



# Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

**EIGHTH ASSEMBLY**

**7 MAY 2015**

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## Thursday, 7 May 2015

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**Thursday, 7 May 2015**

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

## **Petitions**

*The following petitions were lodged for presentation, by Mr Rattenbury, from 123 and 1,142 residents respectively:*

### **Planning—Dickson—petition No 4-15**

#### **To the Speaker and Members of the Legislative Assembly for the Australian Capital Territory**

The following residents of the ACT draw to the attention of the Assembly that immediate action needs to be taken to protect the Dickson shopping centre and Dickson library, together with associated health/postal/banking and other services, and halt all planned development activity in the shopping centre's main car park (block 21 section 30) and the heritage buffer next to it that surrounds block 13—the library.

Your petitioners, therefore, request the Assembly and members of the ACT Public Service's Environment and Planning Directorate and Economic Development Directorate do not approve any new major site works or the sale of further public land until a full and independent impact assessment has been completed and made publicly available.

### **Planning—Dickson—petition No 5-15**

#### **To the Speaker and Members of the Legislative Assembly for the Australian Capital Territory**

This petition of ACT residents urges that immediate action be taken to protect the Dickson shopping centre and Dickson library, together with associated health/postal/banking and other services, and halt all planned development activity in the shopping centre's main car park (Block 21 Section 30) and the heritage buffer next to it that surrounds Block 13, the library.

We ask that the Assembly and members of the ACT public service's Environment and Planning Directorate and Economic Development Directorate do not approve any new major site works or the sale of further public land until a full and independent impact assessment has been completed and made publicly available.

*The Clerk having announced that the terms of the petition would be recorded in Hansard and copies referred to the appropriate minister for response pursuant to standing order 100, the petitions were received.*

**MR RATTENBURY** (Molonglo), by leave: Today I have tabled the petitions of 1,265 signatories about the development of the Dickson group centre. The proposed development has attracted a lot of community attention. My office has certainly received correspondence raising a range of concerns, and I imagine other members have as well. I believe most people are happy for the Dickson shops to be redeveloped but, like all communities, the people of Dickson and surrounding areas want the development to enhance rather than overwhelm the existing shops.

As members may be aware, a development application was submitted to ACTPLA in January, and there was a period of public consultation which closed in February. I understand that the planning authority found the application wanting and returned it to the proponent for amendment. I think this is an example of a situation where a level of pre-DA consultation by the proponents would have been very beneficial both for the community and for the proponents.

The Dickson community has previously lodged a petition on this matter through Mr Wall. However, the petition was ruled out of order, so they have now reconstituted two in-order petitions which are the ones I have lodged here today.

In principle, I support appropriate urban infill such as mixed use developments in key locations such as Dickson, which is a key public transport node and includes a future light rail stop. However, it is important that such developments demonstrate excellence in urban design and sustainability, including both the public spaces and the quality of the buildings.

It is also important that all infill developments provide high quality streetscapes that help us adapt to climate change, with trees, green spaces and water sensitive urban design. Buildings should be energy efficient, attractive from the street and provide active street frontages and passive surveillance opportunities, and apartments should be designed to achieve solar access, cross-ventilation and be protected as much as possible from noise and odours.

The development should reflect the existing spatial scale and network of pathways through the Dickson shopping precinct. It should also be permeable, with open pedestrian access through the site. Careful design is required so that car park and service entries and access for deliveries and waste collection do not dominate key street frontages and impact on residents.

What the petitioners have outlined to me, and I think to other members, is that these are the sorts of points they are concerned about. They do not want to see a repeat of the mistakes made in some other town centres and in Civic where large-scale retail developments have taken the life out of the streets, overwhelmed the public domain and are not of a human scale.

I will continue to follow this issue in detail, as I am sure other members will, and I look forward to the response from the Minister for Planning in due course.

## **National Road Safety Week Ministerial statement**

**MR RATTENBURY** (Molonglo—Minister for Territory and Municipal Services, Minister for Justice, Minister for Sport and Recreation and Minister assisting the Chief Minister on Transport Reform) (10.05): I present the following paper:

Road Safety Week 2015—Ministerial statement, 7 May 2015.

I move:

That the Assembly takes note of the paper.

I make this statement to inform members of this Assembly about National Road Safety Week, which commenced on Sunday, 3 May and will conclude on Mother's Day. National Road Safety Week is an initiative of Safer Australian Roads and Highways, otherwise known as SARA, which was established by Mr Peter Frazer after his daughter was killed in a road crash on the Hume Highway in February 2012. Peter's daughter Sarah was travelling to Wagga to start university when her car broke down on the side of the busy highway. Local tow truck driver Geoff Clarke had stopped to help her when a southbound truck struck and killed them both.

National Road Safety Week is held in May each year to coincide with the United Nations Global Road Safety Week. The theme for this year's UN Global Road Safety Week is vulnerable road users, with a specific focus on children. Like the UN event, this year's Road Safety Week in Australia will focus also on vulnerable road users.

The main activity of National Road Safety Week involves tying a yellow ribbon to your car, bicycle or motorcycle as a symbol of commitment to safer driving and to reflect on the impact of road trauma. It is a campaign which last year turned our city yellow, with Telstra Tower, Questacon and Old Parliament House being lit up in yellow at night.

This is the second year the ACT has participated in National Road Safety Week. In 2014, in addition to lighting national buildings in yellow, the ACT government supported the week, with yellow ribbons being attached to police and emergency services vehicles and vehicle inspection cars.

At the launch event there was an empty shoe demonstration, with 132 pairs of shoes being placed in Civic Square to represent the people killed on ACT roads in the 10-year period 2004 to 2013.

This week the ACT government is again participating in National Road Safety Week, with seven national buildings being lit in yellow at night, yellow ribbons being displayed on police and emergency services vehicles and vehicle inspection cars, a share the road pledge event and interactive road safety displays. The government has arranged for Telstra Tower, Questacon, the Nation Portrait Gallery, the National Gallery, the Royal Australian Mint, National Archives and Old Parliament House to be lit up in yellow at night for the entire week.

Two interactive road safety displays will be held. The first was on Monday at Garema Place from 10 till 3, and the second is today at Westfield Woden from 12 to 1.30 pm. These events will include an Australasian new car assessment program crash car and other interactive displays by the Justice and Community Safety Directorate, ACTION buses, ACT Policing, Pedal Power, the Heart Foundation and the Australasian College of Road Safety. At both events ACT vehicle inspectors will offer education sessions about how to perform a vehicle safety check before going on holidays, and official National Road Safety Week merchandise will be available for purchase at the Justice and Community Safety Directorate's display.

This Road Safety Week I am encouraging all Canberrans to take a share the road pledge. The pledge is to share the road and always be respectful to all other road users, no matter what their mode of transport is. The pledge reflects the fact that different types of road users have both rights and responsibilities. Consistent with the vulnerable road users theme, it also reflects the fact that some road users have a special responsibility towards other users; namely, heavier motorised vehicles must take special care of vulnerable road users such as walkers, cyclists and motorists.

I will be taking the pledge, together with a number of high profile Canberrans and local identities, including Marty Dent, Lauren Wells, Tim Gable and co-captain of the GWS Giants, Phil Davis. At the end of the week pledges will be randomly drawn, with prizes donated by the Australasian College of Road Safety, the NRMA-ACT Road Safety Trust and Road Ready. The prizes include a \$500 gift voucher from OnyaBike, two fitbits, a GPS watch, a pedometer, four \$50 MyWay cards and four road ready plus road safety courses for young drivers. To take the pledge Canberrans will need to visit the Justice and Community Safety Directorate's tent at one of the Road Safety Week events.

Some people might ask why we need a road safety week. On this occasion I would like to take the opportunity to update the Assembly on road safety progress in the ACT. The need for promoting road safety is very clear. Each year approximately 1.3 million people are killed on the world's roads and up to 50 million are injured. Based on current trends the annual number of road traffic deaths across the globe is forecast to rise to 1.9 million people by 2020 and road traffic injuries will be the leading health burden for children over the age of five years in developing countries. While many of these deaths and injuries occur in developing countries they also remain a challenge for developed countries.

Here in Australia each year around 1,200 people are killed and over 30,000 injured in road crashes and the cost to the economy is over \$27 billion. In the ACT during the past five years we have recorded an average of 11 deaths and over 800 injuries on ACT roads each year. In 2014 alone there were 7,782 reported crashes in the ACT which resulted in 829 casualties, including 10 fatalities and 125 hospital admissions. As at 28 April 2015 the road toll for the year was three and, unfortunately, since the weekend it has increased, with two more fatal crashes reported.

The impact of road trauma in terms of both social and economic impacts is significant. But it is the social impact that we are focused on this week because it is

undoubtedly the biggest impact of road trauma on all communities, including the ACT. It is unsatisfactory to accept that road deaths are an inevitable part of our transport system. The ACT government has adopted the vision zero philosophy, and consistent with this our policies must prioritise human life and health. This philosophy guides outcomes in some areas that are very visible to the public.

Slow speed environments such as the 40-kilometre an hour zones introduced to our town centres in the past few years and currently being implemented at group centres bring clear safety benefits for people and have the effect of improving the amenity of the streets and attracting more people. When they are successful in attracting more people they can create a positive feedback loop, as places that have more active people are also safer. Slower speed environments are part of an overall approach to planning that should integrate safety as a key goal.

Our neighbourhoods are not thoroughfares for vehicles; they are places where people live and play and they should be designed in a way that facilitates people living and playing. Road safety is not just about individual intersections or other features. It intersects at a higher level with our approach to urban planning.

This year I intend to release the next ACT road safety action plan for the period 2015-18. I will also release a government road safety camera strategy. The focus of this strategy will be on safety, on using the best information, data and strategies to ensure that road safety cameras are performing their key task of preventing road deaths and road trauma in the ACT. I will also release a new road safety education strategy focused on achieving a lifetime learning approach to road safety in the ACT. This is a project that will look at the spectrum of road safety learning across a person's life, from school to old age.

We need to remember that there are many families in our community just like Peter Frazer's who have suddenly lost a family member and will be dealing with that loss for the rest of their lives. We should always remember that this is not inevitable; many of the deaths are preventable and it is incumbent on us as a government to always find ways to improve safety and to strive for vision zero. We can all be more responsible and aware of safety when using the road. We can slow down and obey speed limits, be unimpaired by drugs and alcohol, wear a seatbelt and look out for each other on the road. These are simple steps that we can all take to make our roads safer.

One of SARAH's campaign slogans is "drive so others survive" or "drive SOS". Drive SOS is about sharing the road responsibly, actively committing to safeguarding the lives and health of all road users and protecting vulnerable road users, including those who work on our roads to assist us and protect us. This message is particularly promoted on the final day of Road Safety Week, Mother's Day. We all need to drive so others survive and so that everyone arrives safely at their mother's or at other family and friends' on Mother's Day and every other day of the year.

National Road Safety Week is growing into a big event on the nation's road safety calendar. I am a supporter of activities that we can all do as a community to reinforce road safety awareness on our roads. National Road Safety Week is a very worthwhile



event and I am urging all Canberrans to support the week by displaying a yellow ribbon on your vehicle and encouraging each other to drive safely for yourselves and for others. Take the share the road pledge and let us make Road Safety Week the start of an improved culture on ACT roads and let us make Canberra roads as safe as we can and really aim for vision zero.

**MS BURCH** (Brindabella—Minister for Education and Training, Minister for Police and Emergency Services, Minister for Disability, Minister for Racing and Gaming and Minister for the Arts) (10.16): I rise to add a few words on the matter of road safety. I certainly believe that it is everybody's business. I want to add my voice of support and recognition for road safety week even though I have left my yellow ribbon on my dresser at home after wearing it all day yesterday. But the spirit is with those that are wearing the yellow ribbon today.

On Monday, 4 May Minister Rattenbury and the Chief Police Officer launched National Road Safety Week here in the ACT. As part of National Road Safety Week the ACT government is partnering with Safer Australian Roads and Highways in promoting National Road Safety Week through the yellow ribbon campaign. The theme of the campaign is "drive so others survive", with this year's focus being on protecting children as vulnerable road users.

Before I go to my key interest and what I would like to speak about as minister for education, which is my particular interest in safety around school zones, I note that am very passionate about why road safety is so important and why we need to promote it. At times it comes very close to home. I lost a brother in a road accident. I have seen one of my sons in emergency care and in hospital for some time as a result of a road accident. My husband has had his bike written off. He was not injured. And then we move to off-road accidents that have seen two of my sons in wheelchairs for five months. So road safety is a matter that is worth speaking about. It affects people's lives each and every day.

But as minister for education I have a particular interest in safety around school zones. Last term, police targeted every school zone and 222 drivers received traffic infringement notices for speeding in ACT school zones. A further 194 drivers received official cautions. The way I see it, that is over 200 drivers putting our school students at risk when they are driving too fast through a school zone.

During last year 827 drivers received traffic infringement notices for speeding near our schools. This is less than the previous year but I would say that 827 is 827 too many. Whilst it is important to acknowledge the reduction from previous years, the number of infringements issued in school zones is still too high. I would encourage all road users to think about school zones and the risk speeding exposes our young people to. Children are our most vulnerable road users because their inexperience and unpredictability expose them to high risks when around traffic. It is important to remember that children, especially primary school children, are not as aware as adults of the dangers associated with crossing the road.

Last week, to mark the return to the school term the Chief Police Officer and I visited Amaroo Primary School to remind parents and road users to be mindful of school

zones and to think about the vulnerable road users in those particular areas. It is a community responsibility to make sure that our children are safe when they are walking to and from school and that those driving by school zones and into school car parks exercise the utmost care and consideration for rules and speed zones.

ACT Policing conducts enforcement activities at all our schools and at least one school each term. Police not only target speeding but also target unsafe driving practices in school zones, such as double parking, parking on the median strip and conducting U-turns on pedestrian crossings. ACT Policing seeks wherever possible to provide a high visibility presence on our roadways near schools around peak times when parents are dropping off and picking up children.

In term 2 of last year, ACT Policing, in partnership with our government, delivered a road safety education pilot to four schools in Belconnen. The participating schools were Macquarie, Macgregor, Southern Cross and Mount Rogers. During the pilot, 1,116 high visibility vests were given to students across these schools. Students were encouraged to wear their vests walking to and from schools to increase the awareness of drivers in or around the school zones. If I remember correctly, I think Ms Berry donned a vest or she was walking alongside the school students with those vests.

The goal of this pilot was also to contribute to improving children's health and wellbeing by making it safer for them to be active on their way to and from school. Constable Kenny Koala and the ACT police have attended 54 classes and presented the equivalent of 27 hours of road safety information to students. They have worked with these schools to help students understand road safety awareness.

The pilot was made possible with a \$10,000 grant from ACT Health in support of the ride or walk to school initiative. ACT Policing's Kenny Koala program supports primary school children to engage in a variety of safety awareness messages, including road safety, cycle awareness and stranger danger. Policing employs an intelligence-led policing model to identify and target traffic hotspots. ACT schools and educational facilities are no exception.

In my discussions with the Chief Police Officer, I intend through ministerial directions to have a much stronger focus on safety around schools in the coming 12 months. The correspondence I get in my office as minister for education around school safety really does highlight the need for us as a community to come as one to this issue. It is not a responsibility of government alone. It is also the responsibility of drivers on the roads to be responsible for safety around our schools.

Police rely on timely information from the public to identify driver behaviour near schools that may place any pedestrian, particularly children, in harm's way. This information informs the direction of traffic enforcement activities around a particular school and assists police to develop future strategies to ensure community safety on all roads near our schools.

ACT Policing works with the broader school community and school principals in respect of road safety. I want to thank Mr Rattenbury for making this statement and

providing an opportunity for us to talk about the importance of National Road Safety Week and to encourage all users, particularly those driving in and around school zones, to slow down and to survive.

As I mentioned earlier, over 400 drivers in one ACT school term alone received either traffic infringement notices or cautions. That, to me, is quite alarming. These are the sons and daughters of our own families and our neighbours. Over 400 drivers have put them at risk. I find that 400 to be far, far too many. The bad consequences of poor road safety are felt in family homes. It is something we all should be responsible for.

**MR GENTLEMAN** (Brindabella—Minister for Planning, Minister for Roads and Parking, Minister for Workplace Safety and Industrial Relations, Minister for Children and Young People and Minister for Ageing) (10.24): I also rise this morning to provide a statement, together with Mr Rattenbury and Minister Burch, during National Road Safety Week. The ACT has a very good road safety record in comparison to other parts of Australia and, indeed, the world. We have the benefit of an established and well-designed road system, a general urban environment, and a small, well defined geographic area.

However, there is no room for complacency. We can, and should, do more. On average, approximately 11 people are killed and 800 people are injured on ACT roads each year. Any fatality or casualty, let alone this level of death and injury, is a tragedy and is a significant burden on ACT families. In addition, the economic cost to the community of ACT road crashes has been conservatively estimated to amount to over \$200 million per annum.

For these reasons, avoiding fatalities and serious injury on the ACT road system is a priority. The ACT road safety strategy and action plans adopt and complement the principles of national work under the national road safety strategy and action plan. These documents are all guided by the safe system model.

A safe transport system makes allowance for human error and recognises that there are limits to the forces that humans can withstand in a crash. An essential element of the safe system approach is the design of roads to reduce the risk of crashes and the harm to people if a crash does occur. Speed management is also a critical factor in limiting the force of impact in a crash.

This safe system approach reflects international best practice, which is what we strive for on our roads. We design our roads for safety. We impose speed limits and continuously examine and improve the safety of our road network by implementing engineering and other measures. Some of these improvements are implemented under both the Australian government's black spot program and the ACT government's capital works program.

The black spot program funds relatively low cost safety works such as roundabouts, signage and line marking, crash barriers and street lighting in places where there have been serious crashes. For example, four sites in the suburbs of Narrabundah, Calwell, Weston Creek and Florey will receive safety upgrades with funding from the Australian government's black spot program.

The major component of the \$1 million program this year is an upgrade to the intersection of Captain Cook Crescent and Jerrabomberra Avenue in Narrabundah, which will receive new traffic lights. Engineering measures will also be implemented at the John Cleland Crescent and Coulter Drive intersection in Florey, on the Tuggeranong Parkway between Cotter Road and Forest Drive, and at the Tharwa Drive and Duggan Street intersection in Calwell.

While the black spot program is a very useful mechanism for addressing safety and crashes in specific locations, Roads ACT also proactively examines the potential risk of crashes occurring on the road network and undertakes road safety audits to identify possible improvements to road features.

For example, a road safety audit is currently underway on Canberra Avenue. Work has already recently started on a series of road safety improvements on Yamba Drive in Mawson, O'Malley, Farrer and Isaacs, costing around \$315,000. These improvements will ensure that road users can use the roads as safely and efficiently as possible. They include improvements to line marking, barriers and reflectors and maintenance works to the kerb along Yamba Drive.

Achieving safe speeds is also an essential component of the safe system approach. Speeding is still a common factor leading to road crashes and road deaths in the ACT. Yet we still have a general community perception that it is okay to speed. I am keen to simplify, clarify and, where necessary, reduce the speed limits on our roads and encourage motorists to obey them. If motorists do want to speed, there is plenty of opportunity through organised clubs.

The ACT has the benefit of an established and well-designed road system. The overall ACT road hierarchy is determined by the function of the road. In line with this hierarchy, the speed limit on access streets and minor collector roads is 50 kilometres per hour, with major collector roads signposted at 60 kilometres per hour, and arterial roads signposted at 60 kilometres per hour or more. Roads ACT has existing processes for the ongoing review of ACT speed limits and associated signage to ensure that the limits adequately reflect the function and surrounding environment of the road.

Slower speeds provide a safer environment for all road users, in particular our most vulnerable users such as pedestrians, cyclists and schoolchildren. Research indicates that a 10-kilometre per hour decrease in travelling speeds can reduce the risk of death for vulnerable road users by over 50 per cent. The 40-kilometre per hour speed limit was reserved for use in school zones and at work sites. This limit is also now used at town centre and group centre precincts to respond to this research.

The new 40-kilometre per hour speed zones have already been successfully implemented at Canberra's five town centres. Coinciding with National Road Safety Week, this reduced speed limit is also now in force in our 18 group centre shopping precincts. This is particularly important in town and group centres where there are shared use spaces with increased activity by road users and more complex traffic environments, which can include pedestrian crossings, intersections and on-street parking.

The slower speed environments will improve safety for all road users. Our local neighbourhoods should provide safe and livable areas where individual and communal activities can take place and where the rights of residents and children are not compromised due to the prominence of the motor vehicle.

I and Roads ACT receive many inquiries from members of the public raising traffic concerns about speeding vehicles and safety problems in local streets and requesting something be done, such as the implementation of traffic calming measures. Local area traffic management schemes are a proven road safety treatment to address speeding, safety and amenity issues in residential areas.

They are also a very good example of providing safer road infrastructure in line with the safe system approach. The objectives of such traffic management schemes are to reduce travelling speeds, improve safety at intersections, reduce traffic volumes and discourage rat running by through traffic that should travel on the arterial road network. Improving pedestrian safety is also an objective at certain locations.

To meet these objectives a range of engineering devices can be installed, depending on the road conditions and particular problems that need to be addressed. Examples include roundabouts, the provision of turning lanes or channels, pedestrian refuge islands, raised crossings, speed cushions and other devices. In terms of the current program, Roads ACT is implementing improvements in Kaleen and Wanniasa, including pedestrian refuge islands, speed cushions and improvements to existing intersections.

A new study is also nearing completion. It is examining the traffic conditions in Melba, Evatt and Spence, focusing on Copland Drive. Over the coming weeks the preferred options will be further assessed and developed. Recently implemented measures from our LATM studies are also being evaluated so that further improvements may be considered.

I take road safety, and in particular road safety around our schools, very seriously and consider every proposal to improve safety in detail. The ACT was the first amongst states and territories in Australia to introduce 40-kilometre per hour speed zones in the vicinity of primary schools. These speed zones were introduced in 1985. Since then, safety records around schools in the ACT have been positive and are considered to be some of the best in the country.

Ongoing consultation with parents, students and school administration is undertaken by Roads ACT to continuously improve safety around schools. Improvements can include school crossings, parking restrictions, pedestrian refuge islands and other traffic management measures. Such improvements are already being implemented this year at schools in Turner and north Ainslie and others are underway at schools in Deakin and Yarralumla.

Engineering treatments should also be accompanied by education efforts by the school community and safe road user behaviour by parents who pick up and drop off their children. Our goal should be to have an ACT community that shares the responsibility for road safety. Members of the community are always invited to provide feedback to the ACT government on road-related issues.

Indeed, my office, Canberra Connect and Roads ACT receive ongoing and regular feedback on a range of issues. Such issues are thoroughly investigated and low cost safety treatments such as changes to signage or line marking are progressed utilising existing funds. Also, minor new works program funding for more costly treatments such as traffic signals and roundabouts is sought through the capital works program.

Madam Speaker, I support National Road Safety Week and share the responsibility for road safety.

Question resolved in the affirmative.

## **Roads—Constitution Avenue Ministerial statement**

**MR GENTLEMAN** (Brindabella—Minister for Planning, Minister for Roads and Parking, Minister for Workplace Safety and Industrial Relations, Minister for Children and Young People and Minister for Ageing) (10.34), by leave: Walter Burley Griffin envisioned the growth and success of Canberra's city centre—seeing it become a diverse, cosmopolitan and active hub. Our city is indeed fulfilling this vision, with its density increasing and key projects being realised to support its change and growth. I am proud to be able to speak today about one of the major projects that is key to the vision—the Constitution Avenue upgrade.

Constitution Avenue is a 2.5 kilometre road reserve connecting Vernon Circle in the city through to Northcott Drive in Russell. The existing road currently starts at Knowles Place, the access road to the Legislative Assembly car park. To celebrate the centenary of the establishment of Canberra the federal government provided \$42 million under the 2011-12 federal budget to undertake the redesign and reconstruction of Constitution Avenue. Constitution Avenue is a key element of the Walter Burley Griffin plan and, as the base of the national triangle, it is significant in the implementation of the Griffin legacy. Its importance in the physical structure of the city should not be understated.

The long-term vision for Constitution Avenue was always more than a strategic road corridor, with the objective being to create an appealing urban space for moving through, working in and socialising. The upgrade of Constitution Avenue will provide major public transport, active transport and landscape improvements for the community. Essentially it will make where people live better, which is what urban renewal is all about. Urban renewal is also about making the most of opportunity—opportunities that exist by working in close partnership with industry, for example, to deliver greater densification around those centres of community, making them more livable, more accessible, more vibrant and, importantly, viable.

Prioritising urban renewal also means we need to maximise the opportunities presented by the significant government investment being made in a truly integrated transport network for our city, to which investment in roads and better public transport, including light rail, are key. It is about looking to our major transport corridors, whether between Gungahlin and the city or, closer to my home, between Tuggeranong, Woden and the city, and leveraging our investments in those corridors to deliver urban renewal.

Constitution Avenue between London Circuit and Vernon Circle opens the door for the government's plans for growth in this area and provides the cornerstone for development of the properties facing Vernon Circle. This project will provide the landscape framework, including access and connectivity for City Hill. These works are an essential part of the early works for realising the ACT government's city plan and the city to the lake project.

In particular, the project will deliver a dedicated bus lane in each direction from Allara Street to Anzac Parade, a separated two-way cycle path in the southern verge, high quality pedestrian facilities and public realm, a central median planted with pin oak trees, a tree replacement program for the ageing English oak trees on the verges, new LED street and verge lighting for the length of the project, and a cross-section that has been designed to provide for the extension of light rail into the future.

The design of the upgrade complements the territory's active travel strategy by providing for walking and cycling above other transport modes. Following active travel, public transport is given the next highest order of priority. This is delivered by providing a dedicated bus lane, which leaves a single lane of traffic in each direction. In the future the bus lanes can be replaced with light rail which could run on either side of the median, with stations proposed to be located within the new median.

A number of the existing English oak trees along the corridor were required to be removed to provide for the alignment. Two hundred and forty-six new English oak and pin oak street trees will be installed along the entire length of the project. The tree replacement program is being timed to accord with the optimal planting seasons. This will provide the new mature stock with a chance to establish and flourish in their new environment, with some trees already in excess of 10 metres high on delivery to the site.

A new road connection between Parkes Way and Allara Street is being constructed as part of the Constitution Avenue upgrade project. The connection is required to provide supplementary access to Parkes Way into the city precinct as a result of changes to the property access on Constitution Avenue. The new median being constructed in Constitution Avenue limits some of the opportunities for vehicles to access existing driveways via right turns, so alternative access was required.

The Constitution Avenue design team has been working closely with a range of stakeholders to ensure that the best possible outcome is achieved. It should, however, be understood that, as the city centre continues to grow and as the planning improvements are realised, some of the existing environments will be affected. Careful management of these situations is critical to ensure that all Canberrans benefit from the development of the city moving forward.

The construction of the avenue upgrade works has been divided into two main contracts. Stage 1, or the early works contract, was developed to coordinate and manage necessary and complex service relocation along the avenue. This contract was tendered in January 2014 and the contract was let in March last year. Works commenced on the site in April last year and were completed in April this year. The

main civil works contract was tendered in May 2014 and let in August last year. Work commenced on the site in November last year and is anticipated to be completed in early 2016.

I recently went for a walk down Constitution Avenue with officers from Roads ACT to see the progress of the work which is underway. It was great to see the progress that is being made and the sections which are already looking near completion and providing an excellent streetscape.

Traffic travelling along Constitution Avenue has been disrupted throughout the construction period to date. Considering that the entire avenue is being completely reconstructed, I believe these impacts have been relatively well managed. Some delays and impacts are, however, unavoidable, and changes to the operations of the ACTION bus network were required to minimise the disruption to the travelling public.

Permanent modifications to parts of the existing car parks at the Civic Pool and opposite the Reid CIT campus have occurred to allow for the main upgrade works to progress. These modifications were required to accommodate the new carriageway of Constitution Avenue, along with the new trees, bike paths and pedestrian paths in the southern verge.

In addition to this, a significant new stormwater system is being constructed underneath the southern carriageway. This section of the stormwater network services a large part of the city and inner north, including the suburbs of Ainslie, Reid and Campbell, and these improvements will facilitate future water quality improvements in the area before it finds its way into Lake Burley Griffin, also supporting the city to the lake planning.

