



# Debates

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**Thursday, 21 September 2017**

**MADAM SPEAKER** (Ms Burch) 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.

### **Personal explanation**

**MRS KIKKERT** (Ginninderra): I note that an article published yesterday by the *Canberra Times* attempts to link me with a letter that has allegedly been distributed in parts of Canberra. I wish to state on the record that I do not know who composed this letter or who has been distributing it. The letter does not mention me by name and the concerns that it raises appear to be based directly on safe schools resource materials that are freely available on the internet.

A quick Google search will reveal that the concerns shared with me by actual Canberra school students have been raised and shared by many other young people and their parents in various Australian jurisdictions. I therefore do not believe it is accurate to state that this letter has drawn on allegations made by me.

Again, I clearly state that, contrary to what the *Canberra Times* has sought to allege, there has been no contact between the author of this letter and either me or the Canberra Liberals.

### **Management of dogs Ministerial statement**

**MS FITZHARRIS** (Yerrabi—Minister for Health and Wellbeing, Minister for Transport and City Services and Minister for Higher Education, Training and Research) (10.02): I am pleased to have the opportunity to report to the Assembly on the important work the government is doing to continually review the way we deal with dangerous dogs and encourage responsible pet ownership in the ACT. We understand that management of pets and other domestic animals and the laws which govern these complex issues have the potential to impact on the whole community.

The overwhelming community response to our recent community engagement on the animal management and welfare strategy confirmed that responsible pet ownership is an important issue for Canberrans. Unfortunately, I regularly receive reports about cases of people showing a lack of responsibility for their dogs which ultimately reflects a lack of respect for the rest of the Canberra community.

Dogs off their leash or not properly fenced have the potential to put other people, other animals and themselves at risk, which is why we committed to reviewing Canberra's responsible pet ownership laws. This review has included a detailed analysis of the laws which dictate how dogs are classified and the potential consequences for people who choose not to demonstrate responsible pet ownership.

On 29 March 2017 the Assembly passed a resolution in regard to dog attacks. As part of this resolution, the ACT government was called on to consider allocating more resources to investigate attacks by dogs, consider allocating more resources for education about obligations and responsibilities of dog ownership, report on changes made to dog management processes following feedback from the 2016 working group, review relevant laws and internal procedures that govern the management of dangerous dogs and report by the end of September 2017 and review the penalties associated with the management of dangerous dogs.

I am pleased to report to the Assembly that the ACT government has addressed all parts of this resolution. The government takes the regulation of dogs, particularly dangerous dogs, very seriously, with heavy penalties available for people who do not follow the rules. We are continually reviewing and, where necessary, improving the way we investigate and deal with dog attacks.

Dog attacks generally involve a dog having an instinctual response such as protection, dominance, claims to territory or provocation. As such, all dogs can be unpredictable and have the capacity to be aggressive and dangerous if they are not managed appropriately and responsibly.

On 29 March this year I released the draft animal welfare and management strategy for public consultation and community feedback. We received 110 responses during this consultation and have incorporated these views in the final strategy that I have released today. It builds on our proven track record for animal welfare and management and the existing framework of legislation, codes of practice, guidelines and management plans already in place. This strategy involves a five-year plan and was developed and guided by experts in the animal welfare and management sector and seeks to take a preventative and proactive approach to animal welfare and management.

Although appropriate enforcement action is essential, the government's primary objective is to prevent dog attacks happening in the first place. We will do this by ensuring owners are managing their dogs appropriately and responsibly by educating people that dogs must be kept on their leads by a responsible pet owner and secured in an escape-proof yard when they are at home. A preventative approach will help reinforce what it means to own a dog, what responsibilities owners and carers have, so that attacks can be stopped before they happen.

As I have already mentioned, the government takes dog attacks very seriously and I acknowledge the significant distress they cause to those involved. However, it is important to put the facts about dog attacks on the table and have a sensible discussion about the management of dogs in our city.

In the ACT approximately two in every five households own a dog, which means there are about 60,000 dogs living in Canberra. On a daily basis these dogs interact with people and in many cases other animals equating to up to 21 million or 22 million interactions per year, not allowing for animal-to-animal or

animal-to-stranger interactions. From these millions of interactions for the years 2016 and 2017 the Domestic Animal Services received only 389 reports of incidents involving a dog.

The majority of these incidents do not involve attack on humans, rather most are incidents of dogs harassing or attacking other dogs or animals. In fact, in some reported cases, dogs have attacked their owners when the owner was trying to extricate them from an incident with another dog or animal. When reviewed, a common theme running through many attack incidents is a dog being off leash or unable to be controlled by its owner or carer.

Raising the community's awareness of their responsibilities as pet owners is a key action under the strategy. This is an important and possibly tough message for some dog owners. I recognise that many people who own dogs believe their dog is able to walk off leash. While this may be the case for their own dog, other dogs on a leash may not have the same instinctive response. Large and small dogs may react differently to dogs off leash coming up to them.

Cyclists and pedestrians may come across off-leash dogs on shared paths, also causing incidents. I have been very close to this myself on more than one occasion walking or cycling around my local park and lake, Yerrabi Ponds. This is the reason we have on and off-leash areas and designated dog parks, where the government has worked with the community to designate special areas where it is safest for the community to be.

To further deliver on this action the government has launched its paws for thought campaign which promotes responsible pet ownership and aims to drive cultural change within the community. Paws for thought addresses key behaviours and requirements of pet owners, including registration, microchipping, desexing and appropriate animal control.

The campaign includes an ongoing program of information stalls held at shopping centres and schools across the ACT and is largely staffed by Domestic Animal Services volunteers and is being delivered within existing resources. Stalls began in July, with information already presented at Marist College, the Dickson shops and Cooleman Court, Weston. Social media information has also been developed and the paws for thought content went live in late July and is also available on the Access Canberra website.

To bolster the social media content, a series of videos has been created to support the paws for thought program, including videos which raise the importance of registering, desexing and microchipping dogs. Other videos promote secure gates and fencing so that animals cannot escape, and appropriate dog control whilst in public, including appropriate restraints and their use. Both issues have been at the heart of several high profile attacks recently and educating dog owners to be responsible on all accounts will ensure that the campaign is successful and our community remains safe.

We have also updated the TCCS website to provide additional information regarding dog attacks, including new fact sheets providing the community with a one-stop shop for everything they might need to know in the unlikely event of an incident.

As members would be aware, TCCS's work on improving animal management practices in the ACT has been ongoing for a number of years. In September 2014 amendments were made to the Domestic Animal Services Act to create new strict liability offences, removing the presumption of innocence for the keeper or carer of a dog where their dog attacks or harasses another person or animal.

In early 2016 TCCS established a community working group for the purpose of reviewing the regulatory and administrative processes associated with dog attacks. The group included members of the public who were the owners of dogs involved in an attack as well as TCCS staff with regulatory expertise. The inclusion of community members with firsthand experience provided an invaluable perspective and served to strongly reinforce the significant impact that dog attacks have on all those involved, including the wider family associated with dogs. Leading on from this work, a regulatory response model was developed which outlined the processes to be implemented when responding to dog attack incidents.

A key component of the model was the establishment of the TCCS regulatory advisory committee, or the RAC, for the consideration of licensing decisions and compliance and enforcement investigations, including those related to dog attacks. The members of RAC include relevant managers, investigative and legal staff who consider the investigation process and findings and bring to bear a range of perspectives, experience and expertise to review the merits of each case.

As previously noted, a dog attack often involves an instinctive reaction by the attacking dog which can be caused for a variety of reasons. As such, the individual circumstances of a case need to be thoroughly considered. The RAC considers contraventions of legislation that have occurred which have the potential to cause harm or pose a significant risk to the community or environment. It then provides formal recommendations to relevant decision-makers on these matters for their consideration and ultimately their decision.

On notification of a dog attack incident, a DAS ranger attends the incident location and ensures that the alleged attacking dog is restrained or contained and, if necessary, seized. Due to the instinctual response and varying circumstances that can be involved in a dog attack, every case must be thoroughly investigated in a timely manner and consideration must be given to the evidence and circumstances on a case-by-case basis. Therefore, DAS rangers gather all evidence available, including witness statements, photographs, vet reports, hospital reports, behavioural assessments, temperament testing et cetera, to help establish the circumstances of the incident and underlying behavioural traits and training of the aggressor dog.

A dedicated TCCS investigations unit, led by a compliance manager, supports and oversees DAS investigations and ensures they are conducted professionally and are adequately scrutinised. The compliance manager is also responsible for ensuring that the people involved in the attack are kept informed on the progress of the investigation and are made aware of the support services available to them.



Consistent with this continuous improvement approach, in 2017 the TCCS licensing and compliance unit developed a draft accountability commitment which outlines the unit's risk-based approach to compliance activity. This approach ensures that resources are targeted to where the risks of harm, unsafe practices or misconduct are the greatest, thereby strengthening the capacity to take action where the community, animals and the environment are most at risk. This approach encourages compliance primarily through engagement and education but will apply escalating enforcement actions to those who demonstrate a disregard for the law and whose conduct has caused or is likely to cause harm to the community or the environment.

Whilst these processes and procedures are working efficiently and effectively, they are always being internally reviewed and streamlined to ensure best practice. The internal review processes were augmented by the work of the DAS liaison community group, which was established in 2017 as an evolution of the 2016 working group I mentioned earlier. The community liaison group has a membership drawn from members of the community, including some of the members of the former working group, relevant stakeholder groups with an interest or expertise, and domestic animal management.

In line with the actions outlined in the strategy and in direct support of responsible pet ownership, this group has been tasked to review the appropriateness and requirements for off-leash areas and animal control methods in the territory. From this work, the group has drafted a community survey proposed to guide consultation on the future of off-leash dog areas. This survey will provide an understanding of community views and help drive the location, management and regulation of off-leash areas into the future.

Last year, TCCS also began implementing the PinForce system, a field-based device which gives the DAS rangers immediate easy access to data while undertaking their duties in the field. PinForce will help capture and track information relevant to owners and animals across the life cycle of their pets, such as registration details and any previous infringements. This information can then be used as an evidence base to help identify recidivism or noncompliance, trends and emerging regulatory issues in the community.

A further outcome outlined in the strategy relates directly to the ongoing review of legislation and policy to ensure it is clear, is comprehensive and reflects current best practice models. A review component is an integral part of the administration of the Domestic Animals Act, for example, through the RAC process and through consideration of the findings of the courts and ACAT.

Previous reviews have resulted in amendments to strengthen our legislation, such as the Domestic Animals Amendment Act 2014, which created strict liability offences removing the presumption of innocence for the keeper or carer of a dog where their dog attacks or harasses another person or animal. Similarly, amendments were made to the dangerous dog provisions of the act whereby it is an offence if a person is the keeper of a dangerous dog and the person does or omits to do something which results in the dog attacking or harassing another person or animal.

More recently, a comparative review has been conducted of laws associated with domestic animals in other jurisdictions. This has identified that the penalties associated with the management of a dog in the ACT are very similar to those of other states and territories and confirmed, indeed, that the ACT has some of the strongest.

In response to a recommendation by the select committee on estimates of this year, TCCS has considered whether a set of criteria could be developed to assist the decision-making in relation to the declaration of a dangerous dog. The legislation provides for the exercise of discretion and judgement about the unique circumstances of each and every case.

As part of our commitment to review relevant laws, the government has reviewed relevant provisions of the Domestic Animals Act and identified a number of potential improvements to better govern the management of dangerous dogs. For example, the potential improvements include introducing an infringement or penalty for noncompliance in relation to a dog released on general conditions or on dangerous dog conditions, although in these circumstances a dog can be seized and impounded and its suitability to be released can be reviewed. The ability to apply additional sanctions on the owner will be considered as a further deterrent. Potential penalties under these circumstances could include the imposition of a dog ownership ban on those who fail to comply with the required conditions.

The potential improvements also include mandating a legislative time frame for the owner of a declared dangerous dog to meet their required obligations in relation to the conditions imposed as part of a licence to keep a dangerous dog; and extending the legislated 28-day time frame to complete an investigation, as this is not always sufficient to accommodate the sometimes complex circumstances of an attack. This time frame will be reviewed with a view to enabling it to be extended at the registrar's discretion.

In collaboration with the RSPCA, the government is examining animal welfare laws to determine whether there is a need to further strengthen the ability to impose animal ownership bans on people convicted of animal welfare offences. Where required, legislative amendments will be pursued to enable these changes, and I will bring forward these amendments in the near future.

I have also considered recent cases and specific questions raised with me about circumstances in which dogs are euthanased or declared dangerous. I have asked TCCS to consider whether the government might also be able to issue a clear set of criteria for these decisions in order to provide clarity to the community at the same time as these amendments are brought forward.

I can further inform the Assembly that DAS rangers recently undertook additional regulatory and animal welfare training to help improve animal welfare and regulatory outcomes. DAS has also contracted its own veterinary surgeon to ensure that seized and surrendered animals receive regular and consistent veterinary care.

Work has recently been undertaken to improve the DAS facility at Symonston, including upgrading the kennels and purchasing a pressure washer and hydro-bath for dog hygiene and care. There is provision in the budget for further works as well, and a feasibility study is underway for the future of the facility. The government is also delivering upgrades to six off-leash dog parks in O'Connor, Belconnen, Tuggeranong, Yarralumla, Forde and Casey, with an additional dog park being constructed at Weston Creek shortly.

As I have outlined, TCCS has done a significant amount of work in recent years to strengthen the ACT's approach to animal welfare and management, and it will continue to work towards implementing the actions of the strategy. Many of the actions outlined in this statement reflect actions recommended in the strategy, emphasising that this is a priority piece of work for the government.

We are focusing our resources on proactive and preventative measures, seeking input from the community on how we can improve our processes and regularly reviewing our laws to ensure that they are appropriate, robust and reflect best practice principles of animal care and management. I look forward to reporting the progress of the strategy over the coming months.

I would like to take this opportunity to thank the staff in TCCS, in particular members of the domestic animal service, who experience these issues on a daily basis. The work they do is difficult work. They are often confronted with very emotional and distressing scenes and see firsthand the aftermath of dog attacks. They work hard and, as I have outlined, have made an enormous effort in recent years to reassess and improve their regulatory and customer service approach. Every week they balance the safety needs of the community as a whole with the specific needs of individual pet owners and those in the community who may feel aggrieved, inconvenienced or unsafe because of an animal. I commend them for their commitment and hard work.

Canberrans love their dogs, and I would like to thank the vast majority of dog owners who always do the right thing. But it is time for those Canberra dog owners who do not do the right thing to take some responsibility for their animals and to stop putting the rest of the community at risk. By letting your dog run off leash or not providing a secure, properly fenced yard, you can risk injuries to people, other animals and your own pets.

I know that many Canberrans love their dogs and feel they can trust them off leash; however, this can unexpectedly lead to interactions with other dogs, often with terrible outcomes. This is very distressing for everyone involved. I am regularly hearing of cases of distressing dog attacks, and it is time for me to say that enough is enough. I urge all dog owners in Canberra to register your dog, to ensure that it is being walked on leash by a responsible dog walker, and to maintain your yard and fences to prevent escapes. The government takes the regulation of dogs, particularly dangerous dogs, very seriously, with heavy penalties available for people who do not follow the rules.

In closing, I would like to reiterate that the government's primary focus is to prevent attacks by encouraging and supporting all community members to be responsible pet owners. This cannot be achieved solely through regulation and penalties; it also requires a positive cultural shift across our community. Clearly, government rangers cannot be everywhere, so we all play a part.

I say to all Canberrans: if you see someone who is walking their dog off leash in a public area or a dog that is not safely secured at home, perhaps you could politely remind the owner about their responsibilities. You are not being a busybody; you are helping our community by reducing nuisance and potentially dangerous pet behaviour, and having a positive impact on the lives of all pets in our city. I present the following paper:

Dogs—management in the ACT—Ministerial statement, 21 September 2017.

I move:

That the Assembly take note of the paper.

**MS CODY** (Murrumbidgee) (10.22): I would like to thank the minister for bringing forward the animal welfare and management strategy 2017-22 for public comment.

I grew up in Canberra, as I have mentioned before. When I was a kid growing up in the streets of Canberra, my parents used to complain often about me bringing home stray animals: horses, cows, sheep, dogs, cats, echidnas, wombats, lizards, snakes, turtles. The list goes on.

Today it is very different. We have grown immensely, and with that our dog ownership has also grown. I am the proud owner of a beautiful kelpie that we rescued from the pound. My husband still sees that I bring home all the stray animals: last week, I also brought home a golden labrador. So we have two very large dogs. I know how important it is to ensure that those dogs are (a) well cared for and (b) kept in a secure, well fenced and tidy yard, for their own benefit as well as that of the community.

The animal welfare and management strategy reminds all Canberrans of the lessons that we have always known, the lessons of responsible pet ownership. As Minister Fitzharris has already mentioned, the strategy was developed in consultation with a vast range of people. That is really important, because it is people like me and people like experts out there who have a say in how dogs are looked after, and the community as well.

I was pleased recently to hear about the launch of the paws for thought campaign, which helps to identify some responsible pet ownership issues. As I have already mentioned, maintaining a good, secure yard is very important, particularly when we are all at work during the day. But also it is about learning and understanding how your dog reacts to their surroundings.

I know that the RSPCA, a number of years ago, put out a fantastic book that reminds people about looking at the ways that their animals react to their surroundings. The whites of dogs' eyes are not normally meant to be seen; it is a sign that they are afraid, worried or scared. When a dog is scared, they generally will bite, attack or defend in their head space. It is very important that we as pet owners look at how our animals are reacting in all circumstances and ensure that we keep them on tight leads and close to us when we are walking them and keep them away from circumstances that they are not used to being in.

Small children love animals; we see it all the time. It is a wonderful thing to have small children close to their pets. But dogs sometimes do not know how to manage a small child being in their face, pulling at their ears and their tail, climbing on their backs, kicking, biting and punching. A dog does not know how to respond to that and can, unfortunately, turn around and bite.

I encourage all Canberrans to remember that owning any sort of animal, particularly larger animals, is a responsibility that should not be taken lightly. I commend the ACT government for the work that they are doing with this strategy to try to remind and support pet owners to look after their dogs. One of the great initiatives that we have been working very hard on is to see the building of the new dog park in Weston Creek, to allow people of that area to be able to take their dogs to an off-leash area and let them run and enjoy other animals' company in a safe and protected environment for both the animal and the community. Dog parks around the ACT make it much easier for all of us to enjoy exercising our pets off lead in a safe environment.

I, too, would like to just take a moment to thank the staff at the domestic animal service, DAS, for all of their help over the past little while, both when I rescued my dog Ben and recently in trying to change the ownership and registration of our new dog, Charlie. The staff at DAS are incredible, caring, wonderful individuals who work very hard in what is often very difficult circumstances.

I know many members of the DAS staff, and I know some who have been involved in some of those awful dog attacks. The pressure and the toll it takes on those people must never be forgotten. I know it is difficult for the families in the dog attacks, but it is also difficult for the people who are there supporting, witnessing and having to do their jobs. We must always remain vigilant and remember the work that they do.

Thank you, Minister Fitzharris, for the work that you have done, and I thank the members of the TCCS and DAS areas for the support they give all pet owners, particularly me. I, too, would like to remind all Canberrans to love your animals, treat them well and remember that responsible pet ownership is the key to being a good pet owner. Thank you.

**MS LE COUTEUR** (Murrumbidgee) (10.28): I am in general agreement with this statement, and I think it is going in the right direction, but I am afraid that I cannot resist commenting on one bit that I totally do not understand. The statement says:

On a daily basis, these dogs interact with people and in many cases other animals equating to up to 21,900,000 interactions per year, not allowing for animal to animal or animal to stranger interactions.

I appreciate that this is not question time, but I would appreciate it if sometime the minister could update the Assembly as to how that number was found and the relevance of the number considering that it does not include animal-to-animal or animal-to-stranger interactions. I thought that it was a wonderful piece of statistics, and I applaud the statistician who provided it for the government.

**MADAM SPEAKER:** Thank you, Ms Le Couteur. I am sure the minister will get back to you.

Question resolved in the affirmative.

## **National disability insurance scheme—role of the ACT government**

### **Ministerial statement**

**MS STEPHEN-SMITH** (Kurrajong—Minister for Community Services and Social Inclusion, Minister for Disability, Children and Youth, Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Multicultural Affairs and Minister for Workplace Safety and Industrial Relations) (10.29): I am pleased to provide the Assembly with the final scheduled six-monthly progress report on implementation of the national disability insurance scheme, or NDIS, in the ACT. The Assembly's interest in this groundbreaking national scheme is understandable and welcome. It is reflected in resolutions calling for six-monthly reports to the Assembly on the scheme's progress in the ACT.

I am proud of what we have achieved since the NDIS trial began in the ACT on 1 July 2014. Indeed, as the first jurisdiction to enter into full implementation of the NDIS, I think all Canberrans can be proud of the disability sector and the contribution of participants and the community more broadly to delivering such a major initiative. We have worked together with the commonwealth and the National Disability Insurance Agency to sort through a range of teething issues, provide advice and highlight the improvements that can be made.

The ACT government is also continuing bilateral discussions with the commonwealth to ensure that Canberrans with disability continue to be provided with timely and secure access to the services they need. Some people with disability have been frustrated by the complexity of the transition to the NDIS and their individual outcomes. I have welcomed their advice and their forbearance. It is also important to remember that many others have had an easier transition and found joining the NDIS a positive experience and one that has lived up to their expectations.

This transition has been a major change from the way things were. Throughout these, at times, uncomfortable changes, people have kept their eyes on the prize of a fairer,

more equitable support scheme allowing people with disability in the ACT to have choice and control over how they live their lives. Officials have worked collaboratively with non-government service providers who were already supporting people with disability before they received an NDIS plan to ensure a smooth transition in support.

The latest published figures from the NDIS-COAG Disability Reform Council quarterly report show that to the end of June 2017, 6,047 participant plans have been approved in the ACT since the beginning of the trial in 2014. The report also shows that there are currently 5,878 Canberrans with an active plan. Figures show that in Canberra active participants in the NDIS are more likely either to fully or partially self-manage their NDIS plan than participants in other jurisdictions.

The latest quarterly report on Canberrans who are active participants in the NDIS shows that people with intellectual disability make up 33 per cent of participants. That is the largest single group, followed by 21 per cent of people with autism and 12 per cent of NDIS participants in Canberra with a psychosocial disability.

More Canberrans needing psychosocial support are now getting the support they need. When the NDIS was introduced in the ACT in 2014, approximately 350 Canberrans with a psychosocial disability were supported by ACT government-funded services. Recent data shows that more than twice as many, 717 Canberrans, who identify that their primary support needs relate to psychosocial disability are now getting support through NDIS services. However, we know that the transition has not been easy, or even possible, for some people with psychosocial disability and we continue to work with the commonwealth and across directorates to understand and address the gaps.

While Canberra's Aboriginal and Torres Strait Islander community is approximately 1.5 per cent of our population, 4.3 per cent of the total active participants in the NDIS, or 252 people, are Aboriginal or Torres Strait Islander. This higher percentage of NDIS involvement reflects both the high level of disability experienced within our Aboriginal and Torres Strait Islander community and the strong outreach work by Gugan Gulwan, Winnunga Nimmityjah and others to help people understand what the NDIS is and to sign up for a plan.

Madam Speaker, I would like to talk about market development. NDIS plans are tailored to meet each participant's needs and are reviewed annually. The plans and the financial commitment by the commonwealth vary according to each individual's circumstances and the services they need to purchase. An essential part of establishing more choice and control for people with disability is giving them the financial power to select and choose the services and providers they need.

The flip side of this is ensuring that there is a range of registered providers in relevant fields for people with disability to choose from. This transition to a market for services has been complex but the number of services and registered providers in the market continue to grow. Registered providers with the National Disability Insurance Agency are required to have the appropriate qualifications, experience and capacity for the services they will deliver.

Since 2014, when there were 64 registered service providers for people with disability in the ACT, this figure has now grown to 814 registered service providers, although we recognise that not all registered providers are necessarily delivering services in the ACT at this time.

I would like to again pay tribute to the great work of the staff of Disability ACT and Therapy ACT in providing front-line services over so many years, from staffing group disability housing to specialist therapy units. Of the approximately 500 staff, many have gone to work for private providers, set up their own services, found other career paths or retired as we have moved to the NDIS model for disability services.

Of course, some have remained in the new child development service, which is now collocated with the new NDIS early childhood early intervention provider, EACH, in Holder. We have also retained a core group of dedicated policy staff in the Office for Disability. The 2017-18 budget allocated \$2.2 million over four years to support ongoing policy and oversight responsibilities related to the implementation of the NDIS within the office.

I am sometimes asked what is left for an ACT minister for disability to do in this space but believe me there is still plenty. The ACT government currently provides almost 60 per cent of the funding for the NDIS in the territory. I believe we have a responsibility to ensure that Canberrans are getting the full benefit of the NDIS and that we are using our experience to shape the system for successful national implementation.

The Office for Disability continues to take an active role in monitoring and advocating on issues faced by both NDIS participants and providers in the ACT. The Office for Disability continues to proactively work with the commonwealth Department of Social Services and the NDIA to achieve better outcomes for Canberrans with disability.

As highlighted earlier in the week, for example, since the announcement of Marymead's decision to reduce overnight care, the Office for Disability has been working closely with Marymead and the NDIA at both local and national levels. The NDIA has committed to reviewing the circumstances of participants most affected by Marymead's decision to ensure that they have adequate and appropriate supports.

The Office for Disability is working closely with the NDIA to generate an urgent solution for families while a pricing review is undertaken for the NDIA. I have also written to and spoken with both the Hon Christian Porter MP, commonwealth Minister for Social Services and Dr Helen Nugent, chair of the NDIA board, to highlight the emerging market issues and express the ACT government's concerns about the pricing levels for short-term accommodation.

The ACT government will continue to advocate to the NDIA to ensure that there is an adequate and reasonable pricing schedule for the provision of short-term accommodation. The ACT government has also raised concerns about market failure



in supports for participants with high and complex needs in its submission to the Productivity Commission and in bilateral conversations with the commonwealth government.

As we have implemented the NDIS in Canberra, more people have received a funded NDIS plan, more providers have entered the private market for services and competition has grown. It is not a perfect market mechanism and some areas of special need are difficult to meet. However, for many it is an advance from a government-provided service where, even with the best intentions, the recipients had limited choice or control.

The NDIS is not just about creating plans for individuals with a disability. Another important part is ensuring that people with disability have strong connections to and involvement in the wider community, and access to a range of services and community activities. That is where the commonwealth's information, linkages and capacity building, or ILC program, comes in. The program is funded, like the rest of the NDIS, by the financial transfer from the ACT government and the other jurisdictions to the commonwealth.

A number of ACT organisations have been funded through the ILC grant rounds announced by the commonwealth earlier this year. Unfortunately, several organisations missed out on ILC grants. While this reflects the changing way that disability support organisations are now funded through the NDIS, we all share a commitment to ensuring that the investment in important and valued community supports is not lost. Officers in my directorate have been working with their counterparts in the NDIA to try to ensure that we do not lose ACT social capital through the ILC transition.

I am pleased that earlier this year the NDIA announced that four organisations will now receive targeted transition funding: Pegasus Riding for the Disabled; Technical Aid to the Disabled ACT, known as TADACT; the Epilepsy Association ACT; and Radio 1RPH. These four organisations have been funded on the basis that their activities align with the aims of the ILC program and that their viability is at risk, with a consequent danger that valuable sector capacity could be lost.

The organisations will be able to use the additional transitional funding to investigate alternative sources of funding to support their future viability. They can also look at re-aligning what they do and perhaps attract future ILC grant funding. In providing the targeted transitional funding until 28 February 2018 the NDIA is clear that this funding is a one-off measure for the ACT and does not guarantee funding under future ILC grant rounds. The organisations will, however, be encouraged to apply for ILC funding in the next ACT round, which is due to open in October 2017.

I have been impressed by the willingness of the NDIA team rolling out the ILC nationally to work genuinely and responsively with us in the ACT. I also understand that the ILC application process was burdensome for applicants and I have written to Minister Porter about the concerns raised with me by applicants. The

ACT government is committed to a strong partnership with the commonwealth and the other jurisdictions to ensure that the development and implementation of the NDIS is successful.

Part of making it a success is also being willing to raise the concerns of the ACT community and work towards solutions. We came on board as one of the first trial sites understanding and expecting that for people with disability to benefit from the potential of the scheme, community organisations and government alike needed to make significant business and service adjustments. That work is not helped by disproportionately complex administrative processes. I am looking forward to these barriers to participation being addressed.

The ACT and other jurisdictions have worked with the commonwealth to establish a new national quality and safeguards framework to support participants in the NDIS. The framework will become operational under the Quality and Safeguards Commission, an independent statutory body which will oversee three of the five core areas. These are: a national registrar and registration process; a national complaints and notifiable incidents system; and a national senior practitioner to oversee implementation of restrictive practices. States and territories will continue to have responsibility for worker screening and authorising restrictive practices.

In the ACT the national safeguards will take effect from 1 July 2019. NDIS participants in the ACT and other people with disability in Canberra will also continue to be protected by the ACT's ongoing disability safeguard framework. Creating a fairer scheme for people with disability is a journey that we are all committed to. Our community recognises the need for the NDIS and ensuring that people with disability have more control of their lives and have the opportunities and choices that previously were not available.

Madam Speaker, it is the responsibility of all Australian jurisdictions to work to fulfil these community aspirations. Establishing the NDIS is complex, as you would expect of such a nation-changing initiative, but the rewards for people with disability and the broader community are worth it. I present the following paper:

National Disability Insurance Scheme—Role of the ACT Government—Six monthly report—June 2017—Ministerial statement, 21 September 2017.

I move:

That the Assembly take note of the paper.

**MS LEE** (Kurrajong) (10.41): I thank the minister for updating the Assembly today on the important subject of the role of the ACT in the transition to the NDIS. I once again acknowledge, as I did yesterday, the minister's willingness to always engage with me to discuss matters relating to our portfolio area.

The ACT bravely took the opportunity to be the first jurisdiction to transition to the NDIS. There are obviously sound reasons around size and uniformity of the territory as to why we were an appropriate subject. Being the first is always difficult, and some

of the “teething issues” that the minister referred to were probably to be expected. However, there are some issues that I fear are now going beyond mere “teething issues”, and it is the responsibility, as the minister stated, of all of us to stay vigilant to make sure that all Canberrans living with or affected by disability are not left behind.

I acknowledge the minister’s comments that “the ACT government is continuing bilateral discussions with the commonwealth to ensure that Canberrans continue to be provided timely and secure access to the services they need”. She notes that some people have been frustrated by the complexity of the transition. No doubt she would have also received pleas for help, as I have, and heard numerous instances of how and where the system is not yet in sync with expectations. And, of course, I acknowledge that there are some who have found positive experiences in the transition.

My principal concern is for those Canberrans who were previously provided and cared for through ACT government services and who now find themselves, through no fault of their own, confused about where to go and how to access what they need.

I was interested to read that the ACT has a higher proportion of people managing their own plans than interstate, although perhaps this is not surprising. While the intent of the NDIS is to give greater choice and autonomy, and this is an important move forward, I do not believe that the process yet takes into account effectively enough people from vulnerable backgrounds, especially people from non-English speaking backgrounds.

I have been contacted by a health professional working in the ACT health system as a social worker. Her work has now extended far beyond normal responsibilities and hours in interpreting for non-English-speaking patients who so many times have no idea even where to start looking for help. A lot of the time, after numerous attempts at trying to get their heads around the scheme, they just throw their hands up and do not access the services or the funding they are eligible for, because they simply cannot understand what is required. It is difficult enough for English speaking NDIS clients but the task is so much more compromised for those whose first language is not English.

It does not matter what is available at the buffet table if you do not even know that a buffet table exists, let alone not being able to navigate your way to it. The minister says that more Canberrans needing psychosocial support are now getting the support they need. That might be so now more than previously in terms of pure numbers, but there is still a long way to go. The Minister for Mental Health only yesterday acknowledged some of the difficulties, and I look forward to learning more about what is being done for this group of Canberrans who are being left behind when I have the briefing Minister Rattenbury offered me a couple of weeks ago.

This is an area of significant concern. There is a range of complications that affect people in this category of need: their sometimes unwillingness to participate, their fear of change, and their intermittent need for support. I accept that it is not a simple one-size-fits-all solution and there will be, and are, people falling through the cracks.

I have highlighted the status of people living in Oaks Estate who are being cared for under the Samaritan program administered by St Vincent de Paul. Submissions made to a Senate inquiry do not appear to align with some of the statements made by the ACT Minister for Mental Health, so, again, I look forward to hearing from Minister Rattenbury about their particular situation.

Minister Stephen-Smith talks about market development. I think this is an area in which the states and territories can take a greater leadership role. I note that the ACT's list started with 64 service providers in 2014 and is currently at 814. The ACT government does have a responsibility to undertake their accreditation, and I hope and trust that it is processing new applicants in an appropriately rigorous but equally timely manner.

However, these figures are not all they are cracked up to be. First, not all registered providers are necessarily delivering services in the ACT. Second, there are many registered providers that, in effect, are only providing services to one person. In most instances it is a loved one or a relative.

The minister's description of the transition to a market for services being "complex" possibly understates the enormous challenges facing clients, service providers and governments alike. It may look good on paper to say that the growth of service providers in the ACT shows a greater choice of services being available to ACT participants, but the figures do not necessarily take into consideration these two factors.

The minister has referenced Marymead. Marymead and their clients are in a dreadful situation, through no fault of their own but simply because there is a misalignment of market prices and appropriate fee structures. I know that the minister has spoken to the federal minister and the NDIA about this, as I have. I know that the minister continues to speak to the federal minister and the NDIA, as I do. Today the minister once again reassured the Assembly and the Canberra community that she is working hard to make sure this issue is addressed. I have absolutely no doubts about her commitment in doing so. However, what I and, I am sure, the families who are affected by this situation would like to hear is a clear action plan and a time frame on when we may know the details of her enormous efforts to negotiate an outcome.

