Directorate encourages a reporting culture through mandatory training and advice to individual staff from the Education Directorate. Staff are encouraged to report all incidents in schools. For physical assault this includes “near miss” incidents in which behaviours could have resulted in physical contact but didn’t.

The category “physical assault” is determined by the staff member making the report.

Calwell High School—damage

Ms Berry (*in reply to a question by Mr Hanson on Wednesday, 6 April 2022*):

One window was broken.

Schools—safety

Ms Berry (*in reply to a question by Ms Lawder on Wednesday, 4 May 2022*):

Yes, I was aware of the incident. I was briefed by the Directorate on 2 March 2022.

Schools—safety

Ms Berry (*in reply to a question by Mr Hanson on Wednesday, 4 May 2022*):

The table below sets out the number of serious incidents within ACT public schools notified to the regulator, since I took office as Minister for Education and Youth Affairs in 2016. Data for non-government schools is not held by the Education Directorate.

Reporting period	2016/17	2017/18	2018/19	2019/20	2020/21
Incidents	22	26	21	33	30

Building—combustible cladding

Ms Vassarotti (*in reply to a question and a supplementary question by Ms Lee and Mr Gentleman on Wednesday, 1 June 2022*):

The private building scheme was launched on 21 July 2021. A media release was issued at the time and provided details including the information that the scheme comprised of 2 phases, with phase one of the scheme – a rebate for testing and assessment opening at that time, with the second phase, a concessional loan scheme to be finalised after this first phase was underway. As noted in the media release that announced the opening of the scheme “...If a building is assessed as requiring cladding remediation work, the scheme will also offer concessional loans to assist

with funding remediation works. Details of the concessional loans to be offered in phase two of the scheme will be available once outcomes from phase one are known”.

The loans scheme has been the subject of a competitive procurement process that was conducted from 24 March 2022 and closed on 26 April 2022. Details of the successful tenderer will be released once the process has been finalised.

The finer details of the Concessional Loan Scheme are currently being finalised with the Scheme on track to commence in mid/late August 2022. The key parameters of the Concessional Loan Scheme are:

- Owners Corporations will be able to borrow up to \$15 million;
- Corporations will be able to repay their concessional loan over a ten-year term;
- Interest rates will be fixed and will be at the Government rate of borrowing, which is significantly lower than market rates;
- No application or other loan fees; and
- No penalties for repaying the loan early.

Extensive consultations have been held with Strata Managers, Owners Corporations and industry on the development of the concessional loan. Learnings have also been gathered from existing cladding remediation schemes in NSW and Victoria.

Municipal services—streetlight inspections

Mr Steel (*in reply to a question by Ms Clay on Thursday, 2 June 2022*):

Transport Canberra and City Services carries out an inspection program where streetlights in Canberra are inspected every quarter, this includes all roads, and pathways which carry lighting through a park. These inspection programs are carried out during night-time hours when the streetlights are on.

Crace Community Recreation Park—lighting

Mr Steel (*in reply to a question by Mr Braddock on Thursday, 2 June 2022*):

The lights were inspected on 12/05/2022 after which repairs were programmed and parts ordered. The lights have now undergone repairs and become operational again.

Transport Canberra—fuel costs

Mr Steel (*in reply to a question by Mr Parton on Tuesday, Thursday, 2 June 2022*):

In the month of September 2021, the average cost per litre of diesel under Transport Canberra’s Bulk Fuel Supply Contract was \$1.35. By contrast the average cost per litre in May 2022 was \$2.05 with the highest cost being \$2.17.

During September 2021, the bus network saw 1,860,964 km travelled compared to May 2022 at 2,170,085km. Diesel fuel use was also reduced in September 2021 at

831,809 litres compared to May 2022 at 945,506 litres due to the lower levels of network service provided in September.

In addition, the spot price of natural gas used to power the Transport Canberra gas bus fleet has increased significantly since the 24 February 2022. The spot price for natural gas was \$10/GJ on 31 January 2022. Since February the spot price spiked with prices over \$41/GJ seen in May. High demand for domestic gas and flooding in some areas during April and May has also impacted the market. For comparison purposes, the cost of natural gas to operate the bus fleet for the month of January 2022 was \$77,234 and in May this cost had increased to \$203,400 for the first three weeks to 23 May 2022.