The current construction site allows for the upgrade of the new southern carriageway and southern verge improvements. This stage of work is anticipated to be completed in September this year, weather permitting, at which point in time the work site will flip to the northern carriageway, and existing traffic will move onto the new southern carriageway in a new temporary two-way arrangement.

As you would be well aware, modification to the access road and car park adjacent to the Legislative Assembly is included in the main civil works contract. These works will reconstruct the access road from London Circuit into Knowles Place, as well as modifying the abutting car parks accessed via Knowles Place. When complete, this work will support and facilitate the future connection of Constitution Avenue to Vernon Circle.

During the construction of the avenue, the public transport network has been amended to ensure that the impact of running times was managed. These changes have had a positive impact on the overall on-time performance of the ACTION bus network and improved the experience for passengers.

At the completion of the project, a dedicated bus lane between Allara Street and Anzac Parade will provide further improvements to running times, separating the



buses from general traffic. Approximately 30 per cent of the city's bus routes run along Constitution Avenue, so the cumulative effect of the improvements will be considerable. The user experience of a more reliable public transport network in this corridor will provide the opportunity to increase patronage, setting the foundations for future extension of light rail to Russell and beyond.

The introduction of temporary CCTV cameras at multiple locations along the corridor has enabled TAMS to monitor traffic flows as the construction moves through different stages. The impacts of these works can be monitored and adjustments can be deployed to the traffic signals to react to changes in traffic patterns and improve the flows. The evidence is visible in the reduced queuing and congestion from what was experienced in late 2014 when the arrangements were put in place.

To support these behind the scenes changes, the travelling public has been continually informed of changes as construction progresses, such as the recent notifications and media coverage associated with the temporary closure of access to the Legislative Assembly car park.

I conclude by suggesting that the Constitution Avenue project is more than the beautification of this city's legacy avenue; it will deliver a high quality urban environment that will stimulate private investment and trigger the realisation of this city's plan.

I present the following paper:

Constitution Avenue upgrade—Ministerial statement, 7 May 2015.

I move:

That the Assembly takes note of the paper.

**MS FITZHARRIS** (Molonglo) (10.45): I thank Minister Gentleman very much for his update. Like most of us in this building and who work in the immediate surrounds, I was very interested in the minister's update on the Constitution Avenue upgrade. In this building we all have the unique daily experience of interaction with the road works, and it is reassuring to know that it is all in aid of what will be a fabulous addition to our city and an impressive entrance to our Assembly.

The minister outlined the background of the upgrade, its purpose and the temporary arrangements in place to facilitate the construction. I would like to take you through, in greater detail, the intended look and feel of the completed project.

The street furniture for Constitution Avenue has been designed to reflect the significance of the street in the local and national context by establishing real character for the avenue. The materials used to create the street furniture will include jarrah, brass and powder-coated steel to create a suite of elements which demonstrate the high quality aims for the avenue.

In addition, along with other structural elements such as concrete tree surrounds, street lighting and traffic control devices have been coordinated to ensure that the overall appearance of the street is cohesive. The street furniture elements include bus shelters, bench seating, bin enclosures, drinking fountains, bike racks and vehicle restriction bollards.

In addition to the built environment, a great deal of attention has been paid to the natural aspects of the upgrade. Approximately 300 English oak trees were located along Constitution Avenue within the project site area. The trees existed in four rows; one row on the northern edge and three parallel rows on the southern verge. The existing trees are in various physical conditions, with some very healthy mature trees alongside some trees in poor health. Due to the significance of the trees in the context of the avenue, a tree replacement program was developed to make sure that the avenue was able to retain this key feature throughout the project and into the future. The key element of the program was to avoid the removal of a large number of trees at the same time.

The second part of the tree replacement program was to procure mature stock so that the physical structure of the landscape was able to be maintained. To allow for the new southern carriageway of Constitution Avenue to be delivered, the most northern row on the southern verge was required to be removed in its entirety. Along with the unhealthy trees, approximately 120 existing English oaks will be removed in stage 1, which is being delivered by this project. Stage 1 includes the replacement of the 124 removed trees, with approximately 230 mature English oaks and pin oaks, some trees in excess of 10 metres high on arrival to the site.

Pin oaks have been selected as the replacement tree for the new centre median due to the structural nature which is suited to narrow alignments. English oaks will be located in the verges to replace the unhealthy trees and fill missing gaps such as outside No 2 Constitution Avenue. A row of crepe myrtles is also included in the planting scheme on the southern verge to add another layer to the plantings and enhance the amenity for people using this linear park.

The existing avenue reflects its traditional role as a transport corridor with access to education, employment and recreational facilities, particularly the car parks which service those facilities. The upgrade project will enhance the character of the avenue, providing a focus on active travel and public transport. Therefore, the amenity of the avenue is designed to support the changing role of this major thoroughfare, particularly as it relates to transportation.

The improved amenity provided by the street furniture will encourage a new range of people staying on the street to enjoy their lunch or to wander along the street and take in its natural beauty. As development continues into the future, the opportunity for this precinct to evolve and create a destination in itself will be supported through improved public facilities.

The relationship between Constitution Avenue and proposed developments such as Campbell 5 or Parkes section 3 is essential to ensure that the objective of providing a

place for people to enjoy is realised. The Campbell 5 development is a great example of the type of investment we are trying to encourage. This parcel of land sold for more than \$63 million to a consortium made up of local and new international investors—an investment in our city that will see up to 520 residential apartments, commercial offices, hotels and parkland.

The Parkes 3 development, which is located at the south-east corner of Constitution Avenue and Coranderrk Street, is a key part of the city to the lake project. That development will involve a new stadium on the site, the prospective new convention centre, the Australia forum.

Canberra is evolving. We are moving beyond our established public service foundations and working hard to attract private investment. The Chief Minister has spoken repeatedly on behalf of the government about how our work to diversify the ACT economy has helped Canberra. Without this diversification, without a stronger and more vibrant private sector, the thousands of positions cut by the federal government would have had a far greater impact on our economy and our community.

In the mid-1990s, when the Howard government started slashing jobs in Canberra, in the first year the number of unemployed people jumped by 3,000. The unemployment rate rose 1.7 percentage points, and within a 12-month period total employment dropped by 5,500 positions. But this time around the economy continues to perform well, despite the challenges—a clear indication that our economic development approach is paying dividends.

Canberra would be a very different place right now were it not for the increased economic diversification this government has been driving. Development in our town centres, and Civic in particular, acts as an important stimulus to that investment. The high quality of the revitalised urban environment will attract people and businesses wanting to work and live in such beautiful and functional surrounds.

Constitution Avenue will be easy to move around and connected to the city and to the parliamentary precinct. It will be a wonderful place for us all to work and for Canberrans to enjoy, live and visit.

Question resolved in the affirmative.

## **Board of Senior Secondary Studies Amendment Bill 2015**

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

Title read by Clerk.

**MS BURCH** (Brindabella—Minister for Education and Training, Minister for Police and Emergency Services, Minister for Disability, Minister for Racing and Gaming and Minister for the Arts) (10.52): I move:

That this bill be agreed to in principle.

I present to the Assembly the Board of Senior Secondary Studies Amendment Bill 2015. As a means of introduction for members not familiar with the Board of Senior Secondary Studies or their work, I will outline their role. The board is responsible for the provision of curriculum, assessment and certification services to 32 schools in Canberra and overseas. The board has 14 members from a wide cross-section of the ACT community. It is recognised for its leadership and management of the senior secondary system across all sectors in the ACT.

The work of the board is central to the future opportunities for young adults and, in turn, the continued economic and social wellbeing of our community. With the bill that I am introducing today the government is modernising the legislation governing the board and making it more efficient for the board to carry out its work and meetings by allowing proxy voting for board members. The ACT senior secondary system is school based and characterised by its diversity and flexibility in curriculum and assessment. There is a wide range of paths leading to further education and into the workplace available to students.

In the ACT there are a number of innovative offerings which operate within a framework established and monitored by the board. Examples of the programs monitored include the community language schools, the ANU extension program, the big picture education program, the International Baccalaureate Diploma program, the flexible learning options program and the national award winning Canberra College Cares young parents program.

These innovations exist in conjunction with tertiary entrance and vocational education programs that the board also administers. This bill will strengthen and expand the membership of the board and place the government's relationship with overseas schools on a firm legislative foundation.

In summary, the major amendments contained in the bill propose the provision for proxy voting for board members when they are unable to attend a board meeting; the provision for a board member to be appointed after consultation with the Australian Catholic University; the provision for a board member to be appointed after consultation with business and industry organisations; and the inclusion of a specific provision for the functions of the board to cover course delivery, assessment and certification services for overseas schools.

I will explain each of these proposals. Currently there is no provision in the act for proxy voting at board meetings. A specific provision in the act allowing for proxy voting for board members when they are unable to attend a board meeting would ensure a wider input into board discussions and decisions. This provision makes it easier and more efficient for the board to operate and is widely accepted practice in other areas of business and government.

The current act requires one board member to be appointed from each of Canberra's three major tertiary institutions but by omission excludes a representative from the Australian Catholic University. The Australian Catholic University is a major stakeholder in education and provides secondary teacher training. Significant numbers of ACT senior secondary graduates enrol at the Catholic University's Canberra

campus. The current membership requirements of the board are therefore excluding a major stakeholder.

The provision in the act for a board member to be appointed after consultation with the Australian Catholic University enhances engagement of the tertiary education sector and provides more appropriate stakeholder representation on the board. At present the act specifically states that one member be appointed to the board after consultation with the ACT and Region Chamber of Commerce and Industry.

The ACT and Region Chamber of Commerce and Industry has now merged with the Canberra Business Council and has ceased to exist in the form written in this act as is. This has meant that the ACT and Region Chamber of Commerce and Industry is now unable to provide a nominee. These amendments that I have introduced will update the act to make it contemporary and future proof by simply making the wording that a member can be appointed after consultation with business and industry organisations. By deliberately but not specifically specifying a particular organisation, the current circumstances will not arise again. This will ensure that a position on the board representing the business community will be assured.

In updating and modernising the act, these amendments include services that the board provides but that are not detailed in the act currently. The board delivers curriculum, assessment and certification services to seven overseas schools under a fee-for-service arrangement. This arrangement dates back to 1989 but there is no reference in the act to the board's role in providing these services. I have decided therefore to include these arrangements as amendments in the bill that I am introducing today. The inclusion of a specific provision for service delivery to overseas schools will ensure that the relationship the board currently has with overseas schools has a clear base in legislation.

A number of other Australian jurisdictions provide senior secondary certificates to students in overseas schools. The legislation establishing the entities responsible for issuing such certificates empowers those entities to issue the certificates to students in overseas schools. The amendments I am introducing today will bring the territory legislation in line with other jurisdictions and again provide a clear basis for this activity in legislation.

Economically, education is a major export for the ACT. Teachers from seven overseas schools who deliver the ACT curriculum visit Canberra twice a year for moderation days and to visit ACT colleges. The opportunity for ACT teachers to engage with teachers from a different culture and to form links with overseas schools is beneficial. The proposal to strengthen the act by referring to the services provided for these schools will endorse this endeavour, and the reputation of the ACT government as a good regional and international citizen will be enhanced.

In addition, these seven schools participate in the ACT senior secondary system on a fee-for-service basis and this arrangement helps to improve the budget position of the board. The combined effect of all these amendments will modernise, improve and remove impediments to the governance of the board and recognises the importance of the role of the overseas schools in adding another element of cultural diversity to the senior secondary system.

The continued effective governance and work of the Board of Senior Secondary Studies is central to future opportunities for our young adults and, in turn, the continued economic and social wellbeing of our community. The bill acknowledges the work of the board and allows them to continue to deliver on improving student outcomes both in the territory and abroad. I commend the bill to the Assembly.

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

## **Children and Young People Amendment Bill 2015 (No 2)**

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

Title read by Clerk.

**MR GENTLEMAN** (Brindabella—Minister for Planning, Minister for Roads and Parking, Minister for Workplace Safety and Industrial Relations, Minister for Children and Young People and Minister for Ageing) (11.01): I move:

That this bill be agreed to in principle.

As Minister for Children and Young People I am pleased to present the Children and Young People Amendment Bill 2015 (No 2). Child protection is difficult work and a difficult environment to work in. Risk is ever present and the issues presented by each case can be complex, but it is also very rewarding work to help a family stay together; to help them improve their relationships; to provide children and young people with an alternative loving home; to support a person's journey of change; and to help children and young people heal, to develop hope, aspirations and opportunities for the future, and to become independent adults.

As a government we have a responsibility to ensure that the organisations we fund to provide services to keep vulnerable children and young people safe are themselves child-safe organisations. In practice this means that those organisations operate their business in a way that puts the safety and wellbeing of children and young people above everything else—above loyalty to colleagues, above concerns about damage to their reputation, above threats to their funding sources. Their number one priority must be that vulnerable children and young people are safe and provided with the same opportunities in life as their peers.

Through the Royal Commission into Institutional Responses to Child Sexual Abuse we are learning a number of key lessons—as parents, as a community and as a government. A key issue is the need to protect our most vulnerable children and young people to ensure that those charged with keeping them safe are monitored and held to account for their achievement of this goal. We also know, through reviews of the ACT Public Advocate and the Auditor-General, that more can be done to ensure that the organisations providing these services on behalf of the ACT government are sustainable, effective, efficient and accountable, that they have the right systems in place and engage the right people who are able to achieve the best outcomes for the people that depend on them.

The royal commission, Public Advocate and Auditor-General all recommend an oversight framework. This framework for ensuring the safety and wellbeing of children and young people in a child protection system is best implemented as a regulatory framework. In the ACT this approach has been given in-principle agreement by the organisations that will be regulated and they have agreed to continue to be involved in the development of the new system.

On 22 January this year the Chief Minister and I announced the strategy a step up for our kids. The strategy is founded on three core domains: strengthening high risk families, creating a continuum of care, and strengthening accountability and ensuring a high functioning care system. The introduction of an accreditation and monitoring system is a key strategy in strengthening accountability and ensuring a high functioning care system domain.

The bill provides the necessary authority to implement a framework to achieve that accreditation and monitoring through regulatory oversight. It includes the authority to monitor community organisations, to ensure they are accountable and to support them to be part of a high functioning care system that achieves great outcomes for our children, young people and their families.

The bill builds on existing sections of the Children and Young People Act 2008 that require certain people and organisations to be approved as suitable entities by the responsible director-general for specific functions. Examples of people or organisations included under this provision are family group conference facilitators, kinship carers, foster carers, a foster care service and residential care services.

This bill expands the range of community organisations that must be approved as being suitable to be a care and protection organisation. This term is inclusive of organisations which provide foster care and residential care services but also includes organisations which provide family preservation and reunification services, contact services, parent-child interaction services, and advocacy support services for birth families and carers.

These are all organisations that will provide services to children, young people, their families and carers through the strategy a step up for our kids. Consistent with the regulation of childcare centres in the ACT, this bill introduces the requirement for a care and protection organisation to nominate at least one person to be responsible for the provision of services in the ACT. The responsible person must also be assessed for their suitability by the territory. This change provides an additional safeguard both for vulnerable children and young people and for the territory.

The amendments to this bill will provide the territory with the authority for a range of actions to monitor the suitability of an approved organisation on an ongoing basis and to be proactively engaging with the organisation when there are indicators of emerging risk. The bill describes the processes for receiving, investigating and finalising complaints against approved organisations and it provides the territory with authority for graduated intervention powers when significant risks are identified.

Having a range of intervention powers ensures that the territory's response is proportionate to the risk or concern. Intervention powers include the ability to issue a notice of direction to an organisation, to cancel the organisation's approval and to immediately suspend an organisation's approval if a child or young person is unsafe.

The bill also proposes an amendment that makes the decision on a care and protection organisation's suitability one that can be reviewed by the Administrative and Civil Appeals Tribunal. Such decisions are not reviewable under the existing legislation. Guidelines for the process of monitoring an organisation and for the use of intervention powers can be made as disallowable instruments under the amendments in the bill. The territory will engage key stakeholders, including organisations which will be subject to oversight by the new system in the development of the guidelines.

The regulatory framework will include an application and assessment against suitability criteria standards that will be expanded upon in a disallowable instrument. The suitability criteria will include four domains that place the safety, wellbeing and participation of children and young people at the centre of its work. The domains will be the quality of care and support; the quality of direct service staff, carers and volunteers; quality environments; and the quality of leadership, governance and financial viability.

All organisations tendering to provide new services through the step up for our kids strategy must be assessed as approved as being a suitable organisation. The assessment is being undertaken against these criteria by the Community Services Directorate's human services registrar independently of the tender process. Only organisations that have been approved as being suitable organisations against these domains will enter into contract negotiations with the territory. The change to the regulatory framework that will be enabled under this amendment bill will therefore involve minimal additional work for these organisations.

I formally commend the Children and Young People Amendment Bill 2015 (No 2) to the Assembly. I am confident that this bill will contribute to the protection of vulnerable children and young people and their families; the provision of support to carers to enable them to provide high quality care to children and young people; organisations maintaining their suitable organisational status, identification and early engagement to manage risk; motivation of organisations to continually improve their operations and service provision; and achievement of the high functioning, accountable service system that is the foundation of the strategy a step up for our kids. I commend the bill to the Assembly.

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

## **Public Accounts—Standing Committee**

### **Statement by chair**

**MR SMYTH** (Brindabella): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Public Accounts relating to the committee's ongoing inquiry into the loose-fill asbestos insulation eradication scheme. Specifically, the focus of this inquiry is the government's quarterly progress



reports on the implementation of the scheme. The first quarterly report on the scheme was the former Chief Minister's ministerial statement on 30 October 2014. The second quarterly report on the scheme was presented to the Legislative Assembly on 24 March 2015. This report concerns the period October to December 2014. The report also provides an update on "the recent activity of the task force, including the progress of the buyback program".

The committee wishes to advise it believes there is merit in it considering the second quarterly report in conjunction with the third quarterly report on the basis that further information will be available to assist it in its assessment of the performance parameters of the scheme.

This includes further information on (a) final numbers of participants in the scheme—specifically, affected home owners who have opted into the program by having two independent valuations of their home and accepted an offer from the territory government to purchase their home; (b) the budget implications of implementing the scheme with the release of the 2015-16 budget; and (c) the outcome of the Environment and Planning Directorate's consultation with the community about proposed amendments to the territory plan which will affect blocks in the RZ1 zones surrendered through the buyback program.

Pursuant to the Planning and Development Act 2007, draft variation No 343 to the territory plan—entitled "Residential blocks surrendered under the loose-fill asbestos insulation eradication scheme"—was released for consultation on 10 April 2015, with the closing date of 25 May 2015 for written comments. Accordingly, the committee will consider the second quarterly report, tabled on 24 March 2015, in conjunction with the third quarterly report, when available, and will report back to the Assembly on its inquiries as soon as practical.

## **Human Rights Amendment Bill 2015**

Debate resumed from 26 March 2015, on motion by **Mr Corbell**:

That this bill be agreed to in principle.

**MR HANSON** (Molonglo—Leader of the Opposition) (11.14): I indicate at the outset that the opposition will support this bill, but my understanding is that there is agreement that the detail stage will be subsequently referred to the JACS committee. There is no doubt this bill addresses some very important issues that we as a party certainly support. It gives effect to the conclusions of the 2014 review of the Human Rights Act 2004. It makes amendments in a number of areas with which we have no concerns, including extending the application of part 5A to the right of education and including a note in section 11 to indicate that children have all rights under the Human Rights Act in addition to the right to protection under section 11. These result from many discussions with the human rights bodies and interpretations of the Convention on the Rights of the Child, which states that children as individuals benefit from all of our civil rights and indeed deserve special protection. The CRC recognises that the degree to which children can exercise these rights independently is influenced by their evolving maturity and also emphasises the rights and responsibilities of parents. Overall, these are positions we support.

The bill also introduces new Aboriginal and Torres Strait Islander cultural rights. The Canberra Liberals support the general principles of the UN Declaration on the Rights of Indigenous Peoples, including that Indigenous people are equal to all other peoples, while recognising the right of all peoples to be different, to consider themselves different, and to be respected as such; that all peoples contribute to the diversity and richness of civilisations and cultures, which constitute the common heritage of humankind; and that Indigenous peoples in the exercise of their rights should be free from discrimination of any kind.

In accordance with the UN resolutions, the bill provides that Aboriginal and Torres Strait Islander people hold distinct cultural rights and must not be denied the right to maintain, control, protect and develop their cultural heritage and distinctive spiritual practices, observances, beliefs and teachings, languages and knowledge and kinship ties. This clause was developed in international forums and is based on section 19 of the Victorian charter and section 31 of the UN declaration.

We acknowledge the intent of these provisions, particularly provisions such as section 27(2), which recognises, for example, that their right to enjoy a particular culture may consist in a way of life that is closely associated with territory and use of its resources. I also note from the explanatory statement the comment that:

The intention behind the amendments to insert s 27(2)(b) is not to confer property rights through the recognition of native title (which has been extinguished in the ACT), but to require the ACT Government to recognise the prior and continuing relationships of Aboriginal and Torres Strait Islander peoples with the Canberra region and environment as first owners and custodians and to value the importance of those relationships as an integral part of the history, cultural heritage and ongoing protection of the Canberra region and environment.

However, Madam Assistant Speaker, we must also take note of the extensive comments that have been raised by the scrutiny of bills committee. The committee has noted several potential difficulties with this provision, and omissions and uncertainty, both in the legislation and in the explanatory statement. These comments have been examined in detail by me and my colleague Andrew Wall, the shadow minister for Indigenous affairs. I understand a number of these questions and concerns have been raised in discussions between Mr Wall, the Greens and the Labor Party. He will elaborate on those shortly.

Some of the questions and concerns raised by the committee include:

Will the right to have “material and economic relationships with land” apply to interests in land now lawfully held by third parties?

Will the right to protection of Aboriginal and Torres Strait Islander peoples’ “knowledge” lead to the recognition of new types of intellectual property?

Will the right to protection of cultural heritage be a basis to argue that a rule or a practice warranted by customary law should be recognised notwithstanding its incompatibility with the general law applicable to all persons?

These questions were not able to be answered by the scrutiny of bills committee. The committee also noted:

There is however a question whether the Explanatory Statement understates the potential legal effect of proposed subsection 27(2).

There are also questions of law in the explanatory statement that do not seem to be complete or even correct. For example, the committee noted:

It is difficult to follow this argument, perhaps because there may be words omitted from the first sentence. But the general point seems incorrect. The Commonwealth Parliament does not have legislative power over “environment and resources”, and much less so concerning “property rights”.

The committee also raised issues of certainty. For example:

An “interpretational right” is however significant, and what section 40B adds to the effect of HRA section 30 is not clear.

And:

Just what are “material and economic relationships” with land, waters and other resources will of course be a matter for debate and clarification.

Now is the time to have that debate and that clarification before we as an Assembly agree to this legislation. It is impossible and would be irresponsible to ignore the comments made by the scrutiny of bills committee.

I note the Attorney-General’s response to these issues, but this response was provided only yesterday and it does not seem to address the issues in full. We should give very careful consideration to the issues raised by this Assembly’s scrutiny committee, which is a bipartisan committee, before we pass this law. We can do something proactive to address it. We do not want issues of this sort being resolved subsequently in the Supreme Court or in other courts of the territory or Australia.

Even though we accept, endorse and support the intent of the clauses in this bill, as individuals and legislators we must look at the actual terms and the potential ramifications, particularly those issues that have been raised by the scrutiny of bills committee. Before we as an Assembly agree to pass the bill in detail we want to refer those specific concerns to an Assembly committee that can explore them and recommend any modifications that may or may not be required. That is the point. It is about clarification. No amendments may be required to this bill, but these issues and questions that have been raised by the scrutiny of bills committee need to be addressed.

I say again that we support the bill in principle, but let us make sure it reflects our shared commitment to equality for all and a workable, sound law that will serve all the people of the ACT. We support this bill in principle but recommend a committee review prior to debate at the detail stage.

**MS BERRY** (Ginninderra—Minister for Housing, Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Community Services, Minister for Multicultural Affairs, Minister for Women and Minister assisting the Chief Minister on Social Inclusion and Equality) (11.23): I am pleased to voice my support for the Human Rights Amendment Bill 2015. This bill is a significant step in the protection and promotion of human rights in the ACT. The changes put forward in this bill follow the 2014 review of the Human Rights Act 2004, consultation with the ACT Human Rights Commissioner and consultation with the Aboriginal and Torres Strait Islander Elected Body.

For the first time in Australia this is a bill that acknowledges Aboriginal and Torres Strait Islander people as having economic, social and cultural rights. The proposed amendment to the preamble of the Human Rights Act 2004 to replace “Indigenous people” with reference to “Aboriginal and Torres Strait Islander peoples” may be only a minor change but it is significant and it is supported by the elected body because it acknowledges that Aboriginal and Torres Strait Islander peoples are not a homogeneous group with a uniform culture and heritage and identity but, rather, they are a diverse group with differing histories and aspirations, even here in the ACT and surrounding regions.

In developing these new amendments the government has benefited from the expertise, and considered input of the elected body. I acknowledge and thank the members of the elected body for their advice and support in arriving at these amendments, and I look forward to continuing a valued working partnership with the elected body.

Including the cultural rights of Aboriginal and Torres Strait Islander peoples in the ACT’s Human Rights Act acknowledges the importance of the United Nations Declaration on the Rights of Indigenous Peoples as a template for relationships between the government of the ACT and Aboriginal and Torres Strait Islander people in the broader community. Ensuring consistency with the UN Declaration on the Rights of Indigenous Peoples was also an important priority for the elected body. This bill, therefore, inserts a new section 27(2) into the Human Rights Act 2004 to provide that Aboriginal and Torres Strait Islander peoples hold distinct cultural rights and must not be denied the right to maintain, control, protect and develop their cultural heritage and distinctive spiritual practices, observances, beliefs and teachings, their languages and knowledge and their kinship ties.

This includes the right of Aboriginal and Torres Strait Islander peoples to have recognised and valued the material and economic relationships with the land and waters and other resources with which they have a connection under traditional laws and customs. A basic acknowledgement that the cultural rights of Aboriginal and Torres Strait Islander peoples are and will continue to be observed, respected and upheld is an essential gesture that will facilitate Aboriginal and Torres Strait Islander Canberrans taking a greater leadership role in building stronger communities and improving relationships across both government and the community.

Making these amendments to our Human Rights Act 2004, one of the foundational documents of the ACT legal and justice system, will greatly support the ACT

government's reconciliation action plans and the Aboriginal and Torres Strait Islander justice partnership. This is also consistent with the recommendations of the commonwealth Aboriginal and Torres Strait Islander Social Justice Commissioner's *Social Justice and Native Title Report 2014*, which recommended that the Australian government engage with the national implementation strategy to give effect to the UN declaration.

The recent signing of the ACT Aboriginal and Torres Strait Islander agreement by the ACT government and the ACT Aboriginal and Torres Strait Islander Elected Body further strengthens the importance of this bill. The ACT government occupies a unique position in Australian governments, being the only jurisdiction to have a whole-of-government agreement with an independent elected body of Aboriginal and Torres Strait Islander community representatives. The aim of the agreement is to achieve realistic, practical and equitable outcomes for Aboriginal and Torres Strait Islander Canberrans. It provides a framework for sustaining better relations between the ACT government and the Aboriginal and Torres Strait Islander people, articulating the ACT relationship principles of respect, collaborative communication, improved partnerships and improved service delivery.

The proposed changes in the Human Rights Amendment Bill 2015 I hope will embed the principle of inclusion of Aboriginal and Torres Strait Islander cultural rights into the way we do business, supporting the strategic and community priorities of the ACT Aboriginal and Torres Strait Islander agreement. This bill is a positive progression in the ACT rights dialogue which continues to build the foundation for meaningful, respectful and inclusive engagement with the Aboriginal and Torres Strait Islander community. I commend the bill to the Assembly.