We cannot allow such vital services to withdraw from the ACT but, equally, organisations such as Marymead must be appropriately reimbursed. I do not know how and why such a misalignment of fees and costs came about but I urge everyone to work to ensure that vulnerable families do not have to wait to find out what is available for them. As I stated yesterday, for the families who are at risk of losing respite care, it matters little whether the responsibility rests with the federal or the ACT government.

I cannot agree with the minister enough about the complexity of the ILC grants process and I acknowledge the work of the ACT government and of the broader Canberra community to achieve targeted transition funding for ACT organisations

Pegasus Riding for the Disabled; Technical Aid to the Disabled ACT, or TADACT; Epilepsy Association ACT; and Radio 1RPH. But I also note that it is a one-off, providing little certainty for their future. I note the minister's encouragement of these organisations and others to apply for further ILC grants.

I think we are both in agreement that feedback on the unsuccessful ILC grant applications would be helpful for the organisations if they want to have another go. I know that the minister has written to the federal minister and the NDIA with this feedback, as I have, and I am sure that the minister is as hopeful as I am that we will see a positive response to our recommendation.

The Canberra Liberals are committed to ensuring that no-one is left behind and that no-one falls through the cracks. I welcome the minister's reassurances about delivering on the ACT government's commitment to play an ongoing role in the new national quality and safeguard framework.

The minister's final remark, that it is the responsibility of all Australian jurisdictions to work to fulfil community aspirations for a fairer scheme for people with a disability, is reassuring and one that I wholeheartedly echo. I look forward to continuing to work with the minister and my federal colleagues for better outcomes for Canberrans living with a disability.

**MS LE COUTEUR** (Murrumbidgee) (10.50): I thank Ms Lee and, importantly, Minister Stephen-Smith for this update about this important issue. I think that it is great that there clearly is tripartisan interest in and commitment to making sure that Canberra, as the first state to trial and then transition, makes sure that we get a deal that works for the people of Canberra. We are the guinea pigs, which has pluses and minuses. It means we need to make sure that the minuses are addressed, not only for our citizens but also for the rest of Australia who will soon be potentially in the same position as us in terms of any problems if we do not manage to fix them here.

Clearly some of the problems could not have been foreseen but possibly some of them could. I particularly want to talk about the issue of respite care, which has been discussed at some length in the *Canberra Times* this week. It was a very heart-rending story, and I am concerned for the McCarthy family and others who might find themselves in similar situations or will do so in the future. To read that they are considering whether they will have to surrender full-time care for their child is very disturbing, and it appears that it is down to the fact that insufficient funds have been allocated to this service through the NDIS.

I probably cannot imagine how difficult it must be for families like this to be living with a child with such high needs 24 hours a day, day in and day out, without the prospect of a break. It is hard enough for any parent, let alone parents of a child whose needs must constantly be prioritised over others in the household. I am sure that any break they get not only is great for their own health and wellbeing but also benefits the child because, without their carers being in basically good mental and physical condition, they simply will not be able to keep going. It is also very good for the child to be exposed to people apart from their own family as carers.

We talked at some length yesterday in the chamber about social inclusion and the barriers to participation. The potential lack of access to respite care is certainly a major barrier to participation for families like the McCarthys. I had a look at the NDIS information available and I found a fact sheet about what family support is funded by the scheme. Possibly I did not understand it but I could not find respite care mentioned in it. So I sympathise very much with the comments that Ms Lee made about the difficulty of negotiating the NDIS system. It must be incredibly hard for those for whom English is not their first language or for whose carers and advocates English is not their first language.

This is clearly a heart-rending issue for the community, and I assume that for the ACT government it is a potential budget-rending issue. It would appear that it is an issue for the ACT government in terms of what the costs for the ACT government will be if they end up taking on full-time care of anyone, presumably through the child protection system, because there is not respite care. So, apart from the community's and the Assembly's compassion and desire to ensure that everyone in Canberra is appropriately looked after, it is something that the ACT government needs to look at just from a hard-headed financial point of view.

I was very pleased to hear the minister acknowledge that there are challenges and say that she is actively seeking a remedy for the major problems with reasonable pricing of the provision of short-term accommodation, otherwise known as respite care. I can say from practical experience with older relatives that respite care was one of the things that enabled us to keep my mother at home for as long as we did. Without that, it could not have happened, particularly in the circumstances we were in where there was not actually any full-time care available.

I applaud the ACT government's and the minister's efforts to ensure that the current problems with the NDIS are worked out. I trust that these efforts will be successful so that Canberrans with a disability and their carers are adequately supported. I look forward to more positive updates on this subject.

Question resolved in the affirmative.

## **Waste Management and Resource Recovery Amendment Bill 2017**

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

Title read by Clerk.

**MS FITZHARRIS** (Yerrabi—Minister for Health and Wellbeing, Minister for Transport and City Services and Minister for Higher Education, Training and Research) (10.56): I move:

That this bill be agreed to in principle.

I am very pleased and excited to present today the Waste Management and Resource Recovery Amendment Bill 2017, which will establish a container deposit scheme, or CDS, in the ACT. The bill delivers on the ACT government's commitment to develop and implement a CDS. Beverage containers are the most prevalent source of litter in our waterways and parks and on our roadsides. The CDS is a positive step forward that encourages the community and the beverage industry to reduce litter and create a cleaner environment.

In addition to the important environmental benefits of the scheme, the community may receive monetary benefits. Local schools, charities, sporting groups and community groups will be able to generate funds by collecting empty cans, bottles and other eligible containers and returning them to a designated collection point to obtain a 10c refund. The CDS will assist the beverage industry in reducing and dealing with the waste generated by beverage product packaging and promote the recovery, re-use and recycling of their empty beverage containers.

Most states and territories now understand that these schemes are a great way to promote the recovery, re-use and recycling of empty beverage containers to keep them out of the litter stream. The territory's CDS has been developed in close consultation with the New South Wales Environment Protection Authority, who will be introducing a similar scheme in December 2017. Given the geographic locations of the territory and New South Wales, the ACT's CDS has been designed to enable the community to access refunds for eligible containers across the two jurisdictions seamlessly.

The bill also aligns with the existing CDSs in South Australia and the Northern Territory. It is important that the beverage industry is not negatively impacted by numerous and differing schemes. Government discussions with other states and territories will ensure that all CDS jurisdictions are aligned to reduce confusion for all scheme participants and the community. The CDS will be funded by the beverage industry and delivered by experienced operators in the recycling and beverage industries. As the scheme is rolled out across Canberra, feedback will be sought from the public to ensure effective implementation.

The bill sets out the objectives and framework of the territory's CDS, including the obligations of beverage suppliers to participate in the scheme. Further guidelines for the scheme will be provided for under regulation. The ACT will, by contract agreement, appoint a scheme coordinator and a network operator that will work together to deliver the scheme on the ground. The role of the scheme coordinator will be very similar to New South Wales's and will involve managing funding and the administration of the scheme. This includes ensuring community-wide access to collection points and that container recovery targets and refunds are paid for every eligible container. The scheme coordinator will enter into arrangements with beverage suppliers to ensure that funding is available for paying refunds and any necessary handling and administration fees.

The network operator will be the one dealing with the day-to-day operation of the scheme, ensuring that bottles and cans are able to be redeemed for a 10c refund at sites throughout Canberra. The network operator will also be responsible for establishing a network of collection points where the community can return their empty beverage containers. The network operator may enter into agreements with collection point operators under which they will agree to pay collection point operators the refund amount as well as a handling fee in relation to eligible containers redeemed at a collection point.

The CDS will enable eligible containers collected through co-mingled kerbside recycling to be redeemable for the 10c refund. The bill proposes a method for redeeming these containers without having to manually separate them from the broader recycling stream. This process will avoid additional handling costs for containers that are being recycled anyway.

Refunds for these containers will be shared between the material recovery facility that processes these containers and the territory. This is to ensure that the scheme does not prejudice the existing co-mingled recycling system. To ensure that the integrity of the CDS is upheld, the scheme requires a verification number for all containers collected. Without verification it may be easy for collection points to inflate the number of containers collected from the public.

There will be penalties in place for fraudulent behaviour and any misreporting. This scheme will have a high level of transparency and effectiveness with regard to auditing and reporting on the verification process. Legislated performance targets in the bill will ensure transparency and accountability of the scheme. An annual report prepared by the scheme coordinator will be required to be tabled in the ACT Legislative Assembly. Monitoring of recovered containers, community engagement and the performance of collection points will be reported in the annual report. In addition, as the responsible minister for the scheme, I will have the power to direct the designated waste manager responsible for compliance within TCCS to conduct performance audits at any time.

Contractual agreements established under the act will include incentives for good performance. These could include provisions to allow a contract to be extended due to good performance. On the other hand, appropriate penalties will be incorporated if requirements are not met, such as community access targets not being achieved. To evaluate and identify recovery rates of recycled containers in the ACT waste stream and community engagement with the CDS, the bill aligns with industry approved methodologies. The methodologies will assist the scheme coordinator and TCCS in accurately counting the number of eligible containers collected through co-mingled kerbside recycling systems as well as other network arrangements.

To further evaluate the overall performance of the scheme, Transport Canberra and City Services will facilitate a review of the scheme after five years of operation. As outlined earlier, the scheme will create revenue-raising opportunities for charities, schools and community groups as well as possible income streams for disadvantaged



members of our community. I am advised, from outcomes of discussions with the community, that these groups are extremely keen for the implementation of the scheme, and rightly so.

Experience from other jurisdictions indicates that this scheme will substantially reduce litter in the public realm and it is expected to improve the recovery and recycling of eligible beverage containers. It may also lead to improved recovery of other waste through behavioural changes. This scheme will aim to fund better resource recovery infrastructure, increase local economic activity and provide greater employment opportunities.

This bill will ensure that the beverage industry manages the recovery of eligible beverage containers in a way that encourages recycling and recovery and discourages waste and litter in the community. The bill outlines a simple, easy process to introduce a container deposit scheme in the territory which is aligned with other schemes. It will reduce litter and promote recycling by engaging the Canberra community in an incentive-driven way. I commend the bill to the Assembly.

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

## **Justice and Community Safety Legislation Amendment Bill 2017 (No 2)**

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

Title read by Clerk.

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for Regulatory Services, Minister for the Arts and Community Events and Minister for Veterans and Seniors) (11.04): I move:

That this bill be agreed to in principle.

I am pleased to present the Justice and Community Safety Legislation Amendment Bill 2017 (No 2), or the JACS bill. This is the third JACS bill introduced in the Ninth Assembly and demonstrates the government's continuing commitment to improving the operation of the territory's laws. This bill is the result of wide consultation. We sought feedback and input from community organisations and from government agencies. Each JACS bill contains amendments that strengthen our legislation and improve our ability to serve this community.

The amendments in this bill will offer better services and improved processes for a range of different groups in our community. There will be improvements to the regulation, particularly of our legal profession and associations, there will be improvements to government transparency and operations and there will be more voices at the table when it comes to formulating policy around the regulation of alcohol.

A key purpose of JACS bills is to promote better services through law reform. An example in this bill is the amendment to the Legal Profession Act 2006. This change allows the Law Society and the Bar Association to deal with multiple instances of unsatisfactory professional conduct against one legal practitioner without the need to automatically refer matters to the ACT Civil and Administrative Tribunal. Automatic referral in practice means that the complaints go to the ACAT and are more appropriately dealt with administratively. This very simple change will mean that the Law Society can be more efficient in dealing with complaints.

There is an important reason for us to support efficiency in the management of the Law Society. The same pool of funds that is used to pay for the administration of disciplinary matters is also used to provide funding for access to justice initiatives. For example, from 2015 to 2016 the ACT Law Society's increasing disciplinary costs resulted in reduced grant funding for the ACT's legal assistance sector from the statutory interest account. Efficiencies in the Law Society's administration mean more funds are available for things like grants to legal aid and community legal centres.

The amendments to the Associations Incorporation Act are another example of how a JACS bill can improve regulation in the territory. These amendments will result in a person being automatically disqualified from managing an incorporated association where they have been disqualified from managing a corporation under commonwealth law. These amendments will help to maintain public confidence in our community organisations. Public confidence is important for incorporated associations, which are often non-profit organisations raising money for charitable purposes. The commonwealth requested that all states and territories introduce these amendments to ensure that no one state or territory becomes a haven for disqualified managers.

There is an important qualifier in this bill which retains the ACT's policies on corporate governance and minimises the risk of unintended consequences. The bill limits the automatic disqualification to grounds which already exist under ACT legislation. This will maintain the compatibility of the Associations Incorporation Act 1991 with the Human Rights Act 2004 even if the commonwealth introduces new incompatible grounds for disqualification in the future.

In addition to improving the regulation of professional bodies and associations, an important function of JACS bills is to facilitate better government and better service delivery. This bill will contribute to a more transparent, more efficient government through amendments to the Freedom of Information Act 2016. In the JACS bill introduced in March this year the government delayed the commencement of the Freedom of Information Act 2016 to allow directorates to prepare thoroughly for the new legislation, which will introduce a presumption in favour of releasing information and an active publication scheme.

I am pleased to say that directorates have been working hard toward this goal and in this collaborative process have identified a number of minor changes to improve the operation of the act. This has resulted in amendments that both clarify and enhance the existing regime without affecting the main purpose of the scheme to ensure the transparency and accessibility of government information.

This bill also makes a number of amendments that are aimed at streamlining and improving the services provided by our courts. This includes the amendments to the Coroners Act 1997, the Court Procedures Act 2004 and the Road Transport (General) Act 1999.

The amendments to the Coroners Act 1997 include an amendment to remove the mandatory requirement for a hearing when a person dies under, or as a result of the administration of, an anaesthetic. This amendment recognises that the original policy intention underlying the need for mandatory hearings in these deaths has been overtaken by the significant clinical improvements in anaesthesia and in their increasingly common use. This amendment also brings our legislation into line with legislation in other jurisdictions such as New South Wales, which introduced legislation with this effect in 1960.

The Coroners Act requires that certain deaths be reported to the coroner. For all reported deaths, a coroner conducts an inquest. The legislation presumes that a coroner will hold a hearing as part of the inquest. However, the coroner can decide not to hold a hearing if satisfied that the manner and cause of death are clear and that a hearing is unnecessary. It is important to note that this amendment removes only the need to hold a hearing, not any of the rest of the coronial process. Any death that appears to be completely or partly attributable to an operation or a procedure under a medical procedure must be reported to a coroner, whether related to anaesthetic or not. This amendment means that it is now within the coroner's discretion to decide if a hearing that involves witnesses and further investigation is necessary in these circumstances.

The amendments to the Court Procedures Act 2004 include amendments to streamline the principal registrar's powers in relation to delegation and staff recruitment. They also include a new subject matter for court rules, being the security of court premises, including the use of electronic devices in court. In this age of increasing use of smart phones, this amendment will allow for new court rules aimed at maintaining the integrity of court proceedings and protecting the privacy of people involved.

The amendments to the Road Transport (General) Act 1999 are aimed at creating efficiencies for the community as well as the courts. They reduce court interaction for people paying off traffic infringement notices via infringement notice management plans and introduce a more flexible system for making known user declarations for traffic offences. The government will be able to accept a declaration from someone who is accepting responsibility for a fine. Currently, the registered owner of a vehicle must first write to the government. This means that there will be less red tape when sorting out who is responsible to pay a traffic fine and therefore fewer delays.

Finally, this bill contains amendments that, in addition to being the product of consultation, enhance the government's process for consultation. The Liquor Advisory Board will be expanded to include a member of the late-night economy sector. This expansion will ensure that decisions about liquor regulation are better informed by the experience of those working in the industry. The Liquor Advisory Board provides advice to government about the effectiveness of our liquor legislation.

The amendments in this bill will help to ensure better, more informed advice to government about the late-night economy in Canberra.

In line with government policy on legislation that governs appointments, the list of members of the Liquor Advisory Board will also be amended to remove references to named groups. Currently, the Australian Hotels Association and ClubsACT are named members of the board. The government's policy is to name offices generically and select representative bodies through an appointment process. This change will not affect in any way the current appointments of the AHA and ClubsACT to the board. It is simply a matter of introducing good governance principles in line with the ACT government's policy, as described in the *Boards and Committees Handbook*.

I am pleased to present this JACS bill with its range of improvements to our regulations, to the operations of government and for the community as a whole. Today's bill represents a commitment to continual improvement and it demonstrates that this government will keep monitoring, listening and working together with this community to deliver relevant, effective legislation. I commend the bill to the Assembly.

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

## **Utilities (Technical Regulation) Amendment Bill 2017**

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

Title read by Clerk.

**MR RATTENBURY** (Kurrajong—Minister for Climate Change and Sustainability, Minister for Justice, Consumer Affairs and Road Safety, Minister for Corrections and Minister for Mental Health) (11.14): I move:

That this bill be agreed to in principle.

I am pleased to table the Utilities (Technical Regulation) Amendment Bill 2017, which I will refer to as the bill. The bill addresses several ongoing issues relating to the risks caused by trees touching live powerlines in order to increase public safety and addresses important actions under the strategic bushfire management plan 2014-19. Given the ACT's unique situation as the bush capital, with areas of environmental significance and high bushfire danger close to the urban area, it is important to reduce the risk of bushfires without compromising the environment. In the urban area, the urban treescape is equally important and provides a sustainable urban forest that is an integral part of Canberra's landscape.

Recent catastrophic events such as the 2009 Victorian bushfires have shown what can happen when powerlines come into contact with trees or vegetation. The royal commission into the Victorian fires attributed 159 deaths to fires started by

powerlines. The royal commission also recommended actions to reduce bushfires from being started by powerlines and has mandated the use of technical solutions on high-risk areas of their networks.

The Utilities (Technical Regulation) Act 2014 provides a technical regulatory framework for licensed electricity, gas, water and sewerage utilities. ActewAGL Distribution is regulated under this act as the sole electricity distributor in the ACT, owning the entire electricity distribution network both above and below ground. I will refer to ActewAGL Distribution as the utility.

To provide context, there is subordinate legislation under the act that defines the boundary of the utility's network and establishes minimum clearances for vegetation near powerlines. There are also a range of technical codes under the act which contain specific requirements for electrical networks that are not covered in the act. Technical codes are subject to ministerial approval.

Madam Assistant Speaker, I would like to discuss briefly the amendments being introduced to reduce the risk of bushfires being started by powerlines in rural areas and other non-urban land outside the built-up area of the ACT. The first is to add a new provision, clause 41D(2) of the bill, which makes it clear that the utility is responsible for clearing vegetation on all land in the ACT other than urban backyards and national land, unless there is an agreement in place with the commonwealth.

This means that the utility is responsible for making sure trees near powerlines on rural leased land are safe and will not cause a bushfire. This clause also makes the utility responsible for maintaining adequate vegetation clearances in national parks and nature reserves. This will give effect to an activity that the utility currently undertakes to a high standard without any legislative basis and provides consistency across the emergency services-declared bushfire prone area and bushfire abatement zone.

The second is to add another new provision, clause 41I of the bill, which requires the utility to inspect private electrical infrastructure on rural leased land. This will allow the utility to enter private land to assess the condition of power poles and wires which are not within the utility's network and issue a notice to the owner requiring them to make it safe. In urgent circumstances, the utility will rectify it themselves. This will prevent rural lessees bearing the burden of assessing the condition of these high-risk assets on their land.

In the urban area there has been a history of outages and ignitions due to incomplete tree clearing. In the storm that occurred in January this year, 23,000 customers experienced outages. All outages were found to have occurred in areas where trees had not been pruned due to lack of resources. As the act is currently drafted, this responsibility lies with TCCS as the landholder for urban area unleased land. The utility has been carrying out clearance work on behalf of the landholder. This limits the amount of work the utility can undertake as they have to wait until funding is available from government or arrange reimbursement.

The insertion of clause 41D makes the utility responsible for vegetation management near powerlines on unleased land in the urban area. This includes street trees and trees in parks and reserves. Amending the act will create a regulatory change event for the utility, allowing them to apply to the Australian Energy Regulator to pass the cost of urban area tree management through to customers. This will be a minor increase in an electricity bill of approximately \$9 to \$10 a year for an average household. Some trees are dangerously close to the powerlines and require outages to prune them back to within acceptable clearances. The utility is confident that after a transition period of three to five years, the trees will be in a much more manageable state and costs will reduce, as outages will not be needed.

The creation of these new provisions mainly relates to establishing areas of responsibility. It is also important that tree maintenance work undertaken by the utility and its contractors is of a high standard and that clearances are not the main bushfire prevention measure. I consider this would be best achieved through the creation of a technical code under the act, which will be developed with wide stakeholder engagement and overseen by the Conservator of Flora and Fauna.

The technical code will work alongside the Tree Protection Act and the Nature Conservation Act to establish standards for the quality of tree pruning. The utility is strongly in favour of increasing minimum clearance distances and has proposed amendments to the Utility Networks (Public Safety) Regulation 2001 to increase distances significantly in some areas.

Instead, the technical code will require the utility to assess high bushfire risk areas of the network and propose alternative methods of reducing those risks, such as undergrounding cables, aerial-bundled cable or fault-finding technology. In preparation for the technical code, a strict liability offence provision has been created for failing to comply with a requirement of the code.

Madam Assistant Speaker, the Utilities (Technical Regulation) Amendment Bill 2017 increases public safety through amendments which address the risk of fire caused by trees near powerlines, an ongoing concern due to recent interstate bushfires caused by powerlines. It provides the basis for a prescriptive technical code which will further increase bushfire safety while making sure that the environment is considered first and foremost. I commend the Utilities (Technical Regulation) Amendment Bill 2017 to the Assembly.

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

## **Utilities Legislation Amendment Bill 2017**

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

Title read by Clerk.

**MR RATTENBURY** (Kurrajong—Minister for Climate Change and Sustainability, Minister for Justice, Consumer Affairs and Road Safety, Minister for Corrections and Minister for Mental Health) (11.22): I move:

That this bill be agreed to in principle.

Today the government is presenting the Utilities Legislation Amendment Bill 2017. This bill makes amendments to the Utilities Act 2000 and the Utilities (Technical Regulation) Act 2014. Together, the Utilities Act and the Utilities (Technical Regulation) Act regulate utility services in the territory to achieve goals relating to the safe, reliable and efficient delivery of services and customer protections, and the protection of public safety and the environment. The regulatory scheme under the Utilities Act provides a licensing regime for the distribution of electricity services to customers.

Under the Utilities Act, the Independent Competition and Regulatory Commission, or the ICRC, issues licences to major utility services to achieve the objectives set out in the act. These objectives range from the safe, reliable and efficient delivery of high quality utility services at reasonable prices to promoting competition in the provision of utility services and protecting the interests of consumers.

On the other hand, the Utilities (Technical Regulation) Act, or the UTR act in short, is aimed at regulating the infrastructure and technical components of utility service provision. The UTR act has as its objectives the safe, reliable and efficient delivery of utility services, the long-term serviceability and maintenance of utility networks, and the safe and reliable operation of services. The UTR act aims to protect the public, people working on the networks, and services, property and the environment.

The amendments that the government is introducing today seek to insert a general regulation-making power into each act that will enable classes of services to be removed from the regulatory schemes if certain conditions are met. A second set of amendments provides for the first use of the exemption power in relation to embedded electricity networks.

The purpose of the amendments inserting the general exemption regulation-making power is to provide that certain types of utility services do not need to comply with the regulatory schemes in each act. This will insert a necessary flexibility into determining the application of the regulatory framework. In the limited circumstances where a utility service falls under the definitions of the act but that level of regulation is not required for that class of services, the executive will be able to make an exemption regulation.

The regulatory schemes in both utility laws have a broad application. Both acts apply to “utility services”, which is a broadly defined term and captures, for present purposes, all electricity distribution services. In most situations, the broad definition of utility services is appropriate and these utility services require a regulatory response. However, some new technologies or new utility service delivery models are being captured by the definitions and falling under the regulatory schemes.

This is having the consequence of imposing licensing or operating certificate regimes on small-scale installations or utility services that do not require this level of regulation. The flow-on effect is that there are a number of administrative and regulatory hurdles that impede innovation and the adoption of new technologies in the utilities sector. In some cases, the level of regulation that is imposed is not commensurate with, or targeted to, the risk factors associated with the delivery of the utility service.

In order to take advantage of the developments in the utilities sector and to promote innovation and competition, we must ensure that our utilities regulation is tailored and responsive to the changing nature of the industry. This will ensure that we can maximise the potential benefits to ACT energy consumers. To address this issue, the bill proposes to insert a regulation-making power that will allow for classes of utility services to be exempted from the application of the act.

This power will be inserted into both the Utilities Act and the UTR act. The exemption power will enable both the Utilities Act and the UTR act to become more flexible in their application and to be more adaptable to the rapidly changing energy utilities sector. The new power will enable a class of utility services to be exempt from the application of each act, provided that a number of important pre-conditions are met.

The inclusion of an exemption regulation-making power is considered the best approach in the short term to ensure that the ACT's utilities legislation is responsive, adaptable and fit for purpose. We must ensure that our laws not only accommodate current innovations but also are sufficiently flexible to adapt to future changes and technologies that have not yet been developed.

An exemption power that has the ability to remove utility services from the regulatory schemes under each act is not an insignificant power. To that end, the power is appropriately subject to a number of pre-conditions that must be met before an exemption regulation can be made. These conditions, as set out in clauses 4 and 7 of the bill, act as safeguards on the exercise of the power to ensure that exempting a class of utility services will not compromise the achievement of the objects of each act.

In practice, this means that the responsible minister must first consult with the relevant regulator about the making of the exemption regulation. For the Utilities Act this is the ICRC, and for the UTR act this is the technical regulator. It is important to embed this consultation requirement into the act so that the minister receives regulatory advice from the appropriate expert.

After consulting, the minister must be reasonably satisfied of one of two things. The first criterion is that the class of utility service is adequately regulated by another law applying in the ACT. Examples of other relevant laws that apply in the ACT that may provide the appropriate regulation of utility services include national energy laws or the ACT's Electricity Safety Act. The second criterion is that the class of utility service does not warrant a regulatory response.



The minister must also be satisfied that the making of the regulation will not significantly impede the objects of the act under which it is made. When considering whether these circumstances apply, the minister is required to have regard to a number of matters set out in the new provision. These matters involve considering the nature and type of the utility service; the risk that a utility service will fail, or will fail to provide its service in a safe, reliable and effective way; and the consequences for consumers, public safety or the environment if the service fails. These safeguards are designed to ensure that the exemption power is only used where it does not compromise the effective regulation of utility services in the territory.

The bill also contains the first use of the general exemption regulation-making power for both the Utilities Act and the Utilities (Technical Regulation) Act. Clauses 6 and 8 of the bill contain a regulation under each act that exempts embedded networks from the regulatory schemes of the acts. Embedded electricity networks are becoming increasingly popular as a means of providing electricity to apartment buildings, for example. Embedded networks are an electricity distribution system which involves multiple customers who are aggregated together through a single connection point to the electricity network. Embedded networks offer potential cost savings for customers through lower electricity retail pricing, due to the aggregation of customers and the combined buying power that results.

Under the current utilities legislation, an embedded network is considered a utility service under both the Utilities Act and the Utilities (Technical Regulation) Act. This level of regulatory response is not considered appropriate, given that there are only minor infrastructure differences between an embedded network and the standard wiring of apartment buildings, for example. It is considered that, due to the small scale and nature of embedded network installations, they are appropriately regulated through the Electricity Safety Act without the need for additional regulation under the UTR act and/or the Utilities Act. The retailer-customer relationship within an embedded network is appropriately regulated through the Utilities Act and the national electricity laws.

Ultimately, it is considered that the risk of an embedded network failing is low, given that it must comply with the requirements of the Electricity Safety Act 1971. The consequences of a failure are also low, given the numerous other protections in place for consumers through the retail relationship and through obligations placed on embedded network operators under the national electricity rules.

The amendments presented today show that the government is serious about removing unnecessary regulation, supporting innovative technologies in the utilities sector and delivering positive outcomes for consumers. Embedded networks are a prime example of a utility service that can deliver lower electricity prices and should not be prevented by an unwieldy regulatory regime. I commend the bill to the Assembly.

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

## **Standing orders Amendment to 213A**

**MS BURCH** (Brindabella) (11.32): I move:

That the following amendment be made to the standing orders: Omit standing order 213A, substitute:

### **“Order for the production of documents held by the Executive**

- 213A. (1) A Member may lodge a notice of motion seeking the Assembly to order a document or documents to be tabled in the Assembly. If agreed to, the Clerk is to communicate to the Chief Minister’s Directorate all orders for a document or documents made by the Assembly.
- (2) When returned, the document or documents (where no claim of privilege is made by the Chief Minister) will be laid on the Table by the Clerk.
- (3) A return under this order is to include an indexed list of all documents tabled, showing the date of creation of the document or documents, a description of the document or documents and the author of the document or documents.
- (4) If at the time the document or documents are required to be tabled the Assembly is not sitting, the document or documents may be lodged with the Clerk, and unless privilege is claimed, are deemed to have been presented to the Assembly and authorised for publication with the Clerk circulating the document or documents to all Members as soon as practicable.
- (5) Where a document or documents is considered by the Chief Minister to be privileged, a return is to be prepared showing the date of creation of the document, a description of the document, the author of the document and reasons for the claim of privilege.
- (6) Where the Assembly requires a document or documents to be returned, either the document or documents requested or a claim of privilege must be given to the Clerk within 14 calendar days of the date of the order by the Assembly.
- (7) Any Member may, by communication in writing to the Clerk, dispute the validity of the claim of privilege in relation to a particular document or documents within seven calendar days of the receipt of the claim of privilege. On receipt of such communication, the Clerk will advise the Chief Minister’s Directorate, who will provide to the Clerk, within seven calendar days of receipt of the dispute of validity claim, copies of the disputed document or documents. The Clerk is authorised to provide the disputed document or documents to an independent legal arbiter as soon as practicable, for evaluation and report within 10 calendar days as to the validity of the claim.

- (8) The Clerk is also authorised to provide to the independent legal arbiter and to all Members, submissions from any Member in relation to the claim of privilege.
- (9) The independent legal arbiter is to be appointed by the Speaker and must be a retired Supreme Court, Federal Court or High Court Judge.
- (10) A report from the independent legal arbiter is to be lodged with the Clerk and:
  - (a) made available only to Members of the Assembly; and
  - (b) not published or copied without an order of the Assembly.
- (11) If the independent legal arbiter upholds the claim of privilege, the Clerk shall return the document or documents to the Chief Minister's Directorate.
- (12) If the independent legal arbiter does not uphold the claim of privilege, the Clerk will table the document or documents that has been the subject of the claim of privilege. In the event that the Assembly is not sitting, the Clerk is authorised to provide the document or documents to any Member upon request, however, the document or documents do not attract absolute privilege until tabled by the Clerk at the next sitting of the Assembly.
- (13) Other persons requesting to examine the document or documents may do so with the Clerk maintaining a register showing the name of any person examining the document or documents tabled under this order.”.

Standing order 213A was adopted in this place as a temporary measure in 2009 and embedded in the standing orders in 2012. In the time that I have been in this place, it has only been utilised three times, but the most recent episode highlighted the need to provide more clarity to that standing order, which has an important role to play in this place.

Through a review process, I wrote to the leaders of the three parties, Mr Rattenbury, the Chief Minister and Mr Coe, and also had discussions within the admin and procedure committee. The key changes are that it does tidy it up. It makes the timing clearer; there is clarity about the timing of the process. And, importantly, I think the most significant change is that 213A is brought into the chamber as a motion on notice. That is, I believe, a significant and important change to this motion. I commend it to the Assembly.

**MRS DUNNE** (Ginninderra) (11.33): The Canberra Liberals are broadly in support of these changes. I am personally a little agnostic about whether there needs to be a notice of motion to activate standing order 213A, but the Assembly, of course, is always in the hands of the Assembly, and the suspension of standing orders is always

a possibility. Some of the tweaks, especially in relation to the time frames, are welcome. As the most frequent user, I think, of this standing order, I note that there have been some issues, and we had to do a fix-up along the way in relation to the request for the ACON report.

I want to put on the record the Canberra Liberals' concern about the piecemeal approach to changing the standing orders. There have been a number of little fix-ups that have happened in this Assembly. I and my colleagues would welcome a comprehensive root and branch review of the standing orders. Ms Cheyne may shake her head and think it is difficult—and it is difficult—but it is important work. I would refer the Speaker and members of administration and procedure to the paper presented at last year's Presiding Officers and Clerks Conference by the Clerk of the New Zealand parliament about how the New Zealand parliament change their standing and temporary orders. In the review of standing orders which they conduct every term, any fix-up changes that need to be done are done as temporary measures. I think that we do not make enough use of the provisions for having temporary orders in this place.

That having been said, we are broadly supportive of this fix-up, but we will know that it works when this standing order is activated again. I do not have a real problem with it; I do not see that there is any taking away of rights of the Assembly. But I reinforce that there needs to be a root and branch review, and it needs not just to be done once but to become a regular part of the life of the Assembly.

Question resolved in the affirmative.

## **Executive business—precedence**

*Ordered that executive business be called on.*

## **Privatisation of land in the parliamentary triangle**

**MR RATTENBURY** (Kurrajong) (11.36): I move:

That this Assembly:

- (1) acknowledges that the parliamentary precinct between Parliament House and the Lake has special national significance;
- (2) notes that:
  - (a) the Federal Government has announced that it intends to sell the East Block and West Block offices in the Parliamentary Triangle, with Expressions of Interest currently open for the East Block;
  - (b) the East Block and West Block offices are located in the core of the parliamentary precinct close to Old Parliament House; and
  - (c) both buildings are an important part of Australia's national heritage and Canberra's own heritage. The East and West Block buildings are:

- (i) both on the Commonwealth Heritage List, which covers heritage places owned or controlled by the Australian Government; and
  - (ii) historically significant as they were constructed as part of the “Provisional” Parliament House complex for the opening of Old Parliament House;
- (3) further notes that if the East Block and West Block offices are privatised, the Federal Government will lose control of the heart of Canberra’s national area and the National Capital Authority will come under pressure to approve unsuitable commercial development;
- (4) opposes the privatisation of key buildings and sites in the parliamentary precinct between Parliament House and the Lake; and
- (5) writes to the Federal Government urgently calling for:
- (a) an immediate halt to the sales processes;
  - (b) better protection of the nation’s heritage; and
  - (c) no further privatisations within the parliamentary precinct.