The ACT Government will continue to deliver frequent and reliable public transport services for Canberrans during this period of unusually high prices. There are standing arrangements in place for directorates to receive supplementary budget funding for unforeseen costs arising during the course of a financial year if these eventuate. TCCS will consider the need to access these arrangements in the context of the broader portfolio budget.

Canberra Hospital—safety

Ms Stephen-Smith (*in reply to a question and a supplementary question by Ms Castley and Mr Cain on Tuesday, 7 June 2022*):

- 1) This is incorrect, no improvement notice has been issued to the Canberra Hospital Emergency Department.
- 2) Canberra Health Services does not maintain a register of WorkSafe ACT attendance.

Canberra Institute of Technology—procurement

Mr Steel (*in reply to a question by Ms Lee on Wednesday, 8 June 2022*):

This question and related questions are matters that are currently the subject of an investigation by the ACT Integrity Commission. To ensure the Integrity Commission's work can proceed without interference, these questions cannot be responded to at this time.

Canberra Institute of Technology—procurement

Mr Steel (*in reply to a question by Ms Lee on Wednesday, 8 June 2022*):

This question and related questions are matters that are currently the subject of an investigation by the ACT Integrity Commission. To ensure the Integrity Commission's work can proceed without interference, these questions cannot be responded to at this time.

Canberra Institute of Technology—procurement

Mr Steel (*in reply to a question by Ms Lee on Thursday, 9 June 2022*):

This question and related questions are matters that are currently the subject of an investigation by the ACT Integrity Commission. To ensure the Integrity Commission's work can proceed without interference, these questions cannot be responded to at this time.

Canberra Institute of Technology—procurement

Mr Steel (*in reply to a question by Dr Paterson on Thursday, 9 June 2022*):

On the date of questioning (9 June 2022), there were 11 members of the CIT Board, including the CIT Chief Executive Officer and Chair of the CIT Student Association Council.

Canberra Institute of Technology—procurement

Mr Steel (*in reply to a question by Ms Lee on Thursday, 9 June 2022*):

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Canberra Institute of Technology—procurement

Mr Steel (*in reply to a question by Ms Lee on Thursday, 9 June 2022*):

This question and related questions are matters that are currently the subject of an investigation by the ACT Integrity Commission. To ensure the Integrity Commission's work can proceed without interference, these questions cannot be responded to at this time.

Carers—Carers Recognition Act implementation

Ms Davidson (*in reply to a question and a supplementary question by Ms Orr on Thursday, 9 June 2022*):

(1) On 16 May 2022, I wrote to more than 700 representatives from the ACT community sector, informing them about the Carers Recognition Act 2021. The email had attached an information sheet outlining the purpose of the legislation and obligations for care and carer support agencies. The correspondence was sent to representatives from a broad range of community organisations, including:

- ACTCOSS
- Carers ACT
- OzChild
- Salvation Army
- ACT Together
- Catholic Care
- The Smith Family
- Karinya House
- YWCA
- ADACAS
- Canberra PCYC
- Capital Region Community Services
- COTA ACT
- YouthCo
- CREATE Foundation
- Barnardos Australia

The guidelines and information they have been provided is available at Information about the *Carers Recognition Act 2021* on the Community Services Directorate (CSD) website.

(2) On 4 April 2021, the Director-General CSD wrote to other ACT Government Directors-General to inform them of the Carers Recognition Act 2021. The correspondence had attached an information sheet outlining the purpose and obligations set by the Act.

On 10 June 2021, the acting Director-General CSD sent correspondence with further advice about the legislation to ACT Government Directors-General, including guidance material about the Act and material directorates may use to communicate with organisations they fund that may be care and carer support agencies. The package of material included:

- an information sheet outlining the purpose, key principles, definitions and obligations in the Carers Recognition Act 2021

- information for ACT Government directorates and non-government organisations, including frequently asked questions and answers
- a template letter from directorates to funded carer support agencies
- a reporting template and tips for compliance.
- Each directorate is responsible for their own reporting under the Carers Recognition Act 2021. As the Act has only recently fully come into effect, CSD will continue to work with other directorates, and care and carer support agencies more broadly, to review, develop and refine support materials and reporting models as appropriate.