**MR WALL** (Brindabella) (11.28): As Mr Hanson has already discussed, the bill seeks to make various changes to the Human Rights Act. I will focus my comments on the aspects that relate to the Indigenous affairs portfolio, particularly clause 7, which seeks to add a new section 27(2) and which states:

- (2) Aboriginal and Torres Strait Islander peoples hold distinct cultural rights and must not be denied the right—
  - (a) to maintain, control, protect and develop their—
    - (i) cultural heritage and distinctive spiritual practices, observances, beliefs and teachings; and
    - (ii) languages and knowledge; and
    - (iii) kinship ties; and
  - (b) to have their material and economic relationships with the land and waters and other resources with which they have a connection under traditional laws and customs recognised and valued.

There have been a number of concerns raised over the addition of this new section. Firstly, there is the possibility that this section may be deemed incompatible with other aspects of the act. The scrutiny report states:

... debate about whether proposed subsection 27(2) should be inserted into the HRA may be viewed as a matter of whether it cuts across existing HRA rights to an extent that is unacceptable.

From this perspective, the primary right is that in HRA subsection 8(3): “Everyone is equal before the law and is entitled to the equal protection of the law without discrimination”. The example appended to this subsection cites discrimination because of race as an example. It is often regarded as one of the most fundamental of the rights upon which our constitutional system is founded. A law which confers on certain persons rights not afforded to others cuts across the right to equal protection of the law. It might also, in a particular situation, cut across any of the other rights stated in Part 3 of the HRA.

In response to this concern raised by the scrutiny committee, the government has claimed that the rights are consistent with the recommendations of the commonwealth Expert Panel on Constitutional Recognition of Indigenous Australians. The Expert Panel on Constitutional Recognition of Indigenous Australians have recommended that a new section 51A be inserted into the constitution, giving recognition of Aboriginal and Torres Strait Islander peoples. The committee also recommended that a new clause 116A be added to the constitution, namely:

- (1) The Commonwealth, a State or a Territory shall not discriminate on the grounds of race, colour or ethnic or national origin.
- (2) Subsection (1) does not preclude the making of laws or measures for the purpose of overcoming disadvantage, ameliorating the effects of past discrimination, or protecting the cultures, languages or heritage of any group.

Whilst the recommendations have been made, prematurely legislating in this space without the constitutional changes is fraught with danger. Whilst the bill that is before us today seeks to be consistent with these recommendations, I do not believe that the consequences of legislating prior to any constitutional changes have been thoroughly explored, and further scrutiny would be a prudent step prior to the bill passing the Assembly.

The addition of proposed new section 27(2) is based on the recommendations of the United Nations Declaration on the Rights of Indigenous Peoples, specifically articles 25 and 31. Article 25 states:

Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard.

Article 31 states:

1. Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the

properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions.

2. In conjunction with indigenous peoples, States shall take effective measures to recognize and protect the exercise of these rights.

The amendment bill that is before us has been drafted to be consistent with federal laws, particularly around intellectual property. However, proposed new section 27(2)(b) states:

(2) Aboriginal and Torres Strait Islander peoples hold distinct cultural rights and must not be denied the right— ...

(b) to have their material and economic relationships with the land and waters and other resources with which they have a connection under traditional laws and customs recognised and valued.

The opposition holds significant concerns around how, in practice, the “material and economic relationships” will be “recognised and valued”. The explanatory statement to this bill emphasises the point that this will not confer property rights. However, the scrutiny report raises some questions such as:

... will the right to have “material and economic relationships with land” “recognised” apply to interests in land now lawfully held by third parties?

It goes on to conclude:

Just what are “material and economic relationships” with land, waters and other resources will of course be a matter for debate and clarification.

In the supplementary information provided by the government to the opposition following a briefing on this bill, the Victorian Charter of Human Rights and Responsibilities 2006 is highlighted as an example of this right already in action. However, the Victorian example only goes so far as to provide protection of the right—and I quote:

... to maintain their distinctive spiritual, material and economic relationship with the land and waters and other resources with which they have a connection under traditional laws and customs.

The Victorian example also attempts to deal with the issue of one right cutting across another by stating that it applies to Aboriginal persons and “other members of their community”, but stops going so far as to require the right to be “valued and recognised”.

The bill that is before us today seeks to go further, adding that the “material and economic” relationship needs to be “valued and recognised”. To put it into practice, would this right possibly give rise to a compensation claim if the government sought to develop a parcel of greenfield land to which the local Indigenous community was able to demonstrate a connection under “traditional law or custom”?

It is my belief, and the belief of the opposition, that the most reasonable step forward would be to refer this bill to the Standing Committee on Justice and Community Safety for further inquiry in an effort to better inform members of this Assembly of what impact this legislation will have in practice and to explore the potential for unintended consequences.

As has been agreed with the government, we will support the passing of this bill today in principle, and we will then seek to refer it to the committee for further inquiry.

**MR RATTENBURY** (Molonglo) (11.38): The Greens will support the Human Rights Amendment Bill. Protecting and advancing human rights is, of course, a key part of the Greens policy platform, and human rights are always a prime consideration in all of our policy decisions. Indeed, another element of the Greens policy platform recognises that economic, social, cultural, civil and political rights are interdependent and must be respected and protected.

The bill that is before us today takes a step towards recognising economic, social and cultural rights. It extends the binding obligations on public authorities in part 5A of the Human Rights Act to the right of education. The right to education was previously recognised in the act as it was amended in 2012. The change today, however, amends the legislation to enliven that right and it ensures that the ACT government has to act and make decisions consistent with the right to education. I note that in 2012 the Greens proposed an amendment which would have activated the right in 2012, instead of waiting three more years, but it was not accepted at the time. I am pleased that this change is now taking place.

The bill also adds a new section to the Human Rights Act to recognise that Aboriginal and Torres Strait Islander peoples hold distinct cultural rights. It specifies that Aboriginal and Torres Strait Islander peoples must not be denied the right “to have their material and economic relationships with the land and waters and other resources with which they have a connection under traditional laws and customs recognised and valued”. I strongly support this change, and I will talk more about this shortly.

The changes made in this bill originated from a 2010 report by the University of New South Wales and the Australian National University which examined the potential for the ACT’s Human Rights Act to be extended to include economic, social and cultural rights. The overall conclusion of the report was that the inclusion of these rights is desirable and feasible. It recommended that the act should be amended to include most of the economic, social and cultural rights contained in the international covenant on economic and social rights, to which Australia is a party.

While I am pleased that progress has been made by introducing education and Aboriginal and Torres Strait Islander rights to the ACT’s Human Rights Act, as I have said before I hold some disappointment that we have not yet gone further. I have put these views on the record before and have discussed them with my government colleagues.



The 2010 report recommended adding a suite of rights to the Human Rights Act. That would have been a major step. The government has decided to take a minor step instead. That approach has, I think, left the authors of the report frustrated, and it has been of some frustration to the Greens. We would have liked to see a full suite of economic, social and cultural rights incorporated into the ACT's human rights regime.

We hear discussions and arguments about the potential flood of litigation and the "lawyers' picnic" that apparently could result from extending a legislative protection to human rights. This has simply not been the case in the ACT since this jurisdiction first legislated to protect civil and political rights. In fact, to quote the five-year review of the act:

Although critics predicted a surge in litigation and an undermining of the elected government by an unaccountable judiciary, the experience of the HRA is that its impact on policy-making and legislative processes has been more extensive and arguably more important than its impact in the courts.

I do not believe there will be a "floodgates" problem with the addition of economic, social and cultural rights either. It is worth noting in any case that the government has taken a very slow and cautious approach to introducing these rights. As I have touched on, it has actually caused frustration to many who wish to see human rights recognised and protected. It seems to me that the last thing that could happen under this approach is an opening of the litigation floodgates.

In relation to the specific right to education—which was inserted by the 2012 bill and which the bill today will activate—in 2012, as I said earlier, the Greens proposed an amendment to strengthen the right. We were concerned that the limitation would only apply to primary schooling and we believed the right should include the right to choose schooling other than schooling provided by the government that conforms to the minimum educational standards required under law, and to ensure the religious and moral education of the child in conformity with the convictions of the parent or guardian.

Those amendments were not accepted at the time. That debate is now done; the right to education has already been framed and added to the act and I will not today pursue that debate any further.

Returning to the issue of Aboriginal and Torres Strait Islander peoples' distinct cultural rights, the bill adds a new section to the Human Rights Act specifying that Aboriginal and Torres Strait Islander peoples must not be denied the right "to have their material and economic relationships with the land and waters and other resources with which they have a connection under traditional laws and customs recognised and valued".

It is important to note that this clause has been drafted with close cooperation and in consultation with the Aboriginal and Torres Strait Islander Elected Body and the Human Rights Commission. The recognition of cultural rights and the explicit mention of Aboriginal and Torres Strait Islander culture is a welcome addition to the Human Rights Act and a sign of maturing and responsive government.

A relationship with land and waters is core to the notion of culture for Aboriginal and Torres Strait Islander people and has at least a 40,000-year-old history in Australia. The ACT, however, as a construct of the original English settlement and in the life of the Federation, is very young in comparison. Cultural identity for Indigenous people across the world and here in Australia, including the ACT and surrounding regions, has been threatened and eroded over time but cannot ever be completely extinguished when the people affected are strong and proud of their heritage. Governments and elected members of parliament all have a role to play in leading the broader community to accept the adage that white Australia has a black history, to recognise the negative impact of past government policies and to celebrate and cherish the continuing culture that has survived.

Further, we as a society have a responsibility to support the ongoing essence of the oldest continuing culture in the world in whatever way we can. The development of the amendments before us is a step—just a small step—in working with the local Aboriginal and Torres Strait Islander community to achieve that.

I am pleased that there is support across the chamber for this addition to our Human Rights Act. It is important for the Assembly to show leadership because even in this day and age there are some in our community who might fear—and I do believe it is an irrational fear—that the consequences of recognising the rights of Indigenous people, such as mentioning “land” and “rights”, are translated in some people’s minds into a fear of some sort of “land grab” or other description in a similar vein. I would like to think that we have moved, and we certainly need to move, beyond this kind of fear and reaction.

In any case, to express this view in the ACT is stranger than ever. We have no big mining corporations lobbying in the background and no need for some of the skulduggery we see in the west and the north. We have instead a wealth of natural space, managed with a sense of growing partnership with the local Aboriginal people, and these rights will only enhance this partnership approach.

To suggest that the addition of these rights will in some way negatively impact non-Aboriginal and Torres Strait Islanders is simply wrong. The relevant sections amended will provide the right to maintain, control, protect and develop their culture. This is a culture that I believe we all respect and seek to support.

When it comes to land, waters and other resources, the amendments before us are similarly clear and consistent with the intent of the preamble. Clause 7 states, I believe with little ambiguity, that Aboriginal and Torres Strait Islanders must not be denied the right to have their continuing connection to the land “recognised and valued”. With respect to the phrase “recognised and valued”, I believe there is nothing to fear there, and I believe there is a lot to celebrate in making this part of the ACT Human Rights Act.

In conclusion, I and the Greens support the bill. I understand—there has been mention of this already—that there is a desire for the bill to be referred to a committee for further consideration. I am certainly open to committees generally considering pieces

of legislation. It is not a practice that is common here in the ACT. It tends to be more common in other jurisdictions. I think there is value in committees looking at pieces of legislation and providing further oversight in cases where members believe that is warranted. If the committee is able to do that in a timely manner, that will be a positive addition to this process. So I will be supporting this in principle today and watching with great interest the deliberations of the committee.

**DR BOURKE** (Ginninderra) (11.45): The government has proposed a number of reforms to the Human Rights Act 2004, including amendments to include recognition of Aboriginal and Torres Strait Islander cultural rights. These amendments, as we have heard, acknowledge the unique and distinct culture of Aboriginal and Torres Strait Islander peoples. The wider Canberra area was part of the range of the Ngunnawal people and was also visited by adjacent peoples, including the Gundungurra, Wiradjuri, Wolgalu and Ngarigo. The extensive Aboriginal occupation of the area is reflected in the more than 3,500 known Aboriginal heritage sites across the ACT. The diversity and number of Aboriginal heritage places and objects attest to that relationship between Ngunnawal people and the land of the ACT.

Traditional owners and the ACT Heritage unit mark the importance of lowland hills such as Black Mountain as well as the mountain ranges surrounding the ACT, including Tidbinbilla and Gibraltar ranges for lore, initiation and ceremony. The Birrigai rock shelter in the Tidbinbilla nature reserve has strong evidence, both cultural and scientific, of continuous occupation of the southern tablelands by people for almost 20,000 years.

The Territory and Municipal Services Directorate's *Guide to Aboriginal Cultural Heritage of the ACT* shows these Aboriginal links to the ACT region, cultural artefacts of locations and self-guided walks to explore sites of Aboriginal heritage and is a practical example of how this cultural heritage and the relationships of Aboriginal people can be recognised and valued by public authorities. The amendments in this bill are about recognising and valuing Indigenous cultural heritage. They are special measures that formally recognise the real significance of human rights for Aboriginal and Torres Strait islander peoples, the first owners of this continent, members of its most enduring cultures and individuals for whom the issue of rights protection has continuing and great importance.

This significance is already acknowledged in the preamble to the Human Rights Act. Whilst it is common knowledge that relationships with land and waters are central to the notion of culture for Aboriginal and Torres Strait Islander peoples, the Human Rights Act does not formally acknowledge this important dimension of the rights of Aboriginal and Torres Strait Islander people. However, international law recognises the spiritual, economic and material aspects of existing rights in their application to indigenous peoples around the world.

This amendment does not provide the right to own land, nor does it aim to create or confer new property rights or impact existing property rights; it simply formalises and clearly acknowledges those relationships making up the great cultural heritage of Aboriginal and Torres Strait islander people. In practice, the amendments will require consultation with and collaboration between public authorities and Aboriginal peoples

about matters to do with the management and custodianship of cultural artefacts, heritage sites, areas of land and water holding traditional or enduring importance to the Aboriginal community of the ACT.

These amendments formalise mechanisms by which the government already consults and respects the Aboriginal community, and in doing so recognise and value the relationships that they have with the land, water and resources to which they have a traditional connection. Currently, the Heritage Act 2004 makes provision for the cultural significance of land of Aboriginal and Torres Strait Islander peoples and consultation with their community representatives. Under the Heritage Act all Aboriginal places and objects in the ACT are protected and are recorded in a centralised database maintained by the ACT Heritage unit. ACT Heritage makes provision for the declaration of representative Aboriginal organisations after consulting with Aboriginal peoples with traditional affiliation with land.

The amendments, such as the provisions for consultation with representative Aboriginal organisations about heritage matters and structures such as the elected body or the Galambany Circle Sentencing Court, provide a strong foundation for continuing promotion of the cultural rights of Aboriginal peoples in the ACT. The policy development, scrutiny of bills and interpretation of laws will all be undertaken with reference to Aboriginal and Torres Strait Islander rights, which will increase awareness of policy issues that affect Aboriginal and Torres Strait Islander peoples.

As with all rights in the Human Rights Act, the cultural rights of Aboriginal and Torres Strait Islanders are not absolute and can be subject to reasonable limitations set by laws that can be demonstrably justified in a free and democratic society. The government would have to justify any limitations according to the criteria in section 28. The limitations process allows for the balancing of individual and community interests and for proper debate and dialogue about the extent and application of rights, including cultural rights.

Recognition of Aboriginal and Torres Strait Islander peoples' right to express their identity and culture, maintain kinship ties and maintain a material and economic relationship with the land and waters is a part of moving forward towards national reconciliation. Making this amendment to the Human Rights Act is one of the foundations underpinning the ACT legal and justice system that will recognise the special relationship of traditional owners to this land, and it will reflect the spirit of the ACT government's reconciliation action plans, the whole-of-government agreement and the Aboriginal and Torres Strait Islander justice partnership.

**MR CORBELL** (Molonglo—Deputy Chief Minister, Attorney-General, Minister for Health, Minister for the Environment and Minister for Capital Metro) (11.51), in reply: I thank members for their contribution to the debate today on the Human Rights Amendment Bill 2015. Although the changes in this bill are small in number, their beneficial impact is significant. As members have outlined in their comments, there are changes to the obligations of public authorities in relation to the right to education, the inclusion of a note to clarify the rights of children, and the recognition of the cultural rights of Aboriginal and Torres Strait Islander peoples in this bill.

I will turn briefly to the changes in relation to education. The bill extends the binding obligations on public authorities in part 5A of the Human Rights Act to the right of education. This means that all ACT public authorities will have to act and make decisions consistent with the right to education. The scope of these rights is appropriately limited in section 27A(3) to two immediately realisable aspects—that is, that everyone is entitled to enjoy these rights without discrimination and that parents and guardians are entitled to choose schooling for their children that conforms to their religious and moral convictions as long as the school meets the minimum education standards required under law. It is certainly the government's view that the ACT currently meets the international law requirements in relation to the right to education under the International Covenant on Economic, Social and Cultural Rights.

I now turn to the substantive part of the debate this morning, which is the proposal to insert a new section 27(2) into the act to introduce distinct and unique cultural rights of Aboriginal and Torres Strait Islander peoples, including the acknowledgement of the importance of their relationships to country. The wording of this amendment draws on the decisions of the UN Human Rights Committee about the cultural rights of minorities generally, which are sourced from article 27 of the International Covenant on Civil and Political Rights. They also reflect the UN Declaration on the Rights of Indigenous Peoples—primarily articles 25 and 31. The wording is very similar to the wording of Aboriginal cultural rights as expressed in section 19 of the Victorian Charter of Human Rights and Responsibilities.

It is worth highlighting that a number of facets of the UN declaration and article 31 have not been adopted, as these are covered by relevant commonwealth law, including the Environment Protection and Biodiversity Conservation Act 1999, the Plant Breeder's Rights Act 1994, the Copyright Act 1968, the Designs Act 2003, and the Trade Marks Act 1995.

The UN Human Rights Committee has stated that culture manifests itself in many forms, including a particular way of life associated with the use of land resources, especially in the case of indigenous peoples. That right may include such traditional activities as fishing or hunting and the right to live in reserves protected by law. The enjoyment of those rights may require positive legal measures of protection and measures to ensure the effective participation of members on minority communities in decisions which affect them.

It needs to be acknowledged that links to land, language, country and kinship are a crucial part of the identity of Aboriginal and Torres Strait Islander peoples. Aboriginal and Torres Strait Islander peoples are a crucial part of the ACT's cultural identity, and they must be recognised and valued. I note the comments made by some members of the opposition in relation to their concerns about whether these new rights to be integrated into the Human Rights Act will create unintended consequences. I note in particular the comments of Mr Wall and Mr Hanson, who both asked whether the rights will have material and economic relationships with land recognised and apply to interests in land now lawfully held by third parties. This is the same question that was asked by the scrutiny of bills committee.

I reiterate the comments I made in response to the scrutiny of bills committee's comments on this question. It is not anticipated that this amendment will have an impact on land rights in the ACT. It is likely that native title has been extinguished in the ACT through the operation of the Native Title Act 1994 in conjunction with the Native Title Act 1993 of the commonwealth. It is worth highlighting that the Heritage Act 2004 currently makes provision for the cultural significance of land for Aboriginal and Torres Strait Islander people. It is already a routine requirement that any development application that may impact the heritage values of an area or object registered or provisionally registered under the Heritage Act is referred to the ACT Heritage Council for advice.

Heritage Council advice includes reference to Aboriginal connections to the area of land or water where appropriate. The government does not anticipate that formal acknowledgement of cultural rights in the Human Rights Act will give rise to any new claims of native title in the ACT. Where any claims arise, they will continue to be dealt with as they already are under the native title legislation.

Central to the notion of culture for Aboriginal and Torres Strait Islander people is a relationship with land and water. This amendment does not provide any right to own land but simply the right to maintain the connection with significant areas of land and water. The UN Human Rights Committee has stated:

... one or other aspect of the rights of individuals protected under that article—for example, to enjoy a particular culture—may consist in a way of life which is closely associated with territory and use of its resources.

The committee further stated:

With regard to the exercise of the cultural rights protected under article 27, the Committee observes that culture manifests itself in many forms, including a particular way of life associated with the use of land resources, especially in the case of indigenous peoples. That right may include such traditional activities as fishing or hunting and the right to live in reserves protected by law. The enjoyment of those rights may require positive legal measures of protection and measures to ensure the effective participation of members of minority communities in decisions which affect them.

It is also worth highlighting that a paper by the special rapporteur of the United Nations Working Group on Indigenous Populations recognised a number of aspects of the relationship between indigenous peoples and their land which are unique to indigenous peoples, including that a profound relationship exists between indigenous peoples and their lands, territories and resources; that this relationship has various social, cultural, spiritual, economic and political dimensions and responsibilities; and that the collective dimension of this relationship is significant.

The Victorian charter guidelines explain that decisions that have been made by the UNHRC extend article 27 to protect the cultural rights of Indigenous peoples and that these decisions have informed the drafting of section 19(2) of that charter. They also note that, in the context of international human rights law, the protection of the cultural rights of indigenous peoples under article 27 has often arisen in the context of economic development.

The question has also been asked whether the right to protection of Aboriginal and Torres Strait Islander peoples' knowledge will lead to the recognition of new types of intellectual property. The simple answer to this is no. As the government has outlined in its explanatory statement to this bill, acts such as the Plant Breeder's Rights Act, the Copyright Act, the Designs Act and the Trade Marks Act provide mechanisms for the assertion of intellectual property rights. Michael Davis, in his research paper for the Australian Parliamentary Library, noted:

... all these intellectual property laws are available to Indigenous peoples, some, such as copyright and patent laws, are more potentially relevant or useful than others.

He continued:

The use by Aboriginal people over the past decades of the *Copyright Act* (and to a lesser extent other laws such as breach of confidence) and the judgements resulting from those actions, have extended the boundaries of the interpretation of intellectual property laws. They have also emphasised the conceptual gaps between the western notion of intellectual property and Aboriginal and Torres Strait Islander peoples' perspectives ...

Proposed section 27(2) requires that public authorities refrain from denying the rights of Aboriginal and Torres Strait Islander peoples to maintain, control, protect and develop their cultural heritage. Aboriginal and Torres Strait Islander peoples are not prevented from enforcing their rights within the scope and process of existing intellectual property law. The proposal in this bill is that public authorities must not impede enjoyment of those rights. Proposed section 27(2) does not require the ACT government to take positive action to introduce mechanisms for the recognition of those rights notwithstanding the limited scope, if any, of the territory to make such laws besides those that already exist in commonwealth law. Put simply, the recognition of cultural rights as drafted will not lead to the recognition of new types of intellectual property.

I have quoted extensively from my response to the scrutiny of bills committee report, and it is important that I do so to place on the record that the government has looked very closely and carefully at the issues arising from title and intellectual property. The government has, through its own processes, reached the conclusion that it can have a high level of confidence that the recognition of these rights does not expand into the areas raised by members of the opposition. Nevertheless, it is important that this bill is adopted with strong support across the Assembly as a whole. It would be regrettable if an amendment to our Human Rights Act that for the first time acknowledged the cultural links of Indigenous people in our community to land did not have strong support across this Assembly. Therefore, I have agreed that, should this bill be agreed to in principle today, the government will support a referral to committee for a timely inquiry so that these matters can be further ventilated and this bill can then be considered in the detail stage for resolution as an act of this place later this year.

I acknowledge that in drafting this amendment bill the government has worked very closely with the Aboriginal and Torres Strait Islander Elected Body and the Human Rights Commission. I thank and acknowledge the elected body members as well as the Human Rights Commissioner and her commission staff for their work on this part of the bill in particular. As I said at the outset, this bill makes small but significant changes to improve the operation and use of the Human Rights Act as a tool to guide public authorities to develop policies and provide services in a way that supports and strengthens the rights of all members of the ACT community but with its most important application being for those who are most vulnerable in our community. I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Motion, pursuant to standing order 174, (by **Mr Wall**) agreed to:

That the Human Rights Amendment Bill 2015 be referred to the Standing Committee on Justice and Community Safety for inquiry and report, with a reporting date not later than the last sitting day in September 2015.

## **Disability—inclusion**

Debate resumed from 19 March 2015, on motion by **Ms Burch**:

That this Assembly:

(1) notes:

- (a) the Minister for Disability's recent statement to the Assembly concerning the development of the ACT Disability Inclusion Statement;
- (b) the ACT's record of achieving positive outcomes for people with a disability;
- (c) the commitment of the ACT Government to implementing the National Disability Strategy;
- (d) that the ACT Disability Inclusion Statement will foster a united movement of people with disability, families, government, community and business to work towards a more inclusive and equal society;
- (e) the five priority areas for development for the statement, namely, housing, employment, justice, accessible communities and improving health; and
- (f) the ongoing commitment for the ACT Government to ensuring people with disabilities and their families can achieve to their full potential; and

(2) calls on the ACT Government to continue to:



- (a) work with people with disabilities, their families and carers as well as businesses and the community sector in developing the ACT Disability Inclusion Statement; and
- (b) provide further updates to the Assembly on the continued development of the Statement and again on its release.

**DR BOURKE** (Ginninderra) (12.05): I strongly support the sentiments previously expressed by the Minister for Disability. I am proud of the achievements under future directions and am excited about the possibilities and benefits that the ACT disability inclusion statement will deliver for people with disability and our whole community over the next two years. Future directions helped to start an exciting collaborative movement towards a more inclusive and equitable community.

I would like to highlight some of the leading Canberrans—the inclusion champions—who have contributed to the strong community fabric of Canberra life in recent years. Craig Wallace is an inclusion champion. Craig has significantly raised the profile and inclusion of people with disability through a diversity of roles and projects over his working life. Craig is the President of People with Disability Australia. His extensive campaigning on disability issues means that he regularly deals with media, politicians and across the whole community. His innovative ideas have led to sustained initiatives that raise the profile, inclusion and support of people with disability, including the Chief Minister's inclusion awards, Access City Hotline and adaptable housing work. Craig is a valued and respected deputy community chair of the ACT Disability Expert Panel. Craig's voluntary and paid work in the community have been recognised nationally and internationally, including through winning the ACT Chief Minister's award for excellence in 2014.

Claire Falls is also an impressive young champion of inclusion in Canberra. She is a 12-year-old football player who has actively advocated for the inclusion of young people with disability in sport. She is the creator and founder of FEVER, Football for Everyone, a not-for-profit organisation promoting social inclusion in football. Claire plays for Tuggeranong United Football Club in the men's national premier league. She has successfully raised funds for inclusive sport and delivered presentations to mainstream national and international sporting groups on inclusion. She has just been asked to be the 2015 ambassador for the Australian football coalition.

I wonder how many other young leaders could be fostered to have a strong voice in our community through the collaborative efforts of the ACT disability inclusion statement.

We also have organisations that are leading the way in making inclusion possible. The Museum of Australian Democracy at Old Parliament House proactively addresses barriers to access, despite the limitations of being located in a heritage building. The museum has a disability reference group to provide advice on current ideas, thinking, approaches and technologies that improve access and participation for people with disabilities. The museum received a Chief Minister's inclusion award in 2013.

The Canberra Business Chamber is another leading light. In May this year the chamber and the ACT Inclusion Council jointly hosted a workshop with over 70 attendees from businesses, community and government to discuss the economic opportunities that the national disability insurance scheme will bring to the territory. Glenn Keys, chair of the Canberra Business Chamber and board member of the NDIA, discussed how the ACT was leading the nation as the first whole jurisdiction to roll out the NDIS and how this presents opportunities for businesses.

On Wednesday this week Ron Bell from the Real Estate Institute of the ACT led a discussion with over 70 real estate agents, private landlords and investors on the benefits of renting to people with disabilities in the ACT. Norm Honey from the Independent Property Group spoke about the opportunity and the obligation of the real estate industry to get behind and deliver the principles of the NDIS.

What is common to all these Canberra inclusion champions is that they are ordinary people who have made an extraordinary difference in the lives of people with disability and this community. They believe in the strength of their convictions and carry an optimism that engenders support from others. They have strong beliefs in the strengths and inherent value of people with disability. Through the ACT disability inclusion statement, anyone or any organisation can be an inclusion champion. The ACT government will create a web platform and social movement that will give people the tools to make small and big changes that create a more accessible and inclusive community for everyone.