Sadly, the current federal government do not appear to be a fan of Canberra. They have spent the last four years slashing the Australian public service. Large numbers of staff have been cut, pay has been frozen for many agencies and critical services have been deliberately run down. We are now seeing wholesale, or at least attempts for wholesale, relocation of chunks of the Australian public service out of Canberra to what largely appear to be National Party marginal electorates around the country.

On top of this, we now see the current proposal to sell the East Block and the West Block offices, right next to Old Parliament House in the heart of the parliamentary precinct. Both buildings are an important part of Canberra’s heritage and, frankly, Australia’s heritage. The parliamentary precinct between Parliament House and the lake is of national significance, and the blocks themselves are a symbol of the ACT as the home of the Australian public service. I am therefore moving this motion calling on the Assembly to oppose the privatisation of the parliamentary precinct and to write to the federal government calling for a halt to the privatisation process.

Let me start off by talking about the East and West Block buildings themselves and to explain why they are important. If you imagine that you are standing at the Aboriginal tent embassy facing Old Parliament House, that spot is where the celebrations for the first opening of parliament in Canberra were held in 1927. There are quite a few photos of people lined up, of dignitaries speaking and even of a flyover of biplanes. The focus of these photos is, of course, the building we now know as Old Parliament House. But in a few photos, in the background you can see glimpses of the East Block building. It is striking how similar it looks to Old Parliament House, and this is not an accident.

The East and West Block buildings were built at the same time as Old Parliament House, with a deliberately unified design. All three have a white finish with similar architectural features like the windows and doors. The placement of the buildings was also carefully thought out, with the East and West Block buildings sitting behind Old Parliament House in mirror-image positions when seen from the lake or Mount Ainslie. West Block was also built raised off the natural ground level at its site so that the roof aligned with the other two buildings.

East Block and West Block were called the secretariat buildings initially. They were built to house many of the support services that parliament needed but that did not fit into Old Parliament House itself. In the early years they housed the GPO, the telephone exchange and the National Library, amongst other things. During the Second World War, West Block included an international coded communications facility linking the government to the war.

As well as their individual significance, East Block and West Block are in a precinct of national significance. The part of the parliamentary triangle south of the lake is designated as the parliamentary precinct. It has always been reserved for national government functions and cultural institutions. It includes the High Court, the National Library, the National Gallery and Old Parliament House. And, of course, up on the hill is what we still often refer to as “new” Parliament House, despite the fact that it has been there for nearly 25 years. With one very small exception, it has always been government-owned, government-planned and government-controlled.

Now, though, the federal government is selling the East and West Block buildings. The expression of interest for East Block closes on 6 October. This puts the whole parliamentary precinct, as well as the buildings themselves, at risk as far as the Greens are concerned. By privatising these buildings, the federal government is throwing out 100 years of history of keeping the parliamentary precinct government-owned, government-planned and government-controlled. Government ownership means that heritage can be given priority in the re-use of the East and West Block buildings; the wider precinct can be kept front of mind. East Block, West Block and Old Parliament House can always be kept as a unified set of buildings, and the national interest, rather than narrow private interest, will always be part of decision-making

This proposed privatisation means that, sooner or later, we will see inappropriate proposals that will permanently scar the best-known view of Canberra, the one from Mount Ainslie to Parliament House. Perhaps it will be a shiny glass office box emerging out of the centre of East Block, or perhaps a 10-storey hotel wing added to West Block, nestled just behind Old Parliament House. You can imagine that it is only a matter of time until someone puts a proposal like this.

This privatisation means that we will inevitably lose the symmetry of the original design, as different owners with different ideas will see the East and West Block buildings grow less alike over time. This proposed privatisation means that when, in future, new government functions or institutions are required, there will be much less flexibility about where they can be put in the parliamentary precinct.

This proposed privatisation puts our heritage at risk because, sadly, some developers push heritage protection rules as far as they can and will fight the National Capital Authority to have their plans win through. This privatisation puts at risk the future government ownership of the rest of the parliamentary precinct. If these two sales go through without strong local resistance, what is going to stop the federal government there? There is a lot more of the parliamentary precinct that could be privatised.

Most people will know the John Gorton building. It is the large office block across the road from the National Gallery. It is also a heritage building. Work on it started in 1927. It was designed as the first large-scale public service building in Canberra, to house eight of the departments that were moving from Melbourne. If the East and West Block buildings can be sold, so can the John Gorton building. The Treasury building on the other side of the parliamentary triangle, just off Commonwealth Avenue might also go. The car park on Commonwealth Avenue between the Treasury building and Albert Hall may as well be sold off as well if this pathway continues. The point is that the East and West Block buildings are a precedent. If they are sold, what will be safe from the federal government?

One of the questions or points of concern about my motion might be that the parliamentary precinct lacks life. Members might wonder if privatisation is a good solution to that. Parts of the parliamentary precinct do lack life. Along the lakefront, it is busy. It is a popular place to run, walk and cycle, especially on the weekend. The national attractions are also busy, but most of the time they are only open during daylight hours. Behind that, it is pretty quiet. But is privatisation the way to fix that? I do not believe so. Privatisation can mean loss of control, not more life.

Both East Block and West Block would be good for a careful refitting into hotels, but that does not need privatisation. A long lease, for example of 20 years, could work out far better. Many of the international hotel chains do not want to own buildings because it ties up too much capital. Instead, they want a lease that is long enough to make sure that they can earn back the cost of the initial refit.

If the goal was to bring life to the parliamentary precinct, the federal government could seek expressions of interest for long leases from hotel operators. Once you lose control through a sale, that option is gone. It is quite likely that the buyers will be office funds, especially given that one of the buildings will be sold with a lease for the National Archives to reoccupy. That means that we get the worst of both worlds—privatisation and risk to heritage, with no benefit to the precinct.

I want to address a second possible concern members might raise about my motion: that it is too late to do anything. I do not believe it is too late. The federal government has started the sale process, but the buildings are not yet sold. It is not too late for the federal government to change the process to an expression of interest for long-term leases. But for this to happen we need to act quickly and decisively. The federal government is not going to back down on this privatisation of our national heritage unless it hears clearly and loudly that it is strongly against the wishes of the ACT community and the ACT Legislative Assembly.

In conclusion, I urge all members of this Assembly to support my motion to ensure that we send a clear and unified message to the federal government that this privatisation is not what this Assembly thinks is the right answer for this very important part of the territory. I particularly call on my colleagues across the chamber to support my motion, because I believe your support will add to this unified approach, have a stronger impact on the federal government and ensure that this sends a message from the Canberra community rather than from a particular element of the political spectrum. I commend the motion to the Assembly.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism and Major Events) (11.46): I move:

Omit all words after paragraph (2)(c)(ii), substitute:

“(3) calls on the Federal Government to guarantee that any change of use of these significant assets will:

- (a) ensure the heritage values of the East and West Block buildings are protected and maintained into the future;
- (b) protect and promote public access in keeping with the spirit and intention of the Parliamentary precinct; and
- (c) deliver value for money for Australian taxpayers and avoid repeating past experiences with the sale and lease-back of Commonwealth building assets; and

(4) notes that the ACT Government will:

- (a) seek more clarity from the Federal Government on the process and safeguards associated with the sale process;
- (b) take an active role in discussions about the future use of these heritage buildings to the full extent of the ACT’s powers and jurisdiction; and
- (c) work with the Federal Government to explore alternatives to the outright sale of these assets, including long-term leasing arrangements.”.

I thank Mr Rattenbury for bringing this topic forward for debate today. It is an important one for the protection of our city’s and, in fact, Australia’s significant heritage assets. I can state that the ACT government will advocate for an outcome that does see the historic East Block and West Block buildings preserved and maintained so that they can be part of the future of the national capital precinct as well as, obviously, its past.

The East and West Block buildings are a major component of the Parliament House secretariat group, which also includes Old Parliament House. The buildings are a remnant of the relocation phase of the national capital, when they served as the seat of



federal government and political power. The former secretariat buildings hosted government administration from the earliest period of Canberra's development in the mid-1920s.

They are significant not only as good examples of the inter-war stripped classical style, which became known as "federal capital architecture", but also because of the historical activities and events that they have housed. For example, East Block accommodated Canberra's first post office, servicing the city as well as the parliament. It was also the site of our first telephone exchange. The West Block dugout was a purpose-built World War II bomb shelter. Along with West Block, it housed the strategic international communication functions of Australia's wartime activities during the Second World War.

This history has been recognised through the inclusion of these buildings on the Commonwealth heritage list, both in their own right and as part of the Parliament House vista—the central designed landscape of Canberra as envisaged by Walter Burley Griffin. The two buildings are also included on the national heritage list as part of the Old Parliament House and curtilage listing.

While the ACT government take an active interest in what happens with these heritage buildings, we do not have any direct planning powers in the parliamentary precinct. The proposed sale and future use of the East and West Block buildings falls under the planning jurisdiction of the federal government, with administration by the National Capital Authority through the National Capital Plan.

The federal government provided for the change of use for the East and West Block buildings through amendment 86 to the National Capital Plan, which passed in May 2016. Now, as a result of this amendment, permitted uses for the buildings may include commercial accommodation, community use, national association office, national capital use and office use. Importantly, they cannot be locked up as a residential development or turned into general retail. This is important for maintaining these buildings as publicly accessible spaces and in protecting the character of the surrounding precinct.

Following any sale, the commonwealth has indicated that the East and West Block buildings will be retained as national land and will therefore continue to be subject to the heritage protection afforded by their listing on the commonwealth and national heritage lists. The commonwealth has also indicated that heritage protections will be inserted into the crown leases to ensure that ongoing protections are maintained. Demolition of the buildings is not permitted under the heritage management plans and the crown leases for the properties. Changes to the internal layouts and external features may be allowed, but only where they comply with the existing heritage management plans. Consistent with these uses, the West Block building has been marketed by the federal government as an opportunity to adaptively re-use the building for a boutique hotel. East Block requires remediation work before the National Archives will be moving back in as a tenant under an eight-year lease.

We understand the need to remain vigilant about how the heritage values of these buildings are protected and maintained through this process, but the ACT government supports adaptive re-use that can bring life and new uses to heritage places so that future generations of Canberrans and Australians can access and enjoy them. Adaptive re-use can add new layers without erasing old layers. It becomes part of the long history of the site. It is another stage, not the final outcome. The sensitive adaptation of heritage buildings can create vibrant and visually exciting spaces that people want to make use of.

I think the worst alternative would be that by trying to freeze properties at a point in time we end up seeing them left vacant and abandoned, and abandoned for decades, as the Anzac Park East building has been. On the other hand, the Hotel Acton is a great example of adaptive re-use of a heritage place in an area, I note, controlled by the National Capital Authority. Hotel Acton, a once-derelict building in an under-utilised part of the city, is now at the heart of a thriving precinct. Its heritage values add character and a sense of place to the New Acton precinct, and the building has been beautifully conserved.

Another example is the Hotel Kurrajong, an Art Deco building located in the designated land just outside the parliamentary precinct. It was built by John Smith-Murdoch in the late 1920s, just like the East and West Block buildings and Old Parliament House. It was sold and transformed into a wonderfully restored and sensitively designed piece of Canberra's architectural heritage. From the successful adaptive re-use of these two previously government-owned heritage assets we can see that adaptive re-use, when done well, can enhance heritage values and bring new life to a building or place for future generations.

Of course, ensuring that this happens requires active engagement by those who care about heritage values. That is why the ACT government will engage with the National Capital Authority and the commonwealth to the full extent of our jurisdiction as this process proceeds. The territory government maintains a strong and ongoing relationship with both of the stakeholders in the project, and I am confident that we will be able to work together to take an active role in the discussions about the future use of these important heritage buildings. In particular, I wish to explore with the commonwealth whether their objectives could be better met through some kind of long-term leaseback arrangement. We will seek more information on specific plans to protect the heritage values of the buildings in question under any change of use.

We agree that the parliamentary precinct is a significant national place and that any proposals for development or change of use within it need to be carefully considered on that basis. We also want to see the precinct continue to be a place that draws people from across Canberra, across Australia and across the world, a place where people come together in accessible and high quality public spaces. So we will actively engage with the National Capital Authority and the commonwealth on how best to achieve these objectives in the case of the East and West Block buildings, as we do on all significant changes within the parliamentary precinct.

The amendment that I have moved to Minister Rattenbury's motion calls on the federal government to guarantee that any change of use of these significant assets will ensure that the heritage values of the East and West Block buildings are protected and maintained into the future, to protect and promote public access, in keeping with the spirit and intention of the parliamentary precinct, and, importantly, to deliver value for money for Australian taxpayers and avoid repeating past experiences with the sale and leaseback of commonwealth building assets.

My amendment notes that the ACT government will seek more clarity from the federal government on the processes and safeguards associated with the sale process; that we will seek to take an active role in discussions about the future use of these heritage buildings to the full extent of the ACT's powers and jurisdiction; and that we will work with the federal government to explore alternatives to the outright sale of these assets, including long-term leasing arrangements. I think this amendment reflects a sensible and practical way forward. I note the commonwealth's clear intent in relation to the buildings, but I believe that there is a way forward here that can achieve the outcomes that I have outlined this morning.

I particularly acknowledge and thank Minister Rattenbury for bringing this matter to the Assembly today. I think it is something that this place should debate and should have a view on, and I will be interested in hearing from other members in this debate their views on how the ACT government should approach our discussions with the commonwealth on this matter. I have heard very clearly from Minister Rattenbury about the Greens' approach. I have now outlined ACT Labor's approach. I look forward to hearing from those opposite their views on this particular matter. I commend my amendment to the Assembly.

**MS LAWDER** (Brindabella) (11.56): It is another sitting week and therefore we see another federal issue brought up by the Labor-Greens government, by Minister Rattenbury. We firmly believe that this is an issue for the commonwealth parliament. It is another example of a minister in this Greens-Labor government attempting to use their position in the executive for their personal political gain. This motion is not about the welfare or the rights of Canberrans. Like numerous other motions by the Labor-Greens MLAs, it is about grandstanding on federal issues rather than actually progressing a cause for the benefit of ACT people.

Every sitting week we seem to have another motion on issues outside the control of the ACT government or the ACT Assembly, while ignoring so many problems facing Canberrans every day. The proof of this is simple and stark. Yesterday we had private members' day, and we had motions including the plight of Mitchell traders and the potential lack of a light rail station in Mitchell, an issue that is going to affect hundreds of local businesses. We had one about cladding at the Centenary Hospital, another issue that can affect many Canberra families.

We had a motion on the Ngunnawal Bush Healing Farm, which will affect the health and livelihood of many of our Indigenous Canberrans. And we had one on municipal services, and another on inclusion from those opposite. These are all very valid

concerns that relate to and affect Canberrans every day. That is what we did on private members' day. We had another motion about light rail that did not get debated yesterday because we ran out of time. We come to Thursday and we do not have a lot of business on the notice paper, so, to fill up a bit of time and make sure that we do not finish up before lunchtime, rather than talking about local issues, which is what we should be doing, they have brought in a motion about federal issues.

If the members opposite and those on the crossbench are so desperate to discuss federal issues, why do they not get in their car and pop up to the federal parliament? It is not that far away. There are many politicians up there who I am sure would love to discuss federal issues with them. But here in this Assembly the Canberra Liberals at least are very focused on discussing local issues, ones that the Assembly actually have some control over.

This Assembly is not the right place to debate these federal issues. We will not be supporting the motion or the amendment. West Block has been vacant for more than two years. The Chief Minister has already outlined how private investment can provide an opportunity to revitalise these properties and ensure that their significant heritage values are maintained. The National Capital Authority amended the National Capital Plan to allow for a broader range of uses of these buildings, to encourage important and necessary revitalisation of the precinct.

It is important to note that during the consultation phase there were no public submissions received on those changes to the National Capital Plan. That is right: there were no public submissions received, not even from the Greens, who now want to bring this to the ACT Assembly to debate. They did not bother to submit in the consultation phase on the change to the National Capital Plan.

To me, it is a bit of blatant hypocrisy. Think about the debate we had yesterday about the Mitchell traders and the light rail stop. The minister said quite clearly that they should have participated in the consultation process. I am sure members all remember that debate. If they wanted a tram stop, they should have participated in the consultation process. They should not have taken it for granted that they would get one, despite the fact that there was one marked on the little map that was out for consultation.

So there are completely different approaches here. On the one hand, you have to participate in the consultation if you want to affect the outcome. On the other hand, we did not participate in the consultation but now we want to talk about the outcome on something that is not even relevant to the ACT Legislative Assembly. Really, it is just ridiculous.

Heritage values will continue to be protected through provisions included in the sales contracts and crown leases. These buildings are already on the heritage list. Heritage laws protect any future owners from taking away the heritage value of the parliamentary area. Just because something is heritage listed does not mean it should have to sit empty and in a state of ruin.

The federal government have decided that they are not able to keep up these properties and properly maintain and restore the buildings to the condition that they deserve to be in, given their heritage status. That is why they are being allowed to be sold. I will read—without the accent—from the media statement of the relevant minister, Senator the Hon Mathias Cormann, on 28 August this year:

The Government continues to ensure that the Commonwealth's property portfolio is appropriate for expected future needs and maximises value for taxpayers.

Following the commencement of the sale processes of Anzac Park East, Anzac Park West and West Block earlier this year, the Government is now seeking proposals for the sale of East Block.

The National Archives of Australia will temporarily relocate to the Old Parliament House to enable the completion of capital works to the building. The National Archives will return to East Block in approximately September 2018.

Private investment will support urban renewal, revitalisation of heritage buildings, reopening of the former restaurant building next to Anzac Park West and the overdue rebuild of Anzac Park East, which has been unusable for decades.

The approaches to market provide significant development opportunities, and contribute to the revitalisation of key areas within the Parliamentary Triangle precinct, consistent with the National Capital Plan.

We have a government that talks all the time about urban renewal and revitalisation. Here is another opportunity. Here we are able to maintain the heritage values of those buildings. Earlier this year, during Heritage Month, I went through that area on a guided tour and learnt about West Block and the bunker there. It was the first time I had heard about the World War II history of the bunker. It was really fascinating. It is heritage listed and it will continue to be maintained. Heritage values will be protected through covenants and provisions included in the sales contracts and crown leases.

In conclusion, private investment can provide an opportunity to revitalise these properties and ensure their significant heritage values are maintained with adaptive re-use. In fact, it can enhance their heritage values. We will not be supporting the motion or the amendment, given that our firm position on this is that it is a matter for the federal government, not the ACT Assembly.

**MS LE COUTEUR** (Murrumbidgee) (12.05): I strongly disagree with Ms Lawder's views. It is certainly a local issue that affects me. Every day on my way to work I look at West Block from the bus window. It is exciting. It is a local issue for the people who live here in Canberra. I would like to focus, though, on three issues that would mean all members, I hope, would support this motion. Privatisation is the first. Australia has now been pursuing the path of privatisation of public assets since most of the 1980s. From the beginning, the Greens have been dubious about it and the track record has, unfortunately, borne out of one of the Greens' concerns.

I will start with government office buildings. There are, of course, times when government office buildings do need to be sold—for example, basically when the government no longer needs them. The ACT government is selling Macarthur House at this moment, and I am told by somebody who has worked in it that it very much falls into the category of old and no longer suitable.

But at other times we have seen government offices sold, by federal Liberal governments in particular, for ideological reasons, regardless of whether it makes financial sense or not. I well remember the Howard government selling off all our overseas embassies. What were we going to do: give up having overseas representation? It was one of the more stupid things that the Howard government did. Many of us have heard stories about agencies that have had their buildings sold and ended up paying very high rents that meant the whole exercise in fact cost the federal government money.

The evolution of office arrangements to agencies has also seen agencies lease very plush new office buildings, sometimes at considerable expense. It has also meant that Canberra's town centres lose out, as agencies have relocated to central areas that suit the secretary's wish to be as close as possible to Parliament House, with no thought about the impact on local businesses or staff in the town centres. This has had a negative impact on Woden town centre in my electorate. Ms Cheyne talked about it yesterday with respect to the Belconnen town centre.

Another area that shows the issues that can come from privatisation is energy. I could talk for hours on this, but I will not. The whole electricity industry, however, was government owned in the 1990s. We are now 20 years into a gradual privatisation and deregulation. Possibly with the federal government's intervention we might be having a re-regulation of the energy industry. But I think we are all very aware that this one has not worked out well at all.

I am very pleased that Ms Lawder and Mr Barr both focused a lot on heritage in their talk. Obviously, not all heritage places need to be government owned. There are many private owners who love heritage and look after heritage places well. But, unfortunately, there are also some who do not. And how well private ownership works depends on the type of heritage place and the strength of the heritage protections. The problem with the parliamentary precinct is that, while East Block and West Block do individually have heritage protection, there is not enough integrated protection at a broader level for the whole precinct. That means that a proposal could be approved that protects the existing buildings but nonetheless is completely inappropriate for the parliamentary precinct. This is an issue that many interested in Canberra's heritage are concerned about.

There have been several proposals put to the federal government for the inclusion of the central national area and inner hills in the national heritage list. So far there has been no progress. Unfortunately, while this is a federal government decision, it is pretty clear from the annual reports hearings in March that the ACT government does not support the listing. Their concern is that it would be too restrictive. However, I do

believe that it would be possible to list the central national area and inner hills carefully in a way that would protect things like the integrity of the parliamentary precinct, which is basically what we are talking about here, without stopping sensible changes. If this privatisation does go ahead, such a listing would be increasingly important to get the precinct protected as a heritage place in its own right.

I want to talk about the planning protections on East Block and West Block, which fall into the National Capital Authority's planning system. Given, as I said, the lack of any precinct-wide heritage protection, the planning protections are very important. Unfortunately, it is clear that the federal Liberal government has rushed through the planning rules prior to sale and they are too weak to protect one of Canberra's most iconic areas. I have three main concerns. Firstly, once the buildings are sold, the National Capital Plan allows commercial development like retailing, a motel or a medical centre. These are concerns because these types of developments are often, frankly, pretty ugly in appearance. While the NCA prohibits billboards, there is, I think, still the ability to have intrusive signage, which almost certainly would be the case with these buildings.

Secondly, the Parliamentary Zone Precinct Code in the National Capital Plan was designed for major national building projects under government control. As such, it relies on planning rules that are extremely flexible and includes wording like "enhance the existing character and quality of the landscape". I really suspect that these rules would be impossible to enforce should—I was going to say "development approval" but I think it is called "works approval" in the National Capital Plan—they ever go to court. Finally, while there are more detailed rules that apply in general sections of the National Capital Plan, they are generic and not easily applicable. For example, the rule about building height says that buildings should not exceed two storeys. However, East Block and West Block are already three storeys. How on earth could that work? A dodgy developer will therefore be able to argue that the height limit is clearly not appropriate and something a lot taller could be and should be approved.

In conclusion, I and the Greens think that there are very good reasons that this Assembly should oppose the privatisation of East Block and West Block, and we will call for an urgent halt of the sales process. We also oppose the privatisation of the parliamentary precinct more generally. On Canberra's purpose, Canberra was built as the parliamentary precinct for our role as the national capital of Australia and it is important that the federal government does not give up its responsibilities in this regard. We should also oppose the privatisation of the parliamentary precinct more generally. As Mr Rattenbury highlighted, privatisation will not help to bring more life to the parliamentary precinct and it does come with many risks to Canberra's heritage and Australia's national heritage.

I am therefore disappointed that the government will not be supporting the Greens' motion on this important issue. The ALP amendment is much weaker than our motion. I am even more disappointed with the Liberals, because they are the ones with the best connections to the federal Liberal Party. Support from the Liberals in this

Assembly would, I am sure, have made the federal Liberals pay a lot more attention. Given the situation therefore, the Greens will reluctantly be supporting the ALP amendment.

**MR GENTLEMAN** (Brindabella—Minister for Police and Emergency Services, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Urban Renewal) (12.13): I thank Mr Rattenbury for his motion and the Chief Minister for his amendment and for the opportunity to discuss the importance of built heritage today. Canberra has inherited rich cultural and natural heritage assets and they reflect our history and community values. The government recognises the significance of conserving our heritage while also building a vibrant and sustainable city for the future.

People are often surprised to learn that the ACT is rich in natural and cultural heritage. There is a perception that, as a relatively young city, we cannot have many heritage places or objects. This is far from the case. Aboriginal occupation of the area has left a rich legacy spanning over 20,000 years and there are many signs of this occupation throughout the natural and built environment, including scarred trees, rock shelters and artefact scatters.

Built heritage in the ACT encompasses the 19th century pastoral history of the area, as well as many places and objects that tell our important and unique story as the national capital. The parliamentary precinct on the south side of the lake has a special significance in Canberra's history. The precinct is home to some of Canberra's earlier nationally significant architecture, including, as we have discussed, Old Parliament House, East Block and West Block.

I have some personal memories of both East Block and West Block, as I imagine many Canberrans may have. West Block was the national headquarters for the Australian Protective Service, in which I served for 11 years. I had many a shift at the APS station and provided security for the building and its occupants. It was always a pleasant shift, as the staff all enjoyed their work and of course you were at the centre of national operations. There were many enjoyable interactions with the national director of the APS, but as an active union delegate there were some testy moments as well.

After the election of the Howard government in 1996, the APS were up for their first EBA. It was a difficult negotiation period, as a direction had been given to agency secretaries to go hard on employees' conditions of service. While bargaining for a wage increase, the AG's Department were looking for savings and wanted to cut penalty rates and shift allowances for 24-hour shift workers. We battled hard to keep our conditions of employment, and this included lengthy demonstrations at the front of West Block and great supporting speeches from Senator Kate Lundy and long-term APS members that had moved across from the original ACT police, as well as union representatives. It was the first time sworn officers had taken industrial action, I believe, in Australia's history and therefore was an important action for fairness. The EBA was finally negotiated after many years of campaigning, and I am sure that these actions assisted in a better outcome for members.



East Block is an even more pleasant memory for me. As Canberrans will remember, it was the GPO but also Canberra's central telephone exchange and the trunk exchange. Both mum and dad worked at East Block. Mum was a telephonist and dad was the leading technician or supertech. I can remember vividly joining my father on his shifts in the exchange and would often sleep overnight on the camp bed there. I loved the industrial feel of the place but also seeing the pride on dad's face at the completion of each of his tasks, knowing that he helped people to connect with their family and friends.

Dad told me of the early days, when Canberra was very young, and his important work. Even getting to work was a challenge. New roads were being built and it was exciting to see so many new immigrants coming to live in the capital. I still have a photo of dad on his BSA Bantam. He would dink mum to work from Reid on the bike each day, out of Gooreen Street, down Elimatta onto Currong and Anzac Parade. Where Rond Pond is now was the track down onto Scotts Crossing and after Scotts it was through the sheep paddocks past Parliament House to East Block. It is hard for us to imagine this now, of course, but certainly it was adventurous at the time.

My fondest memory of East Block, though, was in 1969, when dad was tasked with ensuring the connection from Honeysuckle Creek to Goddard Space, through Deakin. I was given the day off school to attend the MDF desk with dad as we watched the first man walk on the moon. At 12.56 pm on 21 July 1969, 600 million people watched Neil Armstrong walk on the moon. Dad later was presented with the Apollo achievement award and I proudly wear his Apollo pin each year as we commemorate the achievement.

I table log 13 and log 15 from Honeysuckle, showing the touchdown and the walk, for members' interest. I present the following papers:

Apollo 11 mission—Honeysuckle Creek DSIF log sheets, dated—

20 July 1969.

21 July 1969.

Members will also be aware that Honeysuckle picked up the first signal of transmission to the moon, well before Parkes was in range. Honeysuckle log shifts 13 and 15, as I said, show the touchdown and the detail of that and the walk on the moon as well. I want to thank John Saxon and the whole Honeysuckle team and Glen Nagle from Tidbinbilla Deep Space Tracking Station for their continuing efforts to remind us of the importance of Canberra's history in this mission.

Ms Lawder made a comment earlier that this is not a motion for Canberrans; it is one that is a federal matter. I think if you were to ask the hundreds of Canberrans that helped to complete this moon mission, and of course the thousands more that understand the value of that heritage, they would have a different view. I understand the importance of maintaining the history of this precinct as these buildings are restored and redeveloped, which is why we will engage with our federal government

colleagues and the National Capital Authority on this matter to stress that any redevelopment of these cultural assets is sensitive to their significant value to the people of Canberra and the nation.

In closing, I would like to stress that the best way to protect our built heritage is to preserve it and keep it open and accessible to the public. The Chief Minister has given several examples of where this has already been successfully done in Canberra, and I believe that keeping this front and centre of any plans for the site is an opportunity to create a truly fantastic site for all Canberrans and Australians to be proud of.

**MR RATTENBURY** (Kurrajong) (12.20): I thank members for their contributions to the discussion today. This is, I think, an important topic to reflect on here, and I reject the point that Ms Lawder makes. I know many Canberrans that are very keen on these issues. Whilst we are citizens of this city, we also have a responsibility to acknowledge this city's national role, and I know many people here are very conscious of that. It has a great history and these sorts of historical matters in the territory have great warmth. It is of great interest to many of our fellow citizens. I do not think that we can just ignore these things. I think that it is right that we canvass them in this place and put our view on behalf of our constituents.

The bottom line is that these are important buildings, as Mr Gentleman has just touched on. They do have incredible historical significance, and in the short history of this city we do need to be conscious of these things. As members will know, I am not one for standing still either. We need to allow our city to evolve, for new developments to take place, and sometimes that will be at the expense of heritage. In saying that, we always look for advice from the Heritage Council and the like.

But I think that there are also places that are of such significance that we need to take a different approach. I certainly think the parliamentary precinct, particularly south of the lake, is one of those unique places locally, nationally and globally, in a sense. There are not too many cities like Canberra that are unique in the way that they were planned, the way they were thought through and their integration with the landscape that the Griffins so successfully contemplated when they designed the centre of this city.

I welcome the supportive comments from the Chief Minister about the importance of preserving this heritage. Whilst we may have a slightly different view on how we go about that, where we do agree is that there is a lot of scope for the private sector to play a role. We probably disagree slightly on the methodology of how to get there but, nonetheless, I think that vision is right.

I appreciate the comments on the Hotel Kurrajong and the other location that Minister Barr mentioned at Acton. We have been fortunate those buildings have been well done. Certainly the Hyatt Hotel is another example we might contemplate. It is not without possibility. But I would rather see an approach where we look at long-term leases as a way of making sure these buildings are actively used.

I certainly agree with the comments members made about not wanting to see these buildings become derelict and unused, and certainly the situation of the East and West Block buildings at the bottom of Anzac Parade has been a travesty. The failure to use those buildings and see them maintained in their full glory has been a real blight on this city. Their appearance is shabby. That is very disappointing, but I think that there are plenty of ways to achieve the outcomes we probably all agree on. We think there is a better way to do that rather than just selling them off.

I note the amendment that the Chief Minister has moved. We will acknowledge that one. I thank members for their contributions to the debate today. I trust that, in taking the decisions, the federal government are incredibly mindful of these issues and that they ensure that this important national heritage is protected for the benefit of all Australians as we move forward. I commend our motion to the Assembly.

Question put:

That the amendment be agreed to.

*A call of the Assembly having commenced—*

## Visitor

**MADAM SPEAKER:** I may, while we are all here, because I know there will be a rush after lunch, just acknowledge that Simon Corbell has returned to the Assembly in time for a division.

## Privatisation of land in the parliamentary triangle

The Assembly voted—

Ayes 11

Noes 8

Mr Barr	Ms Orr	Mr Coe	Mr Milligan
Ms Burch	Mr Pettersson	Mrs Dunne	Mr Parton
Ms Cheyne	Mr Ramsay	Mr Hanson	
Ms Cody	Mr Rattenbury	Mrs Jones	
Ms Fitzharris	Ms Stephen-Smith	Ms Lawder	
Ms Le Couteur		Ms Lee	

Amendment agreed to.

Question put:

That the original question, as amended, be agreed to.

The Assembly voted—

Ayes 11

Noes 8

Mr Barr	Ms Orr	Mr Coe	Mr Milligan
Ms Burch	Mr Pettersson	Mrs Dunne	Mr Parton
Ms Cheyne	Mr Ramsay	Mr Hanson	
Ms Cody	Mr Rattenbury	Mrs Jones	
Ms Fitzharris	Ms Stephen-Smith	Ms Lawder	
Ms Le Couteur		Ms Lee	

Original question, as amended, resolved in the affirmative.

**Sitting suspended from 12.31 to 2.30 pm.**

## Questions without notice

### Animals—dog attacks

**MR COE:** My question is to the Minister for Transport and City Services. In your ministerial statement this morning, you said:

From these millions of interactions for the years 2016 and 2017 the Domestic Animal Services received only 389 reports of incidents involving a dog.

Minister, why are you trivialising the fact that there were 389 incidents in Canberra?

**MS FITZHARRIS:** Far from trivialising it, I think the extensive statement that I gave, and statements that I have given previously, to the Assembly show the seriousness with which I take these issues.

**MR COE:** Minister, how many of these 389 incidents resulted in the death of an animal or in a person needing to go to hospital?

**MS FITZHARRIS:** With regard to those incidents in 2016 and 2017, of the 389, 88 involved incidents with a dog and a human, 176 a dog with another dog, 82 a dog with another animal, 31 a dog with a human and another animal, and 12 were reported but found not to be an attack or harassment. I note, as I believe I did in my statement earlier, that this can also include people and their own dogs. I will take on notice the specific question about how many of those resulted in a presentation to hospital.

**MR WALL:** Minister, are you happy with the current level of enforcement by domestic animal services?

**MS FITZHARRIS:** Yes, I am, but I would note that oftentimes an attack and enforcement are not necessarily related. In fact, often an attack or an incident involving a dog may not have come to the attention of domestic animal services previously.

I am comfortable with the level of enforcement at the moment, but, as I outlined, not only has domestic animal services undertaken improved enforcement of regulation over the past 12 to 18 months—including extensive additional training, including working with the community group—but also, as I indicated in my statement this morning, we will take further steps to improve enforcement. We will also consider making some legislative amendments, which I indicated earlier today I would bring forward shortly, either later this year or early next year.

### **Health—GP qualifications**

**MRS DUNNE:** My question is to the Minister for Health and Wellbeing. I refer to a report in the *Daily Telegraph* of 20 September. The article claims that unpublished Medicare data shows that 70 per cent of the 1.86 million after-hours calls in 2015-16 for GPs were made by non-vocationally registered GPs and GP trainees. The article quotes a Dr Bastian Seidel as saying:

Our main concern is there is a loophole in the system that allows doctors who are unqualified showing up to do home visits and charging Medicare \$130 and they're in and out in under five minutes. Those doctors don't have the qualifications to do a proper medical assessment.

Minister, what proportion of after-hours house calls in the ACT is made by fully qualified doctors?

**MS FITZHARRIS:** I note with some concern those reports today and I note, too, Minister Hunt's commitment to urgently look into that. I would also note, as I think the opposition is well aware, that these are commonwealth-funded activities regulated by the national regulator, the Australian Health Practitioner Regulation Agency, or AHPRA. I understand that they are looking into that. That is not data that the ACT government would hold if indeed there are practitioners who are not properly qualified practising and going out to the homes of Canberrans.

I will be asking for that information and seeing what we can do to stop that practice. But again this is a private operator funded through the Medicare benefits scheme, through the commonwealth, overseen by the national regulator, AHPRA.

**MRS DUNNE:** Minister, has ACT Health received complaints about non-qualified doctors in the ACT or about bad diagnoses provided by after-hours doctor services?

**MS FITZHARRIS:** Not to my knowledge, although I know that my office is in discussions with ACT Health about these particular claims that were raised in the *Daily Telegraph* earlier today. Certainly, if that is the case I will provide further information to the Assembly.

**MS LEE:** Minister, what will you do to assure yourself that Canberrans will be able to access fully qualified doctors after hours without having to go to accident and emergency at either Canberra or Calvary hospitals?

**MS FITZHARRIS:** As I mentioned in my previous answer, I will be seeking further information on this, but I reiterate that this is one of the complexities of our health service: that primary care services are largely provided by private operators, funded by the commonwealth and regulated by the commonwealth.

It is, of course, of concern to us. I encourage anyone out there in the Canberra community who is seeking after-hours care to seek it if they need to at the two emergency departments but also at the nurse walk-in centres. I know the opposition would like to shut them down, but 36,000 Canberrans who presented to nurse walk-in centres last year in Belconnen and Tuggeranong would disagree vehemently with the opposition on that. And all those people in Gungahlin, Weston Creek and the inner north who over the next couple of years will be able to access this free, after-hours and weekend service every day of the week will be thanking this government for investing in those services. They will be wondering why on earth the Canberra Liberals ever opposed them and effectively went to an election seeking to shut them down. There are also the services provided through CAHLMS. That is a service Canberrans value greatly, and it has a good partnership with ACT Health that we want to continue.

### **Economy—cybersecurity industry**

**MR STEEL:** My question is to the Chief Minister. Chief Minister, can you please advise the Assembly how the growth of the cybersecurity industry is helping to diversify the ACT economy?

**MR BARR:** I thank Mr Steel for the question. I can advise the Assembly that cybersecurity is indeed a rapidly growing sector in the ACT and globally. The cybersecurity market is currently worth around \$US126 billion globally, and it is projected to roughly double in the next decade. The growing demand for cybersecurity products, services and research provides significant economic opportunity for Canberra-based organisations and businesses.

Canberra's cybersecurity industry provides information and data security products and services to our federal government, to Australia's national security agencies, including the Department of Defence, the Australian Signals Directorate, the Australian Security Intelligence Organisation and the Australian Cyber Security Centre, and to many private sector prime contractors. This high-end user demand is driving investment in Canberra right across the sector.

We are lucky also to have brought together a connected network of higher education and research institutions, business and government agencies through the CBR Innovation Network, an innovation of this government that we are delighted to fund. This mechanism is driving a collaborative approach to problem solving, to capability development and, importantly, also to industry development. So we are very well positioned as a city to take full advantage of the national cybersecurity strategy released in April 2016, which included a \$230 million investment to bolster Australia's cyber defence capability and the commitments to cybersecurity that were outlined in the defence white paper.

**MR STEEL:** Why is it important that the ACT government actively seek opportunities to support the growth of this industry?

**MR BARR:** Our business development strategy focuses on unlocking the significant potential of Canberra's businesses, people and research and academic institutions in a range of key capability areas where the ACT can be a global player. Cybersecurity was identified as one of those key capability areas, and the ACT government has subsequently played an active role in bringing together the cybersecurity industry in Canberra.

We provided funding in the 2016-17 territory budget to Data61, the former NICTA, to position Canberra as a major player in the development of the growing cybersecurity industry. In 2016, we established the Canberra cyber network with the ANU, the University of New South Wales Canberra, Data61, the University of Canberra and the Canberra Institute of Technology to develop the cybersecurity industry. The network is a response to the commonwealth government's emphasis on cybersecurity as reflected in the defence white paper and in the national cybersecurity strategy and, of course, through the establishment of the cybersecurity industry growth network.

In April of this year, Canberra was announced as the second node of the Australian cybersecurity growth network. Having a node based in Canberra will help the ACT's cybersecurity-related businesses to take advantage of an expanding industry and also help them to pursue new opportunities. Activities of the Canberra node will be driven by an industry-led advisory group comprising representatives with strong links to the local cybersecurity industry.

**MS ORR:** How have recent private investments demonstrated confidence in our city's cybersecurity and ICT industries?

**MR BARR:** I think we can say that Canberra is the defence and security policy and procurement centre of Australia, which certainly makes us an attractive location for specialist cybersecurity firms. Our city contains a large and unique cluster of security organisations, including, as I have mentioned, the defence department, ASD, ASIO and the AFP, all interacting with large and small cyber companies and specialist centres in our universities.

Lockheed Martin's next-generation cybersecurity facility was established in Canberra in 2012 to capitalise on the importance of being close to Australia's national cyber-related agencies. Also in 2012, Northrop Grumman acquired the Canberra-based M5 Network Security, increasing employment from around 50 to 120 people. M5 Network Security provides cybersecurity services to various clients—military, government and large corporations—with a speciality in secure communications.

More recently, in February of this year, Verizon Enterprise Solutions established its Asia-Pacific Advanced Security Operations Centre in Canberra to deliver real-time insights into cyberthreats. Just last month, Microsoft announced plans to deliver its

cyber-focused cloud platform Azure in partnership with Canberra Data Centres' highly secure facilities in Canberra. Canberra Data Centres is one of the few data centre providers worldwide that can handle up to top-secret data.

These investments demonstrate how Canberra is now seen globally as a destination for investment and as a hub for innovation in cybersecurity and ICT. But we cannot just sit back now and assume that these opportunities will continue to come to our city. That is why next month I will lead a delegation to the west coast of the United States to promote our city as a pivotal cybersecurity destination in Australia and drive further growth in our local industry.

### **Suburban Land Agency—affordable housing**

**MS LE COUTEUR:** My question is to the Minister for Housing and Suburban Development and relates to the statement of expectations for the Suburban Land Agency, which you released this morning. Minister, as with the City Renewal Authority, the statement of expectations for the SLA barely mentions affordable housing and does not include affordable housing targets. When will you be setting the affordable housing targets required by the agency's act?

**MS BERRY:** As Ms Le Couteur knows, under the parliamentary agreement we are having a conversation with the community around public and affordable housing, and a summit on 17 October. The act and the requirements in the act will be provided for through a disallowable instrument.

**MS LE COUTEUR:** Minister, in your communications with the board of the SLA, have you at any point clearly told them that you expect the emphasis to be on affordable housing and, if not, when will you do so?

**MS BERRY:** Yes, I have.

**MR STEEL:** Minister, how is the towards affordable housing strategy going to have a discussion around these issues?

**MS BERRY:** There have been considerable consultations with all stakeholders in the community who have wanted to play a part in the conversations leading up to the summit on 17 October. It has been a really great and informative process where all people who have wanted to be engaged, including developers, property group, housing providers, architects, real estate agents, public housing tenants and community housing operators, have been involved in the conversation so far. With over 30 or so different stakeholder events it has been a very big conversation, and when we bring that all together at the summit on 17 October it will give us a really great opportunity to provide feedback to the community about what we have heard. We can then go to the next step in implementing a strategy for affordable housing in the ACT.



### **Planning—Kingston foreshore**

**MS LAWDER:** My question is to the Minister for Planning and Land Management. Minister, last year, the government overturned a ban on hotels in the Kingston arts precinct and did so without proper or adequate consultation. Subsequently the government promised it would consult and be more transparent in future. In mid-September the government published a Territory Plan variation to allow an additional two storeys to a new apartment block in the Kingston foreshore precinct. Minister, with whom did the government consult before deciding to vary the Territory Plan to allow this increased building height?

**MR GENTLEMAN:** I thank Ms Lawder for her question and her interest in planning across the territory. Of course there are a number of mechanisms for consultation. We have consultation when we are doing Territory Plan variations. In this particular case I think there was a concept plan that went out to the public and was discussed with the community and stakeholders. I have not got the details right in front of me. I am happy to take that on notice and come back to the Assembly.

**MS LAWDER:** Minister, what did the government mean when it promised more transparency after the previous Kingston arts precinct variation?

**MR GENTLEMAN:** More consultation, I think, is the key. That is what the government meant by those terms, and we intend to contribute to that as much as we possibly can.

**MS LEE:** Minister, why did you allow this variation to the Territory Plan to occur without effective consultation on the Kingston foreshore master plan?

**MR GENTLEMAN:** It is important that we look at the opportunities for growth, particularly around Kingston. There is a lot of interest in Kingston and the foreshore itself. We want to ensure that we can get the best possible use out of that area. As I said, consultation with stakeholders is key in those circumstances.

### **Public housing—Holder**

**MR HANSON:** My question is to the Minister for Housing and Suburban Development and relates to the public housing development in Holder. The last meeting with Holder residents is listed on your website as having occurred on 11 July this year. The update states that the government task force is to provide comments on the action group's documents and meet again when the location for the proposed development has been confirmed. Minister, is your website up to date; if not, why not; and are you aware of any ongoing concerns from Holder residents on this development?

**MS BERRY:** There have been other meetings with the Holder community since July, so it appears as though the website may not be up to date. But I want to check on that because it could be just that there has been a phone conversation with the task force or

something like that and it has not been included on the website. I will check in with the task force to find out what has happened there. I know that soon the development applications will be lodged and that the Holder community will then be able to have a further conversation with the task force about the development and raise any other concerns that they may still have.

**MR HANSON:** Minister, are you aware of any ongoing concerns from Holder residents about this development?

**MS BERRY:** I am advised that the Holder community have been reasonably happy with the way that the task force has consulted with them, had a conversation with them about the development and have acknowledged the significant changes that have been made to the plans through the conversations with the community.

Whilst I am not sure that every single one of their concerns will have been completely resolved by the task force through those conversations, the conversations have been deep and well-considered and the task force has taken into account the concerns of the Holder community.

**MRS JONES:** Minister, when will the final designs for this development be made public?

**MS BERRY:** They will be made public when the development application—

**Mrs Jones:** When is that?

**MS BERRY:** I do not know.

### **Education—education ministerial council**

**MS ORR:** My question is to the Minister for Education and Early Childhood Development. Minister, can you update the Assembly on the outcomes of the education ministerial council meeting held last week, particularly as they relate to school funding and reform in the ACT?

**MS BERRY:** Unfortunately, I do not have a lot to update the Assembly on, by way of outcomes. This was the first ministerial council meeting to occur since the passage of the federal government's education amendment bill. Together with most state and territory governments, the ACT has maintained our opposition to the unilateral termination of the Gonski agreement, and we have honoured our election commitment by doing that.

I continue to advocate for the best interests of the ACT as we seek to influence the in-school reform agenda that the federal government is now seeking to progress through regulations under the act and through bilateral funding negotiations. This includes things like a national year 1 phonics test, loadings for students with a disability and other policy reforms likely to emerge through the Gonski 2 process.

Regrettably, there seems very little will to give the decision-making authority on any of these issues to the people directly responsible for the majority of school funding: state and territory education ministers. Instead we have been hearing from the federal government that they are seeking to lock themselves in, through legislation, as the very clear minority funder of public schools but equally to impose a reform agenda with very little regard for what is actually happening within our schools.

The Australian Education Act does not require an agreement of some kind to be reached in order for federal government funding to flow in 2018. I really do hope that the federal government seeks a more respectful engagement with states and territories in seeking this agreement by the end of the year.

**MS ORR:** Is the federal government consulting with states and territories as it proceeds with the second Gonski review and with the implementation of changes under the amended federal education act?

**MS BERRY:** The consultation that has been occurring with residents around public housing renewal has been much fuller than the consultation by the federal government on the changes and the proposals that they want to make regarding the Gonski review. After the Gonski 1 process, which ran over a couple of years, we have had a compressed one this time around, in which everybody has been given one month to make a submission. Two weeks of that fall within school holidays. In theory, the outcomes of this process will become the requirements which our schools have to meet to get federal funding. So the process has been poor at best. Beyond that, we have had little reassurance that state and territory governments will be able to stick with programs that are in place already under the Gonski 1 agreement, for fear of being financially penalised.

A year 1 phonics test is a prime example. It is not a Gonski outcome but it is a Liberal Party policy commitment. Since the national phonics test was first floated, I have emphasised to Minister Birmingham the diagnostic work that ACT teachers do through our PIPS performance indicators in primary schools assessment, combined with their own professional judgement, to assess literacy and numeracy skills through our students' first year at school. They gauge their students, talk with parents and make adjustments so that individual students can learn in the ways that best suit them. There is no need for another standardised national test for Australian students, schools and teachers to be judged by. So the ACT government will continue to advocate for the best interests of schools, students and educators. I commit again to a further and continued request to the federal minister to come to Canberra—I know he is here; I see him on the telly—and visit our schools to see what is going on there and the success that we are having. (*Time expired.*)

**MS CODY:** Minister, why is it important that the Gonski reforms already in place in the ACT are bedded down and built upon?

**MS BERRY:** Because our schools and teachers have already done so much and are working so hard to implement those first parts of the reform. In a few areas the

ACT has been a national leader under the Gonski agreement. We have established the student resource allocation program, the program which transparently gives effect to needs-based funding in public schools. We have embedded the Teacher Quality Institute as national best practice in teacher quality and registration through high quality, initial teacher education and a comprehensive framework for continuous improvement in the quality and professionalism of the ACT's teaching workforce. We have had early engagement with the Australian curriculum, which is being implemented progressively, and we have adopted the national school improvement tool for school assessment and improvement.

The benefits of these changes are emerging, and there is no doubt that the ACT's efforts have been demanding for those at the coalface. The least the federal government can do is acknowledge the work that has already happened and offer a policy framework which builds on it, not which threatens funding cuts for non-compliance with new initiatives. The ACT government's future of education process has sought to pick up this work and take it further in ways that suit our schools.

I will continue to strongly urge the federal government and Mr Gonski to respect this process and offer due recognition of the great things that are happening in ACT schools right now.

### **Public housing—displaced clients**

**MR PARTON:** My question is to the Minister for Housing and Suburban Development in relation to public housing closures. Minister, in question time on 14 September, you said in relation to public housing closures around Civic:

Considerable work was done with the public housing tenants ...

You went on to say that this was “to ensure that they have sustainable housing that best suits their needs”. Minister, what work have you done on the extent of and the needs of couch surfers and transient dwellers in the Civic area, especially those displaced by public housing closures?

**MS BERRY:** As I have said previously on a number of occasions, the Public Housing Renewal Taskforce and Housing ACT, along with support services in the ACT, have been working very closely together to make sure that tenants in public housing who will be moved to new homes—better homes that are cheaper to heat and cool, easier to maintain and better suit their needs—are being supported as best they can be. When the individual contacts, the face-to-face personalised conversations, happen with tenants that are registered as public housing tenants, they are asked if they have anybody with them who is not registered with Housing ACT, and then those people are supported by Housing ACT into accommodation or into support services that meet their needs.

**MR PARTON:** Minister, what will you do to resolve the crisis in overloaded emergency shelters and accommodation that is caused by people displaced by public housing closures?

**MS BERRY:** My office and Housing ACT have engaged with Safe Shelter, which I assume is the organisation that Mr Parton is referring to. We have engaged with Safe Shelter to ensure that they make sure that the people whom they are supporting are engaged with the professionals to make sure that they get the support they need; so putting them in touch with OneLink to make sure that they are assessed and to make sure that whatever their housing needs are, they can be met.

Support services, St Vincent de Paul and the Early Morning Centre—all of these organisations—have the professional supports there to be able to support the individuals that Safe Shelter say they are helping out.

I am still not clear on the actual numbers but the advice I have is that the number of rough sleepers in the ACT has not risen and that we have the lowest rough sleeper population in the country.

**MS LAWDER:** Minister, why are you promoting policies that push couch surfers and other rough sleepers onto the already overloaded emergency shelter providers in the Civic area?

**MS BERRY:** Because very clearly our housing stock is some of the oldest in the country and it needed to be replaced to make sure it met the needs of public housing tenants. There was no point in putting public housing tenants into older, unsustainable, unsuitable public housing. Over 11 per cent of our stock is being replaced through this program, the biggest replacement program the ACT government has ever seen. It will mean that public housing tenants will be in much better, much more suitable public housing.

**MADAM SPEAKER:** Minister, please resume your seat for a minute. A point of order.

**Mr Parton:** A point of order on relevance: the question was specifically about pushing couch surfers and other transient dwellers onto the already overloaded emergency shelter providers in the Civic area.

**MADAM SPEAKER:** I do not believe there is a point of order; I think the minister has referred to services that provide support to couch surfers. Did you have more to add, minister? You have a minute left.

**MS BERRY:** Thank you, Madam Speaker. I have already talked about the significant support service arrangements in place to ensure that if people are identified as needing support, either through housing or other support services, that those needs are met by the professionals in the sector who have the skills and the knowledge to be able to support people who may be in need of housing or other supports.

### **Education—school funding**

**MR WALL:** My question is to the Minister for Education and Early Childhood Development. At the education council meeting on 15 September it was reported that

some states and territories asked for the right to be able to cut their school funding in light of the increase in the investment in education by the commonwealth coalition government. Will the ACT be maintaining the level of funding currently directed to ACT schools in dollar terms?

**MS BERRY:** The ACT government was very clear on its commitment during the election that it would commit to the funding available through the Gonski agreement, and we will continue to pursue that.

**MR WALL:** Minister, will any schools in the ACT receive a funding reduction in territory contribution funding under the new funding model in dollar terms?

**MS BERRY:** If Mr Wall knows something that I do not around the funding model and what actually is going to happen, if he could let us know, we would have a clearer picture of what will actually happen to ACT government schools.

There is no clear information coming out from the federal government about what that funding model will look like, what the reforms that will be attached to that funding model will look like, and how that will turn into costs for schools as well. At the moment, we are still in a situation where it is very unclear what the funding and the reforms that are connected to that will look like.

**MRS DUNNE:** Minister, will the ACT government be signing off on the COAG agreement to maintain its funding obligations under Gonski 2.0 and will those funding commitments mean maintenance of funding in the ACT in dollar terms?

**MS BERRY:** Again, there is still very little information from the federal government about what they are actually going to do with states and territories with regard to forms and funding. There is talk of consultation that is very short on information and at this stage of the game no state or territory has reached any kind of inclination that they would agree to anything because there is very little information on the table and no information on the reforms and how states and territories could be penalised if they do not sign up to or agree with some mysterious reforms that we do not even know about yet.

### **Citizens juries—selection process**

**MS LEE:** My question is to the Chief Minister and relates to the establishment of a citizens jury on compulsory third-party insurance laws. Chief Minister, facilitators appointed by the government to establish the jury anticipated 300 to 400 acceptances from the 6,000 invitations to nominate for this citizens jury. They said that a panel of 50 would be selected from those acceptances. However, according to recent media reports, only 76 acceptances were received. Chief Minister, what criteria were used to select the 6,000 households, and who set and applied the criteria?

**MR BARR:** I understand it was a random selection across available data. The invitations were sent via Australia Post. The criteria were set by democracyCo, in conjunction with the territory government.

**MS LEE:** Chief Minister, how will you ensure that this jury is representative of the Canberra community, given that your “random selection” has exclusively excluded the legal profession and car crash victims?

**MR BARR:** The process around the selection did seek to exclude those who earned a living from the scheme. There was, I think, a very sound rationale for that. Those stakeholders who earn a living from the scheme participating as part of the expert reference group can, of course, brief the jury. But, in this instance, as would be not uncommon in jury selection more broadly, I would think, those who have a direct conflict of interest are excluded from the jury process.

**MR WALL:** Chief Minister, with only 76 acceptances instead of the anticipated 300 to 400, what selection process will be undertaken to ensure that the jury is appointed as a fully representative body?

**MR BARR:** The jury will be a representative body, and we have more acceptances than there are available places on the jury.

### **Alexander Maconochie Centre—CCTV surveillance**

**MRS JONES:** My question is to the Minister for Corrections. In your answer to question on notice No 385 you advised that all methadone dosing areas within the AMC are under camera observation except for the women’s area. Minister, why are methadone areas not monitored by CCTV cameras in the women's accommodation at the AMC?

**MR RATTENBURY:** I will get some specific advice on that for Mrs Jones.

**MRS JONES:** Minister, why is it that CCTV monitoring is necessary and useful in other areas of the prison except for the women’s area?

**MR RATTENBURY:** In accordance with my previous answer, I will provide Mrs Jones with those details.

**MR PARTON:** I am sure this will be an on-notice answer too. I would expect that. How does CCTV camera coverage in the women’s accommodation at the AMC compare with that in the men’s accommodation?

**MR RATTENBURY:** I am happy to provide the details of the number of cameras and their locations across the AMC in that sort of broad scope, being mindful of security. Members will appreciate, and this probably goes to some of the questions that Mrs Jones asked, that there are sensitivity issues around the monitoring of female detainees. There are different expectations in the community. But I will provide those detailed answers as requested.

**Canberra Institute of Technology—cybersecurity training**

**MS CODY:** My question is to the Minister for Higher Education, Training and Research. Minister, how is the ACT government supporting cybersecurity training in the ACT?

**MS FITZHARRIS:** I thank Ms Cody for her question and her ongoing interest in this portfolio in particular. Skills Canberra provides subsidies for training in many cybersecurity related industries, including a number of qualifications from the information and communications technology training package. Some of those relevant qualifications funded by Skills Canberra are: diploma of software development, diploma of information technology, diploma of information technology systems administration, and diploma of systems analysis and design. Skills Canberra also provides foundation skills training under its skilled capital and Australian apprenticeships programs, which is available for all students. This training includes the development of digital literacy skills.

The ACT has also recently applied for Australian government funding to develop an end-to-end skills education strategy for cybersecurity, with a view to positioning Australia as a global leader in training for cybersecurity. The unique environment of the ACT, touched on by the Chief Minister earlier, with ties to vocational education and training and higher education institutions and government—notably including the Australian Defence Force and the Canberra cyber network—places us in an ideal position to lead the development of a cybersecurity education strategy. The ACT chief digital officer also encourages cybersecurity awareness both within the public sector and more generally in the community.

**MS CODY:** Minister, how is the CIT working with international partners to grow its cybersecurity training?

**MS FITZHARRIS:** CIT is a significant contributor in the development of cybersecurity training and is a member of the Canberra node of the Australian Cyber Security Growth Network. CIT is investigating infrastructure and initiatives developed by industry and the Singaporean polytechnic sector. The CIT CEO recently met with Temasek Polytechnic in Singapore to learn more about their programs.

At the local level, CIT and CIT Solutions have unique capability to develop a suite of cybersecurity training solutions to meet the needs of all areas of the cybersecurity sector, from awareness-raising through to technical training and customised training options for government and industry.

CIT has developed and delivers a graduate certificate in networking and cybersecurity, with enrolments continuing to increase. This program, the only one of its kind in Australia, was developed in collaboration with industry to meet the skills needs of the industry. In collaboration with Box Hill Institute and industry, CIT has developed an accredited certificate IV in cybersecurity, which is expected to start next year. CIT is also working with Northrop Grumman and other stakeholders on the development of a



pilot program on cyber patriot education for year 9 and 11 students for delivery in 2018, just another example of CIT's significant work in growth areas of the ACT economy.

**MS CHEYNE:** Minister, what other growth areas is CIT focusing on?

**MS FITZHARRIS:** There are certainly many other growth areas CIT is focusing on, including renewable energies, areas of the health sector and early education and care. In relation to renewable energy, CIT has been working with the CIT Renewable Energy Skills Centre of Excellence board to develop and deliver renewable energy training particularly in the areas of wind farm maintenance and battery storage. CIT is currently working with industry to achieve global wind organising accredited training for wind farm maintenance. CIT has been upskilling teachers in preparation to provide nationally accredited training to qualified electricians in relevant units of competency relating to installing battery storage on domestic and small commercial dwellings.

In relation to health and early education and care growth, CIT allied health assistant courses have grown from nine students graduating in 2009 to a total of 74 students due to graduate this year. The CIT nursing department has increased their programs from three cohorts in 2016 to five in 2017 to meet the demand of new hospitals and health services.

Finally, CIT has also partnered with the Belconnen Community Services and the Riverview Group to develop a fantastic pre-employment program to support the community and help local people who are disconnected from the labour and education markets. It rightly won a significant achievement award at this year's ACT training awards.

### **Access Canberra—mediation providers**

**MRS KIKKERT:** My question is to the Minister for Disability, Children and Youth. Minister, I note that after my question to you last week, the Access Canberra website has been updated and no longer states that CRS—Conflict Resolution Service—has no waiting list. It is still described, however, as, “the most diverse provider of Canberra-based mediation and alternative dispute resolution services for the ACT”. As of this morning, it is the only service provider that appears when one searches for “mediation” on Access Canberra. Minister, when will the Access Canberra website be updated to include what you described in question time last week as the “range of other providers” available to vulnerable Canberrans who are turned away by CRS?

**MS STEPHEN-SMITH:** I am happy to take up with Access Canberra again, as I did last week, the information available on its website for people who are involved in various different types of disputes and engagements with the legal system. I note that various commentators—I cannot say definitely whether the opposition is among them—have described CRS as one of the organisations that is involved in reducing flow-on to the broader legal system.

It was in that context that I spoke about the additional support that the ACT government is providing to, for example, community legal centres. I spoke about the child and youth protection services's trialling of Aboriginal and Torres Strait Islander family group conferencing and other services.

I would remind the Assembly that CRS is continuing to receive more than \$630,000 from the Community Services Directorate in this financial year to support its work in general family and dispute resolution, neighbourhood disputes and mediation between young people and their families when young people are at risk of homelessness.

In reviewing the interview on radio with Shawn van der Linden the other day, I also noted that he noted a number of times the availability—

**Ms Lawder:** Point of order, Madam Speaker.

**MADAM SPEAKER:** Minister, can you resume your seat? Point of order, Ms Lawder.

**Ms Lawder:** My point of order is to relevance. The question was about the Access Canberra website and other providers, not about how much money CRS receive and what they do.

**MADAM SPEAKER:** There is no point of order. I think the minister addressed that with her comment that she will get back to Access Canberra and then went on to explain the context of the other range of services. That is how I have heard the response. Minister, you have 17 seconds.

**MS STEPHEN-SMITH:** I just wanted to note that Shawn van der Linden, a number of times in that interview, invited people to contact CRS if they were in need of the types of services that it offers. So, CRS services are still available to the people who need them most.

**MRS KIKKERT:** Have all ACT government departments been instructed to include other mediation providers in their referrals and publications?

**MS STEPHEN-SMITH:** As Minister for Disability, Children and Youth, I do not think I am in a position to comment on what all other government agencies are doing with their websites.

**MRS DUNNE:** Minister, for Canberrans who wish to avoid the legal system, will you table a complete list of all service providers in the ACT that offer free or low-cost mediation or alternative dispute resolution?

**MS STEPHEN-SMITH:** In consultation with my colleagues, I will see what information can be provided to the Assembly on that matter.

## **Arts—community engagement**

**MS CHEYNE:** My question is to the Minister for the Arts and Community Events. Noting the importance of the arts to the social and economic fabric of the ACT and to individual and community identity, can the minister please advise the Assembly how and on what matters the government consults the ACT community about the arts?

**MR RAMSAY:** I thank Ms Cheyne for the question. Engaging with the community, artists and arts organisations is an ongoing part of the government's recognition of the value of the arts for the ACT and it informs policy and programs to encourage participation in and access to the arts. In recent years community consultation on the arts has contributed on matters such as arts policy, funding, infrastructure, social inclusion, public art and engagement with Aboriginal and Torres Strait Islander artists.

Consultation takes various forms, including surveys, drop-in sessions, street stalls, workshops, open forums, facilitated roundtables and one-on-one interviews. Of course these conversations happen when I attend arts events, visit arts facilities and meet with artists and arts groups. Consultation with ACT artists and arts organisations earlier this year resulted in the social inclusion in the arts plan which I was pleased to launch last month and which has resulted in an impressive account of the progressive and inclusive practices of ACT arts organisations.

In 2015, over 300 Canberrans contributed to the development of the ACT arts policy, which sets a vision for the arts sector in Canberra. With an ever-evolving arts scene here in the ACT, it is important to frame our arts policy in ambitious, flexible terms and to keep our arts community—practitioners, organisations and consumers—engaged dynamically and responsively.

This year I have been delighted to see that 82 Canberrans have had a say about the replacement of public art that was stolen from Hughes shops. Indeed, although it did not hit the heights of social media generated yesterday on the conversations in this chamber, my social media stats did go off the charts with interest on this topic. I look forward to hearing the outcomes of that consultation process soon.

Another important consultation process on the horizon is, of course, the new theatre for the Canberra region. The government is seeking community views on what sort of facility the ACT needs.

**MS CHEYNE:** Minister, can you inform the Assembly of the progress of consultation on Aboriginal and Torres Strait Islander engagement with arts in the ACT?

**MR RAMSAY:** I thank Ms Cheyne for the supplementary question. The government's arts policy emphasises the promotion and support of the artistic practice of Aboriginal and Torres Strait Islander peoples in the ACT and the surrounding region. Consequently there has been extensive consultation with this community about how best to provide this support in ways that are meaningful, sustainable and culturally appropriate.

One outcome has been to make a separate allocation of project funding specifically for Aboriginal and Torres Strait Islander artists, on top of the \$750,000 now available each year for arts project grants. There is currently \$200,000 in this fund, and artsACT is working alongside the Aboriginal and Torres Strait Islander community to determine how best to allocate the money.

There has also been a deep and considered engagement period throughout 2016-17 between artsACT and the ACT Aboriginal and Torres Strait Islander communities to foster networks and relationships that will be able to continue informing how the government can best support Aboriginal and Torres Strait Islander arts and artists. This period of discernment revealed strong themes about how the arts are important in reconnecting with or maintaining culture and identity and how they strengthen family and community, provide opportunities for economic activity and self-expression, and engage young people.

A draft report on these outcomes, titled *Mob in Arts*, was recently released for additional final feedback from the ACT Aboriginal and Torres Strait Islander community. This sensitive and robust consultation process has already led to connections which we believe will have long-lasting positive impacts on engagement with the Aboriginal and Torres Strait Islander community, the government and the wider community on arts and culture. ArtsACT will release an action plan in response to the findings of *Mob in Arts* once feedback is finalised. But the consultation will, rightly, never actually end but remain part of an ongoing dialogue that will build strong, ongoing engagement with the Aboriginal and Torres Strait Islander community. (*Time expired.*)

**MR PETTERSSON:** Can the minister please update the Assembly on consultation on the development of his new arts advisory mechanism?

**MR RAMSAY:** I thank Mr Pettersson for his supplementary question. Having access to engaged, productive, expert consultative bodies is important to all ministers of this government. Having recently announced the refreshment of my advisory councils in the area of seniors and veterans portfolios, I am looking forward to working with the diverse stakeholders in Canberra's thriving arts scene to build the best possible consultative mechanism to advise me as Minister for the Arts and Community Events.

I can advise the Assembly that my directorate ran an open expression of interest process in May and June this year, promoted through various communication channels, to call for people from all walks of life in Canberra to participate in roundtables about the future of a ministerial arts advisory mechanism.

There were 85 expressions of interest received. Some of these people failed to provide contact information so they could not be invited, and some arts organisations put up multiple representatives. So, to ensure a proper diversity of views, we asked those organisations to send only one or two representatives. Consequently, 77 invitations were sent and 57 people accepted the invitation. There were also nearly 80 people who responded to an online survey that asked open questions about views on the nature and purpose of an arts advisory body.

Roundtable consultations were then held in Belconnen, Tuggeranong and Civic throughout July with an independent facilitator. I was pleased to see the wide range of people with an interest in the arts attend these roundtables, including individual arts practitioners, representatives of many Canberra arts institutions, arts students, arts consumers, academics and arts advocates. A broad range of art forms was represented, including the visual arts, crafts, music, theatre and dance.

I have just received the report from the independent facilitator to inform me of the views of the participants. It contains a wealth and a very broad diversity of views on the nature and purpose of a ministerial arts advisory body. I look forward to working through this input and building something which is meaningful, productive and informative by mid next year.

### **Access Canberra—service levels**

**MR MILLIGAN:** My question is to the Minister for Regulatory Services. A constituent has told me the story that he spent half a day trying to pay his licence fees at Access Canberra. First he went to Dickson to find that it had closed. Then he went to Gungahlin only to be told he could not pay using his business chequebook or cash. He then had to travel to Belconnen where he says the queues were out the doors. Minister, why is it that Access Canberra Gungahlin does not accept cash or cheques and only EFTPOS?