Madam Speaker, the time is right for the ACT to lead the nation in fostering an inclusive and equitable community. As a government, we are ready for the challenges ahead and are committed to working with people with disability, business and community to co-design and implement the ACT disability inclusion statement to deliver positive and practical actions for the 57,500 people with disability who live in the ACT.

We recognise that inclusion is a shared responsibility of government and community. The ACT disability inclusion statement will create a platform for community action. It is the ACT government's goal that we have all the tools and opportunity to continue making Canberra the best city in the world to live in. I am reminded of the words of a well-known ACT disability advocate, Louise Bannister, when she was asked what inclusion means to her. She said:

Inclusion means to me that I can just go out there, go wherever I want to go and do whatever I want to do.

This is our vision for Canberra, a socially inclusive and equitable community.

**MR WALL** (Brindabella) (12.11): I rise to speak with great caution to this motion today because there continues to be a great deal of aspirational language used by the minister in the motion and in the ministerial statement she made in regard to the inclusion statement. Once again we see this government tending to head towards an overreach. While the statement itself is steering a little away from the usual formula

by placing an emphasis on a combined approach to achieving outcomes in conjunction with the community, this change of tack should not be seen or used as an excuse for a government who cannot achieve their goals.

Despite the rhetoric, the track record has not been all that great for this government when it comes to achieving the goals for improving the lives of people with a disability in the ACT. The disability inclusion statement is, after all, the replacement for the employment strategy for people with a disability that has been in place since 2010. If we look at the statistics gleaned from the ACT government employment strategy for people with a disability we can see evidence of these targets failing to be met.

The targets set down for employment opportunities in the ACT public service for people with a disability went from a total of 327 positions in 2010 as the starting point, aiming to reach a total of 655 positions by the middle of this year. The goal for 2014 was that at least 578 people with a disability had employment in the ACT public service. The government failed again to reach their target, only meeting 438, a shortfall of 140 jobs for people with a disability. This year the goal increases to 655, but by continuing to change the goalposts and changing the strategy we can be sure that progress is not necessarily being made on any improvements for the lives of people with a disability.

Expectations must be managed and a realistic approach taken in the first instance. What is needed is achievable goals, fewer glossy brochures and less flowery language. This is what the disability community expects, it is what the disability community deserves and I think it is in line with the expectations of the broader community.

The purpose of the employment strategy for people with a disability—and the government has failed to meet targets—was to lead by example, to show what a valuable contribution people with a disability can make to the workplace and to the workforce. If the government have been unable to walk the walk and lead by example in this space they are going to have continued difficulty in implementing any further strategy without first addressing the issues within their own public service.

One of the greatest things that can be done to promote inclusion in our community is to give people with a disability the opportunity that employment brings—not just to be part of something bigger but also to have further and additional independence, the opportunity to earn an income, to be part of something bigger than themselves, and to contribute to the city that they are part of.

Steps should be taken to protect and to make sure that social enterprises are viable and are able to continue in the ACT as a constructive and creative and sometimes out-of-the-box way of creating opportunities that otherwise would not normally exist for people with a disability in our community. I look forward to seeing what further steps the government takes on the development of the inclusion strategy and will keep watch with a keen eye as to how successful they are in implementation. Hopefully one day we will be here celebrating the successes rather than the failures of this government.

**MS BURCH** (Brindabella—Minister for Education and Training, Minister for Police and Emergency Services, Minister for Disability, Minister for Racing and Gaming and Minister for the Arts) (12.15), in reply: I thank Dr Bourke for his contributions and for his recognition of some of the champions in our community—Craig Wallace being one. The very brave young Claire Falls, at 12 years old, shows many in our community what we need to do.

Through our five-year strategic policy framework, *Future directions: towards challenge 2014*, we implemented the national disability strategy 2010-20. Through future directions, we have implemented many innovative models to support housing, such as homeshare and intentional communities. Just recently I was with Glenn Keys, who was also mentioned by Dr Bourke, at the second site for the intentional communities. With the intentional communities we see young men in a very supportive community. They know each other, they greet each other, they socialise at barbecues and they share music sessions, afternoon teas, working bees and parties. And it is a good outcome; it is a success.

Whilst Mr Wall rose with caution and asked that we not overreach, I think we on this side want to overreach for people with a disability. We want to aim high. Just sitting on a low benchmark is not what leaders, governments and communities should aspire to for people with a disability in our community. We should aim high, reach high and strive to get there. There will always be work to do, but if we do not aim high we will not get there. Whilst Mr Wall likes to harp on about disappointment, there are great successes that we have delivered for people in our community. The intentional communities and project independence are but some of them.

Another achievement is the everyone, everyday disability awareness program that was implemented in partnership with the Education and Training Directorate. This program is around fostering and promoting tomorrow's leaders. Thousands of children and their teachers across the Canberra community have taken individual and collective action to create an inclusive community.

The calibre of this work was recognised nationally through the improving education outcomes category of the 2014 national disability awards. Boundless Canberra is another example of what can be achieved when government, business and community work together towards the common goal of inclusion. I want to pay my respect and regard to the champions of boundless Canberra. Natalie Howson, the Director-General of the Community Service Directorate, has been tireless in promoting, advocating and driving that project forward.

I just want to touch on some of the other activity that has gone on since this motion was moved in March. In April the ACT Inclusion Council met, and their discussion focused on disability confidence Canberra, which is a workshop with the Canberra Business Chamber, which Dr Bourke touched on. Also, planning is well underway for the ACT Chief Minister's inclusion awards. Of course, the council also discussed the disability inclusion statement.

In May the disability confidence Canberra workshop was held, with a focus on opportunities for business. Promotional material regarding the workshop was distributed to make sure that there was a positive turnout. Officers from Disability ACT presented the disability inclusion statement to the council, and very supportive, positive feedback came our way.

Planning, as I said, is underway for the Chief Minister's inclusion awards, including engaging sponsors and finalising the categories. The event, we hope, will be held in the Great Hall of Parliament House at the end of this year.

Also in April, the Disability Expert Panel met, and members agreed to the inclusion statement's principles and the approach. So not only do we have it supported here, hopefully through this Assembly, but the ACT Disability Expert Panel, which is well represented across many of our champions and our community, absolutely agree it is the right way to go.

An NDIS participants' capacity building reference group has been developed by the task force. This reference group met earlier in the year. It provides strategic oversight of the sector development fund participants' focused activities. Membership of this group includes representatives from Women with Disabilities ACT, the Mental Health Consumer Network, Mental Health, Justice Health, Alcohol and Drug Services, people with a lived experience of mental illness, expert panel members with a lived experience of disability, Carers ACT, advocacy organisations, Ethnic Disability ACT, a guardianship representative, and the Education and Training Directorate. Aboriginal and Torres Strait Islander community outreach workers were also there.

Looking at how we work across sector development, we have released our NDIS 2015 organisation sponsorship grants. These grants support service providers to host NDIS subject matter conferences and other events here in the ACT. As at 16 April we had received 29 applications. Twelve were approved. The amount spent on individual allocation has been close on \$7,000 and the amount spent on organisational allocation has been over \$20,000. That was as at mid-April, and I am sure that money has increased.

Also in April there was an NDIS webinar, which is a very popular way of accessing information. That particular event was held on 29 April. A panel discussed their experience and tips for families and carers on preparing for the national disability insurance scheme. Sue Salthouse, another disability champion who is known to all of us, and the convener of Women with a Disability, emceed that event. Individuals were invited to submit questions prior to that event taking place.

Reflecting on the success of this government in supporting people with a disability, I am reminded of the enhanced service offers, which were grants provided to 1,300 Canberrans with a disability. Just recently I had the pleasure of meeting a grant recipient who recently received his re-engineered and converted bike which allowed him to be in his wheelchair. The bike is effectively split, with a wheelchair accessible platform in the middle. He rides his wheelchair into the bike, and he rides his bike. It is a 650 Suzuki, I think. I know he was most impressed to have a

motorbike of that calibre. His happiness and the freedom of that bike, afforded to him through the enhanced service offer grants, are a testimony to the government's success in supporting people with a disability.

The priorities of the ACT disability inclusion statement align with the priorities of the disability strategy. I know that we continue to support many of our community. I am also reminded of the success of Jess May in Abled Employment. Her organisation is doing great work.

I will continue to update the Assembly on the progress of the disability inclusion statement. I do encourage everyone to go to the Time to Talk website. It has been open since 21 April, and people can have their say on the ACT disability inclusion statement, either through writing submissions or by completing the survey. That closes on 15 May, so we are coming close to the end of that process. I do encourage all to get in and have their say.

Madam Speaker, the development of the ACT disability inclusion statement offers a unique opportunity for the transformation and change to explore innovative ways of improving outcomes for people with a disability. If I am accused of aiming high, reaching high, to make sure that people with a disability in our community are supported, regarded and respected, I will take that charge and I will do all I can to deliver for each and every person in our community with a disability, their families and carers because rightly, as we all agree here, they deserve no less.

Question resolved in the affirmative.

**Sitting suspended from 12.25 to 2.30 pm.**

## **Visitors**

**MADAM SPEAKER:** I acknowledge the presence in the gallery of members of the University of the Third Age. Welcome to your Assembly.

## **Questions without notice Canberra Hospital—accreditation**

**MR HANSON:** My question is to the Minister for Health, for a change. At least I am consistent. In 2013 the Australian Commission on Safety and Quality in Health Care commenced the national safety and quality health service standards to accredit all Australian hospitals. The Canberra Hospital is due to have its first accreditation survey in May. Minister, have you been provided with information concerning the readiness or otherwise of the Canberra Hospital for this national accreditation survey?

**MR CORBELL:** Yes.

**MADAM SPEAKER:** A supplementary question, Mr Hanson.

**MR HANSON:** Thank you, minister, for your information. Has ACT Health commissioned readiness surveys or audits in preparation for this national accreditation survey? If so, will you table the results of those in the Assembly?

**MR CORBELL:** Yes, ACT Health has commissioned those surveys.

**Mr Hanson:** On a point of order, Madam Speaker.

**MADAM SPEAKER:** Yes.

**Mr Hanson:** The full question also asked whether the minister would table the results of those surveys in the Assembly.

**MADAM SPEAKER:** I can invite the minister to be directly relevant.

**MR CORBELL:** I have concluded my answer.

**MADAM SPEAKER:** A supplementary question, Mr Doszpot.

**MR DOSZPOT:** Minister, what would the consequences be of Canberra Hospital not being nationally accredited?

**MR CORBELL:** I have every confidence that Canberra Hospital will be nationally accredited. It is an important process and one which our hospital staff and ACT Health as a whole are investing considerable effort in. I have every confidence that they are well placed for that accreditation survey.

**MADAM SPEAKER:** A supplementary question, Mr Doszpot.

**MR DOSZPOT:** Minister, why won't you table the surveys?

**MR CORBELL:** The surveys are prepared for the purposes of preparing the hospital and its staff for the accreditation process. They are not appropriate for broad release or publication. They are prepared for internal purposes to prepare for the accreditation process.

### **Roads—speed cameras**

**MR COE:** My question is to the Minister for Justice. Last year the government commissioned UNSW to conduct an evaluation of and report on the ACT road safety camera program. The report cost \$163,000 and was received by the government in June last year. The government has refused to release the report even after an FOI request from the *Canberra Times* and also one from me. The *Canberra Times* reported on 5 February that “its release was also blocked under freedom of information rules in October, when the government said it planned to table the report in the Legislative Assembly this month”.

A letter from the Justice and Community Safety Directorate to me on 10 April stated:

Access to ... the report prepared by the contractor [will] be deferred until after it has been presented to the Legislative Assembly.

The *Canberra Times* also reported on 5 February that Mr Rattenbury said:

I plan on releasing the full report in the near future.

**Dr Bourke:** On a point of order.

**MADAM SPEAKER:** Sorry, Mr Coe, there is a point of order. What is the point of order?

**Dr Bourke:** The point of order is: is Mr Coe making a speech or asking a question? This is a very long preamble.

**MADAM SPEAKER:** Yes, it is a long preamble but it is the form and practice in this place that for the lead question there is often a lot of context. I do not think it is excessive. Mr Coe.

**MR COE:** Minister, when will the government finally release the report that has been promised?

**MR RATTENBURY:** As I have said publicly, I will be releasing the report during the May sitting, which will be next week. I will be presenting the report and associated documents to the Assembly next week.

**MADAM SPEAKER:** A supplementary question, Mr Coe.

**MR COE:** When was the report presented to cabinet and when was it approved for publication?

**MR RATTENBURY:** The report is actually going to cabinet this coming Monday and, assuming that cabinet approves it, I intend to release it next week.

**MADAM SPEAKER:** A supplementary question, Mr Wall.

**MR WALL:** Minister, why was the *Canberra Times* told that the report would be published in February yet it is still not available?

**MR RATTENBURY:** I did not quite catch that.

**MR WALL:** Minister, why was the *Canberra Times* told that the report would be published in February yet it is still not available?

**MR RATTENBURY:** As members know, I became the Minister for Justice, with responsibility for these matters, just in December. Given the importance of this and the quantity of material that is available, I had a desire to take a bit of time to have a look at it. I have also worked with my directorate to prepare the government's response to this. Rather than rush it, despite the fact that it is of great interest, certainly to Mr Coe but also, I imagine, to other members of the community, I have taken the time to work on this properly and make sure that when it is released the



government has a considered response to it as well. It has simply been a matter of getting my feet under the desk in the portfolio and making sure. It is a matter of timing and it is also about fitting it in with the Assembly sittings, because it needs to be presented to the Assembly.

**MADAM SPEAKER:** A supplementary question, Mr Wall.

**MR WALL:** Minister, does the report back up the Auditor-General's findings that the cameras are not effective for road safety?

**MR RATTENBURY:** The full details will be available for Mr Wall, Mr Coe and others to read when I present the documents in the Assembly next week.

### **Health—private medical records**

**MR SMYTH:** My question is to the Minister for Health. In the answer to question on notice No 381 you stated that Canberra Region Cancer Centre transcription services can be outsourced to two Australian companies: OzeScribe and Pacific Solutions. The Pacific Solutions website states that it adheres to Australian national privacy principles and international equivalents. This means that the privacy of Canberrans is only protected by whatever law applies in foreign countries. Minister, for administrative work outsourced to OzeScribe and Pacific Solutions, does the ACT government require the work to be conducted only in the ACT or only in Australia?

**MR CORBELL:** I will take the question on notice, Madam Speaker.

**MADAM SPEAKER:** A supplementary question, Mr Smyth.

**MR SMYTH:** Minister, if the ACT government does not specify where outsourcing is done, how can the confidentiality of personal health data of Canberrans be guaranteed?

**MR CORBELL:** The confidentiality of personal health data is covered comprehensively by ACT and commonwealth law. As to the specifics of Mr Smyth's question, I will take the question on notice and provide further detail to the member.

**MADAM SPEAKER:** A supplementary question, Mr Hanson.

**MR HANSON:** Minister, do other units of ACT Health outsource clerical or transcription services to companies with overseas operations?

**MR CORBELL:** Again, I would have to take the question on notice. ACT Health has a very large number of contracted services right across the portfolio.

**MADAM SPEAKER:** A supplementary question, Mr Hanson.

**MR HANSON:** Minister, why is your government sending what could otherwise be Canberra jobs interstate and overseas?

**MR CORBELL:** Without commenting specifically on the particular tenders that Mr Hanson refers to, I simply make a general observation—that is, the government has a competitive tendering process that is about delivering value for money for ACT ratepayers. I would have thought that those opposite were interested in ensuring that ratepayers' money was spent efficiently and in accordance with best practice approaches and that there was a tender process that delivered value for money.

### **Youth—homelessness**

**MS LAWDER:** Madam Speaker, my question is to the Minister for Housing. Minister, three Housing ACT properties in a residential cul-de-sac in Chisholm were allocated to the Youth Emergency Accommodation Network. The ACT government's Community Services Directorate website describes the Youth Emergency Accommodation Network as a crisis accommodation service delivering emergency accommodation to young people. Minister, are the Housing ACT properties in this area of Chisholm allocated to the Youth Emergency Accommodation Network still intended to be used as crisis accommodation for young people?

**MS BERRY:** I thank Ms Lawder for the question. Yes. I understand that those public housing residences in Chisholm are going to be used for crisis accommodation for young people. I will make sure that I clarify that and come back, but that is my understanding.

**MADAM SPEAKER:** A supplementary question, Ms Lawder.

**MS LAWDER:** Minister, for what length of time can a young person stay in one of the Housing ACT properties in Chisholm allocated to the Youth Emergency Accommodation Network?

**MS BERRY:** I will have to take the detail on notice. I am not completely sure of the exact length of time that young people are residing in that residence. I will check that and get back to the member.

**MADAM SPEAKER:** A supplementary question, Mr Smyth.

**MR SMYTH:** Minister, what is the monthly turnover rate of each of these properties and how many young people are housed there?

**MS BERRY:** I will have to take that one on notice too, Madam Speaker.

**MADAM SPEAKER:** A supplementary question, Mr Smyth.

**MR SMYTH:** Minister, is there a list of young people waiting to stay in one of these properties and, if so, how many young people are on that waiting list?

**MS BERRY:** I will have to take the detail of that on notice as well.

**Health—federal spending cuts**

**DR BOURKE:** My question is to the Minister for Health. Minister, what has been the impact of commonwealth spending cuts to health services in the ACT?

**MR CORBELL:** I thank Dr Bourke for his question. Regrettably, it is the case that the ACT health budget, and the ACT budget as a whole, has been significantly impacted by the decision of the federal Liberal government, in last year's budget, to arbitrarily walk away from the national health partnership agreement. According to the commonwealth's own figures, moving back to the previous funding model—the specific purpose payment approach based on population, not on activity—equals across Australia \$57 billion less for hospitals and health services; \$57 billion less over the next 10 years than that previously committed by the commonwealth to the states and territories.

*Opposition members interjecting—*

**MADAM SPEAKER:** Order!

**MR CORBELL:** Based on the modelling undertaken by ACT Health, this means for ACT hospitals and health services the equivalent of \$700 million less over the next 10 years. Those were the commitments made by the—

*Mr Hanson interjecting—*

**MADAM SPEAKER:** Order, Mr Hanson!

**MR CORBELL:** federal government and those commitments have been arbitrarily voided—

*Mr Coe interjecting—*

**MADAM SPEAKER:** Order, Mr Coe!

**MR CORBELL:** by the federal Treasurer, Mr Hockey, and by the Prime Minister, Mr Abbott. There will be \$700 million less over the next 10 years for our hospitals and health services. As a Labor government, we recognise the importance of maintaining and improving resourcing for our public hospital and health services. So we as a government have made the decision that we will go ahead with our planned improvements and enhancements in the current financial year. However, if the commonwealth—

*Mr Hanson interjecting—*

**MADAM SPEAKER:** Order!

**MR CORBELL:** refuses to accept its obligations through these partnership agreements or fails to come up with a new model in next week's federal budget, then we clearly are going to have to look very closely at the health budget and the sustainability of health funding. That is the case here and right across the country.

A \$700 million cut in expected payments to our health and hospital services simply cannot be sustained by the ACT government. It leaves all states and territories in a very difficult position. We had hoped that the commonwealth would sit down and speak with the states and territories to discuss a better way forward. Whilst that took some time—

*Mr Hanson interjecting—*

**MADAM SPEAKER:** Order, Mr Hanson!

**MR CORBELL:** I am very pleased to now say that the Prime Minister has agreed to meet with chief ministers and premiers to discuss these matters further.

We as a government have undertaken some analysis of the impact of this massive funding cut on the ACT budget. Using relatively conservative estimates for growth in activity each year for the next decade and a moderate increase in the national efficient price, we know that the cost is \$700 million over the next decade in support of public hospital services, following the commonwealth's decision to cease funding guarantees and then to move to population-based payments. That, of course, is funding the nurses, doctors and allied health staff who are providing health services that our community needs. We will continue to argue for improvements in the commonwealth's position because they need—

**MADAM SPEAKER:** The member's time has expired.

**MR CORBELL:** to keep their hands off our hospitals and improve funding for our health services.

**MADAM SPEAKER:** Your time has expired, Mr Corbell. A supplementary question, Dr Bourke.

**DR BOURKE:** Minister, can you tell this Assembly what the government is doing to maintain service provision for ACT residents in the light of these cuts?

**MR CORBELL:** I thank Dr Bourke for his supplementary. While the commonwealth is ripping out \$700 million over the next decade from health and hospital services, we are investing in the health infrastructure and services our community needs. For example, in the most recent budget we have provided funding to create an extra 31 general inpatient beds to meet growing demand in our hospital services, at a cost of over \$10 million. We have employed two new emergency positions to improve waiting times for care. We have put in \$8 million to increase access to elective surgery and improve waiting times further. Waiting times are now the lowest they have been since 2005-06, and they continue to improve.

*Mr Hanson interjecting—*

**MADAM SPEAKER:** Order, Mr Hanson!

**MR CORBELL:** We have put an extra \$1 million into improved community mental health services. We have put in an extra \$2 million to fund additional staff to support the new cancer centre at the Canberra Hospital. We have allowed for an extra \$600,000 for more community nurses to improve care for people in their own homes. We have provided \$3.7 million for two new intensive care beds at the Canberra Hospital and an additional one at Calvary public. Over \$2.8 million has been provided to fund extra nurses and allied health staff at community health centres in Belconnen and Tuggeranong.

*Mr Hanson interjecting—*

**MADAM SPEAKER:** Order, Mr Hanson!

**MR CORBELL:** While the federal Liberal government cuts funding to our healthcare system and hospital system, this Labor government is investing in better health care for Canberrans. *(Time expired.)*

**MADAM SPEAKER:** A supplementary question, Mr Hanson.

**MR HANSON:** Is it true, minister, that the federal government is increasing health funding this year to \$15 billion, next year to \$16 billion and the following year to \$18 billion—at a much higher rate than happened under Rudd and Gillard? And is it true that, according to ABC Fact Check, Treasurer Hockey “is keeping the base and growth funding in place until 30 June 2017, which means if hospitals grow efficiently the commonwealth will still pay for nearly half the costs” of hospital funding? Is that all true?

**MADAM SPEAKER:** I do not know whether—

**Mr Hanson:** Is it true?

**MADAM SPEAKER:** Mr Hanson, you have asked your question. Perhaps it is time for you to be a little quiet and hear the answer.

**MR CORBELL:** What is true is that from 2016-17 there is a massive drop in funding compared to that previously projected under the national healthcare performance agreements. What it means for the ACT is a loss of \$700 million that would have otherwise been committed under those agreements to our hospital and healthcare systems.

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

**MADAM SPEAKER:** A point of order. Stop the clock, please.

**Mr Hanson:** The question was not about whether it is compared to the fanciful figures from Rudd and Gillard that never existed; it was about whether—

**MADAM SPEAKER:** That is a debating point. What is the point of order?

**Mr Hanson:** I am asking the question: is it true that health funding from the federal government is going up by billions of dollars a year for the next three years? Is that true or not?

**MADAM SPEAKER:** What is the point of order?

**Mr Hanson:** Relevance, Madam Speaker. He is talking about money that never existed. I am talking about real money.

**MADAM SPEAKER:** If you are taking a point of order you need to be on your feet.

**Mr Hanson:** Sure. The point of order is on relevance. I am talking about real money, and whether it is true that health funding is increasing, not pretend money that was never in any budget, federal or state.

**MADAM SPEAKER:** In amongst all of the argument, there was a point of order about relevance. I think Mr Corbell was talking about funding over a long period of time, beyond 2017. I think he was addressing the issue. I think he was being directly relevant to addressing issues in relation to funding. Whether you agree with him is another issue. There is, I might remind you, an MPI during which I am sure you will have a lot of opportunity to ventilate your concerns.

**Mr Hanson:** Just on your ruling, Madam Speaker, he was talking about funding but not the same funding that was in my question.

**MADAM SPEAKER:** I cannot direct the minister to answer the question in the way that you want it answered. Do you have anything more to add in your remaining one minute and 28 seconds?

**MR CORBELL:** I certainly do, Madam Speaker. Mr Hanson may like to be an apologist for the health funding cuts that his federal Liberal colleagues have delivered, but this Labor government will stand up for proper funding for our health and hospital system. We will not stand by idly and apologise for Mr Abbott's and Mr Hockey's cuts to our healthcare and hospital systems. Across Australia the cost is \$57 billion. Here in the ACT the funding lost over the next 10 years that would have otherwise been delivered under those agreements made between every state and territory and the commonwealth government is in the order of \$700 million—\$700 million less in health and hospital services that we would have otherwise expected under those funding agreements. So we will continue to make very clear to the federal government that they need to honour commitments made in agreements signed between state and territory governments and the federal government. And let us be very clear: these agreements were not just made with Labor governments; they were made with Liberal governments as well. *(Time expired.)*

**MADAM SPEAKER:** A supplementary question, Ms Fitzharris.

**MS FITZHARRIS:** Minister, what further funding challenges will the ACT face when the commonwealth moves from activity-based funding to population-based funding in health?

**MR CORBELL:** I thank Ms Fitzharris for her supplementary. Let us be very clear: moving from an activity-based funding model to a population-based funding model has very serious consequences when it comes to our capacity to deliver health care for a growing and ageing population. It may sound like a bit of a technical argument but it has real-world implications. If you are only funding on the basis of population, you are not taking account of issues such as the older people get, the more healthcare treatment they need. And if you have a rapidly ageing population, even if the population growth is only modest, the cost to your health services goes up. Equally, if you have a lot of patients coming across the border to your hospitals, like we do here in the ACT, then population-based funding models do not properly account for that. Activity-based funding is a much more sensible way to try and address that issue. You are paid activity-based funding based on the amount of service you are delivering and the number of occasions of care you have to deliver, whereas if it is population based it does not take account of that.

So that is another hidden trap in Joe Hockey's and Tony Abbott's cuts to our hospital and healthcare funding arrangements, and they have real-world implications for Canberrans. We will continue to argue for the commonwealth to reverse their position, to honour their commitments when it comes to funding for health and hospital services, because we want to be able to sustain and grow our hospital system to meet the demands of our community. Right now, we have a federal government that has unilaterally walked away from signed agreements that delivered the funding we needed. *(Time expired.)*

**MADAM SPEAKER:** Before I call the next question, could I just remind members of the form and practice and also the rulings in the past: it is not acceptable for you in this place to refer to each other by your Christian names. I must refer to the Chief Minister not as Andrew Barr but as Mr Barr. The general ruling is that we should refer to other parliamentarians in the same terms, by their titles, not by their Christian names.

### **Kangaroos—cull**

**MR WALL:** My question is to the Minister for the Environment. I refer to the announcement of a \$530,000 trial of an injectable contraceptive as a potential measure to reduce the numbers of kangaroos in Canberra. Minister, how does the cost of this trial compare with the cost of culling kangaroos?

**MR CORBELL:** I do not have the immediate figures to hand, but it is the case that it is a cost that is potentially higher than the cost of lethal culling. The government has been very clear about that. At the moment we are not proposing to roll this out as an alternative to lethal culling. The government's policy position is that lethal culling is, regrettably, the only methodology available to deal with the difficult issue of overpopulation of kangaroos in our nature reserves and national parks and the impact they have on endangered ecosystems.

But the purpose of the trial is to determine whether or not non-lethal means are viable. It would be, I think, generally supported by Canberrans that if we can in some way

avoid the need to cull kangaroos through the shooting program then we should look at ways of doing that. The trial will give us the evidence to determine whether or not it is viable, whether or not it is cost effective, and then we can make some decisions from that point.

So let us be very clear: you cannot compare culling with the trial program because it is just that. It is a trial. It has not been implemented on the same scale as culling and until we see the results of the trial we should wait and see exactly what the consequences of adopting such an approach would be.

I think that, quite clearly, we all understand that this is a difficult issue. Culling of kangaroos is an emotive issue. It is a difficult issue. But we know that most Canberrans, the majority of Canberrans, understand that it needs to occur. Equally, I think a majority of Canberrans would support the government continuing to look at alternatives, if they are feasible, if they are viable and if they are relatively efficient. And that is the purpose of the trial.

**MADAM SPEAKER:** A supplementary question, Mr Wall.

**MR WALL:** Minister, will the kangaroos that have been treated with the contraceptive be visually or electronically identifiable so that those not yet treated can also be identified?