**MR RAMSAY:** I thank Mr Milligan for the question. The issue relating to the acceptance of cash or cheques at Access Canberra shopfronts is a matter both of security and also the open flexibility of the space itself. One of the issues around the design of the space for the Access Canberra shopfronts is to ensure the open and easygoing nature of the service provided, and that is the case with the Woden one as well.

We note there has been a significant movement to be able to provide even more services online, including, as I have mentioned in this place before, drivers licence renewals. As we enable more online, we allow that to be lifted for people to be able to engage. If people want to ring through to Access Canberra, that is always available.

**MR MILLIGAN:** Minister, why aren't all Access Canberra sites able to simply accept cheques then?

**MR RAMSAY:** I refer to my previous answer.

**MRS DUNNE:** Minister, will you turn Gungahlin into a more operational facility so that Access Canberra outlets operate for the convenience of all?

**MR RAMSAY:** I reject the premise that it is not a convenient operational centre; it is a very operational centre and I pay tribute to the wonderful staff of Access Canberra who are working wonderfully across a broad range of areas. What we have managed to do is to be able to provide more services online—that is one of the key movements of this government—which is therefore providing a greater level of service to the Canberra community. People are able to provide—

**Mr Parton:** For some of them.

**MR RAMSAY:** People are able to engage with Australia Post and nearby agencies as well if they need to have cash. And we will continue to have a broad range, a positive way, of engaging, because Access Canberra is indeed working to make things easier, simpler and faster for all Canberrans.

### **Planning—Tharwa village**

**MR PETTERSSON:** My question is to the Minister for Planning and Land Management. Minister, can you update the Assembly on the consultation currently underway on the Tharwa draft village plan?

**MR GENTLEMAN:** I thank Mr Pettersson for his question. The government remains committed to consulting with the Canberra community at every stage of a draft plan or variation, and the Tharwa village plan is no exception to this. Having completed the draft of the Tharwa village plan, the government is now engaging in this consultation and ensuring that we get the views of all the stakeholders on the proposed changes. The current phase of consultation on the draft plan began on 11 August and will close tomorrow. So it is not too late for anyone to have their say.

Throughout this process the local and broader community have been able to engage with the new draft plan, providing their views and thoughts on how they wish to preserve and improve the village.

I was lucky enough to attend the Tharwa bush festival earlier this month. Among the great events that I and the community were able to take part in, a drop-in session was also held, where locals and visitors were invited to give their views on the plan. The session was well attended by the community, who discussed many opportunities for the future of the village and what they wanted to see from the draft plan.

Once this consultation period has closed, the Environment, Planning and Sustainable Development Directorate will consider feedback on the draft village plan provided by the community and other areas of government during the second stage of engagement. This will inform development of the final version of the Tharwa village plan. Once the final plan is released, the government may propose changes to the Territory Plan that will also go through community engagement processes.

The ACT government understands the importance of Tharwa village to those who live and work in and visit the village and the unique challenges that it presents. Therefore community engagement continues to be crucial in developing a strong vision for the village. I thank EPSDD officers for coming out on a Sunday to engage with the community; I think they enjoyed some of the delights of the fair as well.

**MR PETTERSSON:** Minister, can you provide further detail on the key recommendations proposed by the Tharwa draft village plan?

**MR GENTLEMAN:** Yes, the draft Tharwa village plan contains several key recommendations that are aimed at improving the village's recreational and cultural appeal and generating economic growth opportunities. These recommendations include plans to make the village core an attractive social, recreational and creative hub for the local community while also attracting visitors to experience the fine qualities of a rural village lifestyle.

This plan contains recommendations to release vacant blocks of land that are suitable for residential development and encourage a built form to complement the historic features of Tharwa's older houses. This will ensure that any development preserves the history and uniqueness of Tharwa while enhancing its history, both Indigenous and European, and its unique natural environment.

Requirements for the preservation of the natural environment, particularly improving the riparian zone of the Murrumbidgee River, will ensure that the natural beauty of the area is not lost but instead enhanced into the future. This will continue to create benefit to the local residents and also create improved recreation opportunities for the greater Canberra community.

The importance of the Murrumbidgee River for the town's character and the opportunity to strengthen the focus of the river for recreation and environmental activities are key focuses for the residents of Tharwa and are recognised in the draft plan. All recommendations are designed to address concerns that local residents have expressed regarding infrastructure, including water, telephone and internet, as well as the need for renewed community uses and commercial activity in the core area of the village.

As a result of these recommendations, the ACT government is hoping to preserve the Tharwa feel that the community wishes to be maintained, while improving the village for both residents and visitors.

**MR STEEL:** Minister, can you provide further detail on how the heritage values of Tharwa are being treated in the draft village plan?

**MR GENTLEMAN:** I thank Mr Steel for his interest in this area. Heritage values are of paramount importance in this plan and are reflected in its recommendations. Set in picturesque landscape beside the Murrumbidgee River at the foot of Mount Tennent, Tharwa is the ACT's oldest European settlement and close to the hearts of many. As a result of this, heritage concerns are carefully addressed in this draft plan.

The general planning policies for river corridor zones around the Murrumbidgee and the village area itself set out to reinforce and preserve the landscape, heritage values and ecological continuity while providing for a balanced range of recreational and tourist-related uses. The community support for limited development which respects Tharwa's rural village character and heritage values has been acknowledged in the draft plan and the rezoning of limited areas which promotes adaptive re-use options that respect the heritage values of the individual sites and places, such as cultural and low-scale commercial activities, will achieve this.

The first principle of the draft plan is to retain and enhance the existing rural village character and identity, and as part of this the plan includes strategies to preserve the heritage value of the village.

Improving paths and connections to the Cuppacumbalong Homestead will anchor the precinct and its importance to Tharwa. By retaining its character and viability, the heritage value of the site will not be lost and, instead, will continue to enhance Tharwa's value as an historical site in the ACT. The plan contains key strategies for ensuring that this will occur, and the history of the homestead will not be sidestepped.

Through the recommendations of the plan and strategies contained within it, the draft village plan will maintain and improve the heritage value of Tharwa for both local community members and wider Canberra.

**Mr Barr:** Madam Speaker, further questions can be placed on the notice paper.

### **Supplementary answers to questions without notice**

#### **Planning—Kingston foreshore**

#### **Planning—Canberra Greyhound Racing Club application**

**MR GENTLEMAN:** Madam Speaker, I have two matters. One is in regard to Ms Lawder's question earlier regarding Kingston. I think it may have arisen from some confusion in the *Canberra Times* article. It talks about the subject land being composed, I think, of blocks 2 and 3 of section 67 Kingston. This was the result of a technical amendment. The technical amendment was to remove the future urban area, or FUA, overlay from blocks 2 and 3, and to amend the Kingston precinct map and code.

The zoning of the blocks is confirmed through the removal of the FUA. Block 2 has been zoned commercial CZ5 mixed use and block 3 has been zoned parks and recreation, or PRZ1 urban open space. The above zones were applied in accordance with the approved estate development plan, or EDP. Also, the zones did not change from what was previously shown when the FUA overlay was in place.

The EDP was approved on 27 February 2015. Consultation occurred when the EDP DA was submitted. Planning controls for the following items were approved in the EDP and added to the Kingston precinct map and code. They were: vehicle access, location of main pedestrian areas, building setbacks, design of buildings, view lines and open space. The key point here is that building height controls for blocks 2 and 3, as well as the rest of the foreshore area, already exist in the Kingston precinct map and code. TA2017-20 did not add or amend any building height controls.

I have a second supplementary answer, Madam Speaker. Yesterday in question time Mr Parton asked if I or my office had had any engagement, conversations or interaction with the planning and land authority in regard to the extension of the lease for the Canberra Greyhound Racing Club. My response to the question was that I had not. Madam Speaker, I can confirm that neither my staff nor I have had any discussions with the directorate in relation to the lease for the Canberra Greyhound Racing Club. But, as I said yesterday, I asked my office to review our files and I now wish to correct the record.



The directorate did include information about the application in a weekly brief, among other information, for my noting only. I can further advise that Canberra Greyhound Racing Club has a lease that currently expires on 23 November 2027—that is, it still has 10 years to run. The sole purpose clause of the lease is to use the premises for the purpose of a greyhound racecourse and ancillary facilities, and subsidiary thereto a sportsground. While the planning and land authority has received a request to grant a new lease, no request has been received to amend the lease purpose clause.

## **Committee reports—government responses**

### **Papers and statement by minister**

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism and Major Events) (3.36): For the information of members, I present the following papers:

Economic Development and Tourism—Standing Committee—Report 1—*Report on Annual and Financial Reports 2015-2016*—Government response.

Education, Employment and Youth Affairs—Standing Committee—Report 1—*Report on Annual and Financial Reports 2015-2016*—Government response.

Environment and Transport and City Services—Standing Committee—Report 1—*Report on Annual and Financial Reports 2015-2016*—Government response.

Health, Ageing and Community Services—Standing Committee—Report 1—*Report on Annual and Financial Reports 2015-2016*—Government response.

Justice and Community Safety—Standing Committee—Report 1—*Report on Annual and Financial Reports 2015-2016*—Government response.

Planning and Urban Renewal—Standing Committee—Report 1—*Report on Annual and Financial Reports 2015-2016*—Government response.

Public Accounts—Standing Committee—Report 1—*Report on Annual and Financial Reports 2015-2016*—Government response.

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

Leave granted.

**MR BARR:** I am pleased to present the government responses to all seven standing committee reports on the 2015-16 annual and financial reports of ACT government agencies. As standing committee reports generally cover more than one portfolio and, in some cases, the instances raised in the reports have cross-directorate implications, I am tabling all of the responses to all seven standing committee reports together, on behalf of all ministers.

Annual and financial reports are prepared by agencies in accordance with the Annual Reports (Government Agencies) Act 2004, the Financial Management Act 1996 and the annual report directions. In this regard, the government seeks to ensure that annual and financial reports are continually updated to reflect best practice and full accountability. The standing committees made a combined total of 122 recommendations.

Mr Assistant Speaker, the government has agreed in full or in principle to 88 of those 122 recommendations, has noted 23 recommendations and has not agreed with seven recommendations. For those doing the maths, there are four recommendations not covered there. They were not specifically directed to the ACT government and were not relevant for government response. In conclusion, I commend the government responses to each of these seven standing committee reports to the Assembly.

## Paper

**Mr Barr** presented the following paper:

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual Report 2015-2016—ACT Public Service—State of the Service Report (incorporating the Commissioner for Public Administration, ACT Public Service Workforce profile and ACT Public Sector profile)—Corrigendum 2.

## **Performance in Aboriginal and Torres Strait Islander education—annual report 2016-17**

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

**MS BERRY** (Ginninderra—Deputy Chief Minister, Minister for Education and Early Childhood Development, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Women and Minister for Sport and Recreation) (3.40): For the information of members, I present the following paper:

Aboriginal and Torres Strait Islander Education, pursuant to the resolution of the Assembly of 24 May 2000 concerning Indigenous education, as amended 16 February 2006—Annual report 2016-17.

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

Leave granted.

**MS BERRY:** I am pleased to present the annual report on Aboriginal and Torres Strait Islander education in ACT public schools for the period July 2016 to June 2017. This report reflects the ACT government's commitment to meet the needs and aspirations of all Aboriginal and Torres Strait Islander students. The report provides a selection of case studies and examples of programs that are making a difference for Aboriginal and Torres Strait Islander students across ACT public schools. These examples highlight the progress that has been made in embedding cultural integrity and strengths-based approaches to support Aboriginal and Torres Strait Islander students in every school and every classroom.

The report also details the achievements and progress made against the priorities outlined in the Education Directorate's education capital: leading the nation strategic plan 2014-17 and the action plan 2017. These plans are supported by the whole-of-government ACT Aboriginal and Torres Strait Islander agreement 2015-18, which commits to a number of targets, including increasing the year 12 completion rate of Aboriginal and Torres Strait Islander people.

I am very proud of the diverse programs and opportunities provided for our Aboriginal and Torres Strait Islander students. These include: providing access for Aboriginal and Torres Strait Islander families to the Koori preschool program across five schools; various partnerships between schools and the community to embed Aboriginal and Torres Strait Islander perspectives, languages and cultures in the curriculum; providing secondary and tertiary scholarships to Aboriginal and Torres Strait Islander students pursuing health and teaching careers; developing local Ngunawal learning and teaching resources; the growing number of bush tucker gardens in our schools; the commitment of our schools to recognise and observe Sorry Day, Reconciliation Week and NAIDOC Week, among other cultural events; and the annual Buroinjin carnivals and the inner north Aboriginal and Torres Strait Islander community cluster celebrations.

The Education Directorate also has a vibrant Aboriginal and Torres Strait Islander staff network. All staff hold a clear commitment to implement the directorate's reconciliation action plan. All staff have a key role to play in developing environments of cultural integrity which are supported through the provision of high quality professional learning opportunities for teachers.

I am pleased to report that these programs and strategies have had a positive effect on the educational outcomes of Aboriginal and Torres Strait Islander students, as demonstrated by the many achievements outlined in the report. For example, in 2016 the ACT consistently had a higher proportion of Aboriginal and Torres Strait Islander students achieving at or above the national minimum standard for both reading and numeracy compared with national results.

There was also a marked improvement in the retention of Aboriginal and Torres Strait Islander students from year 7 to year 12, with the apparent retention rate growing from 89.5 per cent in 2015 to 98.8 per cent in 2016. We have also seen improvements over the long term in year 12 completions. The number of year 12 Aboriginal and Torres Strait Islander students achieving a senior secondary certificate has risen, from 39 in 2013 to 64 in 2016.

The directorate also continues to provide support for Aboriginal and Torres Strait Islander young people to transition successfully into further study or into the workforce. In 2016-17, 30 Aboriginal and Torres Strait Islander students participated in flexible learning options, with seven participating in a school-based apprenticeship program. Pathways planning, flexible learning options, the aspirations program and the secondary scholarships will continue to contribute to improved engagement, learning and year 12 completion rates.

The directorate has also developed a strong focus on developing understanding around the importance of cultural integrity to build on the positive outcomes already occurring. Schools are working on how to better support students by building environments of cultural integrity, focusing on relationships, celebration, learning and high expectations. This direction is supported by consultation, data analysis and a review of best practice in the national and international literature.

Schools will embed whole-school approaches to cultural integrity by engaging and developing relationships with students, families and the community; celebrating and promoting the success of Aboriginal and Torres Strait Islander students; and including curriculum and programs relevant to students so that they can see themselves in their learning.

The directorate will continue to consult with the local community through a new Aboriginal and Torres Strait Islander education advisory group and the education representative on the Aboriginal and Torres Strait Islander Elected Body. The directorate's relationship with stakeholders and ongoing engagement and consultation have enhanced the directorate's knowledge and understanding of matters of importance to Aboriginal and Torres Strait Islander children and their families. This year has been important for understanding our strengths and determining how we will address the challenges.

I look forward to continuing to drive innovative and evidence-based initiatives to improve outcomes for Aboriginal and Torres Strait Islander students. I am pleased to present this report.

## **Veterans**

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

**MR ASSISTANT SPEAKER:** Madam Speaker has received letters from Ms Cheyne, Ms Cody, Mrs Dunne, Mr Hanson, Ms Lawder, Ms Lee, Ms Orr, Mr Parton, Mr Steel and Mr Wall proposing that matters of public importance be submitted to the Assembly. In accordance with standing order 79, Madam Speaker has determined that the matter proposed by Mr Hanson be submitted to the Assembly, namely:

The importance of veterans in the ACT community.

**MR HANSON** (Murrumbidgee) (3.46): I am very pleased to raise the importance of veterans in the ACT community because, although we are not regarded as a garrison town in the way that Darwin and Townsville are, Canberra is home to a very high number of service personnel and veterans and their families. It is therefore appropriate that this Assembly recognise the important roles they all play in our community.

At the outset may I say how pleased I am with the way the minister for veterans affairs is approaching this portfolio. I am glad that we have been able to put aside the unfortunate start made earlier this year by Ms Cody that threatened what should be a bipartisan approach, and I can now assure the veterans community that a more adult and sympathetic approach is being taken by the minister. I thank him for that.

In recent weeks, many of us have participated in events that mark significant milestones in commemorating and recognising veterans. It has been good to join with the minister in attending the opening of the new peacekeepers memorial on Anzac Parade, the commemoration service for HMAS *Canberra*, and Vietnam Veterans Day, among others.

I think that Vietnam veterans are deserving of special mention because of the way they were treated on their return. Young men, often conscripts, were castigated and blamed on their return for decisions made by the government of the day. As a result, many suffered much more trauma than they should have, and suicide rates and other mental health issues have been alarmingly high. I am glad that as a society we now commend our veterans and that if there is any condemning to do it is aimed at the politicians who make the decisions and not the servicemen and women who carry out those decisions.

This is not to say that the veterans of today's conflicts are not suffering, however. When they return from active service, I know, many of them are. I commend organisations like Soldier On and Remount, who are doing great work locally in supporting veterans of recent conflicts and their families.

This is a city that is home to both the War Memorial and Parliament House. It is not by accident that politicians can view the memorial from their parliament and ponder the consequences of the decisions they make. Let me put on the record the wonderful efforts of Dr Brendan Nelson and his staff at the War Memorial who, in my view, are doing a magnificent job with that wonderful institution.

I would like to take the opportunity to recognise an old mate of mine who I bumped into at the peacekeepers memorial event, James McMahon, who is on the board of the memorial. James, as those who know him and those who have served in the Army over the last 20 or 30 years will know, is very prominent. He was a commander of the SASR, the Special Air Service Regiment, and was recognised with the Distinguished Service Medal for his service in East Timor and the Distinguished Service Cross for Afghanistan. With people like James—or Jim, as he is known to many—on the board, the memorial is in very good hands.

As a legatee, I also acknowledge the generous contributions made by members of the Assembly and their staff during Legacy Week this month. Legacy is representative of many of the ex-service organisations in the ACT that support veterans and their families. The work done by all of the volunteers of these organisations is very important. I am honoured to be the legatee adviser to 13 widows and have seen firsthand the difference that this organisation makes to the lives of so many people.

As a member of the RSL Woden Valley branch, the Royal Australian Regiment Association, the Australian Army Training Team Iraq Association and an honorary member of the Australian Army Training Team Vietnam Association, I also commend these organisations and the many others in Canberra that support veterans. They are joined together through the Kindred Organisations Committee. It is wonderful to see their president, Pat McCabe, here in the Assembly today. I welcome you here, Pat.

I heard a speech the other day that made the point that when a defence member serves, so does their family. As a community we have a responsibility not just to acknowledge the veteran's sacrifice but also that of their family. The ACT, more than many communities in Australia, is touched by its defence families. We have a large cohort of husbands, wives and partners who are our work colleagues, like Mrs Jones. Their children are at school with our kids and, in many cases, they are our neighbours. It is not easy being a defence family, as I am sure Mrs Jones will attest. Relocation, isolation, finding friends and belonging to a community are all challenging, and this is exacerbated when mums, dads and partners deploy overseas for a long stretch.

Support for veterans and the defence community has been a passion of mine since I came into this place. We all bring with us our life experience, and 22 years in the Army has understandably given me this passion. Since my maiden speech, in which I outlined my support for the ex-service community and the currently serving community, I have been joined by my colleagues in calling for greater action by the ACT government.

It was the Canberra Liberals that established the position of shadow minister for veterans affairs in 2009, to which I was appointed, and we called for the establishment of an ACT minister for veterans affairs and for a veterans council. We have called for meaningful initiatives targeted at veterans to be implemented by the ACT government.

I am pleased to acknowledge that now, in 2017, we have achieved much of this. But, as with any area of public policy, there is always a great deal more to be done, and I offer my support in a genuine way to the minister to advance this important cause. I thank him for the genuine interest that he has shown in this portfolio. I also congratulate him on his appointment of Alison Creagh as the chair of the Veterans Advisory Council. I know Alison through my service, and she is a very good choice. Well done.

I also know firsthand from my own experience the impact of defence service and how it can affect families. As an Army wife with limited family support, Fleur held our family together in 2007 when I spent about 10 months away from home as a result of my job. With a very young child who was sick for much of the time, an older stepson, and a job to hold down, she would often find herself in tears at night from loneliness, worry and exhaustion. This is not an uncommon event.

I have also experienced firsthand the effects of returning from active service. It is now about a decade since I returned and it is only now that I have the confidence to talk in this place about how hard that was. I am not sure entirely why, I do not dwell on it, but a few weeks after my return from active service I fell into a deep slump. I do not know that it was depression. I do not know what it was. But at that time I had regular thoughts of taking my own life. With the support of Fleur, I picked myself up and moved on, and our story has a happy ending. Sadly, for many vets and their families there is no happy ending.

Many vets are not coping by themselves. They need our help as a community and they need the support of government at all levels. This crusade that I have been on—and I am glad to see that Minister Ramsay is seemingly joining that crusade, and I congratulate him again on that and urge him to continue to do so—to improve the lives of veterans and service members and their families is personal for me. I will continue to fight for veterans and their families as long as I am in this place.

**MS CODY** (Murrumbidgee) (3.55): I truly thank Mr Hanson for bringing on this important issue. I also thank Mr Hanson for his service, as we should thank all service personnel for theirs. As I have briefly spoken about here, my husband is a veteran. He does not like to talk about his story, and we should always be careful to respect the rights of all veterans to not speak, just as we should respect their right to be heard when they do speak. My husband and Mr Hanson are just two examples of Canberra's veterans, examples of what they have in common and examples of what they do not. Earlier today I was speaking to one of our constituents, a Vietnam veteran. Let us just call him Danny. He spoke to me about the federal Liberal government's decision to close the veterans affairs network office in Woden.

I know we have been told that this office is not really closing. It has been amalgamated into the Centrelink offices in Woden, with Department of Veterans' Affairs staff continuing to manage inquiries. It is not a cost saving; it is just an administrative rearrangement. This has its own challenges for our local veterans trying to access services. Veterans of all ages face some very personal and confidential stories which need confidential and private spaces to be shared. The additional stress being placed on our veterans, as well as on DVA staff to offer the same level of secure arrangements that were offered at the veterans affairs network, is something these important members of our community do not need. Being a veteran is unique, and the different needs, different strengths and different ways of relating with government should be recognised and acknowledged.

I have been told that serving in the armed forces has unique challenges and benefits. Although my husband and his mates do not talk a lot about what they have seen, the camaraderie they share is obvious and important. In many cases people join the armed forces young. They are put into a structured environment. It is a wonderful experience for many but it must be recognised as a strength and a weakness. When the time comes for a change, which usually means leaving the service, there can be mixed emotions. Sometimes our servicemen and women choose to leave. At other times they are forced out by ill health or injury.

As many people know, it is hard to move on from a job you have done for a long time, but military service is so much more than a job. It is a lifestyle, it is a vocation and it is totally immersive. Moving on from a role like that has got to be a whole lot harder. Part of the reason why I am so pleased that Mr Hanson has brought this subject on today is that it gives us an opportunity to recognise the excellent work of Minister Ramsay and the ACT government in assisting the transition of veterans into civilian work. Undertaking a survey across the ACT public service to work out how many veterans are currently employed and the experience they have of entering the ACT public service can inform how we can help others. This is a great initiative. We should be listening to the full diversity of voices and listening to them in every way we can. I encourage Mr Hanson and every other ACT public servant to have their say.

There are also many other things that need to be done. As we talk about veterans we also need to recognise their individuality. They have unique challenges inside the service and out. They have often come from a culture of strict rules and regulations and this can impact on their mental health in many forms. In my life I have had the good fortune to meet and listen to many veterans, from World War I right through to more recent conflicts like Iraq and Afghanistan. I have heard the stories of the rejection experienced by Vietnam veterans back in the day and am committed to ensuring that no veteran is ever treated so poorly again. We must recognise that in many instances veterans will only share with other veterans. They should be empowered to get the support they need on their own terms.

I have seen numerous occasions when offers of support from professional people and organisations are not accepted because they are not offered by a like-minded soul. I am standing here today speaking about what I have seen happen to my friends and family, but I will never truly understand what they go through. I think I get a hint of it when I experience the camaraderie of my friends in the union movement. I have seen many of my veteran friends do this too, and I am thankful that they have the opportunity.

**MRS JONES** (Murrumbidgee) (4.01): I thank my fellow member for Murrumbidgee former Lieutenant Colonel Jeremy Hanson CSC, MLA for bringing on this topic today. Jeremy is a decorated former military officer who has served our nation with distinction. I think it is worth us stopping for a moment to be grateful for what he has done with his life. We are each given one life to do something with, and I think Mr Hanson chose to serve us all with his life at a young age. He spent 22 years of his life in the Australian Army. He joined up in 1986 and only left the military to stand for election to this place.

Jeremy constantly chose to put his country first when serving in both peacekeeping and war service in East Timor and Iraq. In Iraq, Jeremy served in leadership of the very highly regarded Army Training Team Iraq, which assisted to equip locals to defend their own nation as it emerged from war. Australia's Army training teams, from Vietnam onwards, have been one of our finest military achievements, and I am honoured to serve with someone who gave so generously of himself in that unit.

Mr Hanson has been awarded the following medals, badges and commendations: the Conspicuous Service Medal; the Australian Active Service Medal, with clasps for Iraq and East Timor; the Iraq Medal; the Defence Long Service Medal, with one clasp for reaching 20 years of service; the Defence Medal; the UN Medal, with the Transitional Administration in East Timor Ribbon; the Returned from Active Service Badge; and the Army Combat Badge.

This shows how much he and his family have put themselves out there for our community. We often talk in this place about those who struggle because of a particular situation, and indeed they do struggle, but when we turn our mind to our veterans the reason we honour them in particular is that they choose, of their own free will, to put themselves in a position of danger and stress, sometimes to their own detriment and their family's detriment, for all of our sakes.



Jeremy's life is not dissimilar to many such lives here in Canberra. The remarkable thing about him is that, having been through all of this and having seen things that most of us will never want to see in our lives, he has come over into politics and is still serving his community today.

In 2004, just a few weeks after I married my husband, who is an engineer and serves as a major in the Australian Army, he was called to go to Indonesia to assist in humanitarian service in the wake of the Boxing Day tsunami. My dominant memory from that time was having to rush home from the Air Force base they were leaving from to find his textbook from his studies on how to rebuild roads in disaster zones and get together a few pieces of his webbing which were missing—the over-uniform belt that they wear to carry all the accoutrements that a soldier needs on duty—because they left at very short notice.

Today I am a much more robust person, able to handle things much better, but at the time I was just married, I had just moved to Darwin, I was totally alone in the city and I knew no-one. A profound change occurred in me at that time. Bernard was gone to a dangerous place, and while he was clearing up dead bodies from the mud after the tsunami destruction and restoring drinking water to the Indonesian people, I was totally alone. It struck me that because of the timing of the tsunami, there were families like mine all over Darwin who, in many cases, were posting into that city over Christmas without a husband or a dad around to help. Bernard's unit, being the engineers, is all male. I went to the Army headquarters where he was working from, and I asked for a phone and a list of the families who were posting in. I went through that list, and we rang every woman, every wife, every partner and every girlfriend. We spoke to them and made sure that they were okay.

As Australia Day approached and the guys were still all overseas, we had a barbecue. We had a barbecue on that day because I was very aware that those families would not have their dads on that day. We still did not know how long that deployment would be. I am really proud of what the military does to support the families of Defence Force personnel and what we achieved together on that day. It might seem like a small thing, but when your husband or partner has just disappeared off to a difficult zone, that is the kind of help you need.

In 2008 my husband went to Iraq to serve in the Australian Army headquarters at Baghdad airport for seven long months. I was standing as a first-time candidate at the time, and I have to say I was always grateful to be really busy doing something I loved while he was gone. We had two small children at the time, and the person who kept our whole lives together was my mother-in-law, the wonderful Crystal Austin, who dropped everything to come and stay with us and to help with the little boys while Bernard and I served our communities in different capacities. Every time there was an injury or a death of an Australian soldier, my heart would stop and I would quietly melt down, telling myself that it was okay, holding my breath until the name was released and I would know that it was not him.

I tell my story only because it is an insight into what thousands of Canberra families and families all over this country have been through. Ms Lawder is a former defence wife who has been through the same stress. There are staff who work here in this building who are married and partnered to Defence Force personnel who have been deployed over the last couple of years while we have been doing our business here. We have seen them shoulder the load as their spouses and partners have been away, running busy households and holding down jobs all alone, with only sporadic phone calls and emails from the dads and mums millions of miles away.

When the deployed members get home, it is happy and it is sad. It is good to see them again after managing everything alone, but the re-entry process for ADF members is not always easy. Simple tasks like who will wash the dishes or take out the rubbish can be tough to renegotiate. It is like moving in together for the first time all over again, learning to share your space and finances with those who have been deployed.

For them, learning to live the mundane daily family life of suburban Australia can be a very stressful business after living in heightened tension for months on end in deployments. Bernard told me that the thing that stressed him most when he got back was hearing a radio advertisement for how to pack your children's lunchboxes. He said it just struck him that we are so smothered by government in this country that we are not really free to just make our own decisions and get on with our lives. That really upset him. That is not an uncommon experience for someone returning from a war zone.

One friend of mine said that her husband struggles to listen to his children complain about their First World problems after what he has seen overseas. I knew one lady whose husband would drop to the floor if ever she accidentally slammed the freezer, because in his mind he thought it might be a mortar attack.

All in all, our defence members do, after some months, generally readjust to daily life back in Canberra. We hear a lot about the suffering of veterans, and that is real, but, as my husband always points out, there are many veterans who are doing fine. And, more than that, they are everywhere you go. They are making you a coffee in a cafe or servicing your car. They are working in your office, running a small business or working as contractors all over Canberra and Australia.

In many ways they are just the same as everyone else, blending in and doing their part. However, in particular they are doers and they are joiners. Former and current ADF members are people who realise that society is what you make it and that community does not just happen, that a good society can be a fragile thing and needs maintenance. They know that people need to pitch in and be a part of the communities they create. Every community organisation I go to in this city has defence members and veterans in it because in their DNA is service and the idea of putting their community first.

I believe Canberra is much the richer for all that they do for us every day. I thank them for their service. I am glad that, as a result of Mr Hanson's lobbying, we now have a serious shadow minister and a minister for veterans here in the ACT, where so

many Defence Force personnel live after their service. We are turning our minds to how those people can be better integrated into post-ADF life here in Canberra. Their gifts and their talents are many. Finally, to all veterans, to all those who serve in the ADF and to their families, I thank you.

**MS LE COUTEUR** (Murrumbidgee) (4.10): While one of the underlying values of the Greens is peace and non-violence, which essentially means that we do not support or promote war, we do of course acknowledge that veterans have honourably and proudly served our country, both in war and at peace. I cannot imagine how harrowing it must be to be in battle. To be exposed to such violence and terror must have a long-term, profound effect on people.

One group of veterans that I am particularly aware of is Vietnam veterans, because they are my male contemporaries. In those days, they were all male. Well, that is not 100 per cent true—I think there were a few female nurses—but overwhelmingly they were all the boys who might have otherwise been my boyfriends except that they got conscripted. I do remember this very well. I spent a lot of time marching in anti-Vietnam moratorium marches. In the long run, that did make a difference.

But I recall the struggles—I do not just recall; some of it is contemporary—of my friends whose partners served in Vietnam and whose partners returned home traumatised, damaged and broken. Their lives were changed forever, but their family members were also changed forever as a result of the psychological damage they experienced in going to war.

There has been a growing, and unfortunately belated, awareness in Australia of the mental health needs of our Defence Force personnel. We have always had some emphasis on the physical needs, but we are only just coming to grips with the mental needs. This includes post-traumatic stress disorder, but it is much broader than that. We have come a long way from the talk that we had after World War I and World War II of shell shock, with a better understanding of the long-term impacts on the brain of witnessing the horror of war and also of concussion and brain injury.

More recently, there have been welcome moves by the federal government to better understand that, for a range of very complex reasons, Defence Force members have a higher rate of suicide, poor mental health and other burdens than others, regardless of whether they have seen active deployment or not. It seems that these men and women are at risk of these issues once they leave the force and are attempting to reintegrate into civilian society. I am very pleased to see the ACT minister for veterans affairs and the ACT government engage in this national conversation and work to support former Defence Force employees in the ACT public service.

It is important that not only is the service of returned veterans honoured but they are provided with the support they need to be able to participate and be productive in their postwar lives. The Department of Veterans' Affairs ensures that a suite of supports are available, such as rehabilitation services, support services, health services and payments and benefits regimes. I do note that, despite Mr Parton's claim yesterday that white, heterosexual, employed males over 30 are not included, some of that cohort are veterans. My husband, who works in a defence area, works with quite a few of these people, and many veterans were previously in that cohort.

As well as taking this time to honour all our veterans, and, of course, all the members of the armed forces who are still serving, I would like to give some specific consideration right now to those veterans who are same-sex attracted or transgender. There are a couple who come to mind, such as Kate McGregor and Bridget Clinch, who was born Matthew Clinch. Back in 2010, Captain Clinch said he wanted to become a woman. The Army told him he was not the first. There have been others before him, and there will be others in the future, but back then the Army's policy stated:

Consistent with the current ADF medical and recruiting policy, a person undergoing or contemplating gender reassignment cannot be considered suitable for service in the ADF because of the need for ongoing treatment and/or the presence of a psychiatric disorder.

Captain Clinch stood firm and she is still in the Army. She fought the system and, in the end, because of her, the transgender policy as it was is gone. She and her partner now have three children. However, in order to be legally recognised as a woman, she will need to divorce her partner, despite them staying together. As we know, that is not an isolated story.

My point is that on top of dealing with the inevitable issues that arise from the service, those who are in the Defence Force who are transgender face additional hurdles, discrimination and exclusion. Until we have equal marriage, this will not go away. We have an obligation to make sure that these people are supported and do not face discrimination or exclusion, and an obligation to ensure that their rights as citizens are upheld.

Going back to Captain Clinch, she has remained active and was the first transgender candidate for the veterans party in 2016 in Brisbane. At the time, the veterans party issued a statement that said:

The Veterans Party is committed to acknowledging the human rights and diversity of everyone in the community and the fact that every Australian has the right to live a life free of harassment.

Many veterans still contribute to our society through volunteering and fundraising for organisations such as Legacy and Soldier On, and their contributions help to ensure that we remember the significant contributions they have made for our country. And, of course, they contribute not just through specifically veterans organisations; veterans are part of our community as a whole. Given this, we have to ensure that our veterans are not left behind.

Because post-traumatic stress can have a significant impact on the ability to participate in society, maintain healthy relationships and maintain active employment, veterans are unfortunately at a greater risk than others of ending up on the street, homeless. A significant number find themselves in hospital as a result of their chronic mental health conditions and/or their physical injuries. And, as I said, some have ended up homeless. I note that today is International Day of Peace. It is a timely day to discuss the role of veterans. The theme from the United Nations is "Together for peace: respect safety and dignity for all".

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for Regulatory Services, Minister for the Arts and Community Events and Minister for Veterans and Seniors) (4.17): As minister for veterans, it is indeed an honour to speak this afternoon on this matter of public importance. I thank Mr Hanson for bringing this to the Assembly. Indeed, veterans are an enormous asset to our community. Since becoming veterans minister a little under a year ago, it has been a great privilege to meet with a great many of the veterans organisations we have here in the ACT, to hear their stories, to discuss their challenges and to participate in their commemorative events.

Today I want to acknowledge the presence of Pat McCabe OAM in the chamber. Pat is a member of the current Veterans Advisory Council, as well as a member of the incoming Veterans Advisory Council. I thank her for her work in this area, as well as her important work in the broader community.

We know that there are over 5,500 veterans in the ACT who are clients of the Department of Veterans' Affairs, although not all veterans are DVA clients. DVA, however, believes that the total number of veterans in the ACT that are no longer actively serving is more likely to be around 20,000, making them a very significant number of those living in the ACT.

We also know that the average age now of people separating from the Defence Force is around 31 years. For these veterans, supporting their health, wellbeing and participation in civilian employment are key considerations relayed to me in my conversations with ex-service organisations, with DVA and with veterans themselves.

The chair and the deputy chair of my newly appointed Veterans Advisory Council have spoken to me about three key priorities for veterans and for their families in our city. These are: acknowledgement and recognition, community and health support, and transition to civilian employment. I look forward to working with the new council and I would like to take a moment to acknowledge the work of the current council, who have been instrumental in providing advice to me on how we can support the veterans of the ACT.

I have been focusing, and I will continue to focus, my efforts in each of the areas and more, but today I will concentrate my remarks primarily on employment and how we can find practical measures that will assist our veterans to make their transition to new jobs and new careers. This is work that benefits us all.

We know that employment is a key factor in being connected and feeling valued. Our veterans are some of our most highly skilled, trained and experienced people in our community. They have significant training to be leaders in a wide variety of fields, often having to perform complex and technical roles under intense pressure. Connecting and supporting veterans into compatible civilian roles not only makes good policy; it also makes good sense.

But we must also be clear about the challenges that are facing many veterans in the transition to civilian life, and work with them to overcome the barriers. For example,

for those who have been in the ADF for a long period of time, particularly those who joined the ADF at a younger age, the process of applying for either private or public sector jobs may be unfamiliar or one that they have not undertaken in a long time.

Like many highly skilled individuals who are specialists in their field, ADF personnel can also sometimes speak a different dialect to those of us in the civilian workforce. So the ACT government is working to build resources to assist. We are doing this by looking to the experience of my Veterans Advisory Council, the Defence Industry Advisory Board and various ex-service organisations, as well as the lived experience of veterans who now work in the public service.

By learning from these people's experiences, our public service can seek to create the best practice model in the recruitment and retention of former ADF personnel and from there we can, I hope, encourage the private sector to follow suit and tap into this rich, talented resource. As I announced last week, the first practical step on this journey is an all-staff survey of ACT public servants by the end of this year to determine the number of veterans who are already part of the service and to gain an understanding of their experience of entering public service life. The human resources system will also be updated to enable self-identification by veterans.

Based on this information, we will be looking at things like flagging job vacancies as "Defence Force experience desirable"; implementing a rank-level matching matrix to compare levels of ADF experience with ACT public service role expectations; establishing mentoring support for veterans in the initial phase of their employment; and engaging with ADF transition seminars to provide background on the variety of work undertaken within the ACT public service and to raise awareness of employment possibilities.

From there, we can also aim to develop pathways for veterans into specific areas of need in the private sector, such as into the ACT-based defence industry. This important work is assisting our veterans into civilian employment. It is something that the appointees to my new and expanded Veterans Advisory Council have agreed is a high priority for them. I look forward to working with them, as well as the ex-service organisations and my state and federal counterparts, to continually serve the veterans of our community through ensuring their inclusion, their participation and their wellbeing.

I am pleased to have met twice this year with the federal minister to discuss how it is that we can best support veterans who are transitioning and how the territory and the federal government can work together on this. I look forward in a few weeks to attending the annual defence ministers round table, where veterans ministers from all jurisdictions will come together to share information and experience, with this year's theme of "transition".

I also met recently with my New South Wales counterpart, veterans minister David Elliott, to discuss improved cross-jurisdictional cooperation, given that many veterans living in the ACT regularly travel to New South Wales, particularly for medical appointments. Together, we are aiming to iron out some of the issues around travel concessions between Sydney and Canberra.

In August I also announced the opening of the 2017-18 participation grants round for veterans and seniors. These grants are for projects and programs that help veterans to remain actively engaged in our society. These programs can include sport, the arts, skills development and training, and programs promoting social connectedness, both for veterans and, importantly, for the families of veterans.

I believe that we are a strong society when everyone belongs, when everyone is valued and when everyone participates. The participation of our veterans, their feeling of belonging, and the recognition of their skills, their service and their contribution are critical to an inclusive society. But this is a relatively new portfolio in the territory and this work is merely the beginning. I look forward to doing more work across the three priorities that I outlined earlier, as well as working across jurisdictions to make this an area that the ACT government both leads and is focused on.

There has been much discussion in this place on the importance of inclusion. As minister for veterans, I will always work to ensure that this is a city that has the support and the structures to ensure that our veterans are integral, connected and supported members of this community. The nature of service to one's country in the Defence Force is unique. It is important also to recognise the unique challenges facing people separating from the Defence Force and to help them overcome these. In doing so, we acknowledge their skills, their experience and the resilience of our veterans, and we ensure their ongoing contribution to our workforce and our community.

*Discussion concluded.*

## **Adjournment**

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

That the Assembly do now adjourn.

### **Dr Karl Alderson PSM**

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism and Major Events) (4.26): It is with great sadness that this afternoon I mark the passing of our friend and colleague Dr Karl Alderson PSM, who died on Saturday after a long illness.

Karl was a giant of the ACT public service. I worked with Karl in his role as deputy director-general of the Chief Minister, Treasury and Economic Development Directorate, where he was instrumental in developing and implementing an Australia-first and world-first series of policies and legislative reforms. These included the framework for the world-first legalisation and regulation of ride-sharing services, helping the University of Canberra to establish itself as a world-class institution, and our smart-parking trials.

Karl held other senior ACT public service roles, including as the deputy director-general of the Justice and Community Safety Directorate, where he delivered significant justice reforms, particularly focused on restorative justice, court reforms and legal assistance for vulnerable people.

In his time in the commonwealth public service Karl was the key architect of Australia's counterterrorism laws developed in the wake of the September 2001 terrorist attacks. He also held a range of senior executive positions in the commonwealth Attorney-General's Department, including in the criminal law branch of the Office of Legal Services Coordination.

Before his public service career commenced, Karl studied in Canberra, earning degrees in law, with honours, and economics from the ANU. He later graduated with a PhD from the University of New South Wales.

Throughout his career Karl was well known for investing in people and would often talk and act as a sounding board for staff at all levels, as well as tapping into expertise and views across portfolios and levels. As a minister I always found this to be extremely helpful because I knew the advice from Karl would be well considered and reflect a wide range of discussions.

His outstanding policy work was characterised by intellectual rigour, clear expression and creativity. His enduring contribution at the ACT and commonwealth levels has been to train the next generation to work with these same characteristics. He influenced and inspired hundreds of public servants, both in the ACT and in the commonwealth public service. His legacy was reform, but reform with personality, reform with flair and reform with nous. In the days since his passing, many people have reflected that Karl exhibited the best features of the public service—professional excellence, fearless and well-considered advice, lateral thinking, concern for the public interest and a focus at all times on the long-term health and sustainability of the public service and public institutions.

He could be incredibly funny, and I think many of us fondly remember his dry chuckle. The high regard in which Karl was held by his colleagues was recognised last Friday, when he was personally awarded the Public Service Medal by the Governor-General, His Excellency the Hon Sir Peter Cosgrove. In presenting the award the Governor-General said:

Dr Alderson has made an exceptional contribution to both the Australian Capital Territory and the commonwealth public services. He is held in the highest regard for his service as the key architect of Australia's counterterrorism laws. His work on restorative justice schemes and ensuring access to legal assistance for vulnerable people is also noteworthy. Dr Alderson's efforts are deserving of this nation's thanks and recognition. We are all indebted to him.

The head of the ACT public service, Kathy Leigh, has announced that the service is compiling a book on Karl's public service career. I join her in inviting all who wish to contribute to this book to send their memories to my office, along with any photos that you have of Karl. These will be collated and published for his family to help them during this difficult time.

Dr Karl Alderson made an immense contribution to the ACT and he has also left a lasting legacy through all those that he worked with. I am sure I speak for all of my colleagues here in this chamber and throughout the ACT government. Our thoughts are with Karl's wife, Michelle; his daughter, Celeste; his mother, Marelyn; and all of his friends and colleagues.



**Ms Connie Johnson OAM**

**MS FITZHARRIS** (Yerrabi—Minister for Health, Minister for Transport and City Services and Minister for Higher Education, Training and Research) (4.30): I rise today to pay tribute to another Canberran lost recently to cancer, another Canberran who, as many of us know, was honoured to receive an award from the Governor-General about a week, I think, before Karl Alderson received his. I am talking, of course, about Connie Johnson, a long-time cancer advocate and very important Canberran who many of us felt they knew personally.

Connie dedicated her last years to raising funds for cancer research and, most importantly, educating children and adults alike on the importance of early detection. Many Canberrans and people around the country, many part of her village, were saddened to hear of Connie's passing recently. I would like to pass on, as many have done, my sincere condolences to Connie's family, and particularly to her two young sons. Connie was an incredible woman whose work in our community will not be forgotten. It was indeed heartwarming to see her life and work honoured by the Governor-General. I also acknowledge the staff at Clare Holland House, who every day work with families in very difficult conditions and who cared for Connie in her final weeks.

Through Love Your Sister, Connie and her brother, Sam, ran many campaigns to raise funds and promote awareness. Perhaps the best known for Canberrans was the big heart project. After the very simple exercise that Sam did, unicycling around all of Australia, Connie then built on that to embark on a mission to collect enough 5c coins to run the breadth of Australia. On a chilly Canberra day, on 10 May this year, Connie and her thousands of supporters gathered at the Lyneham netball courts throughout the day, throwing buckets and buckets of 5c coins into the shape of a heart. Between those donations and online donations, the big heart project raised \$2.5 million for cancer research alone. As of Wednesday morning last week, the Love Your Sister website had raised just over \$7 million. Originally run from Connie's Kaleen home, Love Your Sister is without a doubt an incredible and inspirational success.

We pay tribute to Connie and her brother in particular, and their supporters, for everything they have done to promote cancer awareness in Australia. In particular, Connie's and Sam's enthusiasm in talking to thousands of schoolchildren, encouraging them to ask their mothers and fathers to check their health, was an original and effective method to raise awareness.

I also acknowledge the incredible work of many other cancer advocates here in the ACT. I have spoken previously of Sarah McGoram, the Wills family and the Anthony family. The week before Connie's passing it was my privilege to host the Childhood Cancer Awareness Month morning tea at the Centenary Hospital for Women and Children. Every year, September is International Childhood Cancer Awareness Month. This was a wonderful opportunity and what I hope will become an annual event.

I thank in particular Dr Jeff Fletcher and Jarret Anthoney, Dainere Anthoney's brother, from Dainere's Rainbow for their official roles in the morning tea. It was also wonderful to meet the family behind Maya's Rest. The month of September is dedicated to raising awareness of childhood cancer. Every day in Australia three families are told that their children have cancer. This is a devastating fact, and our hearts go out to those children and their families.

I thank everyone in Canberra who has shared their story of cancer with me, and I encourage all Canberrans and members of the ACT Assembly to continue to promote awareness of cancer in all its forms. If we have learned anything from the work of Connie and the many organisations at our morning tea last week, it is that early detection is key. I pay tribute in particular to Ms Cody, who shared her early detection experience yesterday. Not in the words usually spoken by a health minister to raise awareness of detection, I use Connie's words in this instance. She often said, and some of her last words were, "Ladies and gentlemen, check your boobs and check your balls." Vale, Connie Johnson.

### **Aboriginals and Torres Strait Islanders—solids program**

**MR MILLIGAN** (Yerrabi) (4.35): I want to raise a concerning matter in the Assembly, the imminent closure of the solid young fulla's and sista's program. I want to begin by offering my condolences to Bill Bashford, who lost his mother just yesterday. I first heard about solids from the folk at Gugan Gulwan. They spoke highly of the program and its impact on the children. I spoke with Bill Bashford late last week and was taken by his passion for the program he initiated and runs, but mostly his passion for the children from his community.

Solids has been operating out of Ngunnawal Primary School, supporting Aboriginal and Torres Strait Islander children and youth to complete their education. The program has had a significant impact on the lives and wellbeing of young members of the Indigenous community. Solids aims to build strong leaders within the Aboriginal community in the Canberra region. It works by keeping Indigenous children in schools. We know that when children stay in school they stay out of trouble.

How does solids achieve this? It is by starting with positive students, spending considerable time each week sharing their positive stories. Helping them share helps them to gain confidence and respect for each other. But there are also activities that link them back to their culture and family, activities such as arts, sports and dance. Bill tells me that recently they had a visit from the Indigenous dance company Bangarra, who showed them how to express their stories using dance, reconnecting them to their culture.

Solids rewards children for school attendance with rewards such as movies and going tenpin bowling. But it is more than a culturally appropriate reward-based program. Working with the community leaders, the program offers mentoring and support and, significantly, it is widely supported by families who come in and help. In return, the parents then help and support each other, get jobs and improve their lives too. It is

truly a community outreach program. Solids has had incredible success. It boasts 100 per cent school completion and in the high 90s for school attendance. Significantly, not one child or youth involved in the program has been mixed up with the justice system. Not one!

Yes, the numbers are small. We are speaking here of 50 or so students who attend the program after school each week. You would think that a program such as this, which aims to keep students out of the justice system and keep them off the streets, would have the support of this government, especially when we hear about the high Indigenous incarceration rates, the high recidivism rates and the high rates of youth detention in the ACT—some of the highest in the country.

But the support, as we heard from Minister Berry yesterday, is not there, nor has it ever been. Yet Bill wants to achieve so much more. The solids motto is, “We have survived. We now want to thrive.” Bill has run solids for the last six years with one-off funding from the federal government’s Indigenous advancement strategy. However, Bill tells me that the program will cease operations as of the end of this year because the federal government’s funding will run out. Despite repeated calls, emails and, yes, tweets, to the various local territory ministers, there has been no support from them.

Let me be blunt: it is time for this government to become serious about supporting these small programs that make a difference in the lives of Indigenous young people. With the right funding for programs such as solids, so much could be achieved. I commend the program to the Assembly for the wonderful work it is doing.

### **Same-sex marriage postal survey**

**MS LE COUTEUR** (Murrumbidgee) (4.39): Once again, I would like to speak briefly on the non-binding, non-compulsory postal survey on equal marriage, but this time on a much happier note. I rise today to celebrate the amazing achievements of the volunteers for the yes campaign for marriage equality here in the ACT.

As the Assembly knows, most of the survey forms were delivered to Canberra letterboxes in the middle of last week. For a lot of people that came as a surprise. It certainly did to me. I do not think anyone expected them to get here this quickly. For anyone who has ever been involved in a campaign, political or otherwise, that involves responses after posting, we know that the first five days after letters are received are the most critical.

No matter how long people have to respond, you could expect that nearly 80 per cent of all the survey responses would have been posted back between Thursday last week and Monday this week, which made last weekend the most critical campaign period in the ACT for the vote yes campaign. I would like to thank everybody who made the campaign work this past week, everyone who went above and beyond, putting tens and hundreds of hours into making sure the ACT has the highest yes vote in the country.

I would especially like to thank Jacob White, the ACT's equality campaign organiser, who jumped in headfirst a few weeks ago to one of the most stressful jobs in politics. Jacob and his team of dedicated volunteer organisers have worked around the clock, quite literally working until 3 am most days, to mobilise the hundreds of volunteers, run dozens of phone banking sessions and distribute tens of thousands of yes campaign materials around the ACT.

At each and every phone bank, and there have been nearly 20 of them so far, there have been between 40 and 60 volunteers turn up after a long work day to give their evening over to the cause. Over this past weekend the yes campaign knocked on over 30,000 doors all across Canberra, with volunteers coming from the ACT Greens, ACT Labor, UnionsACT, the CPSU and first-time volunteers from Australian Marriage Equality—and, yes, I understand a few Canberra Liberals.

Canberra has managed to achieve Australia's biggest single doorknock, I have been told. I am not quite sure where we get the statistics from, but it does seem quite likely. It is really inspiring that for a lot of people this was the first time they have been involved in a campaign. They were ordinary mums and dads, brothers and sisters, friends, lovers—lots of people who have not been politically involved. They may not have been to a rally before and certainly would not have cold-called people or knocked on strangers' doors.

But they came back—all last weekend and night after night—to call people and help them celebrate love and commitment by voting yes. They came back, despite sometimes having some pretty nasty conversations and I understand even death threats, although personally I had only nasty conversations. They came back despite the barrage of hate and lies from some people. And they came back because, as we all know, when we all come together, love will win.

### **Women—Canberra Liberals policies**

**MS CHEYNE** (Ginninderra) (4.43): From what we have heard in the last 36 hours here in this place and throughout the media, it is apparent that the opposition is very concerned about the interests of majorities, about including everyone. It is also clear that they are not quite sure of the distinction between a minority and the marginalised, but I will leave that for another day.

The Canberra Liberals' apparent concern for majorities is ironic. Actually, it is disingenuous because the Canberra Liberals are doing a fine job of excluding a majority of people from their own policy platform, and that majority is women. Women make up more than half the population in the ACT, otherwise known as a majority. For all their bluster about the importance of taking care of all Canberrans, I find it necessary to put on the record the absolute hypocrisy of the Canberra Liberals.

It has now been 50 days since the opposition leader revealed here, in this place, that the Canberra Liberals have no policy on women's sexual and reproductive health. In these past 50 days there has been no attempt to rectify this and to make policy for more than half the population. It is unacceptable to not have policy on issues that affect more than half the population.

*Opposition members interjecting—*

We always hear the opposition talk about how they are a great representation of the diversity of the community, and their interjections just then were the same. Given that the Canberra Liberals do pride themselves on the number of women elected from their party, which we have heard them talk about a number of times this week alone, you would think they would stand up for women. If the Canberra Liberals truly want to appear as an alternative government, they cannot simply abdicate on critical issues such as this to a minister's personal views and hope for the best.

Indeed, if Mr Parton was really serious, genuinely serious, about the need to include everyone then he should have been putting pressure on the opposition leader to define his policy platform on women's sexual and reproductive health in these past 50 days—not five days, not 10 days, not 30 days but 50 days. He is clearly too busy concerning himself with the rights of heterosexual, employed men over 30. So I will do it for him. I continue to call on the opposition leader, as the leader of the alternative government, to prioritise making his party's position clear so that the women of the ACT are properly informed of the opposition's intentions.

**Same-sex marriage postal survey**

**MRS DUNNE** (Ginninderra) (4.46): It has been reported in the *Canberra Times* that the Minister for Education and Early Childhood Development has “had to remind a Canberra school of their obligation to be inclusive after one non-government school asked parents to vote no in the postal survey on same-sex marriage”. The article goes on to say that Ms Berry had “urged ACT schools to remember the diversity of their staff and students”. Hear, hear! Ms Berry added:

All schools have a duty to provide a safe, respectful and inclusive environment free from bullying, harassment, discrimination and violence.

I wish Ms Berry would take a leaf out of her own book. May I remind Ms Berry that her government is urging the people of the ACT to vote in a particular way in this marriage debate and that the government is using taxpayers' money to support that urging, to the exclusion of others. I understand, from a constituent that Ms Fitzharris had a conversation with recently in which Ms Fitzharris was asked why the government is not spending money on the other side of the marriage debate, Ms Fitzharris responded by saying, “Anyone can campaign for the other side in the debate.” And that is true, as I have done, but they will not be doing it with taxpayers' funds, will they?

By using taxpayers' money to support one side of the debate, the ACT government is, in effect, trying to bully and harass—Ms Berry's words—the people of the ACT into voting in a particular way. By this behaviour, the ACT government itself is engaging in the behaviour that Ms Berry has accused a Canberra school of. If I might, I will paraphrase Ms Berry and say this to the government, “With the diversity of views in the ACT community, the people of the ACT should be encouraged to be themselves without experiencing prejudice.”

The ACT government's use of taxpayers' money to promote one side of the marriage debate to the exclusion of the other is prejudicial to some of the people of the ACT. It is particularly prejudicial to those who hold a view that is different from the government but who are taxpayers nonetheless and who see their money being spent in a way that they do not wish it to be spent. And that is not just people who hold a different view. I have been approached by many people who have told me that they are voting yes but they still object to the ACT government spending money on this.

The government should be staying out of this policy debate. It is perfectly fine for MLAs to campaign personally for one side of the debate or the other. Their role as an MLA will serve to raise the profile of whichever side they choose to support. I understand that Ms Berry has tweeted about how nice it was to go doorknocking. I say good on her and Ms Le Couteur and anyone else who wants to doorknock for the yes case—the same for those who will be doorknocking and supporting the no case.

I fully respect the right of individuals to hold and express views in the marriage debate but I expect those individuals, regardless of their views, to express them respectfully and calmly. For the government to support one side of the debate and use taxpayers' money for the purpose is not respectful to the people of the ACT and their diversity. This government is using taxpayers' money to support one side of the marriage debate. It is mounting the campaign in the face of a diverse community. This government, through a minister, has no right to expect a school, a non-government school or otherwise, not to promote the other side of the debate or to remind that school about the diversity of its community. To do so is hypocrisy at its worst.

## **Menslink**

**MS STEPHEN-SMITH** (Kurrajong—Minister for Community Services and Social Inclusion, Minister for Disability, Children and Youth, Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Multicultural Affairs and Minister for Workplace Safety and Industrial Relations) (4.50): I am trying very hard to resist the temptation to rise to the bait of Mrs Dunne's speech, but I would remind her that this Assembly has previously passed legislation to legalise same-sex marriage. The government's position is clear, and we believe that we are reflecting the position of the Canberra community in being inclusive and supporting those people in our community who are at serious risk of vilification and want to have their own right to express themselves and to live their lives freely.

But, Madam Speaker, I rise today to speak on the importance of Menslink, a local community organisation that is focused on supporting young men in our community who are doing it tough. Menslink was one of the first organisations I met with as a minister, and I have attended several of their events over the past year. That includes the Menslink business breakfast on Tuesday, which I attended along with a number of colleagues in this place. It was wonderful to have the opportunity to show my support for Menslink and to see the huge amount of support they enjoy from the broader Canberra community.

Now in its 10th year, the Menslink business breakfast is the organisation's biggest annual fundraising event. This year the event featured the family violence campaigner, school mentor, former Raiders captain and 2017 ACT Australian of the Year nominee Alan Tongue. Unfortunately, I was not able to stay for the keynote speech by Mr Tongue. However, through my portfolio I am well aware of the fantastic work he does with young people, including at the Bimberi Youth Justice Centre through his Aspire program.

Many in our community will be familiar with the great work that Menslink does to provide support and services for young men between the ages of 10 and 25. We know that men in this age bracket are at particular risk of bullying, relationship or family breakdown, unemployment, underemployment and insecure employment. The young men Menslink work with may face drug and alcohol dependency, gambling addiction, depression or anxiety. They may have had an experience of family violence and be struggling to manage their anger and hurt without themselves resorting to violence. Some are at high risk of suicide. We also know that these young men do not always know how to ask for help.

Menslink actively engages with and offers support to all young men who may be having a tough time. Menslink offers a range of services to assist young men in our community in different ways, as well as advocating and raising community awareness of the issues affecting our young men. Menslink's free counselling helps young men identify and access resources in order to bring about positive changes in their lives. Their mentoring program connects vulnerable young men aged 13 to 18 with male mentors who provide one-on-one guidance and the safe, supportive relationship that many of our young men unfortunately lack.

I would like to make particular mention of Menslink's "Silence is deadly" presentations on mental health, which have grown to reach 10,300 young men in our community. This program brings male speakers—including, this year, players and cadets from the Canberra Raiders—into schools in our region to address young men on the importance of speaking out about the issues they face.

I cannot talk about Menslink without also acknowledging the army of dedicated volunteers that support the organisation. The value to our community of the work done by Menslink's unpaid supporters is immeasurable. I would also like to take this opportunity to thank all who contribute to the health, wellbeing, safety and success of Canberra's young men through their work with Menslink. And I would like to encourage any and all men who feel they have the time and temperament to become a Menslink mentor to seriously consider doing so.

Madam Speaker, our efforts to support society's most vulnerable must not be presented as a competition between one group or another. We must of course identify when a particular group faces a particular problem and focus our resources accordingly, but we cannot and should not attempt to turn against each other to compete for empathy or attention. I am proud to support Menslink and the great work they do, just as I am proud to support all Canberrans who step up to help those in need. Lastly, I would like to thank the CEO of Menslink, Martin Fisk, for all the work he has done to help young men make better choices to engage positively with society.

Question resolved in the affirmative.

**The Assembly adjourned at 4.55 pm until Tuesday, 24 October, at 10 am.**



## Answers to questions

### Planning—guidelines (Question No 373)

Ms Lee asked the Minister for Planning and Land Management, upon notice, on 4 August 2017:

- (1) Who is responsible for verifying that new constructed buildings are compliant with rules outlined in the Territory Plan.
- (2) If a property is not compliant with rules of the Territory Plan, is it unable to attain a Certificate of Occupancy.
- (3) If a property has received a Certificate of Occupancy in spite of non-compliance with the rules of the Territory Plan, what are the repercussions.
- (4) Are certifiers responsible for ensuring new single dwelling houses in residential zones are compliant with Rule 43 of the Single Housing Development Code; if not, who is responsible for ensuring properties comply with Rule 43 of the Single Housing Development Code.
- (5) Is a property ineligible for a Certificate of Occupancy, if that property is not compliant with Rule 43 of the Single Housing Development Code; if not, then what mechanism is in place to ensure that new constructions comply with Territory Plan rules, particularly Rule 43 of the Single Housing Development Code.

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

- (1) The planning and land authority assess and determine development applications, by considering, among other matters, the proposed development's compliance with the Territory Plan. The appointed certifier for the building application then has the responsibility to ensure that the constructed building comply with the initial development approval.
- (2) If a proposed development does not comply with the rules of the Territory Plan, and if the relevant rules are not mandatory, it is open to the proponent to rely on relevant criteria. If the proposed development does not comply with the rules or the criteria it would not be able to get development approval, and therefore a building approval and associated certificate of occupancy should also not be approved.
- (3) A Certificate of Occupancy (COU) is issued under the *Building Act 2004* (the Act) when building work is determined by a private certifier to be substantially in accordance with the prescribed requirements of the Act. The building approval process requires the appointed *building certifier* to ensure that the building approval is undertaken in accordance with the development approval granted previously. If there is alleged non-compliance then Access Canberra uses a risk based regulatory approach. Repercussions may include a requirement for a new development approval, works to be done to comply with the existing development approval or if deemed serious enough an investigation may be undertaken by Access Canberra and disciplinary action may be taken against the building certifier.

- (4) The planning and land authority assesses compliance with Rule 43 of the Single Dwelling Housing Code as part of the initial development application process. It is open to the proponent to rely on Criterion 43. The planning and land authority provides an on-line assessment tool to establish compliance with Criterion 43. The appointed certifier for the building application then has the responsibility to ensure that the constructed building comply with the outcome envisaged for Rule or Criterion 43.
- (5) No. As mentioned under (4), if Rule 43 cannot be met, the proponent could still rely on compliance with Criterion 43 to obtain development approval and a subsequent Certificate of Occupancy. A development proposal must comply with the relevant provisions of the Territory Plan for a development approval to be provided. As noted in (3) above the building approval process requires the appointed building certifier to ensure that the building approval is undertaken in accordance with the development approval granted previously. Access Canberra may investigate alleged non-compliances where owners find that their home does not meet the relevant provisions.

### **Municipal services—street lights (Question No 440)**

**Mr Coe** asked the Minister for Transport and City Services, upon notice, on 4 August 2017:

- (1) What independent checks are undertaken to ensure that failed street lights lamps are replaced within the timeframe of 10 consecutive days.
- (2) How many street light repairs to failed lamps were completed outside of the 10 day timeframe in (a) 2014-15, (b) 2015-16, (c) 2016-17 and (d) 2017-18 to date.

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

- (1) Maintenance of the streetlight network is contracted to a private sector contractor. Compliance with contractual obligations, such as required response timeframes is independently monitored and enforced by the contract Superintendent, engaged by TCCS.
- (2) Contractor performance is tracked in terms of "percentage network availability" (as defined in the contract documentation) which is calculated on the basis of the proportion of allocated work completed within required timeframes. It is graphed below. The reduction in performance from October 2015 occurred due to a shift in resourcing by the then contractor.

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

### **Ginninderra blacksmith's shop—maintenance (Question No 459)**

**Ms Le Couteur** asked the Minister for the Environment and Heritage, upon notice, on 4 August 2017:

- (1) Who owns the Ginninderra Blacksmith's Shop.
- (2) Who is responsible for the maintenance of the Ginninderra Blacksmith's Shop.
- (3) Is the Government aware of problems with lack of mowing and loss of corrugated iron from the roof; if so, what is the Government doing to address these problems.
- (4) If the Ginninderra Blacksmith's Shop is the responsibility of the ACT Government, (a) who can the community contact with concerns about maintenance and (b) are interested local residents able to get involved in maintaining the Ginninderra Blacksmith's Shop; if so, how.

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

- (1) The Ginninderra Blacksmith's Shop (GBW) is owned by the Konstantinou Group (KGROUP), and leased by Gungahlin Golf Investments Pty Limited.
- (2) The ACT Government is assessing this matter further and is in discussion with the owner of the site. It should also be noted that in relation to heritage conservation management matters, there is an obligation under the *Heritage Act 2004* on all persons including the relevant land owner to not engage in conduct that would diminish the heritage significance of a heritage listed place.
- (3) For safety reasons, ACT Heritage has collected unattached corrugated iron panels from the grounds and temporarily secured them inside the on-site shipping container adjacent to the GBW.

ACT Heritage has also temporarily secured partially loose panels to the GBW skillion roof, and is arranging urgent conservation works to, permanently reattach these, and the other loose panels.

- (4) The ACT Government is in discussions with the owner about the maintenance issues raised. If local residents are interested in becoming involved in maintaining the GBW, they could contact KGROUP.

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### **Schools—community organisations (Question No 465)**

**Ms Le Couteur** asked the Minister for Education and Early Childhood Development, upon notice, on 4 August 2017:

In relation to use of schools facilities by community groups, for each government school in Canberra, can the Minister provide (a) how many community organisations access schools facilities outside of school hours (for example, for the purpose of running their activity/meetings), (b) what schools facilities are accessed by community organisations, (c) what proportion of organisations used the facilities (i) once off, (ii) irregularly, (iii) regularly and with what frequency, (d) what rates or charges were charged to each community organisation, (e) what proportion of community organisations were exempt from paying rates or charges for use of schools facilities, (f) what insurance the community organisations were required to have, (g) what proportion used the

Government's \$250 per hire insurance deal and (h) what is the breakdown of use based on (i) type or purpose for the organisation (religious, youth, sport, etc), (ii) size of the organisation (national/major, small local group, individuals, etc) and (iii) capacity for each organisation to pay for use.

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

- (1)
  - a) As at June 2016 there were 450 ongoing hirers of school facilities. This number does not reflect one off hirers and is subject to change based on demand from the community.
  - b) The facilities at schools that are used by community groups typically include the gymnasiums and halls, multi-purpose rooms, meeting rooms and classrooms. Outdoor sporting facilities are also used by the community.
  - c) The Directorate does not hold this level of detail in their data. The request would require contact with every school and considerable time to collate the information.
  - d) The Education Directorate's *Community use of schools policies and procedures* place a positive obligation on schools to make their facilities available for public use on a cost recovery basis where there is no adverse effect on the operation and management of the school. Principals may set appropriate charges for the use of school facilities. The Directorate provides indicative community and commercial guideline rates for schools. Individual school principals have the discretion to waive and/or reduce hire rates based on the marginal costs of usage or in consideration of non-cash benefits to their individual school, students and community.
  - e) The Directorate does not hold this level of detail in their data.
  - f) Applicants are required to have their own public liability insurance. Principals have the capacity to waive the requirement for public liability insurance for hirers undertaking low risk activity at Canberra's public schools. Many community groups such as sporting clubs already hold public liability insurance.
  - g) The government's \$250 per hire insurance arrangement is an ACT Property Group process for use in two venues. The Directorate is seeking further information about applying this arrangement more broadly.
  - h) The Directorate does not hold this level of detail in their data. The request would require contact with every school and considerable time to collate the information.