**MR CORBELL:** These are the issues that ecologists in the conservation research area of the Environment and Planning Directorate are currently finalising and resolving. I would be very happy to provide a detailed briefing to Mr Wall on the details and the methodology around the issues he raises.

**MADAM SPEAKER:** A supplementary question, Ms Lawder.

**MS LAWDER:** Minister, what are the risks of failed delivery of the vaccine, trauma from poorly aimed darts and stress or injuries as a result of panic in the trial?

**MR CORBELL:** Again, these are issues around methodology that will be resolved on an ongoing basis by the government's ecologists, working in partnership with Territory and Municipal Services staff. I make it clear that we are not yet at the stage of field trials; we are currently at the stage of finalising methodology and the delivery of the trial in the field.

I make the point that, in relation to concerns about trauma or injury to animals, all stages of the trial require approval by the relevant scientific ethics committee process, which, of course, is an independent process that confirms that it is ethically responsible to conduct the trial in the way proposed and that it has regard to issues of animal welfare. Those are matters that are central to this process, and all stages of the trial must be signed off by the relevant ethics committees.

**MADAM SPEAKER:** A supplementary question, Ms Lawder.



**MS LAWDER:** Minister, how will you stop kangaroos from New South Wales coming into the ACT and taking the place of those that have been injected with the contraceptive?

**MR CORBELL:** I am disappointed by the rather flippant tone of that question, but I will, nevertheless, answer it. The point I would make is that the trial sites will be chosen on the basis of being geographically confined locations that enable the trial to be conducted in a scientifically valid way. Our ecologists are working very hard on this issue. The ACT is considered a leader in ecological research on the impact of the native kangaroo population on endangered grassy woodland ecosystems. Our scientists are considered some of the best in the country on the matter, and the research that they do is watched closely by their colleagues nationally. So I do not think we should be flippant about it; we should recognise the very serious and dedicated work of our ecologists and recognise that this process is a robust one where all the issues being raised by those opposite are being fully and properly taken into account. If they have a genuine interest, I would be very happy to arrange for the relevant officials to brief them on all the matters that they raise.

### **Teachers—enterprise agreement**

**MR DOSZPOT:** My question is to the minister for education. Minister, in reference to an article in the *Canberra Times* on 26 April 2015 where you are quoted on the offer of a 12 per cent increase to ACT teachers—a three per cent increase per year over four years—can you advise how the current EBA negotiations are progressing, specifically in relation to ACT teachers receiving back pay from the end date of the last EBA to the acceptance date of the new EBA and the impact that your withdrawal of back pay would have on the offer of a three per cent increase per year over four years?

**MS BURCH:** I thank Mr Doszpot for his question. Let me make one point of clarification first up. I have not withdrawn back pay. Back pay was part of the first offer. The first offer was not accepted by the first of November; therefore, back pay was not included. Back pay has not been withdrawn. It was, by default, taken off the table when the AEU chose not to accept the first offer.

These negotiations happen around the bargaining table. The chief negotiator was aware that the back pay offer was not included in the existing offer. I met with Glenn Fowler early in April. In a number of items that were being discussed was the EBA. I reminded him that back pay was not included. I also said to him that, if he chose to activate that, I was supportive of it and that I would need to write to the Chief Minister because it needed to be approved, because the first offer of back pay was a cabinet decision. By default it was taken off the table when the first offer was not accepted. Glenn Fowler chooses to forget the detail that he knew back pay was not on offer.

*Opposition members interjecting—*

**MADAM SPEAKER:** Order, members!

**MS BURCH:** I am on record as being supportive of the offer of back pay. What the AEU, through Glenn Fowler, needs to do is come to the bargaining table and formally seek for it to be included in the offer.

*Mr Hanson interjecting—*

**MADAM SPEAKER:** Mr Hanson.

**MS BURCH:** We have an offer on the table, for teachers, of over 12 per cent over three years. I think in the current environment that is a sound and good offer. We have also reduced the red tape workload for teachers in this offer.

This offer, at the end of the agreement, will see over 50 per cent of the teaching workforce earning \$100,000. At the end, it will see graduates come in earning a wage of close to \$70,000—over \$65,000 for graduate teachers. I think this is a solid offer.

One of the points that the AEU is seeking to continue with is to reduce face-to-face teaching hours in a classroom. I am sympathetic to the teachers' workload. I want to reduce their workload, but I do not think taking teachers out of the classroom is the answer. I think the answer is to reduce their non-core teaching activity that has been, over time, incrementally crowding their day. That is what is on offer.

I am on record as being supportive of back pay. It is up to Glenn Fowler to formally come and seek for it to be reinstated. He knows that. I have told him that.

**MADAM SPEAKER:** A supplementary question, Mr Doszpot.

**MR DOSZPOT:** Minister, is it true that you blindsided teachers by not including this back pay offer?

**MS BURCH:** No, there is no blindsiding of teachers at all. The back pay was part of the first offer. The AEU took it to council. Council did not take it to its members, as I understand. So council, on first sight of the first offer, rejected it. Time lapsed; back pay was taken off because it was attached to the first offer. The chief negotiator at the bargaining table, Glenn Fowler, has known that, by default, back pay has not been included. This is a known statement of fact. In a conversation with Glenn Fowler in April, I said to him that if he is seeking for that to be reinstated, he needs to formally do that, and I will be supportive of that request.

**MADAM SPEAKER:** A supplementary question, Mr Wall.

**MR WALL:** Minister, will back pay be put back on the table for future negotiations?

**MS BURCH:** What is quite remarkable—I think it has been mentioned before—is that they come with set questions, they do not listen to the answers and they still go on with the set questions. On the question of back pay, I am on record as saying I am supportive of back pay. What needs to happen is for the AEU, around the bargaining table, to seek to have that reinstated. I am supportive of that approach, and I wait with interest for Mr Fowler to do that.

**MADAM SPEAKER:** A supplementary question, Mr Wall.

**MR WALL:** Minister, what will be the impact on the budget if back pay is not included as part of the new EBA?

**MS BURCH:** The offer of back pay is quite separate from our budget considerations. This is a genuine offer—

*Opposition members interjecting—*

**Dr Bourke:** Point of order.

**MADAM SPEAKER:** Point of order. Stop the clock, please.

*Members interjecting—*

**MADAM SPEAKER:** Order! I would like to hear the point of order.

*Mr Smyth interjecting—*

**MADAM SPEAKER:** Mr Smyth!

**Dr Bourke:** Madam Speaker, members of the opposition are persistently and wilfully refusing to stop interrupting speakers. I draw this to your attention as a point of order.

**MADAM SPEAKER:** It has not escaped my attention, Dr Bourke; I can assure you of that. I have called Mr Hanson, Mr Coe and Mr Smyth to order uncounted times during question time. It is very hard to hear the answers, and if there is a point of order it is very hard for me to judge on it if I cannot hear what the person is saying. I would ask you, out of politeness to the chamber, to be a little more restrained in the amount of noise that you make.

**MS BURCH:** It is disappointing that there has been this confusion over back pay; it is very clear. For those opposite, let me just explain it one more time. Back pay was part of the first offer. That was rejected by the council at the AEU before it was taken out to its members. The last time I spoke with Mr Fowler, I alerted him to the fact that it was not in this offer and that he needed to approach the bargaining table or ask me to activate that being included in the offer on the table. He has not done that.

I am also on the public record as being supportive of the back pay offer. I value our teachers; I absolutely value our teachers. I know the work they do is extraordinary for families and individuals. They change lives. They give kids the opportunity to get on and be productive individuals.

**Mr Coe:** Madam Speaker, a point of order.

**MADAM SPEAKER:** Mr Coe, on a point of order. Can you stop the clock.

**Mr Coe:** Madam Speaker, the question that Mr Wall asked was about the impact of back pay on the budget. Whilst it is good to hear that the minister respects teachers, what we are particularly asking you for is the impact of back pay on the budget.

**MADAM SPEAKER:** Yes, I do recall that, and that is what I have written down. I think that the minister said that there was no impact on the budget, or words to that effect, but if you would like to add anything else whilst being directly relevant to the question, Minister Burch—

**MS BURCH:** I think that, being directly relevant to the question, in support of teachers I will continue to say—

**MADAM SPEAKER:** No; I am asking you to be directly relevant to the question: is there an impact on the budget?

**MS BURCH:** I have answered that. In my time left, I think I can answer in a manner that I feel is fit.

**MADAM SPEAKER:** Unless I do not think it is answering the question and I sit you down.

**MS BURCH:** In regard to the teachers' offer, we have over 12 per cent on the table, a reduction in red tape and workload, over 50 per cent of the teachers reaching over \$100,000 by the end of this agreement, and graduate teachers coming in at around \$68,000 a year.

*Opposition members interjecting—*

**Dr Bourke:** Point of order.

**MADAM SPEAKER:** Point of order, Dr Bourke.

**Dr Bourke:** The level of interjection from the opposition continues, Madam Speaker. Regardless of the authority of the chair in telling them that they should pay some respect to speakers, they are continuously interrupting. I draw that to your attention.

**MADAM SPEAKER:** Thank you, Dr Bourke. Ms Fitzharris.

### **ACT State Emergency Service—storms**

**MS FITZHARRIS:** My question is to the Minister for Police and Emergency Services. Minister, recent storms in New South Wales saw widespread devastation in neighbouring cities. I understand the ACT State Emergency Service responded to calls for help. How did our ACT SES respond to these requests?

**MS BURCH:** I thank Ms Fitzharris for her question. The ACT State Emergency Service is a versatile and highly active volunteer emergency service organisation. While its primary role is to respond to incidents involving floods and storms, it also provides crucial support and assistance to other emergency service organisations.

On 21 April, as a result of the severe storms in eastern New South Wales, the New South Wales SES formally requested the assistance of the ACT SES to provide cross-jurisdictional support in response to the weather emergency. As a result, the ACT SES deployed four task forces to assist with the New South Wales storm and flood disaster. These task forces consisted primarily of ACT SES volunteers drawn from all seven SES units. Over four deployments, a total of 87 ACT SES volunteers, two ACT Rural Fire Service volunteers, two ACT SES staff members, one ESA staff member and five SES vehicles were deployed. The willingness of these volunteers and the staff to support those affected by the disaster reflects the strong commitment to helping community in times of disaster.

Task force one, which consisted of 22 volunteers and a staff member, departed on Wednesday, 22 April for three days deployment to the northern Sydney region. Their role was to help relieve some of the New South Wales crews that had been working around the clock. The second task force of 23 volunteers was sent on Friday, 24 April for a three-day deployment after a further request was received for assistance in Sydney and the Hunter region. The third task force consisted of 19 volunteers, two ACT Rural Fire Service volunteers and a staff member and deployed on 28 April for four days to assist in the Hunter region. The fourth task force consisted of 23 volunteers and one ESA media staff and deployed on 1 May for four days to assist in the Lake Macquarie area.

These four task forces responded to 265 requests for assistance ranging from smaller jobs right through to very complex tasks. Both the New South Wales SES and the New South Wales Premier were extremely grateful for the assistance provided and have complimented the ACT SES task force members on their high skill level, commitment to the task and overall professionalism.

I encourage all interested Canberrans to consider becoming an SES volunteer. It is a fulfilling and worthwhile contribution to our community. The SES volunteers I meet are very proud to be part of our Canberra community and step up when called to help out.

**MADAM SPEAKER:** A supplementary question, Ms Fitzharris.

**MS FITZHARRIS:** Minister, what were some of the tasks that our SES members were undertaking? How were they adequately trained to work in such difficult and often dangerous situations?

**MS BURCH:** Each of the four task forces deployed throughout eastern New South Wales undertook tasks including the management of fallen trees, maintaining scene safety, and managing roof and structural damage. Many of these tasks involved working at heights and under difficult environmental circumstances. Our volunteers and staff performed key incident management team roles throughout the deployment to ensure effective, efficient and safe integration of the ACT SES volunteers into the storm and flood response effort already underway by the NSW teams.

All our volunteers undertake a comprehensive development program from the moment they join the organisation. This begins with induction training, focusing on work health and safety; risk management; respect, equity and diversity; team work; and basic field skills. Once volunteers have joined a unit, they begin a program of formal and on-the-job training that incorporates technical skills including first aid, radio communications, asbestos awareness, storm and flood response, traffic marshalling, working at heights, chainsaw operations, flood rescue boat, land search and air search operations.

Our ACT SES organisation and volunteers are some of the best in this country. Certainly, other jurisdictions have looked to our team not only for support during their own disasters but also for the fantastic training opportunities that our local units can provide.

**MADAM SPEAKER:** A supplementary question, Dr Bourke.

**DR BOURKE:** Minister, how does the ESA recruit members to the SES, given that they are primarily volunteers, and how are they acknowledged and supported by government for the incredible work they undertake?

**MS BURCH:** I thank Dr Bourke for his question. The majority of the ACT SES is made up of volunteers who provide immediate assistance to the community during emergencies and disasters, 24 hours a day, seven days a week. It goes without saying that the work these volunteers do is immensely valuable to our community. The time that these individuals, their families and employers provide is paramount to the success of the organisation.

The SES volunteers are recruited through a formal registration, intake and induction process. Unit commanders work collaboratively with staff to determine the current needs of their unit and which of the prospective volunteers could best fit those roles. Each year, up to 1,000 members of the ACT community register their interest in becoming an SES volunteer. Of these, approximately 25 volunteers are recruited per intake.

Our SES volunteers are recognised through a comprehensive range of formal and informal means, from social gatherings hosted by the Chief Officer to presentations of certificates, citations and medals. In addition, a number of ACT public service enterprise bargaining arrangements provide for up to four days leave for voluntary emergency management per emergency. I understand that there are other employers in both government and non-government sectors across our city that also provide support to our SES volunteers.

I would like to take the opportunity to publicly express my sincere gratitude and appreciation for the great work that SES volunteers do, and thank their families and employers for supporting them in the work they do for us.

**MADAM SPEAKER:** A supplementary question, Dr Bourke.

**DR BOURKE:** Minister, how do we support other jurisdictions with not only disaster relief but also cross-jurisdictional training and experience, given that the SES Volunteers Association has stated that our ACT SES are some of the best in the country?

**MS BURCH:** The ACT SES is indeed one of the best in the country. When I recently met with Doreen McEnroe, the president of the ACT SES Volunteers Association, I was delighted to hear of the recognition that our ACT SES have received for the work that they do, be that through assisting with search and rescue operations or through storm and weather responses, as we have recently experienced—and certainly as our neighbours in northern New South Wales have experienced.

Our SES volunteers and staff work closely with state emergency services across Australia through a number of activities and forums, including membership of the Australian Council of State Emergency Services, collaboration with adjacent New South Wales SES regions in operations and training such as flood rescue, land search and leadership, sharing best practice outcomes, involvement in local rescue competitions, and the biennial national disaster rescue challenge, which will be hosted by the ACT SES in September this year.

The ACT SES and ESA more broadly have a proud history of supporting other states during emergencies, from the Western Australian fires to the search for MH-370, to Cyclone Yasi and the Brisbane floods—and of course the Thredbo landslide.

I am immensely proud of our SES, and indeed of all of our ESA volunteers and workforce, and the outstanding contributions they make to our Emergency Services Agency in keeping our community safe. I thank them. On behalf of every member in this place, I take the opportunity to thank them, as volunteers, and their families for supporting them. Our community is a better place for their activities.

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

### **Supplementary answers to questions without notice Government—tendering arrangements**

**MR RATTENBURY:** Yesterday I was asked a series of questions by Mr Smyth and others about the Lakeside Leisure Centre tender process. I can inform Mr Smyth that while the usual practice is to publicise submissions received post the closing date, this is not a legislative requirement and this policy will be subject to review.

In this instance the decision was made to not post the respondents on the procurement website until the conclusion of the request for proposal process, or RFP. An RFP process allows negotiations, if necessary, between the territory and the successful respondent. It was deemed that publication of the list of respondents for this management contract prior to the negotiations was not conducive to achieving the best outcome for the process; hence the delay until the RFP process concludes. Mr Smyth subsequently asked me whether the government—

**Mr Doszpot:** You had another tender that was posted the next day.

**MADAM SPEAKER:** Order, Mr Doszpot.

**MR RATTENBURY:** Why don't you listen, Mr Doszpot, and then you will learn something. Mr Smyth then asked whether the government had sought further information from any of the tenderers. The answer is yes, the territory has sought further financial information via a third party to enable independent financial assessment to be undertaken as part of the evaluation process.

Mr Coe asked when the details will be publicly available. The answer is that submissions received are currently under evaluation and details will be made available at the conclusion of the RFP process, further to my earlier comments.

### **Schools—nurses**

**MS BURCH:** This refers to a question from Mr Doszpot yesterday. Whilst the bulk of the questions related to HAAS, there was a particular element around an Education and Training Directorate policy. I advise that the policy is still current and it is available on the website. ETD recognises it will be going through a process of being updated, and a significant body of work relating to first aid, along with other WHS elements, has occurred, with the key stakeholders informed.

**Mr Doszpot:** A point of order.

**MADAM SPEAKER:** Do you have a point of order?

**Mr Doszpot:** Madam Speaker, my point of order is a question. We asked this question—

**MADAM SPEAKER:** No, it is not a question. Question time is over.

**Mr Doszpot:** The point of order is that Mr Corbell misrepresented himself yesterday—

**MADAM SPEAKER:** Withdraw.

**Mr Doszpot:** Mr Corbell said to the Assembly—

**MADAM SPEAKER:** You have to withdraw.

**Mr Doszpot:** I withdraw the misrepresentation. Mr Corbell said to the Assembly yesterday that this was in his area.

**MADAM SPEAKER:** Mr Doszpot, that is not a point of order; it is a debating point.

**Mr Doszpot:** Standing order 46, Madam Speaker.



**MADAM SPEAKER:** If you want to raise the issue, you will have to do it in the adjournment debate or seek leave to make a statement. It is not a point of order.

*Members interjecting—*

**MADAM SPEAKER:** I am not going to indulge on the point. There is no point of order.

### **Personal explanation**

**MR DOSZPOT** (Molonglo): I seek leave under standing order 46 to make a personal explanation as to how this occurred.

**MADAM SPEAKER:** Under standing order 46 you claim to have been misrepresented?

**MR DOSZPOT:** Yes.

**MADAM SPEAKER:** I give you leave; I will listen carefully.

**MR DOSZPOT:** Madam Speaker, questions were put to the minister—

**MADAM SPEAKER:** Mr Doszpot—

**MR DOSZPOT:** for education—

**MADAM SPEAKER:** Sit down, Mr Doszpot. Standing order 46 says:

Having obtained leave from the Chair, a Member may explain matters of a personal nature, although there is no question before the Assembly; such matters may not be debated.

Asking questions or raising points of order about how a minister chose to answer a question yesterday does not fall within the purview of standing order 46.

**Mr Coe:** A point of order, Madam Speaker. I expect Mr Doszpot was going to say that—

*Members interjecting—*

**MADAM SPEAKER:** Order! Let me hear.

**Mr Coe:** Ms Burch said, or incorrectly implied, what Mr Doszpot's question related to.

**MADAM SPEAKER:** I am sorry, Mr Coe; you have not actually stood to make a point of order. You have not referred to any standing orders. I understand the point you are making. You are concerned about who answered the question. It is a matter

for the executive to determine who answers a question. If you have concerns about that, you can take it up with the executive through a motion, through an adjournment speech or you could raise it as a matter of public importance. We cannot have back-to-back points of order trying to prosecute a case here after question time.

**Mr Smyth:** A point of order, Madam Speaker. During that tete-a-tete there was a comment, I think from Dr Bourke, about Muppets. He should withdraw.

**MADAM SPEAKER:** I did hear the Muppet bit, but I also heard the bit about where someone's hand was. I probably led members there. People should be very careful. The whole stuff about Muppets and puppets et cetera has been ruled out of order in the past. It is not amusing, Mr Rattenbury. It puts me in a very difficult position because, as I said yesterday, a lot of what is ruled out of order is contextual. But to say that someone is a puppet, or a variation on the theme, says that they can be manipulated by somebody else and that they are not their own agent. Having reflected on that overnight, I consider that that is quite unparliamentary. Dr Bourke, were you the person who used the "Muppet" word?

**Dr Bourke:** Yes.

**MADAM SPEAKER:** Would you withdraw?

**Dr Bourke:** I withdraw.

### **Financial Management Act—instrument Paper and statement by minister**

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

Financial Management Act, pursuant to section 16—Instrument directing a transfer of appropriations from the Territory and Municipal Services Directorate to the Chief Minister, Treasury and Economic Development Directorate, including a statement of reasons, dated 4 May 2015.

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

Leave granted.

**MR BARR:** As required by the Financial Management Act, I hereby table an instrument issued under section 16. Subsections (1) and (2) of section 16 of the FMA allow the Treasurer to authorise the transfer of appropriation for a service or a function to another entity following a change in responsibility for that service or function. Section 16(3) of the act requires that, within three sitting days after this authorisation, the Treasurer must present a copy of the direction and associated statement of reasons to the Assembly.

This instrument facilitates the transfer of \$6.01 million in net cost of outputs appropriation and \$230,000 in capital injection (controlled) appropriation from the Territory and Municipal Services Directorate to the Chief Minister, Treasury and Economic Development Directorate for the transfer of Canberra Connect which was part of the Administrative Arrangements 2014 (No 2). This transfer is budget neutral, and I commend it to the Assembly.

## **Territory-owned Corporations Act—notification of voting shareholders**

### **Paper and statement by minister**

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

Territory-owned Corporations Act, pursuant to subsection 9(2)—Notification of voting shareholders, dated 2 April 2015.

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

Leave granted.

**MR BARR:** In accordance with the Territory-owned Corporations Act 1990, I hereby notify the Assembly that changes have been made to the shareholding arrangements for Icon Water Ltd with the Deputy Chief Minister, Minister Corbell, replacing the former Chief Minister, Ms Katy Gallagher, as a voting shareholder. I table this document for members' information.

## **Paper**

**Mr Gentleman** presented the following paper:

Planning and Development Act, pursuant to subsection 242(2)—Schedule—Leases granted for the period 1 January to 31 March 2015.

## **Aboriginal and Torres Strait Islander Agreement 2015**

### **Paper and statement by minister**

**MS BERRY** (Ginninderra—Minister for Housing, Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Community Services, Minister for Multicultural Affairs, Minister for Women and Minister assisting the Chief Minister on Social Inclusion and Equality): For the information of members, I present the following paper:

ACT Aboriginal and Torres Strait Islander Agreement 2015.

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

Leave granted.

**MS BERRY:** I am pleased to be able to present to the Assembly the ACT Torres Strait Islander agreement and I would like to thank everybody who attended the formal signing on 23 April which made it such a successful day: the Chief Minister and my government colleagues, members of the Aboriginal and Torres Strait Islander Elected Body, Ngunnawal elders and family members, the Head of Service, community leaders and public servants, Aboriginal and Torres Strait Islanders and non-Indigenous alike.

The two official, signed copies of the agreement are now in the process of being framed and once that is complete both the government and the elected body will take possession of a copy to signify the partnership that we have formalised. The positive response of that day has continued in the time since and I thank everyone for their constructive approach as we now turn to the implementation of the agreement.

The document articulates both a shared commitment and a shared responsibility to all Aboriginal and Torres Strait Islander people in the ACT. Its value lies in the fact that it is alive. It has a clear intent and clear mechanisms to guide the way we do things in the future pursuit of equitable outcomes for Aboriginal and Torres Strait Islander people.

I would like to acknowledge the work of the elected body through the process of developing this agreement. The elected body has been instrumental in its advocacy for the agreement and also in the consultation process, leading two community forums to identify key focus areas and to discuss issues such as reconciliation, self-determination and the elements of positive relationship between the community and the government.

The government has also hosted workshops and a ministerial roundtable in which diverse stakeholders including peak bodies and service providers, working with the ACT and Torres Strait Islander community, contributed their experience and knowledge. These workshops generated quality feedback and advice that reiterated support for positive working relationships between the community, government and stakeholders. I acknowledge the leadership of Minister Rattenbury through much of this process and his belief in the importance of the agreement.

The many consultations feeding into the agreement established strong families as a foundation on which other goals should be set. The community feedback also identified a number of focus areas that impact on the resilience of families, including the need to develop positive cultural identity among children, young people and young adults so that young Aboriginal and Torres Strait Islander Canberrans can have the confidence to aspire to, and to achieve, their personal life goals.

Community members and stakeholders also spoke about the need to ensure that all Aboriginal and Torres Strait Islander people in the ACT feel safe in their homes and in the wider community. Access to secure housing, positive interaction with statutory services, culturally appropriate support for families dealing with instances of drug or alcohol addiction, mental health issues and domestic violence were all identified as factors which affect people's ability to feel safe.

Community feedback reiterated the importance of early childhood development, educational and employment pathways as a key to supporting students in schools as they transition to paid work. As we improve these individual areas, we will build strong families and realise our shared vision of equitable outcomes. The completed Aboriginal and Torres Strait Islander agreement encapsulates our shared commitment to supporting Aboriginal and Torres Strait Islander people, the community and their organisations to develop the opportunities, knowledge and skills to build an empowered, resilient and sustainable future. For members of the community to see their words and ambitions incorporated into the body of the agreement and for their visions of the future to be reflected in the statement of commitment to reconciliation is another powerful and empowering part of the document.

We are proud of our record of the achievements we have made for Aboriginal and Torres Strait Islander people in our community. It is continuing through a range of important initiatives being progressed, including updates to the Human Rights Act to recognise the cultural rights of Aboriginal and Torres Strait Islander people, as we have debated today, and the renewal of the Aboriginal and Torres Strait Islander justice partnership soon to be formalised by the Attorney-General and the elected body.

I commend this whole-of-government agreement to all members and look forward now to working across the government with the Aboriginal and Torres Strait Islander community, in the spirit of partnership, to deliver on its objectives.

## Papers

**Ms Burch** presented the following papers:

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

Legislation Act, pursuant to section 64—

Financial Management Act—

Financial Management (Directorates) Guidelines 2015 (No 1)—Disallowable Instrument DI2015-66 (LR, 6 May 2015).

Financial Management (Territory Authorities) Guidelines 2015 (No 1)—Disallowable Instrument DI2015-67 (LR, 6 May 2015).

## Health—funding

### **Discussion of matter of public importance**

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

The importance of a well-funded health system in the ACT.

**DR BOURKE** (Ginninderra) (3.37): We live in a safe, well-planned and accessible city that has topped the OECD ratings for the most livable city in the world. The recent OECD report ranked the ACT as having the best wellbeing scores, when totalled, of the 362 regions they assessed over all member nations.

In terms of health specifically, the ACT performed among the top handful of regions, scoring an impressive 9.9 out of 10. This does not happen by chance. As I said earlier, the Australian approach to accessible health care means that we all profit. Our community expects and deserves high quality, accessible and sustainable health services. We know that the cost of most hospital and health services in the ACT is higher than it is in the rest of the nation. Our community expect to be able to access most of the health services they need within our local hospital and health services.

Governments from both sides of this place have established services that ensure that people can access the health care they need close to home. There are some highly specialised services that are provided in our public hospital system that would not normally be available in a community of our size. However, we have accepted that at the most vulnerable times people want to be close to family and loved ones. That is why we have ensured that for all but the most complex and rare conditions we can provide a local solution to the healthcare needs of our community.

In our ACT public hospitals, we provide services such as open heart surgery, complex brain surgery, intensive care services for babies and bone marrow transplantation, just to name a few. For these services, we do not provide care to the number of people required to maximise the efficiency of that care. However, the alternative would be to send people to Sydney or elsewhere.

Over the period 2001-02 to 2012-13 the Australian Institute of Health and Welfare's figures show that we more than doubled the number of doctors in our hospitals, up from 290 to 810, an increase of 180 per cent, the highest in Australia, with a national average growth of just half that over the same period. We employed an extra 1,200 nurses, an increase of 86 per cent over the last 12 years, which was also the highest growth recorded in Australia and almost double the national growth of 48 per cent. We now have more than three times the number of allied health and diagnostic staff that we had in 2001-02, a whopping 233 per cent increase against a national average of 50 per cent.

These staff provide our hospital and health system with the highly skilled and trained clinical staff which we need to meet our needs, and this is at the heart of what I am talking about today. A well-funded health system has, at its core, a highly skilled and resourced clinical workforce that is able to respond effectively to the needs of its community. And we have this in spades in the ACT. We are working to ensure it stays that way. The nursing school, the allied health faculties at the University of Canberra and the ANU Medical School also provide us with home-grown clinicians that are linked to our community from the start. The support of these educational institutions also adds a cost to the ACT government. However, we see these costs as an investment in the future, a means of future-proofing our health services by growing our own highly skilled, clinical workforce right here.

We have not just increased the number of staff. We have also increased the range of services available to our community. I do not have time to list them all, but over the last 12 years we have provided for growth in demand for services while also delivering two walk-in centres that provide another care option for our community, emergency management units at both public hospitals that give clinicians a way of safely monitoring patients before sending them home while also freeing up space to treat more patients, new assessment and planning units for medical and surgical patients that enable quick transfer of patients from emergency departments to specialist assessment services that get patients to the care they need in a more timely manner, new midwifery-led models for maternity care which are designed around the individual needs of each mother, and new community-based mental health services that are designed to meet the needs of different cohorts of clients and different age groups as a way of improving outcomes.

We have also funded a range of new health service facilities that provide state-of-the-art environments that maximise outcomes and provide the flexibility to change as treatment opportunities change over time. This includes the new Centenary Hospital for Women and Children, which was designed and developed with major stakeholders to ensure that the environment was appropriate for the types of services needed; the new adult mental health in-patient unit, which was also based on meeting the needs of clients in the least restrictive environment possible; the new Capital Region Cancer Centre at Canberra Hospital that provides an integrated service environment to meet the full range of patient needs; enhanced community health centres at Belconnen and Tuggeranong and a new centre at Gungahlin; a new intensive care unit at Calvary hospital which is unrecognisable in comparison to the old intensive care unit and provides a much larger and more appropriate setting for complex critical care services; and the refurbished wards in the old tower block at Canberra Hospital which used to be the paediatric wards, which make you think they are in a totally new hospital with improved environments for patients and more suitable environments for staff. And we will continue to invest in more health infrastructure to ensure we meet the needs of our community into the future.

With all of this extra building work we have been able to increase the number of beds in our public hospital system from 670 when we came to government to 1,030 in 2013-14, a 54 per cent increase in available hospital beds within our public hospital system. This investment in additional beds compares starkly to the 114 beds ripped out of the ACT public hospital system by the previous Liberal government. Some may think that I am going too far back when I bring up the 114 beds that the Liberals pulled out of our public hospital system, a decision that had major impacts on our ability to meet growing demand for care, but the decisions being made in relation to public hospital funding by their colleagues just up the road demonstrate that the community is right to question their commitment to continue the investment in beds and services that we have managed in our last 12 years.

But I accept that it is more than just beds. As a government we have also invested in more community-based options for care. This not only provides care in more appropriate environments; it also is a more efficient way of providing health services. We will ensure that our public hospital services are funded to meet our community needs. No-one wants to be in hospital if they do not need to be. By continuing to look

at funding community-based services where clinically appropriate, both on our own and in partnership with other providers, we will continue to provide options that are more easily accessible and less invasive than hospital-based care, as well as further investing in more hospital in the home services.

As just one example, our new, enhanced community health centres at Belconnen and Tuggeranong were built to provide the scope for more services to be moved out of hospitals and into these more convenient locations. Over time we will expand the types of services available at community health centres to include more complex outpatient services, some minor procedures and renal dialysis services. We are not just building facilities to meet growing demand.

The design of our new facilities includes consideration of how our buildings can work to provide care in a range of environments and with a more broadly based workforce. New clinical practice makes it possible to provide some services in less invasive environments and with a different level of skills than in the past. New technology in the form of medical devices and robotics will also give our clinicians new ways to treat patients that require less human intervention. We are also implementing new computer-based systems that call for fewer support staff, which will assist as the supply of highly skilled clinical staff begins to grow at a level that is below the demand for services.

All of the work we are doing to manage increasing demand and developing new systems and services to meet the community's health needs requires a government with an understanding and a commitment to invest in these services. Unfortunately, we have a commonwealth Liberal government that do not seem to understand this. While they have backtracked on many of their proposals, their entire approach demonstrates that they do not understand how the health system works at the coalface or how increased funding in health services should be seen as an investment and not a cost.

A well-funded healthcare system provides care to people at the right time. A poorly resourced health sector leads to delays in access to treatment and care which can result in people presenting to services in a more serious condition than if they had attended earlier. This can result in major impacts on people's health and extended time out of the workforce. It creates additional pressures on the community as a whole.

Well-funded health services are able to ensure that people get the care they need when they need it. That care should not be determined by your capacity to pay for it or be delayed due to the lack of resources within health facilities. And we have to stop this nonsense about people needing a price signal for health services. There is no evidence to suggest massive over-servicing of health services. Australians already fund health services through their taxes and we should not be adding more disincentives to use services nor reducing state and territory capacity to meet growing needs for health services.

The best performing nations in terms of overall economic performance are those with functioning universal health systems. There is a range of models but the best performing and healthiest nations are those where the entire community accepts that health care is a community asset not an individual whim.



But this is not a crisis. The crisis will come from the Liberals' decision to undermine our capacity to appropriately fund health services by taking up to a billion dollars out of the growth funding we should have been getting over the next 10 years for our public hospitals. This will hit us hard. And it is not necessary. As a nation, expenditure on health as a proportion of GDP is lower in Australia, at 9.1 per cent, than the 9.3 per cent of the OECD average and well below the 16.9 per cent in the US. Public funding of all health services is at 68 per cent of the total, compared with the OECD average of 72 per cent. So it is not a crisis.

A well-funded health system into the future is not beyond us. What it needs is a government that understands the challenges, and plans for them, and a partnership at the national level between the commonwealth, the states and the territories that recognises the importance of adequate health funding for individuals and the nation as a whole.

**MR HANSON** (Molonglo—Leader of the Opposition) (3.49): I commend Dr Bourke for bringing this matter of public importance before the Assembly today. The Canberra Liberals are committed to health and health funding. That has been demonstrated over the period that I have been the shadow health minister, for the last few years and prior.

The budget for ACT health was \$1.4 billion in 2014-15, a figure we support, which is about 30 per cent of the annual budget. It is the single highest expenditure item in our budget. Of that, hospital expenditure is the highest proportion. In fact, about a dollar out of every seven collected from taxpayers goes to our hospital system.

I will go to some of the points that Dr Bourke was making about federal funding. Obviously that is an important part of the composition of our funding. Let us make it very clear that the money that was promised by Kevin Rudd at the end of his term—the death throes of the six years of fiasco we saw under Rudd-Gillard-Rudd—was never in any budget. It does not appear in any budget line in the ACT budget and it never appeared in any federal budget line. In the last years of the Rudd government, they promised money in the outyears, well beyond the time of the budget—massive amounts of money, in the billions of dollars, that never existed. There was never any plan as to how that money could be afforded. There was never any proposal put forward about where this money would come from other than, essentially, debt.

The sad reality is that if you start funding your health system exponentially on debt, it is just not sustainable. We support—we welcome, we encourage, we want to see—health spending that is at as high a level as it can be. But it must be sustainable. This is the old Labor trick: “Let’s promise some money in the outyears that beyond the outyears is never there, and then let’s say it was ripped out by the nasty Liberals.”

The reality is that, as I alluded to in a supplementary question today, health funding under the current federal government is increasing. The health funding for 2014-15 is \$15.1 billion. In 2015-16 there is \$16.5 billion. In 2016-17 there is \$18.5 billion. So it is going on year by year at about nine per cent. That has always been the case. That level of health funding in the budget has been embedded, and largely this is the sort of funding that enjoys bipartisan support.

There is a bubble that was never in any budget anywhere that was put in at the death throes of a very dysfunctional Labor government as part of their \$600 billion in debt. When the current government got in, it realised that this money was not in the budget and that there was no plan. There was no way that this money could be afforded. It did what was responsible and said, “We’ll revert to the nine per cent that is in the budget.”

They say there are some health cuts. No, there are not. That money never existed; it was not in the budget. When they say that they are reducing the amount of money, they are not. The amount of money coming from the feds and being expended on health nationally is going up at about nine per cent. ABC Fact Check said that Treasurer Joe Hockey “is keeping the base and growth funding in place until 30 June, 2017, which means if hospitals grow efficiently the commonwealth will still pay for nearly half the costs”.

That is an important point—if it is efficient. The problem is that it is not just about a well-funded health system; it is about a well-functioning health system. We are seeing that the dollars that are being put into the system—and we want to see dollars go in—are not being spent as effectively or efficiently as they can be.

We have seen rollovers and delays in capital infrastructure, delays in the secure mental health facility, delays in the bush healing farm, and the women’s and children’s hospital fiasco. We have seen the problems with the emergency department, including the doctoring of data and some of the worst figures in the nation. There is elective surgery and the debacle there.

It is good that Mr Corbell is now saying, “Oh, look, there has been an improvement.” We had very good figures in 2001. He and his mob got in and completely wrecked the system. They have made some recovery since they wrecked it, and they are now trying to pat themselves on the back. We will listen to you when you get near the sorts of timeliness figures that were achieved by the previous Liberal government. Then you might have something to skite about. Until then, you need to get on with your work.

There are workplace culture issues. Doctors threaten to strike. There are the cultural issues that we have seen. There was the Calvary hospital debacle that we saw a number of years ago. There was the bullying in obstetrics and the obstetric unit that is at significant risk. We know there is a significant problem. We know there is overcrowding; we have seen that from the AMA. We have seen the real problems with overcrowding in our system.

The other problem is that our hospitals are the most expensive in the country. Although we support the amount of funding going in, the way it is spent is really problematic. Comparing apples with apples, the National Health Performance Authority, when comparing 48 major metropolitan hospitals, found that the Canberra Hospital and Calvary are the least efficient in the nation. That would have been enough. If we had been as efficient as some of the hospitals in New South Wales, it would have equated to an extra 63,000 more acute patients being treated. If that money was reinvested in our health system, it would be equivalent to 2,000 nurses.

That is how inefficient our hospital system is—the equivalent of 2,000 nurses. If we had the same efficiency as that of some of the New South Wales hospitals, we would have an extra 2,000 nurses in our hospital system.

We will hear a lot of rhetoric opposite about money that was promised by Kevin Rudd—but never delivered, because it never existed—as an excuse, but what we see is a grossly inefficient hospital system that means we are not employing 2,000 nurses that could otherwise be employed. That is when you compare apples with apples.

We know that they are going to make some of the same mistakes that they have made previously. One of the ironies of this debate is that Mr Corbell is about to cut 60 beds from the proposed subacute hospital. That was meant to be delivered with 200 beds. Everybody knew that. The nurses federation has come out and made it very clear. Everybody that I have spoken to that has been involved in that process knows that it was meant to be 200 overnight beds. Mr Corbell has cut it.

It is no different from when he cut the jail. Remember that, Madam Assistant Speaker? The jail was meant to have 374 beds. He cut it to 300 because his budgets were blowing out. He said in an estimates hearing, “That will give us capacity for 25 years in its current bed configuration.” Now we are seeing history repeating. He has cut the size of the subacute hospital. He said it is going to be big enough. We know that it will not be enough; it will have exactly the same problems. No doubt what will happen is that the Canberra Liberals, when we get into government, will inherit that problem that is being created by Mr Corbell. I call on the government to actually deliver what they are meant to be delivering—200 beds, not 160.

Our funding must be sustainable. We see waste and inefficiency, the ongoing fiascos that are characterised by Mr Corbell. I remember asking him a question in estimates once: “Can you recall any project that you delivered on budget and on time?” There was a deathly silence. If we see that sort of ongoing fiasco in our health system, not only are we talking about not being able to employ more nurses as we want them but we know we just will not be delivering the services to patients that need them.

It is not simply a matter of what is happening within the health system; it is the entire ACT budget. You cannot stand in this place as the health minister saying, “Our priority is health; we must invest more money in health,” whilst you are also the Minister for Capital Metro and are shovelling about \$800 million into that. Work out what your priority is. Is it health or is it a tram? It is very clear to the people I speak to, very clear to the nurses and the people of Canberra, that this man’s priority is a tram, and it is hospitals that are suffering.

**MR CORBELL** (Molonglo—Deputy Chief Minister, Attorney-General, Minister for Health, Minister for the Environment and Minister for Capital Metro) (3.59): I would like to make this statement to start the discussion this afternoon:

The biggest challenge facing this state and the nation is health funding. And what happened last federal budget is not sustainable. That was, the commonwealth and the federal government said “we are going to allocate a large part of the future growth in health costs from ourselves to the state governments” ...

The states do not have the capacity to meet those health costs on their own. The commonwealth has a critical role to play.

They are not my words but the words of the New South Wales Liberal Premier, Mr Baird. He is very clear that the decision taken by the current federal Liberal government to rip health funding away from the states and territories is the critical issue and that the position adopted by the federal Liberal government is not sustainable.

We hear the discussion from Mr Hanson, once again being the apologist for Prime Minister Abbott and Treasurer Hockey, on cuts to health funding. He said, "Oh, this money was never in the budget." He is wrong. He is absolutely wrong. The national partnership agreement on public hospitals has been cut, and money has been saved from the federal budget. It is in the federal budget documents. It is clear. The budget documents say:

The Government will achieve savings of \$1.8 billion over four years from 2014-15 by ceasing the funding guarantees under the *National Health Reform Agreement 2011*, and revising Commonwealth Public Hospital funding arrangements from 1 July 2017.

Mr Hanson can say that the money was never there, but he had better tell the federal Treasury and Treasurer Hockey, because the federal budget documents state that the government will save \$1.8 billion over four years by ceasing the funding guarantees previously set out in the national health reform agreement. The Liberal Party can say what they like, but they are simply being apologists for Prime Minister Abbott and Treasurer Hockey. The federal budget documents are clear—\$1.8 billion saved by ceasing payments to the states for public hospital and health services.

We know that the magnitude of this grows. That is what Premier Baird is saying. Premier Baird knows the truth. Premier Baird is prepared to speak the truth and to call the federal government out and say that it is not sustainable.

As I said in question time, the cuts are in the order of \$700 million over the next 10 years, starting in 2016-17. That is the order of magnitude of funding lost to the ACT's health and hospital system that would otherwise have been available under the partnership agreement arrangements.

This is just false economy. Being a community that consistently places the healthcare system and access to quality health care as a priority makes good economic sense. A healthy community is a productive community. Cutting funds for hospital services and increasing the costs of community-based care reduce health outcomes for the community. They reduce individuals' health outcomes and they negatively impact on our economy.

There will always be ways and areas where we need to improve productivity and efficiency. That is this government's focus—to continue to work on further improving access to our public health system and to hospital services. But with most services the community need, they are able to access them in a timely fashion. If you turn up at our emergency departments in need of urgent attention, you get that attention immediately. While there is still work to be done to improve times for all people who attend our emergency departments, those most in need get seen and treated straight away.

The same goes for those who arrive at our hospitals and need life or limb saving surgery. Ninety-eight per cent of people assessed as needing urgent access to elective surgery are admitted for surgery within that time frame. Ninety-eight per cent of people who need urgent radiotherapy services as part of their cancer treatment get their treatment within that standard time frame. Ninety-eight per cent of women who book a breast screen appointment get their screen within 28 days. Ninety-three per cent of women get their assessment following their breast screen within the same period. Seventy-one per cent of people who are discharged from a mental health in-patient facility are followed up within seven days, the best result in the country.

We have seen some other important areas of service delivery. Almost 17,000 Canberrans have sought services at the two new walk-in centres over the first six months of this financial year, up from 10,000 for the same period last year when only one was operating at the Canberra Hospital alone. Of course, we now have wonderful new walk-in centres in other parts of the city as well. The waiting time for public dental surgery—at four months for the first six months of 2014—was three months better than the previous year and well below the figure of 12 months being reported just a year ago.

These are all examples of where we are prioritising and improving timeliness and access to public health services. However, a well-funded health system goes beyond the bricks and mortar of our hospital and health facilities. I would like to highlight the importance of investing in other areas, like population health services and health promotion initiatives to support a healthier community, to encourage healthy lifestyles and options. As a government we must also fund public infrastructure that supports healthy lifestyles. There is no doubt that investing in better public transport is one way to improve people's lifestyles, to encourage them to be more active in their day-to-day journeys.

Car travel drives a highly sedentary lifestyle, not on its own but in combination with a range of other behaviours. Public transport encourages people to walk, to cycle or to have mixed journeys. Active transport and good public transport go hand in hand. The evidence is overwhelming from the public health academics, from the transport academics, from the literature internationally: investing in good, accessible, frequent public transport encourages more people to walk or to cycle and to be more active. It is for that reason that the government sees investments like the capital metro project as central to creating a more active city.

No community is more fortunate in terms of access to opportunities for good health practices than us. Our parks, Canberra Nature Park, walking trails, bike paths and on-road cycle lanes are all within close reach. These facilities do not just create themselves; they need recognition by government of their worth in improving the lifestyle of the population as a whole, which has real impacts on health outcomes.

With the Chief Health Officer's report showing that almost 60 per cent of people more than 18 years of age are sufficiently physically active, we have seen a three per cent improvement over five years ago. But we still see far too many people who are suffering from obesity and overweight. Regrettably, that percentage continues to stay at a very high level; we need to do more to drive down that increasing level of overweight and obesity in our community. That is why we focus very strongly on the healthy weight initiative, which seeks to ensure that the community is aware of the health risks and to support them to improve their lifestyle habits. (*Time expired.*)

*Discussion concluded.*

## **Adjournment**

Motion by **Mr Corbell** proposed:

That the Assembly do now adjourn.

## **ACT community—feedback**

**MRS DUNNE** (Ginninderra) (4.09): Talking with constituents is one of the real pleasures and privileges of being a member of this place, and I get to hear about the needs, aspirations, ideas, visions, gaps and fulfilment, but I also get to hear about frustration. Madam Assistant Speaker, I want to share with you what one such constituent said to me recently in an email. So that I am not accused of adding colour to his language with my own interpretation, I shall quote him verbatim:

Got your flyer in the letterbox and thought I would drop you some feedback as we are feeling very disengaged from the ACT government at the moment.

Having voted labour until after the fires in 2003 and having lived in the city since 1967 and 1975 (myself and my wife) we enjoyed it as a place of opportunity and to bring up children. However, since the fires and particularly since the Greens have come to dominate government policy, we are becoming increasingly frustrated with the ACT Government. It basically boils down to:

1. Huge increases in rates (we live in Cook)—ours have gone from \$1800 to \$3300 in two years which means they WILL triple in three years, making the Liberals' prediction come true. What extra have we received for this—nothing we want and no one asked us.
2. Wasting public money—I have written to the government many times pointing out the senseless waste on things from putting in and pulling out speed bumps (Holt) to planting shrubs on roundabouts which then need maintenance to making Macquarie shops a one way street (why?) and

creating a road hazard that wasn't there previously to having three people employed at the tip to direct you to recycling points (which are already signposted) ...

3. Punitive regulation—the government approaches every subject with the premise that it needs regulation and emphasises the fines and penalties that apply, so many now that it is hard to know what you can and can't do.

We survived for years without fines for parking on nature strips—now don't go to public events because you can't park anymore.

If they didn't charge so much to go to the tip, people wouldn't dump rubbish and there would be no need to hire a helicopter for half a million dollars to spot dumped rubbish.

The tree issue is even more ridiculous—we have a huge gum over hanging our house which we are not allowed to cut down despite the obvious threat it poses—the government is not interested in our safety at all.

Regulation has reached the point where it is clearly only there to provide 'gotcha' traps for residents to fall victim to in order to raise revenue to waste on the tram project and other unnecessary make work programs.

4. Out of control bureaucracy—this needs to be fixed. It has been the same since we came here and the attitude is increasingly arrogant and punitive. We will never build or renovate again after having done so in 2007 and struggling with the bureaucracy until 2014 to get final approvals—insane and how builders put up with it I don't know.

I have a mildly modified vehicle and am treated like some sort of criminal when I go to the MV Registry.

The ACT Government bureaucracy needs to change dramatically in order to bring a culture of service to its ratepayers ...

5. We don't want speed bumps and coloured paving at Cook Shops—this is just plain stupid. We have lived in Cook since 1981 and shopped locally without any issue at all.

The ACT Government wasted \$80k on putting a toilet there which no one, including the shop owners, wanted and it is just an attraction for druggies and vandals. Give us back, roughly \$100 per household in the suburb.

The message is, no more regulation, reduce existing regulation, make the ACT Government bureaucracy serve and assist the people (rather than dictate and gouge), and above all NO TRAM.

I hear these kinds of comments more and more as I travel the electorate of Ginninderra and talk to our constituents. I can do no more than conclude simply by repeating the last sentence of my constituent's email, where he said:

The message is, no more regulation, reduce existing regulation, make the ACT Government bureaucracy serve and assist the people (rather than dictate and gouge), and above all NO TRAM.

**Kowen Forest ride 2015**

**MR GENTLEMAN** (Brindabella—Minister for Planning, Minister for Roads and Parking, Minister for Workplace Safety and Industrial Relations, Minister for Children and Young People and Minister for Ageing) (4.14): Tonight I rise to speak about an event which has been held in the ACT for the past 10 years and one which I have attended on a number of occasions. The annual Kowen Forest ride involves an organised day of motorbike trail rides through Kowen Forest. It is a great event organised by the Dual Sport Motorcycle Riders Association, DSMRA, to raise money for various organisations. This year approximately \$2,700 was raised for the Snowy hydro helicopter service, along with \$1,000 being donated to the ACT SES. In addition to these donations, the Vietnam Veterans Association made food sales on the day and used that opportunity to raise some money for their own organisation.

This year there were 414 registered participants, 85 per cent of whom were from interstate. Participants travelled from New South Wales, Victoria and as far afield as Queensland and South Australia. This event is very popular every year and this reputation has been aided by the work of Territory and Municipal Services rangers and foresters whom I would like to thank for their efforts. Many of the interstate visitors camped out in Kowen in order to be at the heart of the action over the weekend. Many others stayed in Canberra or Queanbeyan in hotels or motels and the economic overflow from this event to the local economy is most welcome.

It was great to see that there were various opportunities for learners and beginners to partake in classes that were run by accredited instructors. For more experienced riders the event provided approximately 150 kilometres of trails to enjoy as they pleased. The tracks were divided into five loops which catered for all skill levels, from beginner to advanced. As someone who has enjoyed partaking in motorsport for most of my life I can attest to the great fun that it can be.

It is important that participants are properly trained in order to ensure the riders and drivers are safely operating their vehicles for the benefit of themselves and their passengers and spectators. This message should come through as particularly pertinent at the moment, with this week being Road Safety Week.

I would like to briefly provide a little background regarding Kowen Forest, where the event was held. It was one of the areas initially settled by Europeans when they arrived in Ngannawal country in the first half of the 19th century. Since then the area has been used for various purposes and most recently as Kowen Forest pine plantation. This plantation was the only one of the ACT's pine plantations to survive the 2003 bushfires unscathed. It includes camping areas maintained by TAMS and a mountain biking facility located near Sparrow Hill, in the eastern part of the forest. It is a great facility and an area I would recommend for weekend visits.

I had a great time riding in the Kowen Forest ride this year. It was a great day of recreation with a good bunch of people. I want to make a specific mention of and give my thanks to Chris Stilling, who picked me up off the ground after my somersault from the motorcycle.



I would like to thank the Canberra Motorcycle Centre, KTM and all of the other sponsors of the event, the Vietnam Veterans Association for providing the food, and the DSMRA for the loan of the dirt bike that I rode. I would also like to quickly thank all of the volunteers, including but not limited to Shaun Lonergan, Adrian Whittaker, Birgit Hoffmann, Chris Springett, Graham Smith, Mark Porecca, Tait Gendle, Doug Waterhouse, Paul King, Jamie D'Elboux, Mark Knight, Peter Wenderoth, Deborah Smith, Andrew Stacey, Jon Waterhouse, Ash Rutledge, Phil Gustaven, Peter Wenderoth and Mark Dykes.

### **Schools—Torrens Primary School**

**MS LAWDER** (Brindabella) (4.18): On 28 March this year I attended the Torrens Primary School 2015 twilight fair. It was a warm and enjoyable day, with events including performances by the south Canberra wind orchestra, the year 6 band, Jayz Dance Company and Sparkles Dance Studio. There was a talent show and a kids' dress-up parade. There was also a patting paddock, face painting, crazy hair, crazy nails, a wide range of food stalls and much more. I would like to congratulate the Torrens Primary School Parents and Citizens Association, especially Amanda Falconer and Sally Bower, on a great day, and also many of the staff members who played a big role on the day.

I was the judge of the junior dress-up parade which saw many kids dressed as their favourite character. There were Annas and Elsas from *Frozen*, Pirates of Penzance, Spidermen, Batman, Harry Potters, and princesses of all shapes and sizes. I felt under enormous pressure judging the parade, with all the hopeful faces of the little ones looking at me, not to mention the parents wishing success for their child. It was a tough decision but I managed to pick three joint winners.

I also drew the major raffle, and that brings me to thanking the many sponsors of the fair. I would like to thank, for their support of the Torrens Primary School, Savil Construction, Nada's Cakes, Edge Real Estate, Word of Mouth Catering, Meatways Butchery Kambah, Wine Phoenix, Rama's at Pearce, Mazda, Active Swim School, Mpowerdome, Supabarn, Turkish Grill Erindale, Kambah Car Care, Modern Skin Care, Canberra Outlet Centre, Ashley's Hair Design, Questacon, Hair By Simona, Hoyts Woden, ActewAGL, Maria Slater Travel, Hog's Breath Woden, Woden Coles, Monkey Mania, Dendy Canberra City, Cockington Green, the Dinosaur Museum, Biginelli Espresso, Child's Play, Woolworths Woden, Officeworks Tuggeranong, and AMF Tuggeranong.

Torrens Primary School has around 500 students from preschool to year 6. Congratulations once again to the Torrens Primary School P&C and to the principal, Sue Mueller, for their hard work and commitment to make the school community stronger.

### **Education—early childhood**

**MS FITZHARRIS** (Molonglo) (4.20): I rise to speak this afternoon about the importance of early childhood education and care to our community. I recently had the pleasure of officially opening two new services in the Gungahlin region: the

YMCA Gungahlin Early Learning Centre and the YWCA Winyu Early Childhood Service. As we know, early childhood education and care is so important. Not only does it provide children with an opportunity to learn, socialise and play, but it also provides parents—mostly mothers—with an opportunity to return to the workforce. As the mother of three young children who have all spent varying amounts of time in child care, I know just how important it has been to our family. I know how important it is to know that your children are being looked after by qualified, caring staff in a stimulating and warm environment.

That is why it is so wonderful to see what our newest childcare services are doing. On 27 March I officially opened the YMCA Gungahlin Early Learning Centre. The centre started operating last November, but it was wonderful to be able to unveil a plaque and special artwork that had been selected for the centre. The new centre really was a labour of love for the people involved—from the YMCA to the architects and builders. Some of the features include windows at little person eye level so that they can see what is happening in other areas of the centre; a lovely open plan kitchen that allows kids to grab their own plates and cups and mix together; a beautiful centre courtyard for the children to play; and a range of pets to keep the children company. I thank Jenny McCombe, Jodie Ledbrook, Ashleigh Daly and Jessica Smith from the YMCA and congratulate them on this wonderful new centre.

I also had the pleasure of officially opening the new YWCA Early Childhood Service at Winyu House in the Gungahlin town centre on 30 April. This will be the first childcare centre in an ACT government building, with more than 600 public servants set to move in later this month. The centre opened on Monday, 4 May. It has been purpose built to test innovative new theories and early childhood education and care, and it is clear the staff are very passionate and committed to this. The centre features open plan spaces, state-of-the-art facilities, and has a gender neutral approach.

I commend the YWCA for their contribution to the innovative design and fit-out of the service. Congratulations to Frances Crimmins, Louise Billman, Sarah Doherty and the rest of the staff, who I have no doubt will enjoy working at Winyu House.