### **Health—nurse-led walk-in centres (Question No 467)**

**Mrs Dunne** asked the Minister for Health and Wellbeing, upon notice, on 18 August 2017:

For each nurse-led walk-in centre (a) how many clinicians are employed and in what specialist fields, (b) how many support staff are employed and at what levels, (c) what are the days and hours of opening, (d) what is the daily average number of presentations, (e) what is the average wait time, (f) what is the average cost for each consultation, (g) what is the daily average number of presentations referred to (i) private GPs and (ii) an emergency department and (h) what information on presentation referrals is provided to the referred GP or emergency department.

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

For each nurse-led walk-in centre:

- a) 6.5 FTE Advanced Practice Nurses, 2.4 FTE Nurse Practitioners (NPs) and 1 FTE Clinical Nurse Consultant (CNC) are employed.
- b) Support staff comprises 3.5 FTE administrative officers (ASO level 3).
- c) The opening hours are 7:30am to 10:00pm, 365 days per year.
- d) For the financial year 2016-17, the daily average number of presentations was 51 at Belconnen and 50 at Tuggeranong.
- e) For the financial year 2016-17, the average wait time was 13 minutes at Belconnen and 24 minutes at Tuggeranong.
- f) The average cost per presentation for the Walk-on centres in 2016/17 is \$188.19. This is based on 2015/16 costs plus indexation as final costs cannot be confirmed until the 2016/17 costing has been completed.
- g) For the financial year 2016-17, the daily average number of presentations that were referred to:
  - i) private GPs was four from Belconnen and four from Tuggeranong;
  - ii) an emergency department was three from Belconnen and five from Tuggeranong.
- h) With the patient's permission, a summary of care is provided by the nursing staff to the client's GP. Not all clients consent to this process. The summary is also provided to the patient, which enables patients who have not selected a GP to give the summary to a GP if they decide to visit a GP after their WiC encounter, or to give to the ED, if they attend the ED after their WiC encounter.

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### **Health—paediatric services (Question No 473)**

**Mrs Dunne** asked the Minister for Health and Wellbeing, upon notice, on 18 August 2017:

- (1) What paediatric specialist services are provided in the ACT by (a) private local practitioners, (b) salaried local practitioners, (c) private visiting medical officers and (d) salaried or contracted visiting medical officers.
- (2) On average per month, for each paediatric service provided in the ACT, how many patients access those services from (a) the ACT and (b) outside the ACT.
- (3) What paediatric specialist services are not provided in the ACT.
- (4) What is the demand for paediatric services not provided in the ACT from patients (a) in the ACT and (b) outside the ACT.
- (5) What assistance is provided to ACT patients who must travel to access paediatric services outside the ACT.

- (6) What are the Government's strategies to (a) attract paediatric specialists to the ACT and (b) retain paediatric specialists in the ACT.

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

- (1) Paediatric specialist services provided in the ACT include:
- a) **Private local practitioners:** Developmental and general paediatrics and neonatal care.
  - b) **Salaried local practitioners:** Paediatric gastroenterology, general paediatrics, paediatric oncology and palliative care, paediatric endocrinology, paediatric nephrology, paediatric respiratory and sleep medicine, general paediatric and neonatal surgery, paediatric endoscopy, paediatric emergency medicine, Child at Risk and Clinical Forensic Medicine services, community paediatrics and paediatric immunology.
  - c) **Private visiting medical officers:** General paediatrics with neurology, general paediatrics and neonatal care, neonatal surgery, paediatric respiratory and sleep medicine.
  - d) **Salaried or contracted visiting medical officers:** Paediatric cardiology, paediatric neurology, paediatric gastroenterology, paediatric haematology and oncology, paediatric rheumatology, paediatric dermatology, paediatric genetics, paediatric ophthalmology.
- (2) On average per month, the following services were provided to paediatric patients in the public system in the ACT during 2016-17:

<b>Service</b>	<b>(a) ACT Residents</b>	<b>(b) Residents Outside ACT</b>
<b>Paediatrics Elective Surgery</b>	77	41
<b>Paediatric Inpatient Services</b>	459	151
<b>Paediatric Outpatient Services</b>	775	230

- (3) The following services are not provided in the ACT:
- a) Paediatric High Dependency (HDU) and Paediatric Intensive care (PICU), (currently in planning phase)
  - b) Complex Paediatric Surgery requiring paediatric intensive care follow-up
  - c) Elective Paediatric Orthopaedics (the general orthopaedics service treats non-elective and trauma paediatric orthopaedics cases)
  - d) Paediatric Dialysis
  - e) Paediatric Renal or Liver Biopsy
  - f) Cardiac Catheterisation and Surgery
  - g) Elective and Semi-elective Neurosurgery
  - h) Intensive chemotherapy for childhood cancers
  - i) Dedicated Adolescent Services
  - j) Infant Sleep Studies
- (4) ACT Health does not collect data on demand for paediatric services not provided in the ACT.

- (5) For patients who need to travel interstate for healthcare not available in the ACT, financial assistance towards travel and accommodation expenses is available through the Interstate Patient Travel Assistance Scheme (IPTAS). Flight travel assistance is available where it is deemed by a doctor to be medically essential.
- (6) In order to (a) attract and (b) retain paediatric specialists in the ACT, ACT Health advertises through a range of sources, offers competitive remuneration and an attractive scope of service to prospective, current employed and VMO staff specialist paediatricians, including opportunities to practice in neonatal intensive care, paediatric surgery, and other surgical subspecialties.

ACT Health also offers opportunities to conduct research and have been effective at attracting and retaining staff. These are opportunities not as easily accessible in other comparable, regional hospitals.

### **ACTION bus service—maintenance (Question No 487)**

**Mr Coe** asked the Minister for Transport and City Services, upon notice, on 18 August 2017:

- (1) Can the Minister provide the total cost of unscheduled repairs to Transport Canberra (ACTION) buses in (a) 2013-14, (b) 2014-15, (c) 2015-16 and (d) 2016-17.
- (2) In relation to the total cost of unscheduled repairs in part (1)(a) to (d), what was the cost of unscheduled repairs that were due to (a) mechanical, (b) vandalism, (c) traffic-related incidents, such as crashes and (d) other reasons.
- (3) How many traffic-related incidents, such as crashes, involved Transport Canberra (ACTION) buses in (a) 2013-14, (b) 2014-15, (c) 2015-16 and (d) 2016-17.

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

- (1) To obtain accurate costings in regard to scheduled and non-scheduled maintenance would require significant filtering of the information recorded. An accurate response to the question asked cannot be provided in the timeframe given.
- (2) See response to Question 1.
- (3) The number of traffic-related incidents involving Transport Canberra (ACTION) buses were:

2013-14	371
2014-15	362
2015-16	363
2016-17	471

Traffic-related incidents are defined as any collisions with other vehicles, objects, animals, pedestrians, and cyclists involving Transport Canberra (ACTION) buses.

**Courts—information technology projects  
(Question No 491)**

**Mr Coe** asked the Attorney-General, upon notice, on 18 August 2017:

- (1) What information technology projects are underway to improve services at the ACT Law Courts, such as WiFi and digital lodgement, and what funding has been allocated to each project.
- (2) What is the status of the projects in part (1) and the expected completion date.
- (3) Are there any other information technology projects being contemplated to improve services at the ACT Law Courts.

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

- (1) The ACT Law Courts and Tribunal is implementing a new Integrated Case Management System (ICMS) for the Supreme Court, Magistrates Court and ACT Civil and Administrative Tribunal (ACAT). The ICMS will be implemented in three stages, and will help streamline processes, improve data collection and analysis and provide a platform for a suite of online services. The projects currently underway include, but are not limited to:
  - (a) Online Forms (e-forms) – which will guide a user to complete the forms required to initiate certain types of court or tribunal proceedings. The completed form can be lodged electronically or manually over the counter. This service also allows users to save their forms for completion at a later date/time and pay the lodgement fee online.
  - (b) Electronic Lodgement Portal – which will give registered users (generally legal practitioners) access to information for matters to which they or their firm are a party; users will be able to search, lodge (electronic) documents, monitor progress and view documents lodged in relation to a matter and pay associated lodgement fees.
  - (c) ICMS Portal (criminal matters only) – which will be made available to key ACT justice agencies (such as the ACT Policing, ACT Director of Public Prosecutions and ACT Corrections). It allows authorised users read only access to selected information from ICMS (criminal only). Users can search for, and access, information pertaining to criminal matters (including parties, charges, outcomes); an accused; or listings.

The Government has allocated \$10.6 million in the 2017-18 Budget over four years for the full implementation of the ICMS. The development of the online services above is included as part of the scope of works of the third stage of ICMS.

The new courts facility will deliver free Wi-Fi in the courtrooms and public areas of the new and existing buildings. Wi-Fi access points have already been installed in all existing courtrooms and will be installed in other public areas and the new courtrooms as the works progress for the building project. The installation is included as part of the scope of works for the new ACT Courts Facilities Public-Private Partnership (PPP) Project currently in progress.



- (2) Online services as part of the ICMS are scheduled to be implemented in mid-2018. At that time, the online forms and electronic lodgement facilities will commence with a small number of court and tribunal forms. This will be followed by subsequent support releases for all court and tribunal forms.

It is expected that the entire ACT courts facility will have free public Wi-Fi access and technologically enabled courtrooms by the commencement of the 2019 Legal Term.

- (3) The ACT Law Courts and Tribunal is seeking to procure a new jury management system that will streamline the processes for summoning, excusing, empanelling and paying jurors. The system will include online 'self-service' functionality.

A project to upgrade the architecture, design and content of the ACAT web site is currently underway and similar projects are proposed for the web sites of the Supreme Court and Magistrates Court.

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### **Waste—dumping and collecting (Question No 492)**

**Mr Coe** asked the Minister for Transport and City Services, upon notice, on 18 August 2017:

- (1) Has the Transport Canberra and City Services Directorate investigated reports of alleged dumping of glass from the ACT at Bywong; if so, has it been determined if the material should have been directed to the ACT's Materials Recovery Facility for recycling.
- (2) Have any discussions commenced with representatives of the NSW Government or with relevant local government authorities regarding the alleged dumping of waste from the ACT at Bywong.

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

- (1) The glass at Bywong was supplied by Remondis Australia Pty Ltd to Group 8 Environmental in 2014 for the purposes of reprocessing into a range of saleable products. It is understood that this material came from the Hume MRF.

The Hume MRF receives co-mingled recyclable material, for example, glass, paper, cardboard etc. from various sources, including residential recycling bins from Canberra and Queanbeyan, removes contaminants and sorts it into commodity categories before on-selling to re-processors.

Group 8 Environmental represented itself as a re-processor of waste glass and Remondis Australia supplied sorted glass to Group 8 for this purpose.

- (2) Yes discussions have commenced and it remains the jurisdictional responsibility of NSW authorities. Furthermore, it is understood that Yass Valley Council are working with the landowner to address the waste issue at Bywong.
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**Transport—planning  
(Question No 499)**

**Mrs Kikkert** asked the Minister for Transport and City Services, upon notice, on 18 August 2017:

- (1) Was the former Charnwood Fire Station site on Lhotsky Street sold via auction in November 2016 and zoned for community facilities.
- (2) Was a development application lodged for the establishment of a childcare centre that can care for up to 176 children.
- (3) If so, what (a) plans does the ACT Government have in managing traffic flow on Lhotsky Street, particularly at the intersection of Lhotsky Street and Florey Drive, to ensure the safety of children and their families as well as those accessing local schools (namely Brindabella Christian College and St Thomas Aquinas Primary School) and Charnwood Shopping Centre and (b) other road safety measures will the ACT Government consider implementing in this area.

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

- (1) Yes. Following its re-zoning from a Transport Services Zone to a Community Facility Zone, it was sold at auction on 30 November 2016.
- (2) Yes. DA201731430 was approved subject to conditions on 3 August 2017. The development application was publicly notified between 8 and 26 May 2017, and no representations were received.
- (3) a. The development application submitted included a Traffic Impact and Parking Assessment by a traffic engineer that considered existing traffic conditions and the expected traffic generation and parking and access requirements of the proposed development. The proposal was referred to and supported by TCCS subject to conditions. The conditions included conditions that related to the treatment of the verge crossing, providing precedence to the pedestrian footpath, and line-marking and signage for three additional on-street parking spaces.  
  
TCCS is considering traffic flow as well as the safety of pedestrians and cyclists at the intersection.
- b. TCCS has recently implemented speed cushions within the 40 km/h speed zone on Lhotsky Street to slow travelling speeds and further improve road safety for pedestrians and all other road users.

**Transport—planning  
(Question No 500)**

**Mrs Kikkert** asked the Minister for Transport and City Services, upon notice, on 18 August 2017:

- (1) Following the petition No 2-17 lodged on 14 February 2017 calling for traffic control lights being placed at the intersection was it announced that Transport Canberra and

City Services have commissioned a feasibility study and preliminary sketch plan for the intersection of Tillyard and Ginninderra Drives.

- (2) Has the feasibility study and preliminary sketch plan commenced; if so, (a) when did it commence and (b) what is the progress of the study and sketch plan to date; if not, (a) what is the reason for the delay, (b) what is the current progress of organising commencement of the study and sketch plan and (c) what is the anticipated commencement date.
- (3) When will the feasibility study and preliminary sketch plan be completed and outcomes announced.

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

- (1) No, the decision to commission a Feasibility Study and Preliminary Sketch Plan was not announced.
- (2) a - c) TCCS have commenced investigations into the intersection of Tillyard Drive and Ginninderra Drive in 2017 and TCCS are considering the findings.
- (3) No announcement dates have been planned at this stage.

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### **Planning—bushfire prone area (Question No 501)**

**Mrs Jones** asked the Minister for Planning and Land Management, upon notice, on 18 August 2017:

- (1) What planning and development restrictions are placed on blocks which fall (a) wholly within and (b) partially within the Bushfire Prone Area.
- (2) Does a block which partially falls within the Bushfire Prone Area have the same restrictions as a block wholly in the Bushfire Prone Area.
- (3) What is allowed to be developed on blocks which fall (a) wholly within and (b) partially within the Bushfire Prone Area.

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

- (1) (a) and (b)

Bushfire-prone areas are defined in legislation under the *Building (General) Regulation 2008*. The provisions of Australian Standard AS3959 and the Building Code of Australia apply to the construction of buildings wholly or partially within bushfire prone areas.

Development applications lodged for land partially or wholly within bushfire prone areas are referred to the Emergency Services Agency and the ACT Rural Fire Service for advice. Advice received through such a referral may impose site-specific conditions or restrictions to be met, in addition to the requirements of the relevant Australian Standard (AS3959) and the Building Code of Australia, for example an ongoing requirement for reducing fuel loads through regular mowing.

Various parts of the Territory Plan also require buildings to be constructed in accordance with the relevant bushfire provisions in the Building Code of Australia.

- (2) Yes, if part of a block is in a bushfire prone area, the same restrictions/considerations would be applied to the whole of the block.
- (3) (a) and (b)

Development on a block is governed by the relevant land use zone as specified in the Territory Plan. The owner of a block may lodge an application to develop the block for the purposes permitted under the relevant land use zone, regardless of whether it is wholly or partially within a Bushfire Prone Area.

Development applications lodged for land partially or wholly within bushfire prone areas are referred to the Emergency Services Agency and the ACT Rural Fire Service for advice. The planning and land authority may use such advice to limit the proposed development of the block, exclude certain uses, or impose additional site-specific conditions.

### **Alexander Maconochie Centre—women’s accommodation (Question No 502)**

**Mrs Jones** asked the Minister for Corrections, upon notice, on 18 August 2017:

- (1) What are the details of the feasibility study into the needs of the ACT’s prison population, including (a) the terms of reference, (b) estimated completion date of the feasibility study, (c) all the options being considered for the women detainee accommodation and (d) the estimated costs of such options.
- (2) What is the exact date of when the Alexander Maconochie Centre will no longer accommodate women detainees in the management unit, noting that you advised the Chamber on 3 August 2017 that the housing of women in the management unit “was not for an indefinite period”.
- (3) What specific steps, if any, will the ACT Government and ACT Corrective Services take in the event that (a) 50, (b) 55, and (c) 60 women were to be incarcerated at any given time during the next quarter.

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

1. The details of the feasibility study into the needs of the ACT’s prison population are below:
  - a) The objective of the feasibility study is to enable the identification, prioritisation and delivery of future correctional requirements in a staged, cost effective manner. The feasibility study will include a draft functional design brief, basic capital works plans, time lines and associated facility detailed business cases. The aim of the feasibility study is for ACTCS to provide a detailed Business Case proposal for the 2018/19 budget submissions.

- b) The estimated completion date of feasibility study – It is anticipated the draft functional design brief, capital works plans and timelines will be completed by November 2017. It is anticipated that a full business case to support the future accommodation at the AMC will be developed for consideration in the 2018-19 Budget.
  - c) The options for female accommodation will be considered in the feasibility study.
  - d) The feasibility study will consider the estimated costs of options for detainee accommodation.
2. Female detainees will continue to be accommodated in appropriate areas of the AMC including the Management Unit while other options are explored.
  3. ACT Corrective Services will continue to monitor female detainee numbers and work with oversight bodies.

ACT Corrective Services is constantly reviewing accommodation options and appropriate planning is on going to meet the short-, medium-, and long-term demands to accommodate female detainees within operational requirements.

### **Planning—bushfire prone area (Question No 503)**

**Mrs Jones** asked the Minister for Police and Emergency Services, upon notice, on 18 August 2017:

- (1) Can the Minister clarify the policy for amending the Bushfire Prone Area.
- (2) What amendments, if any, have been made to the Bushfire Prone Area since 1 January 2017 to 15 August 2017 and (a) what is the rationale for these amendments, (b) were any amendments made to the Bushfire Prone Area map on the ACT Government's website and (c) was consultation undertaken with (i) the local community and (ii) insurance companies prior to these changes.
- (3) How many houses as at 1 January 2017 fell within the Bushfire Prone Area in (a) Chapman and (b) Duffy.
- (4) How many houses are currently within the Bushfire Prone Area in (a) Chapman and (b) Duffy
- (5) Have any houses damaged by the 2003 Canberra Bushfires been removed from the Bushfire Prone Area.

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

- (1) Part 1 of the ACT Strategic Bushfire Management Plan (SBMP) provides for the Bushfire Prone Area (BPA) map to be *'...reviewed and refined to reflect changes in land use and tenure, as improved vegetation mapping becomes available and to address local and site specific issues as required'*.

- (2) The BPA was revised between 1 January 2017 and 15 August 2017. The original BPA was desk-top based, with limited capacity to differentiate vegetation types. Using Light Detection and Ranging (LiDAR) aerial imagery systems combined with on ground assessment, better mapping capability of vegetation types was undertaken.
- a. The revised BPA now considers and incorporates the different risks posed by forest, woodlands, or grasslands adjoining urban blocks. It also considers and excludes where appropriate, a wide range of areas assessed as low-risk due to vegetation maintenance regimes e.g. golf courses, sporting fields, large complexes, etc. The rationale to review the BPA was to reflect changes in land use and tenure. Emerging science, such as LiDAR, also allows us to make more accurate determinations on the risk of bushfire on properties.
  - b. The BPA map is publically available via ACTMapi and is amended when any changes are made to the BPA as a result of a review. Links to the ACTMapi site maintained by the Environment, Planning and Sustainable Development Directorate (EPSDD) are also provided via the ACT Government Information Portal (website) [www.act.gov.au](http://www.act.gov.au), the ACT Emergency Services Agency (ESA) website [www.esa.act.gov.au](http://www.esa.act.gov.au) via '*Canberra, it's time to get Bushfire Ready*' and EPSDD via [www.environment.act.gov.au/home](http://www.environment.act.gov.au/home).
  - c. Consultation:
    - i. Amendments to the 2017 BPA were consulted with EPSDD, the ACT Bushfire Council, ACT Rural Fire Service and ACT Fire & Rescue. The 2014 SBMP which prescribes the BPA was widely consulted within the ACT community.
    - ii. The ESA did not consult with insurance companies during the 2017 BPA amendments.
- (3) As at 1 January 2017, the number of houses that fall within the BPA in:
- d. Chapman was 463
  - e. Duffy was 276.
- (4) As at 18 August 2017, the number of houses that fall within the BPA in:
- f. Chapman was 193
  - g. Duffy was 241.
- The reason for the reduction in the number of houses that fall within the BPA in Chapman and Duffy is that we are able to make more accurate determinations on risk of bushfire on properties, as explained in response to question (2).
- (5) Yes. For the reasons outlined in response to questions (1) and (2), the risk profile for some houses has changed since 2003.
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**Animals—cat containment policy  
(Question No 505)**

**Ms Le Couteur** asked the Minister for Transport and City Services, upon notice, on 18 August 2017:

- (1) How many infringement notices have been issued by Domestic Animal Services (DAS) Rangers for non-compliance with cat containment requirements in ACT suburbs over the past 5 years (broken down by year).
- (2) What level of fine was issued to the keeper or carer of the cat found to be non-compliant in each of these cases.
- (3) What strategies are in place to ensure that the keeper or carer responsible for a cat containment breach is identified when the cat has not been caught by DAS Rangers.
- (4) How many infringement notices have been issued for breaches of the de-sexing requirement for domestic cats over the past 5 years (broken down by year).
- (5) What strategies are in place to check compliance with de-sexing requirements for domestic cats.
- (6) What community education programs exist to ensure people who adopt a cat know about their responsibilities regarding de-sexing and micro-chipping.
- (7) Can the Minister clarify the ACT Government's policy on microchipping domestic animals.
- (8) What is the law as it stands regarding microchipping of domestic animals, and specifically cats.
- (9) What plans (either as a matter of policy or in the Animal Welfare & Management Plan) exist regarding the expansion or uptake of microchipping in the ACT.
- (10) Can the Minister clarify the ACT Government's policy and process on the registration of domestic animals.
- (11) What is the law as it stands regarding registration of domestic animals, and specifically cats.
- (12) What plans (either as a matter of policy or in the Animal Welfare & Management Plan) exist regarding the expansion or uptake of registration in the ACT.
- (13) What data does the ACT Government collect on the number and types of native species killed by cats in the ACT.

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

- (1) No infringements have been issued.
- (2) Not applicable.

- (3) Where complaints are made about a roaming cat in a cat containment area, Domestic Animal Services (DAS) rangers will undertake enquiries to establish the owner of the cat and, in cases where ownership is determined, remind the owners of their responsibilities.
  - (4) No infringements have been issued.
  - (5) Compliance is undertaken on an opportunistic basis when a cat is accessible to DAS rangers. The initial approach to compliance focuses on providing educational information about the requirements for de-sexing.
  - (6) Information on the responsibilities of a cat keeper or carer is available on the Transport Canberra and City Services (TCCS) website. Consistent with the Animal Welfare and Management Strategy, TCCS has recently launched a community education campaign called '*Paws for Thought*', which promotes responsible pet ownership, including information on cat ownership. The RSPCA ACT also provides information to cat owners and those who adopt cats.
  - (7) The Government's policy in relation to micro-chipping is consistent with the Domestic Animals Regulation 2001, which requires all dogs and cats over the age of 12 weeks to be micro-chipped. An animal welfare exemption is provided for cases where there is a health concern to the animal.
  - (8) The Domestic Animals Regulation 2001 requires all dogs and cats over the age of 12 weeks to be micro-chipped.
  - (9) The Animal Welfare and Management Strategy provides for increased community education and awareness-raising in relation to all aspects of responsible pet ownership, including micro-chipping.
  - (10) The Government's policy is in accordance with the *Domestic Animals Act 2000*, which generally requires that a person must not keep an unregistered dog unless the dog is under 56 days old; the person has kept the dog for less than 28 days; or the person has been a resident of the ACT for less than 28 days. The registration of a dog remains in force for the lifetime of the dog unless it is surrendered or cancelled. Registration processes require owners to apply for registration through Access Canberra or in person at the DAS shelter in Symonston. There is no legislative requirement to register cats or other animals.
  - (11) Laws regarding registration of domestic animals are provided in the *Domestic Animals Act 2000*. Registration is mandatory for dogs but is not required for cats or other animals.
  - (12) The Animal Welfare and Management Strategy provides for increased community education and awareness-raising in relation to all aspects of responsible pet ownership, including dog registration. The Strategy also calls for the analysis of options for improving animal management and identification systems and processes. This analysis is underway and will include a review of the current registration requirements for domestic animals.
  - (13) No such data is collected by the ACT Government.
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**Waste—recycling facility  
(Question No 509)**

**Ms Lee** asked the Minister for the Environment and Heritage, upon notice, on 18 August 2017:

- (1) What site remediation will be required on Fyshwick Block 9, Section 8 and Fyshwick Block 11, Section 8 for the Capital Recycling Solutions and ActewAGL Fyshwick joint venture.
- (2) What is the anticipated timeframe for such work.
- (3) Has the site been subject of a sale to any or all of the joint venture partners.

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

- (1) The proposal is currently going through an environmental impact assessment process. Once this process is complete the proponent would be at liberty to lodge a development application, where the issues of site remediation would be further considered.

The site is yet to be fully assessed to ascertain the level of remediation required. The Environment Protection Authority (EPA) has been notified of impacts to soil and groundwater associated with the former use of the site as a fuel depot.

Remediation of soil and groundwater at the site is expected. For development applications where there is site contamination, the EPA will set requirements through the site's development consent conditions, that the site be assessed and remediated by a suitably qualified environmental consultant. The works must also be independently audited by an EPA approved contaminated land auditor prior to any change of use.

The auditor's findings into the site's suitability from a contamination perspective for its proposed and permitted uses under the Territory Plan must then be reviewed and endorsed by the EPA prior to the site being used for other purposes.

- (2) The EPA is unable to speculate on the timeframe for remediation of contamination at the site as it is subject to the timing of the independent audit report, the level of contamination identified and the priorities of the proponent.
- (3) The Territory is currently in the final stages of preparing an offer for the direct sale of land for Block 11 Section 8 Fyshwick to Capital Recycling Solutions (CRC).

Block 11 has been approved for direct sale by the Minister for Planning and Land Management under the Planning and Development Act 2007 and is being sold as a parcel that is contiguous to Block 9.

Block 11 will be sold at market value and furthermore there will be a condition of the direct sale that requires the Crown lease over Block 11 be consolidated with the CRC's existing Crown lease over Block 9 Section 8 Fyshwick.

The direct sale of Block 11 provides the ability for Capital Recycling Solutions to directly access the adjacent railway tracks from the consolidated block to land without the need to cross an area of unleased Territory owned land.

The sale process is separate to the current environmental impact assessment or any future DA process.

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**Waste—dumping and collecting  
(Question No 510)**

**Ms Lee** asked the Minister for Transport and City Services, upon notice, on 18 August 2017:

- (1) Has the ACT Government ever entered into an arrangement with a recycler or recyclers to transport glass products collected from ACT curbside collections outside the ACT; if so, what due diligence was done by the Government to ensure the glass would indeed be properly recycled.
- (2) What discussions has the Government had with the Yass Valley Council and the NSW EPA about the dumping of glass from ACT recycle bins at Bywong.
- (3) If the Government has had discussions; (a) when did these discussions commence and (b) what was the outcome of these discussions.
- (4) Does the ACT Government acknowledge any responsibility for the glass from ACT recycle bins which has been dumped beside the Federal highway in NSW; if so, what action is the Government taking to remediate the site.

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

- (1) No.
  - (2) In late 2015 and early 2016, the ACT Environment Protection Authority had discussions with a number of parties concerning the stockpiling of glass in Hadlow Drive Bywong, including the NSW EPA, Yass Valley Council, Remondis (ACT operator) and Group 8 (glass recipient Bywong).
  - (3) a) Refer to response to question 2;  
b) Remondis ceased taking material into NSW once they were advised by the ACT EPA that the facility did not have the appropriate NSW approvals.
  - (4) Full responsibility lies with Group 8.
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**Government—land development policies  
(Question No 511)**

**Ms Lee** asked the Minister for Housing and Suburban Development, upon notice, on 25 August 2017:

- (1) What was the scheduled date of settlement of Block 11 Section 21 Hume to FOY Group.
- (2) Was the sale settled on that date; if not, why not.

- (3) What information did the Minister rely on to inform the Select Committee on Estimates in a Question on Notice on 5 July that the sale had been settled on 26 June and what information did the Minister receive after 5 July about the settlement date.
- (4) Is the Suburban Land Authority or the former Land Development Agency in dispute with the FOY Group regarding the sale of the block.
- (5) What steps has the Government taken or directed to the Suburban Land Authority (or the former Land Development Agency) to facilitate completion of this contract for sale.
- (6) What are the terms, including financial penalties, of failure to complete the contract for sale.
- (7) Has the Government (or the Suburban Land Authority or the former Land Development Agency) demanded a completion of the contract for sale.
- (8) Has the Government (or the Suburban Land Authority or the former Land Development Agency) pursued any financial penalty as a result of the FOY Group's failure to complete the contract for sale; if not, why not.
- (9) Will the Government (or the Suburban Land Authority or the former Land Development Agency) retain the deposit if the sale fails to complete.
- (10) What is the Government's (or the Suburban Land Authority or the former Land Development Agency's) plans with the block if the FOY Group abandons its obligation to complete the contract for sale.

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

- (1) Settlement was originally scheduled for 26 June 2017.
- (2) No. FOY was not ready and able to settle on this date.
- (3) The response provided referred to the **scheduled** settlement date. Following FOY's failure to settle, advice was provided to me on the status of the Contract. The response to QTON E17 330 of 5 July 2017 was subsequently replaced with a revised response on 17 July 2017, however the information on the scheduled settlement date is correct in both versions.
- (4) The transaction remains subject to a settlement process under contract. While not a 'dispute' this is a legal process.
- (5) The ACT Government Solicitor's Office acts for the Suburban Land Agency in this matter and has been instructed to pursue settlement in accordance with the Contract. As per the Suburban Land Agency's policy, requests for extension have been considered by the appropriate delegate and assessed.
  - The original settlement date of 26 June 2017 was not met by FOY.
  - As per the requirements of the Contract, a Notice to Complete was then issued requiring settlement on or before 18 July 2017.

- FOY failed to settle on that date and requested an extension to complete which was agreed by the Suburban Land Agency. The revised date was 25 August 2017.
  - Following ongoing discussion between the parties, the Suburban Land Agency executed a Deed with FOY (now known as Integrated Green Energy Solutions Limited) on 15 September 2017 with a revised completion date of 20 October 2017.
  - Failure to complete on this date allows the Suburban Land Agency to terminate the contract.
- (6) As completion did not occur by the required date, penalty interest is applied as per the terms of the Contract until completion takes place.
- (7) Yes, a Notice to Complete has been issued.
- (8) Yes.
- (9) Yes.
- (10) If the contract for sale is not completed the Suburban Land Agency will make the block available for purchase ‘over the counter’.

### **Government—events policy (Question No 512)**

**Mrs Dunne** asked the Chief Minister, upon notice, on 25 August 2017 (*redirected to the Minister for Tourism and Major Events*):

- (1) In relation to the answer to questions on notice Nos 340 and 372 about the engagement of Theater TOL VZW (“the company”) for performances at Enlighten 2017, did the Government consult with the Musicians’ Union of Australia, the Media, Entertainment and Arts Alliance, and any other relevant unions before contracting the company; if so, what (a) was the nature of the consultation with each union, (b) information was provided to each union and (c) response did each union give; if not, why not.
- (2) Did the Government pay the relevant consultation fees to the unions; if so, what fees were paid; if not, why not.
- (3) Did the Government consult with the National Capital Authority (NCA); if so, what (a) was the nature of the consultation, (b) information was provided and (c) response did the NCA give; if not, why not.
- (4) Did the Government apply for and secure any relevant licences either from unions, or government agencies in other jurisdictions; if so, what licences were obtained; if not, why not.
- (5) Did the Government, as sponsor of the company, apply for and secure any relevant work visas.

- (6) Did the Government take out any additional insurances, given the nature of the performances; if so, what (a) additional insurances were secured and (b) was the cost; if not, why not.
- (7) Did the Government, as the company's sponsor, ensure engagement of the company's personnel complied with all relevant Australian laws and union requirements relating but not limited to employment and taxation laws, and hospital and medical insurance.
- (8) In relation to the answer to part (4) of question on notice No 372, how many people attended the company's performance given on 10 March 2017.

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

- (1) No. The company was proposed by the Creative Director of Enlighten Canberra (Contractor) as part of the curator program of free outdoor entertainment for Enlighten 2017.
- (2) No.
- (3) Yes. As part of the event approval process for land use of Parliamentary Triangle all documents relating to the scheduled performance (including all infrastructure, equipment and schedule for technical set up, rehearsals and performance) were provided to the National Capital Authority (NCA).
- (4) No, not directly. A contractor with the relevant licenses (rigging, crane operation and pyrotechnics) was engaged. Worksafe ACT was consulted and inspected the performance setup to ensure that all regulations were met.
- (5) Yes.
- (6) No, as part of the performance agreement the Company (Theater Tol) is required to maintain adequate insurances for the nature of activity engaged for.
- (7) Yes.
- (8) The overall attendance at Enlighten on 10 March 2017 was estimated at 50,000 people. Of this approximately 20,000 people viewed the company's performance.

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**ACT Fire & Rescue—firefighter numbers  
(Question No 515)**

**Mrs Jones** asked the Minister for Police and Emergency Services, upon notice, on 25 August 2017:

- (1) In relation to question on notice E17-418, when was the previous two times the modelling to determine firefighter numbers of the ACT was reviewed, prior to March 2016.
- (2) What are the details of the March 2016 review of the modelling to determine firefighter numbers in the ACT.

(3) Can the Minister provide a copy of the review.

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

- (1) Modelling is undertaken on firefighter resources including pumper appliances and locations of stations, rather than on firefighter numbers alone, and is updated periodically. Modelling was updated in 2011 and 2015.
- (2) The Government is considering firefighter resources including pumper appliances and locations of stations. The modelling is Cabinet-in-Confidence and cannot be released publicly; however, it confirms that the ACT has appropriate firefighter staffing levels.
- (3) The modelling is Cabinet-in-Confidence and cannot be released publicly.

### **ACT Fire & Rescue—female applicants (Question No 516)**

**Mrs Jones** asked the Minister for Police and Emergency Services, upon notice, on 25 August 2017:

In relation to question on notice E17-418, how many women attended the information sessions for intending applicants, broken down by the two sessions for women only, and the four sessions of all applicants.