It is clear the ACT childcare market is continuing to grow significantly to meet the needs of our community. Under Labor, childcare places have more than doubled since 2001 to more than 10,000 places. The ACT government supports the sector through initiatives that help to upskill and grow the early childhood workforce and meet the requirements of the national quality framework. This includes funding for the early childhood certificate III scholarship, with an additional \$500,000 allocated in last year's budget. We continue to fund the early childhood degree scholarship program, which provides financial assistance up to \$6,000 per year for four years to help students meet the costs associated with obtaining early childhood teaching qualifications. Applications for the 2015 round open this month, with 25 new places on offer.

Finally, I cannot talk about child care this evening without mentioning the importance of proper support for families who rely on child care. We do not want to see a childcare system in Australia where families are forced to meet an unrealistic activity test that requires them to work a certain number of hours each week. That only leads to children and parents falling further behind.

There is a whole range of reasons why parents need access to child care. They might only have a small amount of work, or they may be looking for work. I sincerely hope the federal government will take this into account when they deliver the budget next week. We do not want to see a situation where it is harder for families returning to work, which could potentially leave working parents, particularly those working casual or part time, with less or no support.

### **Salvation Army Red Shield Appeal**

**MR COE** (Ginninderra) (4.24): I rise this afternoon to promote the 2015 Salvation Army Red Shield Appeal. The Canberra appeal was officially launched yesterday and will take place over the weekend of 30 to 31 May. I had the pleasure of attending the launch yesterday, which was a wonderful event. I note that my colleagues Mr Smyth and Ms Lawder were also in attendance. The event was emceed by Virginia Haussegger, and Mark Donaldson from the ABC gave an inspiring address about his story. We also heard the story of Nigel MacDonald before and after joining the Salvation Army and how he serves the Canberra community in that role.

The Red Shield Appeal raises valuable funds to promote services for the most vulnerable people in our society. Throughout Australia the Red Shield Appeal has supported homelessness services for over 11,000 people, provided 50,000 meals for the hungry, helped over 1,100 women affected by domestic violence and assisted over 130,000 people in disaster-affected situations.

This year marks the 50th anniversary of the Salvation Army Red Shield Appeal. This is a magnificent achievement. I know that the efforts of the Salvation Army through their Red Shield Appeal have made a momentous impact on Australian society over the last 50 years. The Salvation Army have set themselves a goal of raising \$74 million in this year's appeal. Here in the ACT the Canberra branch has set itself a target of raising \$180,000. I wish the Salvation Army at a national and local level the best of fortunes in reaching those targets.

I acknowledge everyone involved in the Canberra branch. They work tirelessly to ensure the appeal runs smoothly and professionally. In particular, I acknowledge the committee of the Canberra Red Shield Appeal: chairman Mr Peter Leahy AO, Mr Alan Williams, Mr David Marshall, Mr Finn Pratt, Mr James Wilson, Mr Peter Barclay, Mr Peter Crowley, Ms Chris Faulks, Ms Anne Kowalski, Mr Paul Walsh, Mr Todd Wills, and Ms Jenine Yokom.

The appeal is truly a testament to the best of Australian volunteerism and charity. Each year the Salvation Army relies on an army of volunteers to doorknock the local street, block or suburb in order to collect money from generous Australians. I congratulate and thank all those who will spare their time or money throughout this year's appeal in order to improve the lives of some of Canberra's and our region's most vulnerable people.

I have had the pleasure of doorknocking for the appeal on numerous occasions, and I encourage all members to find a couple of hours and get involved with the appeal this year. It is a truly rewarding experience. To register for the appeal, or for any further information about the Salvation Army and the Red Shield Appeal, I encourage members to visit their website at [www.salvos.org.au](http://www.salvos.org.au).

Question resolved in the affirmative.

**The Assembly adjourned at 4.27 pm until Tuesday, 12 May 2015, at 10 am.**

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## Answers to questions

### Health Directorate—nursing staff positions (Question No 375)

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

- (1) What are the classifications of the 2,766 nursing staff listed in the Health Directorate Annual report 2013-2014.
- (2) How many are located in the Canberra Hospital and in which divisions.
- (3) How many new positions have been or will be created in 2014-2015.
- (4) What classifications are these new positions.
- (5) How many existing positions are currently vacant or occupied by staff in acting roles.

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

- (1) The classifications of the 2,766 nursing staff (head count) listed in the ACT Health Annual Report 2013-2014 were as follows (note these figures are taken as at 18 June 2014):

Classification	Head Count	FTE
Assistants in Nursing	62	37.87
Enrolled nurses	263	208.39
Registered Nurse Level 1	1251	1042.25
Registered Nurse Level 2	824	687.88
Registered Nurse Level 3	281	257.82
Registered Nurse Level 4	59	57.83
Registered Nurse Level 5	22	21.00
Nurse Practitioners	4	3.00

- (2) Of the 2,766 nurses, 2,731 nurses were located at Canberra Hospital, primarily in Canberra Hospital and Health Services. They were employed in the following Divisions:

Division	Head Count	FTE
Cancer, Ambulatory & Community Health	171	146.74
Clinical Support Services	151	109.74
Critical Care	433	364.21
Deputy Director-General Canberra, Hospital and Health Services	36	32.30
Medicine	375	326.55
Mental Health, Justice Health, Alcohol & Drug Services	227	199.36

Pathology	7	4.64
Rehabilitation, Aged & Community Care	260	226.90
Surgery, Oral Health & Medical Imaging	557	465.73
Women, Youth & Children	498	397.24
People, Strategy and Services Branch	16	14.15

Note: As community health services are integrated into Divisions this data includes some staff physically located outside Canberra Hospital, and staff located in Canberra Hospital who provide community health services off site. Some nursing staff in other divisions may also perform duties at Canberra Hospital.

- (3) The expectation in the 2014-15 Budget was that there would be 77.5 FTE available for new nursing positions created.
- (4) The classification of each new position was not specified in the budget. However, as at 25 February 2015 pay period, 58 new nursing positions have been established. The classification of these 58 positions is as follows:

Classification	Number of Positions
Assistants in Nursing	20
Enrolled Nurse Level 1	1
Registered Nurse Level 1	10
Registered Nurse Level 2	16
Registered Nurse Level 3	10
Registered Nurse Level 4	1

- (5) As at 25 February 2015, there are 46 nursing and/or midwifery vacancies across ACT Health Divisions. ACT Health has a generalist relief pool which is used to backfill short-term vacancies and most of these vacancies are being temporarily filled by relief pool staff pending permanent recruitment.

As at 25 February 2015, 183 nursing positions are currently occupied by staff in acting roles.

### **Canberra Hospital—name change (Question No 376)**

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

- (1) Has “The Canberra Hospital” changed its name to “Canberra Hospital” as is now displayed on new road signs around the hospital; if so, when did this change occur and what was the process.
- (2) How many new outdoor signs have been erected or will be erected in the Canberra Hospital campus in 2014-2015.
- (3) What has been the full cost of the procurement, design, manufacture and erection of these new outdoor signs.

- (4) What have been the other costs, (including but limited to stationary, uniforms, vehicles, business cards etc.) of changing the name of the Canberra Hospital.

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

- (1) Yes. This occurred in 2006 when a decision was made by Portfolio Executive when Health was implementing ACT Government rebranding requirements.
- (2) Signage across the campus is being incrementally updated in line with a 'Wayfinding Strategy', following a recommendation in the 2012 Australian Council on Healthcare Standards Accreditation Survey that ACT Health evaluate signage used in facilities. The total number of street, building and other outdoor signs that have been, or will be, erected on the Canberra Hospital campus in 2014-2015 is 76.
- (3) The costs in relation to implementing the 'Wayfinding Strategy' have been incurred over 2013-14 and 2014-15. Costs for the design, procurement and installation of the signs, as well as the removal of old signage, is \$895,198.
- (4) The change was rolled out progressively as branding on items required replacing or new items were purchased. Stationery with the previous branding was utilised before being replaced. As such there was minimal cost in this change.

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### **Canberra Hospital—bed occupancy (Question No 377)**

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

- (1) Using the Australian Health and Welfare definitions of "available beds", how many beds were used for the purpose of calculating "bed occupancy" at the Canberra Hospital on (a) 30 June 2012, (b) 30 June 2013 and (c) 30 June 2014.
- (2) How many new beds are or are proposed to be added to Canberra Hospital in 2014-2015.
- (3) To which wards will the beds be allocated.
- (4) How many new beds will be added to the "available beds" for the purpose of calculating "bed occupancy".

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

- (1) As provided in response to QON No 380, ACT Health does not use the Australian Institute of Health and Welfare definition of "available beds."
- (2) Thirty nine beds have opened at Canberra Hospital in 2014-15.
- (3) Of the thirty nine additional beds:
  - Thirty two beds distributed across general medical and surgical wards
  - 2 beds to the Intensive Care Unit
  - 1 bed to the Neonatal Intensive Care Unit



- 1 bed to the Paediatric ward
- 1 bed to the Paediatric Day Surgery ward
- 1 bed to the Delivery Suite
- 1 bed to the Maternity Assessment Unit

(4) Thirty eight of the thirty nine beds will be classed as available beds for the purpose of calculating bed occupancy. The Paediatric Day Surgery bed is excluded.

### **Canberra Hospital—critical access blocks (Question No 378)**

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

- (1) What is the definition of “critical access block” as it was implemented or declared on 17 September 2014 at the Canberra Hospital.
- (2) Who or by what process is “critical access block” implemented or declared.
- (3) At what time of the day was “critical access block” implemented or declared.
- (4) What is the relationship between “critical access block” and “available beds” (as defined by the Australian Institute of Health and Welfare).

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

The term “critical access block” is not used in any official capacity at Canberra Hospital and Health Services.

### **Canberra Hospital—surge capacity (Question No 379)**

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

- (1) What is the definition of “surge capacity” which was implemented on 3 June 2014 and referred to in a widely circulated email on 11 September 2014 from Mark Dykgraaf headed “Current ED issues”.
- (2) Who or by what process is “surge capacity” implemented.
- (3) At what time of the day was “surge capacity” implemented.
- (4) What is the relationship between “surge capacity” and “available beds” (as defined by the Australian Institute of Health and Welfare).
- (5) What is the definition of “level 3 escalation” also referred to in the email.
- (6) Who or by what process is “level 3 escalation” implemented or declared.
- (7) At what time of the day was “level 3 escalation” implemented or declared.

- (8) What is the relationship between “level 3 escalation” and “available beds” (as defined by the Australian Institute of Health and Welfare).

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

- (1) Surge capacity is a term used in reference to the management times of peak activity within the hospital. In operation it refers to the use of eight beds in the medical imaging department between the hours of 5pm and 7am Sunday to Thursday. It is important to note that beds are utilised during the day, Monday to Friday, for routine medical imaging procedures which is why they are available out of hours.

These eight beds are used to ease the pressure on access to the hospital. Patients identified as ready for discharge the next day are transferred to these beds and patients from the Emergency Department are transferred to the beds that are made available in the wards utilising this process. The patients in the surge beds are then discharged the next day. The eight beds in medical imaging are staffed by two registered nurses during the period of use for managing surge capacity while ever there are patients within the area.

- (2) The activation of the beds is a decision that is made by senior nursing staff in the Emergency Department and Access Unit prior to 5pm on weekdays or by the After Hours Hospital Manager in consultation with the Executive on Call after hours. The decision to activate the surge beds is made on the basis of availability of beds in the wards and the level of activity in the emergency department.

- (3) See answer to question 1.

- (4) Surge capacity is over and above the defined available beds.

- (5) Level 3 escalation is defined as:

- a. More than 10 patients in the Emergency Department waiting for beds;
- b. Emergency Department occupancy greater than 50 patients; and
- c. Emergency Department resuscitation room full;
- d. Insufficient beds immediately available in the hospital.

- (6) See answer to question 2

- (7) Level 3 escalation is declared when required and not at a particular time of day.

- (8) See answer to question 4.

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### **Canberra Hospital—bed occupancy (Question No 380)**

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

- (1) In preparing quarterly and annual reports does the Health Directorate for Canberra Hospital use the definitions of “available beds” as set out in the Australian Institute of Health and Welfare (AIHW) METeOR identifier 373634 and the definitions of “other known terms”; if not, what are the definitions used.

- (2) Is the definition of “occupancy rate” in the AIHW document referred to in part (1) the same as the “bed occupancy rate” as reported in Canberra Hospital quarterly and annual reports; if not, what is the difference.
- (3) Further to the written answer to question on notice 358 (25 November 2014) which provides a table of the “Canberra Hospital daily occupancy rate”, what is the relationship between “Canberra Hospital daily occupancy rate” and (a) “available beds” as set out by AIHW, and (b) a “bed occupancy rate” as reported in Canberra Hospital quarterly and annual reports.
- (4) Referring to the various bed categories (Medical short stay bed, day bed spaces, Medihotel beds, overcapacity bed spaces, discharge lounge places) referred to in the email of 11 September 2014 from Mark Dykgraaf headed “Current ED issues”, which of those bed categories are included in the definition of “available beds” and therefore used to calculate “bed occupancy rate.”

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

- (1) The AIHW defines available beds as being “a suitably located and equipped bed, chair, trolley or cot where the necessary financial and human resources are provided for admitted patient care.” Within the same document, the AIHW identifies that across jurisdictions and hospitals, there are wide variations in terminology and definitions of available beds, and therefore occupancy calculations.

ACT Health currently refers to available beds as being all overnight beds within the actual hospital campus, excluding the Independent Living Unit. This figure differs from the AIHW reference to “available beds” as ACT Health has determined that same day beds within an area, such as the Gastroenterology Unit for example, are not available to admit general inpatients, despite having a bed. This is therefore deemed as not being available by ACT Health standards.

- (2) The definition of occupancy rate referred to in AIHW 373634 is provided in reference to terms associated with the core definition of available beds. The AIHW reference describes occupancy rates as “calculated by dividing total bed days in a period by the product of the available beds and the days in the period”.

ACT Health uses this definition. ACT Health has recently begun using real-time patient administration system data to account for all minutes of care that occur within the defined period of time, rather than only calculating occupancy by reference to patients who had separated from the hospital in that reporting period. The new ACT Health methodology is more relevant to managing operational services.

- (3) (a) The calculation for the daily bed occupancy rate for Canberra Hospital uses the same methodology as explained in the response to Question 2. Bed occupancy rates are calculated consistently, with only the number of days in the reporting period needing adjustment.
- (b) There is currently no quarterly or annual report specifically for Canberra Hospital. ACT Health compiles an ACT Health Quarterly Performance Report which combines the results of the two public hospitals in the ACT. In addition, ACT Health compiles an ACT Health Annual Report which does not solely focus on Canberra Hospital outputs. The current calculation for bed occupancy is consistent in the daily occupancy rate provided for Question On Notice 358, in the ACT Health Quarterly Performance Report in 2014-15, and will be consistent with the 2014-15 Annual Report.

- (4) In reference to the email from Mr Mark Dykgraaf of 11 September 2014, both the Medical Short Stay Unit and the Chest Pain Evaluation Unit are included in ACT Health's definition of available beds.

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**Canberra Hospital—Cancer Centre support services  
(Question No 381)**

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

- (1) What support services (eg secretarial, typing, and financial) are provided to doctors and staff at the new Cancer Centre at the Canberra Hospital.
- (2) Are any contracts in place to outsource any administrative functions within the Cancer Centre; if so, what are the names of the companies contracted to provide outsourced functions.
- (3) What restrictions are placed on these companies in terms of where outsourced work is conducted.
- (4) Is any outsourced work conducted outside the ACT; if so, where is this work conducted.
- (5) Is any administrative or secretarial work in any part of ACT Health outsourced to companies which conduct the work (a) outside ACT and (b) outside Australia.

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

- (1) The Canberra Region Cancer Centre (CRCC) has an Administration Team of 32 Full Time Equivalent. The team provides a range of services to medical and other staff including, but not limited to, Personal Assistant support; completion of patient letters (Medical Transcription); booking and scheduling of new and follow up appointments; billing and clinic management; file and patient records management; and reception customer service.
- (2) CRCC is able to access the services of Ozescribe and Pacific Solutions to provide supplementary medical transcription services during periods of peak demand.
- (3) ACT Health is not aware of any restrictions placed on these companies in terms of where outsourced work is conducted.
- (4) Yes. Both Ozescribe and Pacific Solutions operate outside the ACT however are Australian Companies.
- (5) (a) See (4) above.  
(b) No.

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**International affairs—Fiji health funding programs  
(Question No 383)**

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

- (1) In 2010 was funding provided to the ACT Health Directorate to support health care in developing nations; if so, (a) how much funding was originally allocated, (b) how much was spent in 2010-2011, 2011-2012, 2012-2013 and 2014-2015 and (c) what projects received funding in those years.
- (2) Did four Fijian nurses commence a placement on 20 September 2014 in the ACT under this program; if so, (a) how much did the Fijian program cost, (b) how many Fijians visited Canberra and for how long, (c) on what were the funds spent, (d) what was the selection process for the four Fijian nurses and (e) did any ACT public servants travel to Fiji as part of this program; if so, (i) who went to Fiji, (ii) when and for how long were they in Fiji, (iii) were they accompanied by staff of partners, (iv) what was the purpose of their visit to Fiji and (v) what was the total cost of this travel.
- (3) What performance measures were used to judge the effectiveness of the Fiji program.
- (4) How successful was the Fiji program.
- (5) How much funding remains.
- (6) What future programs are planned under this funding.

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

- (1) Yes.
  - (a) The total funding to this project in 2010 was \$600,000 over four years and responsibility for this was given to the Nursing and Midwifery Office in 2011-2012. The Workforce Development in Developing Countries (Fiji) has been supported by the ACT Government and ACT Health since 2011. In consultation with the Neurosurgical team that provides periodic health care in Fiji, in particular Dr Kathir Nadachandran, it was decided that the first phase of the project be dedicated to assist in the skills development of nurses in Fiji.
  - (b) In 2011-2012 and 2012-2013 there was no expenditure from the allocated funds due to difficulties experienced in bringing the Fiji nurses to Australia. 2013-2014 financial year was the first time where there was expenditure of \$2851 for a registered nurse's salary to begin the development of the training program. In 2014-2015 ACT Health made an allocation of \$104K and to date there has been \$67,531.57 spent from the allocated funds.
  - (c) In consultation with the Canberra Hospital Neurosurgical team that provides periodic healthcare in Fiji, an offer was made to bring four nurses from Fiji to the ACT as visiting students not linked to a University program and not requiring registration with the Nursing and Midwifery Board of Australia thereby avoiding the minimum IELTS requirements. A tailored education program was developed for the nurses to complete at Canberra Hospital in various specialty areas such as Intensive Care, Operating Rooms, Coronary Care, Infection Prevention and Control, Pain Management and the Neurosurgical Ward.
- (2) Yes.
  - (a) The total cost for this first program was \$67,531.57.

(b) There were four Fijian nurses undertaking the program which ran for eleven weeks.

(c) Detailed expenditure:

	\$
RN salary and wages	11,913.60
Development of training program	3,017.03
Groceries (food available on arrival)	80.29
Nursing and Midwifery Conference registration x 4	1,800.00
Accommodation costs @ \$85/night single x 140 nights	11,060.00
Living allowance @ \$500 per week	26,240.00
Cash advancement on arrival @ \$200 each	800.00
Visa application and processing	624.88
Health insurance	1,149.10
Catering for functions	545.98
Design and printing posters x 4 and booklets x 8	1,689.06
Reference books x 4	504.43
Travel fares – return airfare x 4	8,091.65
Fees and charges	15.55
<b>Total</b>	<b>\$67,531.57</b>

(d) The nurse selection process was conducted by the Director of Nursing of the Fijian Ministry of Health in conjunction with senior nurses from Suva and Lautoka Hospitals. The four nurses selected were identified for their potential as future leaders within the nursing profession in Fiji and for their contribution to their workplace.

(e) No ACT public servant or their relatives travelled to Fiji as part of this program.

(3) Each of the nurses undertook a project during the 11 week program and delivered a poster presentation on the final day to Canberra Hospital nursing staff. These projects now form the basis of practice change in Fiji.

The projects undertaken by the Fiji nurses were:

- Peri-Operative Nursing Management of Primary Brain Tumors
- Overview and Management of Craniotomy and External Ventricular Drains
- Improving Nurses' Understanding and Perceptions Towards Surgical Wound Knowledge
- Early Recognition and Detection of Deterioration in Patients with Acute Myocardial Infarction

Local benefits were the cultural exchange between ACT nurses and Fijian nurses and an understanding of the difficulties experienced by nurses in developing countries. A questionnaire has been sent to the Fijian nurses and their managers seeking formal feedback now that they have returned to their workplaces.

(4) The program has been deemed a success - positive feedback from the Fiji Ministry is that the four nurses have been asked to participate in the planning of future changes to their workplaces and to participate in policy development, education and training programs.

- (5) There is \$36K remaining from the 2014-2015 allocated budget.
  - (6) Planning is in place for a second group of Fijian nurses to commence the program in April 2015.
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### **Roads—Coyne Street (Question No 384)**

**Ms Lawder** asked the Minister for Roads and Parking, upon notice, on 17 March 2015:

- (1) When will the promised straightening of Coyne Street at Macarthur/Fadden occur.
- (2) What are the accident statistics for Coyne Street over the past 5 years, up to the end of February 2015.
- (3) What prompted the recent replacement of signs on the bend in Coyne Street.
- (4) What has been the cost of installing the warning signs and speed humps in Coyne Street and any other work over the past five years.
- (5) How many times have the signs on Coyne Street had to be replaced over the past five years.

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

- (1) The timing of any straightening of Coyne Street is not currently included in any works program. It will be dependent on the current evaluation of the initial stages of works implemented in 2014 in Macarthur and Fadden.
- (2) There were 53 reported crashes on Coyne Street over the past 5 years up to the end of February 2015. Fifty one of these crashes occurred prior to implementation of the speed humps in August 2014.
- (3) The recent upgrade of signs on the Coyne Street bend was as a result of the need to improve visibility from both directions of travel.
- (4) The installation of the warning signs in 2010/11 cost \$5,000.  
The implementation of the speed humps, pedestrian refuge and associated signage in 2014 cost \$48,200.

Over the past 5 years other works included Coyne Street being resurfaced in 2012/13 at a cost of \$36,282 and the replacement of damaged signs at a cost of \$800.

- (5) Over the past 5 years there have been 4 damaged signs replaced on the bend on Coyne Street.
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**Land—releases  
(Question No 386)**

**Mr Coe** asked the Minister for Economic Development, upon notice, on 18 March 2015 (*redirected to the Minister for Urban Renewal*):

For each financial year since 2001-2002, what is the breakdown of residential land release to (a) private developers, (b) joint ventures and (c) the LDA by number of (i) blocks and (ii) dwellings.

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

Table 1 at **Attachment A** provides a breakdown of residential land release noting that the Land Release Program refers to the number of dwelling sites and as a result, data is not provided for blocks.

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

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**Land—releases  
(Question No 387)**

**Mr Coe** asked the Minister for Economic Development, upon notice, on 18 March 2015 (*redirected to the Minister for Urban Renewal*):

- (1) How many blocks have been released by the LDA for development as (a) detached dwellings, (b) attached dwellings and (c) apartments each financial year since 2001-2002.
- (2) What is the average (a) size and (b) price of blocks for detached dwellings each financial year since 2001-2012.
- (3) What is the total number of dwellings on apartment blocks each financial year since 2001-2002.

**Mr Barr:** The answers to the member's questions are at **Attachment A**:

As the LDA was not established until July 2003, data is provided from that date. Detailed data on dwelling types is not available prior to 2006/07, however total dwelling releases for those years are included in the table at Attachment A.

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

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**Land—releases  
(Question No 388)**

**Mr Coe** asked the Minister for Economic Development, upon notice, on 18 March 2015 (*redirected to the Minister for Urban Renewal*):

- (1) How many blocks have been released by the LDA for development in town centres each financial year since 2001-2002.



- (2) How many dwellings have been brought to market in town centres each financial year since 2001-2002.
- (3) How much has been collected in Lease Variation Charges for blocks in town centres each financial year since 2001-2002.

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

- (1) Please refer to Table 1 at **Attachment A**.
- (2) The LDA releases land, it does not bring dwellings to the market. Data on dwellings approved in town centres is available on the ABS website:  
[www.abs.gov.au/AUSSTATS/abs@.nsf/DetailsPage/8731.0Feb%202015?OpenDocument](http://www.abs.gov.au/AUSSTATS/abs@.nsf/DetailsPage/8731.0Feb%202015?OpenDocument)
- (3) Since the Lease Variation Charge was introduced on 1 July 2011, the amounts have been:

2011-12	-	\$0.262 million
2012-13	-	\$0.336 million
2013-14	-	\$3.235 million
2014-15 YTD	-	\$1.132 million

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

## **Health—obesity (Question No 392)**

**Mr Hanson** asked the Minister for Health, upon notice, on 24 March 2015:

Further to a Canberra Times article dated 12 March 2015 that the Government recently announced the ACT Nutrition Support Service after the ACT Government provided a \$419,000 three year grant to Nutrition Australia ACT, (a) what other obesity support services has the ACT Government provided funding to, (b) what funding, grants and other support has the ACT Government provided to other obesity support services, (c) what are the names of the obesity support service organisations and providers that have been provided funding, grants and other support by the ACT Government, (d) how much funding does each of those obesity support service organisations and providers receive per annum and (e) what government funding has been provided to help fight obesity during the (i) 2010, (ii) 2011, (iii) 2012, (iv) 2013 and (v) 2014 calendar years.

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

I acknowledge the important issue of obesity rates across the ACT population. The health effects of obesity are a significant burden on the health system. A recently published report estimated that among Australians 45-79 years of age, around one in every eight hospital admissions are attributable to overweight and obesity, as are one in every six days in hospital and one in every six dollars spent on hospitalization.

(Korda, R J, Joshy G, Paige E, Butler, J R G, Jorm, L R, Liu B, ... Banks E (2015) The Relationship between Body Mass Index and Hospitalisation Rates, Days in Hospital and Costs: Findings from a Large Prospective Linked Data Study, PLOS ONE. doi: 10.1371/journal.pone.0118599)

The Government has made overweight and obesity an important priority and launched the *Towards Zero Growth Healthy Weight Action Plan* (HWAP) in October 2013 to support the outcome of 'zero growth' in the rates of overweight and obesity in the ACT. The HWAP recognises that reaching the zero growth target will require a whole of Government approach, outlining 19 actions across a number of ACT Government Directorates. This HWAP builds on the established health promotion programs and services delivered by ACT Health or funded by ACT Health through non-government organisations.

Determining the relative level of expenditure for obesity support, prevention and related activities is complex, and there is no agreed methodology. For example, providing a new cycle way to support more people riding to work will improve physical activity levels, and therefore improve weight outcomes at a population level, but such expenditure would normally be considered a transport infrastructure cost, not an obesity-related cost.

Given such complex considerations I have therefore provided answers to your questions defining 'obesity support services' as those that relate to a primary outcome of improved weight status or improved nutrition choices or increased physical activity. I have also included other health promotion support services and programs that tackle the wider chronic disease burden, including obesity prevention.

(a) ACT Health obesity support services

The 2013-14 ACT budget provided funding for the establishment of a public Obesity Management Service. This service commenced operation in February 2014 at the Belconnen Community Health Centre. This is a clinical service, including bariatric surgery that treats morbidly obese patients and manages their co-morbidities. In 2014-15 financial year a further \$0.5m was allocated to this service and \$0.250m was provided for bariatric surgery procedures.

The School Kids Intervention Program (SKIP) commenced in early 2015 as a pilot program, and as such, has been funded in the 2014-15 financial year through the reallocation of existing resources, plus a HP3.3 at 0.4FTE (\$16,847 for five months) for the Program Coordinator. Budget considerations are underway in order to secure funding in the 2015-16 financial year.

SKIP is a multidisciplinary, family-centred, community-based service for children aged 4 to 12 years who are overweight or obese. The service is based at Belconnen Community Health Centre.

(b) With 63 per cent of the ACT population either overweight or obese and the immense pressure and costs this places on the health system, the ACT Government is investing in health promotion services that aim to prevent the major risk factors for chronic disease including obesity and overweight. These programs are evidence based, and are offered in the settings where the majority of the population will benefit i.e. schools, early childhood centres and workplaces.

Given that Canberra Hospital incurred acute care costs of around \$468 million in 2013-14, an investment in health promotion services is cost effective and necessary to reduce ongoing demands on the health system.

**Table 1** details 2014-15 ACT Health Government Payment for Output (GPO) allocation on health promotion services whose primary outcome is either obesity prevention, increased physical activity or improved nutrition outcomes.

<b>Item</b>	<b>Major Funded organisation (if not ACT Government)</b>	<b>Primary outcome associated to obesity prevention</b>	<b>Secondary outcomes associated to obesity prevention</b>	<b>Total allocation 2014-15</b>
Ride or Walk to School – primary schools	University of Canberra -\$15,000	Improved physical activity skills		\$15,000
Fresh Tastes* – primary schools		Improved nutrition choices for children		\$149,500
Get Healthy – counselling service	Health Direct – \$126,737 University of Sydney – \$74,255	Improved nutrition choices and physical activity (and smoking and alcohol)		\$223,995

**Table 2** details 2014-15 ACT Health GPO allocation to broader health promotion programs that include improvement in other chronic disease risk factors, which may include obesity prevention.

<b>Item</b>	<b>Major Funded organisation (if not ACT Government )</b>	<b>Primary outcome</b>	<b>Secondary outcomes associated to obesity prevention</b>	<b>Total allocation 2014-15</b>
Kids at Play Active Play – early childhood years		Improved developmental skills in pre-school children	Improved physical activity skills	\$64,700
Good Habits For Life – targets families with young children	Star Com Grey – \$90,000 Three72Digital –\$20,000 Universal McCann– \$90,000 AMR Research – \$31,000 26Hundred – \$20,000	Broad based healthy lifestyle communication campaign & mental health & social connectedness	Improved physical activity and nutrition choices	\$300,333
Heartmoves and Walking – targets adults	Heart Foundation \$192,734	Cardiovascular disease / chronic diseases risk factors	Improved physical activity skills	\$192,734
It's Your Move – high school children		Major chronic disease risk factors – smoking, sun smart, diet	Physical activity, nutrition choices	\$139,805

Note - 2014-15 is not indicative of future year spend.

Note - budgets for 2015-16 are still being determined through the budget process. Most health promotion services have been affected by the 2014-15 Federal Budget which ceased the National Partnership Agreement on Preventive Health.

**Table 3** details 2014-15 to 2016-17 health promotion grant allocations for specific obesity prevention programs or services.

<b>Table 3: ACT Health Promotion Grants Program allocations on obesity specific activities</b>				
<b>Grantee</b>	<b>Primary Outcome</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>
Melrose High School – Kitchen Garden	Improved nutrition choices in children	\$15,000	\$0	\$0
University of Canberra – Healthy Eating Habits in High Schools (Kaleen)	Improved nutrition choices in children	\$13,844	\$0	\$0
Warehouse Circus Inc – C.H.I.L.L Circus: Comprehensive Health is Life Long	Physical activity, improved nutrition choices in children and social connectedness	\$14,999	\$0	\$0
YWCA of Canberra – Nutrilicious	Improved nutrition choices in children	\$12,012	\$0	\$0
Black Mountain School – Getting Active at BMS with Darryl’s Den	Physical activity	\$15,000	\$0	\$0
Canberra Institute of Technology – Optimising health outcomes for CUT Yr 12 students	Mental health and physical activity	\$5,000	\$0	\$0
Gordon Primary School – Every chance to dance	Improved physical activity	\$4,500	\$4,500	\$0
Physical Activity Foundation Ltd – Ride and walk to school (RWTS) program	Increased physical activity, improved parent engagement in hp activities	\$225,518	\$201,175	\$0
Canberra Environment Centre – grow together	Improved nutrition choices in children	\$38,701	\$29,501	\$20,563
Jervis Bay School – school garden	Improved nutrition choices in children	\$45,006	\$44,696	\$44,696
Nutrition Australia ACT – Nutrition advice for community organisations	Allied health service – nutrition advice for community groups	\$130,000	\$135,000	\$154,000

**Table 4** details 2014-15 to 2016-17 health promotion grant allocations for programs that tackle chronic disease risk factors including obesity prevention.

<b>Table 4: ACT Health Grants Program allocations on broad health promotion activities including obesity prevention</b>				
<b>Grantee</b>	<b>Primary Outcome</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>
Companion House – assisting victims of torture	Broad health and well being outcomes	\$49,845	\$57,481	\$0
Society of St Vincent de Paul – Home ground	Broad health promotion outcomes	\$56,432	\$0	\$0

Southside Community Services	Broad health promotion outcomes	\$65,377	\$55,134	\$0
ACT Medicare Local – connect up for kids	Clinical health service improvement	\$101,870	\$320,349	\$0
Heart Foundation ACT – live lighter campaign	Risk factors for cardiovascular disease, diabetes and some cancers and obesity	\$104,560	\$316,889	\$0
YMCA Canberra – take off with the Y	Broad health promotion outcomes	\$74,000	\$222,000	\$0
Australian Drug Foundation	Reduced alcohol and cigarette consumption & sponsorship and healthy food choices for sporting clubs	\$144,640	\$142,240	\$0
Companion House – Healthy Futures	Broad health and well being outcomes	\$50,400	\$52,806	\$55,325
Wirrpananda Foundation – for indigenous children	Broad health and well being outcomes	\$150,000	\$150,780	\$163,673

(c) See Tables 1 to 4.

(d) See Tables 1 to 4.

(e) See information below:

#### Healthy Future – Preventative Health Program

As part of the 2009-10 budget the ACT Government committed funding of \$11 million over three years to support the *Healthy Future – Preventative Health Program*, including approximately \$8.3 million to support *Healthy kids*, *Healthy Future* and *Healthy at Work* initiatives. This initiative focused on chronic disease risk factors including obesity prevention.

#### National Partnership Agreement on Preventive Health (NPAPH)

The Council of Australian Governments agreed to the NPAPH on 29 November 2008, providing funding of \$872 million over six years from 2009-10, later extended to 2017-18 to prevent lifestyle risks associated with chronic disease, including obesity prevention.

	Jul-10	Jul-11	Jun-12	Jul-12	Jul-13	Total
Healthy Children programs		\$509,000	\$736,009	\$396,001	\$481,919	\$2,122,929
Healthy Workers programs		\$602,000	\$652,687	\$351,170	\$411,649	\$2,017,506
Social Marketing	\$97,000	\$97,000		\$99,623		\$293,623
Enabling Infrastructure	\$80,000	\$40,000		\$41,510		\$161,510
<b>Total</b>	<b>\$177,000</b>	<b>\$1,248,000</b>	<b>\$1,388,696</b>	<b>\$888,304</b>	<b>\$893,568</b>	<b>\$4,595,568</b>

Without warning, the 2014-15 Federal Budget announced the cessation of the National Partnership Agreement on Preventive Health (NPAPH). The cessation of the NPAPH represents a loss of \$6.151m for the ACT from 1 July 2014 to 30 June 2018 (\$3.577m in facilitation payments and \$2.574m in reward payments).

**ACT Health, Health Promotion Grants Program (ACTHPGP) for 2010, 2011, 2012, 2013 calendar years. Note 2014-15 financial year is given in Tables 3-4.**

Funding that was not allocated to obesity prevention over these years was directed to other strategic priorities of the ACTHPGP in the areas of smoking prevention, reduction in the hazardous and harmful consumption of alcohol, falls prevention, and healthy active ageing.

	2010	2011	2012	2013
Specific focus on obesity	\$946,799	\$859,238	\$733,750	\$590,615
Broader health promotion focus, including on obesity	\$475,765	\$506,026	\$321,739	\$474,556
TOTAL obesity related funding	\$1,422,564	\$1,365,264	\$1,055,489	\$1,065,171

**ACT Health - Obesity Prevention budget initiative**

Under the 2012-13 to 2014-15 Obesity Prevention budget initiative ACT Health received \$300,000 that was used in the development of the Healthy Weight Initiative.

**ACT Government Whole of Government Healthy Weight Initiative (HWI)**

In recognition of the complex and multi-sectoral nature of obesity reduction and prevention the ACT Government has now built on the health promotion services and programs in place.

Under the 2014-15 to 2017-18 Healthy Weight Initiative (HWI) \$3.645 million has been provided to the Chief Minister, Treasury and Economic Development Directorate for a coordinated whole of government approach to tackle obesity. Under this budget funds are allocated across a range of directorates to support the nineteen actions detailed in *Towards Zero Growth Healthy Weight Action Plan*.

2014-15	2015-16	2016-17	2017-18	Total
1,538,000	1,315,000	344,000	448,000	3,645,000

**Housing ACT—waiting lists  
(Question No 394)**

**Ms Lawder** asked the Minister for Housing, upon notice, on 24 March 2015:

From February 2014 to February 2015, how many Housing ACT properties in (a) Tuggeranong, (b) Woden, (c) Weston Creek, (d) Belconnen and (e) Gungahlin were made available to people on Housing ACT waiting lists, broken down by two, three, four, five

and six or more bedrooms for each area.

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

The properties let to people on the Public Housing waiting lists (Housing Register and Transfer Register) from February 2014 to February 2015 are as follows:

<b>Beds</b>	<b>(a) Tuggeranong</b>	<b>(b) Woden</b>	<b>(c) Weston Creek</b>	<b>(d) Belconnen</b>	<b>(e) Gungahlin</b>
2	25	66	11	61	11
3	75	25	14	73	10
4	10	1	2	12	5
5	5	2	0	2	0
6	0	0	0	2	0
<b>Total</b>	<b>115</b>	<b>94</b>	<b>27</b>	<b>150</b>	<b>26</b>

**Total: 772**

### **Housing—first home owners (Question No 395)**

**Mr Coe** asked the Treasurer, upon notice, on 25 March 2015:

How many applications to overturn the Commissioner for ACT Revenue's decisions about First Home Owner Grant (FHOG) applications and Home Buyer Concession (HBC) have been made since January 2008, broken down by year.

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

(1) Please refer to the following table:

<b>Year</b>	<b>Number of Applications made to the ACT Civil and Administrative Tribunal (ACAT)</b>	
	<b>First Home Owner Grant</b>	<b>Home Buyer Concession</b>
2008*	4	0
2009	3	3
2010	1	2
2011	1	1
2012	3	3
2013	0	3
2014	5	2
2015	0	0

\* These were all under the AAT as the ACAT legislation was not effective until 11 September 2008.

### **Roads—signage (Question No 396)**

**Mr Smyth** asked the Minister for Territory and Municipal Services, upon notice, on 25 March 2015 (*redirected to the Minister for Roads and Parking*):



- (1) When was the overhead road safety and advisory sign, located on the Tuggeranong Parkway between Chifley and Waramanga, last used to provide a message for travellers on the Parkway.
- (2) For how long has this sign not been in operation.
- (3) Has this sign been taken out of use due to vandalism.
- (4) When will these repairs be made.
- (5) What will the cost of repairs be.

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

- (1) The sign was last used on 4 June 2014.
- (2) The sign has not been in operation since that date.
- (3) The sign became inoperable due to contractual issues and vandalism which damaged the electronics.
- (4) Roads ACT has engaged a contractor from Roads and Maritime Services (RMS) NSW to investigate the possible faults with the sign. RMS is currently working to make the sign fully operational. It is expected that all works will be completed by end of June 2015.
- (5) The exact cost of bringing the sign back on line will depend on the physical work required on site as well as hardware upgrades and is as yet not known.

### **EPIC—toilet repairs (Question No 397)**

**Mr Smyth** asked the Minister for Territory and Municipal Services, upon notice, on 25 March 2015 (*redirected to the Minister for Economic Development*):

- (1) When was the men's toilet located behind Cattle Pavilion G adjacent to the ActewAGL Stage at EPIC closed as it was out of order.
- (2) Why was this toilet not repaired in time for the 2015 Royal Canberra Show.
- (3) Has the toilet been repaired; if so, when; if not, why not.

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

- (1) On Friday 27 February 2015 at approximately 8:30am an issue with the men's toilets at the T4 toilet block (behind the Royal Canberra Show's Cattle Pavilion) was reported and subsequently closed. Plumbers attended the scene and rectified the issue the same day. Three other male toilets were available in the vicinity - these being located approximately 100 metres, 250 metres and 300 metres away respectively.

- (2) The T4 toilet block was serviced on 1 February 2015 and was in working order leading up to the Show. During major events at Exhibition Park plumbers are called on occasions to rectify toilet issues due to the volume of usage.
- (3) See (1).

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**Finance—China investments  
(Question No 398)**

**Mr Smyth** asked the Minister for Economic Development, upon notice, on 25 March 2015:

- (1) Since the Territory's participation in Australia Week in China in April last year, how many investment leads did this generate and what was the value of these potential investments.
- (2) Of the leads that have been generated, how many investments have been secured for the ACT and what is the value of these actual investments.

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

- (1) Australia Week in China (AWIC) is an Austrade initiative to promote Australia as a trade, investment, education and tourism destination. It presented a significant opportunity for the ACT Government to promote Canberra as a jurisdiction with one single level of government with a strong and prosperous economy, home to leading research and development organisations and world-class education institutions.

While in Shanghai, the ACT Government participated in an investment round table hosted by the Federal Minister for Trade and Investment, the Hon Andrew Robb MP, to promote Canberra to a high level delegation of Chinese Investors. The former Chief Minister Katy Gallagher presented the City to the Lake initiative as one of the largest urban renewal projects in Australia.

A key outcome of our attendance at AWIC was the visit by Mr Wang Jianlin of Dalian Wanda Group who visited Canberra in June 2014 and expressed a strong interest in the City to the Lake project.

Dalian Wanda Group was founded in 1988 and operates in four major areas - commercial property, luxury hotels, culture and tourism, and department stores. In 2014, the company's assets totalled 534.1 billion yuan (\$85.6 billion) and annual income reached 242.5 billion yuan (\$38.8 billion).

- (2) Nil at this stage.

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**Finance—Invest Canberra leads  
(Question No 400)**

**Mr Smyth** asked the Minister for Economic Development, upon notice, on 25 March 2015:

- (1) How many investment leads has Invest Canberra received to date in 2014-2015.
- (2) How many of these leads are generated through Austrade.
- (3) What was the source of non-Austrade leads generated.
- (4) How many investment projects are currently being managed by Invest Canberra staff.
- (5) How many investment projects are currently being managed by Invest Canberra staff in relation to (a) Capital Metro, (b) City to the Lake, (c) Defence and security, (d) Digital economy and e-government, (e) Health and sports science, (f) Innovation and higher education, (g) Space, satellite and spatial sciences and (h) Tourism infrastructure.
- (6) How many investment projects have led to actual investment deals and what is the value of these deals.

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

- (1) During the period 1 March 2014 to 31 March 2015, Invest Canberra received a total of 57 investment leads, of which 54 have been completed<sup>1</sup> and 3 are still in progress.
- (2) Sixteen out of the 57 investment leads received were generated through Austrade.
- (3) As for the non-Austrade generated leads, 38 came to Invest Canberra direct either via investors themselves, or as a result of outreach activities such as overseas missions or industry meetings. Three leads came from Invest Canberra's own media research.
- (4) Invest Canberra has managed a total of 21 investment projects since its inception just under two years ago. Nine investment projects have since been completed and 12 projects are currently being managed.
- (5) Of the 12 investment projects currently being managed by Invest Canberra staff, six are related to Tourism Infrastructure, three to Major Infrastructure, two to Innovation and Higher Education, and one to Defence and Security.
- (6) Seven investment projects have led to actual investment deals, with a total value in excess of \$140 million.

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<sup>1</sup> An investment lead is deemed to be completed once action has been taken to respond to the needs of a potential investor. A completed lead may progress to a project depending on the potential investor's plans.

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### **Roads—Bunda Street Shareway campaign (Question No 401)**

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

What was the total cost of the Bunda Street Shareway campaign including the (a) street teams, (b) rickshaws, (c) large information silhouettes and (d) any other costs associated with the campaign.

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

The Bunda Street Shareway project education and awareness campaign costs are as follows:

- (a) Street Teams - \$9,274.94
- (b) Rickshaws - \$15,686
- (c) Silhouettes - \$7,117
- (d) Advertising (including artwork) - \$24,320.23

The education and awareness campaign was designed to respond to the project risk assessment that identified community understanding of the change in priorities as a safety risk.

The rickshaws are designed to be re-branded and are planned to be utilised by other Directorates to support future events such as Floriade.

### **Roads—parking infringements (Question No 402)**

**Mr Coe** asked the Minister for Roads and Parking, upon notice, on 26 March 2015 (*redirected to the Chief Minister*):

- (1) How many parking infringement notices were issued in (a) Griffith, (b) Forrest, (c) Barton and (d) Kingston on (i) 14 and 15 January 2014, (ii) 27 and 28 January 2014, (iii) 19 and 20 February 2014, (iv) 21 and 22 March 2014, (v) 11 and 12 April 2014, (vi) 2 and 3 May 2014, (vii) 8 and 9 August 2014, (viii) 18 and 19 November 2014, (ix) 17 and 18 February 2015, (x) 23 and 24 February 2015 and (xi) 2 and 3 March 2015.
- (2) How many parking infringement notices were issued in (a) Parkes, (b) Barton and (c) on Parkes Way on (i) 14 and 15 March 2014, (ii) 23 and 25 January 2015 and 13 and 14 March 2015.

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

Question 1

<b>Date</b>	<b>Griffith</b>	<b>Forrest</b>	<b>Barton</b>	<b>Kingston</b>
14/01/2014	33(31)*	4(3)*	108 (83)*	8(8)*
15/01/2014	0	0	64	0
27/01/2014	0	0	0	0
28/01/2014	0	0	3	3
19/02/2014	0	0	16	0
20/02/2014	10	39	3	3
21/03/2014	3	4	5	0
22/03/2014	14	1	5	22
11/04/2014	12	0	0	0
12/04/2014	24	3	5	53
02/05/2014	7	17	17	0
03/05/2014	1	2	3	27

<b>Date</b>	<b>Griffith</b>	<b>Forrest</b>	<b>Barton</b>	<b>Kingston</b>
08/08/2014	0	0	0	25
09/08/2014	10	23	7	20
18/11/2014	2	7	13	39
19/11/2014	41	36	8	19
17/02/2015	14	0	2	12
18/02/2015	33	74	196	11
23/02/2015	0	31	14	28
24/02/2015	38	4	83	36
02/03/2015	46	0	37	29
03/03/2015	25	18	13	86

## Question 2

<b>Date</b>	<b>Barton</b>	<b>Parkes**</b>	<b>Parkes Way</b>
14/03/2014	19 (0)*	31(0)*	0*
15/03/2014	0	2	0
23/01/2015	30	0	0
25/01/2015	0	0	0
13/03/2015	9	0	0
14/03/2015	0	0	0

**Legend and explanation/background**

Statistics above relate to the whole day in the areas listed. Patrols in some areas are not every day of the week.

\* Statistics in brackets reflect infringements issued during the hours of sporting fixture or Skyfire. Sporting fixtures are considered from the time the gates open usually two hours before a game start and therefore the statistics are different. Figures in \*brackets are examples during the prescribed fixture time. In respect to Skyfire, \*bracket figures represent the time around the event.

Parking exemptions are given for time limited parking zones around the Manuka precinct on the days of sporting fixtures.

Additional signage is installed under temporary traffic management plans (TTMs) for the parking conditions.

Vehicle mounted signs (VMS) are put into place days before the event to remind the public of the parking conditions.

\*\* Parking Operations are no longer responsible for National Capital Authority ordinance areas from 1 October 2014. Parts of Barton are patrolled by Parking Operations.

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**ACTION bus service—Xpresso services  
(Question No 403)**

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

- (1) From 1 January 2015, what is the total number of Xpresso bus services which have run later than 4 minutes over schedule.
- (2) For the answer provided in part (1), how is this number broken down by each Xpresso route.
- (3) From 1 January 2015, what is the total number of Xpresso bus services which have run later than 15 minutes over schedule.
- (4) For the answer provided in part (3), how is this number broken down by each Xpresso route.
- (5) From 1 January 2015, what is the total number of Xpresso bus services which have run earlier than 1 minute before schedule.
- (6) For the answer provided in part (5), how is this number broken down by each Xpresso route.
- (7) From 1 January 2015, what is the total number of Xpresso bus services which have been scheduled to run but have not completed their route.
- (8) For the answer provided in part (7), how is this number broken down by each Xpresso route.

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

With regards to the questions (1), (2), (3), (4), (5) and (6), Public Transport cannot provide information as requested by Mr Coe MLA as available systems do not report this way.

Trips are measured for overall running using timing points, meaning that a service can be both early and late during the same trip. Early running is defined as departing a timing point more than one minute earlier than scheduled and late running is defined as departing a timing point more than four minutes later than scheduled.

These measures are reported as a percentage.

Xpresso services tend to run with a greater variation to time than other services as they only run during peak periods and do not always travel on established public transport corridors. The tendency to run early is particularly prominent in the evening, where most passengers board at the start of the service and as the driver is only dropping off, there is no requirement to dwell.

It should also be noted that the upcoming timetable adjustment on 18 May 2015 is aimed at improving on time running performance of ACTION services.

From the data available for the period of 1 January 2015 to 31 March 2015, the following information is provided.

Xpresso Route	Total Late (%)	Total Early (%)	Services failing to operate	Scheduled services during period	Scheduled services per day
705	25.34	17.89	5	732	12
712	22.13	20.29	4	488	8
714	23.32	27.55	7	366	6
717	15.16	27.52	4	482	8
718	30.77	38.90	1	366	6
719	18.37	39.69	3	427	7
720	7.99	37.48	7	427	7
725	13.22	26.45	4	299	5
726	10.78	35.98	3	238	4
732	10.67	14.96	3	366	6
743	30.30	17.08	6	488	8
744	23.32	14.39	3	366	6
749	18.92	35.21	3	610	10
765	24.69	28.49	3	366	6
767	18.36	26.12	2	366	6
775	49.80	6.16	6	244	4
783	13.88	41.72	2	122	2
791	14.11	26.78	1	610	10
792	25.80	22.20	4	671	11
		<b>TOTALS</b>	<b>71</b>	<b>8,034</b>	<b>132</b>

## Questions without notice taken on notice

### Transport—registration inspections

**Mr Rattenbury** (*in reply to a supplementary question by Mr Wall on Thursday, 19 March 2015*): The ACT introduced competition into vehicle inspection services in 1996. At that time the Motor Traders Association indicated that it did not wish to charge its customers for vehicle inspections performed for registration purposes. As such it was decided to set a maximum fee that private sector entities conducting registration inspections could charge. This fee has been set at the cost price of delivery of the service. This was done in order to promote competition and encourage private sector participation. Inspections conducted at the ACT Government inspection station at Dickson are charged at the level of the maximum fee.

The maximum fee that a private sector operator can charge, and the fee currently charged at Dickson to inspect a light motor vehicle, is currently \$63.70. The equivalent fee charged in NSW to undertake a safety check and identity check on an unregistered vehicle, noting that not all inspections in the ACT require an identity check, is \$60.50. The NSW fee for an inspection without an identity check is \$37.40.

Since inception of the current vehicle inspection arrangements in the ACT, the fees have basically been increased to align with the CPI/WPI and other transport related fees and charges. There was a period when inspection fees weren't increased, but they were subject to a catch up increase on 1 January 2008.

Industry has raised the issue of level of inspection fees with the Road Transport Authority (RTA) from time to time over recent years. During some of these discussions, the RTA has indicated a willingness to consider a proposal to deregulate the fees that the private sector may charge. In this instance the RTA would continue to charge the current fee, indexed by CPI/WPI, at the Dickson inspection station. Industry has previously indicated that this would not be acceptable due to a discrepancy in fees being charged by different providers in the public and private sectors.

To answer Mr Wall's second question regarding feedback from operators about the actual cost to business of administering the inspections, I can advise that, in December of last year, I requested that the Motor Vehicle Repair Industry Advisory Committee undertake a review of the Authorised Inspection Scheme including current applicable fees. The review has commenced, consultation with the Motor Traders Association is ongoing and I expect that the review will reach its conclusion later this year.

### **Housing—public**

**Ms Berry** (*in reply to a question and a supplementary question by Mr Doszpot and Ms Lawder on Thursday, 26 March 2015*): In response to the Member's questions, I can inform the Assembly

- (1) The contract allows for Spotless, the Total Facilities Manager to superintend, project manage and act as a principal's representative for the purpose of Capital works such as a construction project.  
Total Facilities Management provided by a specialist, contracted at a competitive market price, leads to better outcomes and costs, and represents good public value.
- (2) In the years between 2009 and 2013 the option of self delivery was not included in the Total Facilities Management contract.

I would also like to provide additional information in response to the supplementary question from Mr Doszpot:

“How do Spotless allocate work to sub-contractors as part of their \$242 million Total Facilities Management service contract”.

When a maintenance problem arises, tenants contact the maintenance customer service centre by telephone, email or text message. The Customer Service Operator (CSO) assesses the problem, determines the trade required, the response priority, and then allocates a work order to one of the 83 approved subcontractors.



The main factor that determines how work is allocated to a sub-contractor is value for money. Value for money is measured by assessing the sub-contractors ability to perform the required service against the schedule of rates for maintenance services. In addition there is an assessment of the subcontractor's capacity to complete the work within the expected timeframe. Performance and quality are also taken into account. The CSO provides the tenant with a job number and an approximate time for completion of the work.

Work allocated to Asset Services, a subsidiary of Spotless is mainly undertaken at older persons accommodation under the Older Persons Safety and Security program. This includes the installation of screen doors, peep holes, night latches, patio bolts and window locks.

### **Housing—public**

**Ms Berry** (*in reply to a question and a supplementary question by Ms Lawder and Mr Dospot on Thursday, 26 March 2015*): I attended barbecues hosted by Northside Community Services at Owen Flats on Friday 13 February 2015 and more recently on Friday 27 March 2015.

### **Transport—light rail**

**Mr Corbell** (*in reply to a supplementary question by Mr Wall on Wednesday, 18 February 2015*): The Capital Metro Agency's budget is disclosed in the 2014-15 Budget Papers which are publicly available. From 1 July 2014 to 28 February 2015, the Capital Metro Agency incurred promotional costs of \$226,034.

### **Canberra Hospital—planning**

**Mr Corbell** (*in reply to supplementary questions by Mr Coe and Mr Hanson on Tuesday, 24 March 2015*): The Capital Asset Development Plan Project Definition Plan finalised in 2010 incorporated a conceptual site plan for the Canberra Hospital, which included a major clinical services block (labelled new Building 2/3).

This work has been furthered through a Design Options Study undertaken in 2010 and a Future Facility Profile completed in 2013.

In 2008 the ACT Government made public the "*Your Health – Our Priority*" plan, the first stage of the project to upgrade health infrastructure. This included the overall plan to provide health services in the future to the:

- Canberra Hospital campus
- Calvary Hospital campus
- Mental Health services
- Community Based Services.

Feedback, ideas and input was welcomed from the public through the *Your Health – Our Priority* website or via post.

ACT Health is currently progressing work on master plans for both Calvary and Canberra Hospitals. Whilst it is intended to table overarching details of these master plans when finalised, the tabling of detailed plans may not be appropriate in view of security implications.

**Health—palliative care**

**Mr Corbell** (*in reply to a supplementary question by Mr Hanson on Wednesday, 25 March 2015*): There is currently one palliative care nurse practitioner providing some services to patients in private aged care facilities. An evaluation of this initially Commonwealth funded position is currently underway.

**Health—palliative care**

**Mr Corbell** (*in reply to a supplementary question by Mr Doszpot on Wednesday, 25 March 2015*): No advice has been given to private aged care providers regarding future provision of ACT Health funded palliative care services.

Given the Commonwealth's responsibility for both aged care and primary health care, this is a matter which will also require the engagement of the Commonwealth.

**ACT Health—performance**

**Mr Corbell** (*in reply to a question by Mr Wall on Thursday, 26 March 2015*): The representative of the small number of specialists who are taking protected industrial action formally notified ACT Health on 24 March 2015 of their intention to commence that action on 30 March 2015. ACT Health advised me of this on 25 March 2015.