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

<b>Date</b>	<b>Session Type</b>	<b>Location</b>	<b>Total Attendees</b>	<b>Female Total</b>	<b>Female Percentage</b>
7/6/17	Open	West Belconnen Fire Station	43	8	19%
10/6/17	Female Only	West Belconnen Fire Station	16	16	100%
14/6/17	Open	ESA Training Centre, Hume	46	8	17%
17/6/17	Open	West Belconnen Fire Station	52	9	17%
21/6/17	Female Only	West Belconnen Fire Station	21	21	100%
24/6/17	Open	ESA Training Centre, Hume	41	5	12%
		<b>Totals</b>	<b>219</b>	<b>67</b>	<b>30%</b>

### **ACT Emergency Services Agency—legal services (Question No 517)**

**Mrs Jones** asked the Minister for Police and Emergency Services, upon notice, on 25 August 2017:

In relation to question on notice E17-419, what indirect expenses were incurred by the Emergency Services Agency on legal services in 2016-17.

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

All legal services for the ACT Emergency Services Agency (ESA) during 2016-17 were provided by the ACT Government Solicitor (ACTGS). The costs and expenses for those legal services were met by the Territory's appropriations for legal services.

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### **ACT Policing—Neighbourhood Watch (Question No 518)**

**Mrs Jones** asked the Minister for Police and Emergency Services, upon notice, on 25 August 2017:

Did the Minister state in the reply to question on notice 427 of the Select Committee on Estimates 2017-2018 that "the annual grant [to Neighbourhood Watch] has remained static over the past four years, and has been reviewed annually by ACT Policing and ACT Neighbourhood Watch"; if so, what were the findings and evidence from these reviews which meant that the funding for Neighbourhood Watch remained the same for four consecutive years.

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

The funding for ACT Neighbourhood Watch (NHW) has been granted for the past four years from ACT Policing's Crime Prevention Program. The Crime Prevention Program funding is used to provide grants to organisations within the ACT who wish to deliver a crime prevention/reduction program or event, which ideally aligns with ACT Policing's performance measures.

All applicants for grant funding are requested to submit a written request outlining the purpose and funding required to deliver the service. ACT NHW submits a written application each year and this year, asked for an increase in the amount to be granted. The funds are used by ACT NHW to support the ongoing delivery of their community safety program, and to cover the rental of a room in Havelock House, for Board meetings and other gatherings, printing and other administrative costs, as required.

The application from ACT NHW for 2017-18 sought an increase in the grant from \$22,000 to \$25,000, which has been approved by the Chief Police Officer. The increase in funding will offset increases in administrative costs for ACT NHW.

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### **ACT Policing—tasers (Question No 519)**

**Mrs Jones** asked the Minister for Police and Emergency Services, upon notice, on 25 August 2017:

(1) Did the Minister state in reply to question on notice 433 from the Select Committee on Estimates 2017-2018, about the company supplying the TASERS and training, that "ACT Policing is yet to commence the procurement process"; if so, has ACT Policing commenced the procurement process; if so, what are the details of this procurement process.

(2) When will the TASERs be delivered.

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

- (1) ACT Policing is currently progressing the procurement in accordance with the Commonwealth Government Procurement Guidelines.
- (2) The TASER delivery date will be determined by the timings associated with this process.

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**ACT Health—medical waste disposal  
(Question No 522)**

**Mrs Dunne** asked the Minister for Health and Wellbeing, upon notice, on 25 August 2017:

- (1) What process do ACT Health facilities do to dispose of medical waste safely.
- (2) Who does ACT Health pay to dispose of medical waste on its behalf and how much are these contracts worth.
- (3) How does ACT Health dispose of used syringes.
- (4) What process does ACT Health use to dispose of used bandages, sutures and other material from patients.
- (5) What actions does ACT Health take to ensure that all materials are properly disposed of.

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

1. ACT Health disposes of medical waste safely from its facilities through a process that includes purpose made bins and signage in compliance with the ACT Clinical Waste Act 1991. Medical waste is also referred to as clinical waste. The bins are collected by a licenced clinical waste contractor from the site.
2. Daniels Health Pty Ltd is the clinical waste contractor responsible for the collection and disposal of clinical waste from all ACT Health facilities. The annual contract value fluctuates in line with activity and growth. The contract value is commercial in confidence.
3. Purpose built sharps containers are provided at ACT Health facilities for the collection of used syringes. The containers of used syringes are collected from facilities by the clinical waste contractor. Contents are treated prior to safe disposal at an approved site in accordance with the *ACT Clinical Waste Act 1991* and the Environment Protection Authority conditions of licensing for both NSW and ACT.
4. All clinical waste including bandages, sutures and other material from patients is captured in purpose built clinical waste bins. These bins are collected from facilities by the clinical waste contractor. Contents are treated prior to safe disposal at an approved site in accordance with the *ACT Clinical Waste Act 1991* and the Environment



Protection Authority conditions of licensing for both NSW and ACT. Higher risk waste from patients, including those contaminated with cytotoxic drugs, are sealed and incinerated.

5. ACT Health provides specific containers for the collection of clinical wastes and sharps at all facilities. ACT Health conducts an annual compliance check of all Environment Protection Authority licences and other regulatory permits such as truck permits. Periodic audits make sure there is identification and rectification of incorrect waste streaming practices.

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### **Health—costs (Question No 523)**

**Mrs Dunne** asked the Minister for Health and Wellbeing, upon notice, on 25 August 2017:

- (1) In relation to the Urology Surgical Variance Report for 2017, released by Medibank and the Royal Australasian College of Surgeons, why do patients in Canberra have to pay the highest price in Australia for prostate cancer procedures.
- (2) Why do all patients in the ACT have to pay out-of-pocket expenses compared to other jurisdictions where only a proportion of patients have to meet out-of-pocket expenses.
- (3) What is the Government doing to offer Canberrans a service that is more comparable in cost to other jurisdictions.

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

- (1) This report relates to charges incurred in private facilities. The ACT Government has no governance over private hospital pricing, only licensing Health Care Facilities under the current policy, and legislation.
- (2) Charging by private specialists is a matter for the specialists themselves and reflects market forces. In general, the more private specialists, the lower the pricing.
- (3) ACT Health has governance over public hospitals which provide a free service as per Medicare. ACT Health has no governance over pricing structures in private facilities.

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### **ACT Health—grants (Question No 526)**

**Mrs Dunne** asked the Minister for Health and Wellbeing, upon notice, on 25 August 2017:

- (1) Why does the ACT Health website say there are no health grants funding opportunities currently available.
- (2) If grant funding opportunities will become available in 2017-18, when will that be announced.

- (3) How much money is in the 2017-18 Health budget for (a) Healthy Canberra grants, (b) Health Promotion Innovation Fund grants, (c) community fund grants and (d) other health-sourced grants.
- (4) In relation to each of parts (3)(a) to (3)(d), if no money is in the 2017-18 Health budget, why not.

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

- (1) The ACT Health Promotion Grants Program will open in October 2017.
- (2) Yes, as above.
- (3) 2017/18 indicative allocations for each new funding opportunity are as follows (EX GST):
- a) Healthy Canberra Grants - \$635,208;
  - b) Health Promotion Innovation Fund - \$96,700;
  - c) Not applicable;
  - d) There are no other community-based grants programs within ACT Health.
- (4) Not applicable.

### **ACT Policing—tasers (Question No 528)**

**Mrs Jones** asked the Minister for Police and Emergency Services, upon notice, on 25 August 2017:

- (1) In relation to Conducted Electrical Weapons (commonly referred to as TASERs), did the Minister state in his answer to question on notice 433 from the Select Committee on Estimates 2017-2018 that “the cost of TASER training is estimated to be an average of \$91 per hour, per member; if so, how many hours of TASER training will be required for each the 423 additional officers.
- (2) How often will these officers needs to undertake further training to use the TASERs.
- (3) At what date will all of the 423 officers be fully trained to operate TASERs.
- (4) How many police officers are currently trained to operate TASERs.

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

- (1) My answer to Question on Notice 433 estimated the cost of TASER training at an average of \$91 per hour, per member. Training in the use of a TASER is a two day course at 8 hours per day for each additional officer.

Members are rostered to attend training. Resources and Instructors are supplied by AFP Learning and Development and ACT Policing Operational Safety Training.

- (2) Members who are qualified in the use of TASERs will need to renew their qualification yearly, in conjunction with their Operational Safety Assessments.
  - (3) The training of ACT Policing members in the use of TASERs is an ongoing priority for ACT Policing. At Budget Estimates, the Chief Police Officer anticipated that the training would be completed throughout 2017-18.
  - (4) As at 11 September 2017, there are 234 ACT Policing members trained to operate TASERs.
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**Alexander Maconochie Centre—work programs  
(Question No 529)**

**Mrs Jones** asked the Minister for Corrections, upon notice, on 25 August 2017:

- (1) In relation to work programs for detainees within the Alexander Maconochie Centre (AMC), what is the total number of (a) men and (b) women detainees currently employed at the AMC.
- (2) What is the breakdown of these jobs.
- (3) How many hours are offered per week for these jobs.
- (4) How does this compare with the total number of inmates at the AMC.
- (5) During women detainee shifts in the bakery, are male detainees in the same facility.

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

- (1) 177 male and 13 female detainees are employed at the AMC. This equates to approximately 41% of all male detainees and approximately 31% of all female detainees. Detainees may not be able to be employed in certain circumstances including where their classification, legal status, health or lack of completed compulsory education (for example, a white card) preclude them from employment.
- (2) Detainees are employed in roles including grounds maintenance, AMC laundry/textiles, AMC kitchen, visits area sweepers, visits area baristas, area sweepers (education, programs, industries, activities buildings), recycling and in general cellblock employment roles (internal kitchen, floors, laundry, windows, bins, dioxies, yard, vacant cell cleaners).  
  
Detainees accommodated in the Transitional Release Centre are employed in stores, external grounds maintenance and on work crews.
- (3) All roles attract remuneration for a 30, 36, or 42 hour week at either level one, two or three. Levels and hours are based on a detainee's accommodation area, the level of skill and responsibility required to undertake the role and active engagement in approved programs and/or education.
- (4) A table showing the breakdown of detainees is below. These figures are derived from the detainee payroll dated 28 August 2017.

Fulltime education includes the Culture and Land Management Program for Aboriginal and Torres Strait Islander men and women. Fulltime programs include the Solaris Therapeutic Community and the Adult Sex Offender Program. Unavailable includes detainees whose classification, legal status, health or lack of completed compulsory education (for example, a white card) preclude them from employment.

Employed service industry	190
Unavailable	168
Fulltime education	15
Fulltime programs	33
Unemployed	70
<b>Total in custody</b>	<b>476</b>

- (5) When female detainees are working in the bakery, male detainees will not be present in the bakery.

### **Alexander Maconochie Centre—work programs (Question No 530)**

**Mrs Jones** asked the Minister for Corrections, upon notice, on 25 August 2017:

- (1) In relation to the answer to question on notice E17-442, how many women commenced employment in the bakery this month.
- (2) Is the Industries Building recycling bay fully operational.
- (3) How many inmates are currently employed and for how many hours per week.

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

- (1) No detainees commenced employment in the bakery this month. The baker commenced employment on 31 August 2017 and it is anticipated the bakery will be operational in October 2017 once final testing is complete. The detainees who will be employed in the bakery are undergoing risk assessments, being assessed for fit for work certificates and completing their white card qualification.
- (2) The Industries Building recycling bay is fully operational. An extra five male detainees are employed in the Industries Building recycling bay.
- (3) 190 detainees are employed. All roles attract remuneration for a 30, 36, or 42 hour week at either a level one, two or three. These figures are derived from the detainee payroll dated 28 August 2017.

Level one roles are basic roles such as cleaning cell blocks. Level two roles attract additional responsibilities or require certain skills to complete. Level three roles require the highest level of skill or responsibility.

The below table breaks down the number of detainees employed, the level at which they are employed and the hours for which they are employed.

**Detainee employment**

LEVEL	HOURS	TOTAL EMPLOYED
1	30	49
1	36	0
1	42	56
2	30	14
2	36	3
2	42	9
3	30	22
3	36	19
3	42	18
		<b>190</b>

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**ACT Revenue Office—decisions  
(Question No 533)**

Mr Coe asked the Treasurer, upon notice, on 25 August 2017:

- (1) What is the standard timeframe for the ACT Revenue Office to respond to queries, including queries made in letters, emails and over the telephone.
- (2) Are reports in the media correct (The Canberra Times, 26 July 2017) that there is a backlog of correspondence awaiting response from the ACT Revenue Office with emails sent later than April 2017 yet to be actioned.
- (3) How many queries are currently awaiting response and what is the expected timeframe to respond to those queries.
- (4) How many (a) appeals and (b) objections have been lodged against decisions made by the Commissioner for ACT Revenue and ACT Revenue Office (including against land valuations) in (i) 2016-17 and (ii) 2017-18 to date.
- (5) Of the (a) appeals and (b) objections referred to in part (4), how many are yet to be finalised.
- (6) Of the (a) appeals and (b) objections referred to in part (4) above, how many appeals and objections have been upheld, dismissed or a compromise reached.
- (7) Is information provided to ACT ratepayers on the process to lodge objections to property valuations with Rates/Land Tax Assessment Notices; if not, why is information on the objections process not included with Rates/Land Tax Assessment Notices.
- (8) Is any consideration being given to raising public awareness about the process to lodge objections to property valuations.

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

1. During the annual billing period (July to September), the number of queries increase substantially and additional staffing resources are deployed in the Operations area of the ACT Revenue Office to meet this demand. Priority is given to telephone queries. Telephone queries are usually dealt with at the time a call is received. If all lines are busy, customers can leave a message and staff will respond the next day. Currently, the average response time to a letter or email is around 2 weeks. At other times of the year we would expect this to be a maximum of 4 business days.
- 2 & 3. As at 8 September 2017 the Operations area of the ACT Revenue Office had received 132 email and 16 letter queries that had not been responded to.

The following provides the number of tasks to be actioned in the Operations area of the ACT Revenue Office that were not completed as at 8 September 2017 by month received. This includes processing change of address notifications, establishing direct debit arrangements, raising and terminating land tax charges, processing pensioner rebates.

April 2017: 4  
 May 2017: 1  
 June 2017: 155  
 July 2017: 883  
 August 2017: 2097

The answers to questions (4), (5) and (6) are shown in the following tables.

**Table 1: Objections and Appeals**

	<b>Objections Lodged</b>	<b>Objections Outstanding (as at 30/8/2017)</b>	<b>Appeals Lodged</b>	<b>Appeals Outstanding (as at 30/8/2017)</b>
<b>2016-17</b>	269	27	20	7
<b>2017-18</b>	65	62	0	0

**Table 2: Objections Completed**

	<b>Allowed or Part Allowed</b>	<b>Disallowed</b>	<b>Withdrawn</b>	<b>Total</b>
<b>2016-17</b>	45	177	20	242
<b>2017-18 (to 30/8/2017)</b>	0	2	1	3

**Table 3: Appeals Completed**

	<b>Allowed or Part Allowed</b>	<b>Settled</b>	<b>Dismissed</b>	<b>Total</b>
<b>2016-17</b>	0	6	7	13
<b>2017-18 (to 30/8/2017)</b>	0	0	0	0

7. Yes, information is provided to ACT taxpayers on the process to lodge objections to land valuations on general rates and land tax notices, and on land valuation notices. This information is also available on the ACT Revenue Office website [www.revenue.act.gov.au](http://www.revenue.act.gov.au). Taxpayers can also call or email the Revenue Office to seek an explanation of the objections process.
8. Government communications methods are always being refined as requirements for communication change and as new communications channels emerge. The methods of communication described in the answer to question (7) already provide taxpayers with opportunity to understand the process for lodging objections.

### **Cyclists—INFRINGEMENT NOTICES (Question No 534)**

**Mr Coe** asked the Treasurer, upon notice, on 25 August 2017 (*redirected to the Minister for Police and Emergency Services*):

- (1) Can he list the number of infringement notices issued to cyclists in the (a) 2015-16, (b) 2016-17 and (c) 2017-18 to date, financial years.
- (2) Can he list the categories, and number per category, of infringement notices issued to cyclists in the (a) 2015-16, (b) 2016-17 and (c) 2017-18 to date, financial years.
- (3) Can he provide the total amount of revenue arising from infringement notices issued to cyclists in the (a) 2015-16, (b) 2016-17 and (c) 2017-18 to date, financial years.

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

- (1) The number of infringement notices issued to cyclists for the following financial years are:
  - (a) 2015-16 – 154 Infringement Notices.
  - (b) 2016-17 – 61 Infringement Notices.
  - (c) 2017-18 to date (1 July 2017 – 21 August 2017) – 3 Infringement Notices

The number of infringement notices issued to cyclists during 2015-16 was a direct result of targeted action undertaken by ACT Policing Traffic Operations. The operation was undertaken to educate cyclists on road safety issues and a number of infringements were issued during proactive patrols of parks, greenbelts and bike paths.

While infringements have decreased, ACT Policing members continue to speak with cyclists and throughout the year ACT Policing undertakes campaigns based on the road safety calendar. During the months where protecting vulnerable road users are a focus, there are opportunities to speak with cyclists concerning their behaviour on the road, as well as protective behaviours based on the actions of drivers.

- (2) The table below illustrates the categories and the number per category of the infringement notices issued to cyclists:

	2015-16	2016-17	2017-18 To date
CROSS WHEN PEDESTRIAN LIGHTS NOT GREEN	2	0	0
DRIVE USING HAND-HELD MOBILE PHONE	0	2	0
ENTER INTERSECTION OR MARKED FOOT CROSSING WHEN TRAFFIC LIGHT RED	1	2	0
ENTER INTERSECTION WHEN LIGHTS/ARROW YELLOW/RED	1	2	0
LEAD ANIMAL WHILE RIDING BICYCLE	1	0	0
LEAVE AREA/LAND NOT GIVE WAY TO VEHICLE ON AREA	1	0	0
NOT GIVE WAY TO PEDESTRIAN ON PEDESTRIAN CROSSING	1	0	0
NOT OBEY DIRECTION OF POLICE/AUTHORISED PERSON	3	0	0
NOT RIDE IN BICYCLE LANE	2	0	0
NOT STOP AT STOP LINE AT RED ARROW	0	1	0
NOT STOP AT STOP LINE AT RED LIGHT	1	3	0
NOT STOP AT/BEFORE STOP LINE/STOP SIGN	1	0	0
PASSENGER NOT WEAR BICYCLE HELMET/FITTED/FASTENED	5	1	0
PROCEED ON MARKED FOOT CROSSING (WITH BICYCLE CROSSING LIGHTS) ON BICYCLE BEFORE	0	1	0
RIDE BICYCLE WITH PASSENGER NOT WEAR BICYCLE HELMET/FITTED/ADJUSTED	3	1	0
RIDE BICYCLE WITHOUT AT LEAST 1 HAND ON BARS	1	1	0
RIDE BICYCLE WITHOUT VISIBLE FRONT WHITE LIGHT	6	3	0
RIDE BICYCLE WITHOUT VISIBLE REAR RED LIGHT	8	3	0
RIDE BICYCLE WITHOUT VISIBLE RED REFLECTOR	1	0	0
RIDE BICYCLE WITHOUT WORKING BRAKE	0	1	0
RIDE BICYCLE WITHOUT WORKING WARNING DEVICE	1	3	0
RIDER MOVING INTO PATH OF DRIVER/PEDESTRIAN	1	1	0
RIDER NOT WEAR BICYCLE HELMET/FITTED/FASTENED	114	36	3
<b>Total</b>	<b>154</b>	<b>61</b>	<b>3</b>

(3) The amount of revenue arising from infringement notices issued to cyclists are:

(d) 2015-16 - \$14,502.

(e) 2016-17 - \$4,174.

(f) 2017-18 to date (1 July 2017 – 31 August 2017) - \$132.

### Canberra—community facilities (Question No 537)

Mr Coe asked the Minister for Economic Development, upon notice, on 25 August 2017 (*redirected to the Treasurer*):

- (1) In an answer provided to the Select Committee on Estimates 2017-18 (reference E17-041), did the Minister advise that “As of 27 June 2017, ACT Property Group has a total of 139,570m<sup>2</sup> available to the community. There are further spaces made available to community organisations through ACT Public Schools and other ACT Government Directorates.”; if so, does the space available through ACT Public Schools include any former schools still retained by the Education Directorate or are empty schools handed back and taken out of the asset register.
- (2) When is the review and update of the “Community and Other Tenancies Application and Allocation Policy” expected to be completed and released.
- (3) Have ACT community groups been given the opportunity to participate in the review and update of the “Community and Other Tenancies Application and Allocation



Policy”; if not, why have ACT community groups not been consulted in the review and update of the policy; if so, what ACT community groups which have been included in the process to review and update the policy.

- (4) Will the updated “Community and Other Tenancies Application and Allocation Policy”, once finalised, be distributed to community groups in the ACT.
- (5) What is the average period of time that a community group may wait for its application for space to be determined for community groups seeking access to space in ACT Government properties.
- (6) What is the process followed in assessing applications from community groups for space in ACT Government properties, including any consultation which may take place with external organisations.

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

- (1) Buildings where the ACT Government has decided to discontinue school services and repurpose the buildings for community use have been transferred out of the Education Directorate and sit within the ACT Property Group portfolio.
- (2) The review of the policy is expected to be completed within 12 months.
- (3) Community and stakeholder consultation will be undertaken where appropriate.
- (4) The policy, once completed, will be made publically available on the ACT Property Group website located at [www.economicdevelopment.act.gov.au/act\\_property\\_group](http://www.economicdevelopment.act.gov.au/act_property_group).
- (5) The period of time that a community group may wait to access space varies based on the applicant requirements, with desired location of the property being a critical determinant. Some applicants have very specific property requirements, whilst others are more flexible. Some applications may be completed within weeks of lodging, while other cases may take years to locate the appropriate property to meet the applicants’ needs. Demand for community accommodation is high and, once accommodated, community groups tend to stay in place. Community groups on our register are contacted once properties become available.
- (6) ACT Property Group maintains a single Application Register for all applications from community and other groups. Applications are short-listed and assessed in date order with priority given to Community Groups. In shared accommodation, ACT Property Group consider the nature of existing tenancies and prospective applicants’ proposed activities when allocating space to ensure maximum compatibility among tenancies.

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**Access Canberra—data collection  
(Question No 538)**

**Mr Coe** asked the Minister for Regulatory Services, upon notice, on 25 August 2017:

- (1) In an answer provided to the Select Committee on Estimates 2017-18 (reference E17-379), did the Minister advise that Access Canberra and Transport Canberra and City Services (TCCS) are working on a range of strategies to improve data collection; if so, what are those strategies and is Access Canberra and TCCS working to a timeframe for their implementation.

- (2) Will Access Canberra consider the development of an app to enable residents to readily and immediately report an issue which may require attention and for a resident's location at the time to be linked to that report.
- (3) If the development of an app is under consideration, (a) will the app enable a photograph to be taken and attached to the report and (b) when is the app expected to be released.
- (4) If the development of an app is not being proposed, why is this method not being considered as a strategy for improving data collection.

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

- (1) Yes. A review of the existing category list is currently under way in order to improve data collection. For example, sub categories have been added to 'Graffiti', which allows for offensive graffiti to be identified more easily and resolved faster. This work is being undertaken within existing resources; as such, timeframes have not been set for implementation.
- (2) Not at this time.
- (3) See answer to question 2.
- (4) The existing web form currently delivers most of the functionality an app would deliver. For example, it is designed to be used on mobile devices/tablets; photos can be attached; location services are used to report an incident; and the web form can be added to the home screen on a mobile or tablet. Creating an app would add significant development and upkeep costs to the product for no additional functionality.

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### **Suburban Land Agency—responsibility (Question No 539)**

**Mr Coe** asked the Minister for Housing and Suburban Development, upon notice, on 25 August 2017:

- (1) What is the split between the responsibilities of the Minister for Urban Renewal and the Minister for Housing and Suburban Development in relation to the Suburban Land Agency.
- (2) What is the breakdown in the form of a consolidated list of the projects and initiatives associated with the Suburban Land Agency in the 2017-18 Budget that fall under the responsibility of the (a) Minister for Housing and Suburban Development and (b) Minister for Urban Renewal.
- (3) How does the Minister for Urban Renewal's administrative responsibility for "major land and property project facilitation" interact with the Minister for Housing and Suburban Development's responsibility for (a) suburban land development and (b) the Suburban Land Agency.

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

- (1) Ministerial responsibility for the Suburban Land Agency is outlined in Schedule 1 of the Administrative Arrangements 2017 (No 1) available from the ACT Legislation Register at <http://www.legislation.act.gov.au/default.asp>.
- (2) The Suburban Land Agency did not receive appropriation for projects or initiatives in the 2017-18 Budget as it was self-funded. Future years will require projects and spending to be identified in the context of the annual budget and the statement of intent.
- (3) The function of "major land and property project facilitation" is a policy function undertaken by the Environment, Planning and Sustainable Development Directorate (EPSDD). The Suburban Land Agency is responsible for delivering the Indicative Land Release Program, which is developed by EPSDD. EPSDD provides support to both Ministers across the continuum of responsibilities. In doing so, it ensures appropriate intra- and inter-agency collaboration.

In performing its role, EPSDD is guided by the ACT Planning Strategy, the Minister for Planning's 2015 Statement of Planning Intent, and the Chief Minister's *Canberra: A Statement of Ambition*.

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### **Transport—passenger information system (Question No 540)**

**Mr Coe** asked the Minister for Transport and City Services, upon notice, on 25 August 2017:

- (1) How many Transport Canberra buses are equipped with the Real Time Passenger Information System (RTPIS) and what is the percentage of the bus fleet.
- (2) What is the model type and age of the buses not equipped with RTPIS.
- (3) Will RTPIS be installed on those buses not currently equipped with the system.

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

- (1) All (100%) of Transport Canberra route service buses are equipped with the Real Time Passenger Information System (RTPIS).
  - (2) See response to question 1.
  - (3) See response to question 1.
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### **Roads—nature strips (Question No 543)**

**Mr Coe** asked the Minister for Transport and City Services, upon notice, on 25 August 2017:

- (1) What is the status of the proposed new guideline on the use of nature strips in residential areas.
- (2) Was the new guideline expected to be completed and released publicly in autumn 2017; if so, why has the release of the guideline been delayed.
- (3) When will the new guideline be released publicly.
- (4) What is the proposed communication strategy for the release of the new guideline, including the cost of any promotion of the new guideline.

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

- (1) The updated nature strip guidelines are in the final phase of drafting. Finalisation of the guidelines is subject to the outcome of an ACT Civil and Administrative Tribunal (ACAT) decision relating to a nature strip development.
- (2) The guidelines were expected to be completed by autumn 2017 but have been delayed until ACAT considers relevant legislation and hands down a decision regarding a matter before the Tribunal relating to a nature strip development.
- (3) The guidelines will be finalised and made publicly available after the ACAT decision is made and any implications for the content of the guidelines have been considered. In the interim the existing nature strip development application available on the Transport Canberra and City Services' website remains available.
- (4) The nature strip guidelines will be made publicly available on the Transport Canberra and City Services and Access Canberra websites. Promotion of the guidelines will include website content, media releases and social media. Promotion costs will not be significant and will be met from the TCCS recurrent budget.

### **ACTION bus service—bicycle racks (Question No 544)**

**Mr Coe** asked the Minister for Transport and City Services, upon notice, on 25 August 2017:

- (1) How many Transport Canberra buses have a bike rack installed.
- (2) Are Transport Canberra bus drivers continuing to record the usage of bike racks on Transport Canberra buses; if so, what is the usage rates of bike racks on Transport Canberra buses, together with the percentage of passenger boardings for (a) 2015-16, (b) 2016-17 and (c) 2017-18 to date.
- (3) What is the unit cost for the bike rack and the cost of installation on a Transport Canberra bus.

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

- (1) 397 Transport Canberra buses have a bike rack installed.

- (2) The average bike rack use per day on Transport Canberra buses, together with the percentage of passenger boardings for (a) 2015-16, (b) 2016-17 and (c) 2017-18 to date are as follows:

	<b>Average Bike Rack Use per Day</b>	<b>Total Bike Rack Use</b>	<b>Percentage of passenger boardings</b>
2015-16 (from 15 May 2016)	56	2,643	0.11%
2016-17	74	27,061	0.15%
2017-18 (as at 25 August 2017)	85	4,664	0.16%

- (3) A bike rack delivered to Transport Canberra costs approximately \$1,000.00 depending on the exchange rate at the time of ordering. Installation typically takes about 1 hr @ \$119.

### **Transport—fare evasion (Question No 545)**

**Mr Coe** asked the Minister for Transport and City Services, upon notice, on 25 August 2017:

- (1) What is the estimate of the revenue foregone due to Transport Canberra bus fare evasion in dollars and as a percentage of the total farebox revenue for (a) 2016-17 and (b) 2017-18 to date.
- (2) What is being done to reduce the level of fare evasion on Transport Canberra buses.
- (3) Are measures being considered to combat fare evasion on light rail stage 1 once it becomes operational; if so, what are the measures being considered.

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

- (1) Of the 35,000 revenue checks completed since January 2017 less than one percent of passengers have been found travelling on a concession ticket without proof of their entitlement.
- (2) In January 2017 Transport Officers commenced an updated revenue inspection program across the ACTION bus network. The checks are conducted during peak and off peak times, on rapid and local services, and at interchanges and suburban stops. Revenue checks have and will continue to be conducted across the network.
- (3) The operator of the light rail service has over 20 contracted Key Performance Indicators to meet which drive best practise. The KPI for fare evasion sets a level which, if exceeded, results in abatement of the operator's monthly payment.

### **Roads—cycle lanes (Question No 547)**

**Mr Coe** asked the Minister for Transport and City Services, upon notice, on 25 August 2017:

- (1) What is the status of the works to construct a dedicated cycle path in Woden.
- (2) When is the dedicated cycle path expected to be completed.
- (3) What is the cost of the dedicated cycle path in Woden.
- (4) Is the Minister aware of concerns raised by the Woden Valley Community Council and Pedal Power ACT about the design of the dedicated cycle path, particularly in relation to intersection of the cycle path with Bowes Street and Atlantic Street in Woden.
- (5) What is being done to alleviate the concerns of the Woden Valley Community Council and Pedal Power ACT about the design of the cycle path.

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

- (1) Construction work commenced on 19 July 2017.
- (2) Construction completion is expected prior to the end of November 2017.
- (3) The value of the construction contract is \$530,608.55 GST inclusive.
- (4) In response to concerns raised by the Woden Valley Community Council (WVCC) and Pedal Power, a pedestrian crossing will be added across Bowes Street to provide a priority crossing for the separated cycleway to connect to the central spine of the Town Centre.
- (5) TCCS has met with Pedal Power and the WVCC during the design process to provide information on the design and to source feedback. The pedestrian crossing was added in response to concerns raised by these two stakeholder groups.

### **Graffiti—removal (Question No 549)**

**Mr Coe** asked the Minister for Transport and City Services, upon notice, on 25 August 2017:

- (1) When was the offensive swastika graffiti, located in a playground in Giralang a few hundred metres from near a synagogue, first reported to the Transport Canberra and City Services Directorate.
- (2) Why was the removal of the graffiti not scheduled for removal as soon as practicable.
- (3) Was the timing of the removal of the offensive graffiti related to the publication of media reports about the graffiti.
- (4) Is there a policy regarding the removal of graffiti which could be upsetting or confronting for members of the Canberra community; if so, what is that policy.
- (5) What is the standard timeframe for removal of graffiti once it has been reported to the Transport Canberra and City Services Directorate.

- (6) Will there be a review to determine how the removal of the offensive graffiti in a Giralang playground should have been handled to ensure members of the local community were not distressed by the appearance of the graffiti so close to a synagogue.

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

1. The graffiti was first reported to Transport Canberra and City Services (TCCS) at approximately 1:30pm on 22 August 2017.
2. TCCS removed the graffiti within 24 hours of being notified.
3. Yes. TCCS first became aware of the offensive graffiti when TCCS was contacted by a media outlet conducting investigations for the story.
4. Yes. Offensive graffiti is removed from public assets within 24 hours of TCCS being notified.
5. Non-offensive graffiti on public assets is removed within five working days of TCCS being notified.
6. No review is required, however this case presents an opportunity for ACT Policing and TCCS to reaffirm their commitment to work together to respond quickly in cases such as this and ensure information sharing between the two agencies supports the ACT Government to act quickly and responsively.

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### **Jervis Bay—services (Question No 550)**

**Mr Coe** asked the Chief Minister, upon notice, on 25 August 2017:

- (1) What is the status of negotiations between the Commonwealth, the Government of New South Wales and the Government of the ACT in relation to the provision of services to Jervis Bay residents.
- (2) If the Government of New South Wales is no longer part of the negotiations, what is being done to progress the efficient provision of services to Jervis Bay residents.
- (3) What is the nature of the services that are provided by the ACT Government to Jervis Bay residents and what is the cost of providing those services in (a) 2015-16, (b) 2016-17 and (c) 2017-18 to date.
- (4) Does either the Commonwealth Government or the Government of New South Wales contribute any funding towards the cost of providing services to Jervis Bay residents; if so, how much is contributed by the relevant jurisdiction in (a) 2015-16, (b) 2016-17 and (c) 2017-18 to date.

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

- (1) Following a 2014 review of services in Jervis Bay Territory, the Australian, ACT and NSW governments worked together until February 2017 on options for future service

delivery arrangements to the Jervis Bay Territory. The NSW Government has decided not to continue work on options for future service delivery arrangements. This decision will have no impact on the current delivery of government services to the Jervis Bay Territory community.

- (2) The Australian and ACT governments will continue to work together to ensure government services meet the needs of the Jervis Bay Territory community. The Memorandum of Understanding between the ACT and Australian Governments is currently being reviewed with the objective of developing a new agreement to provide for state-type services to Jervis Bay Territory. As a part of this process, the ACT and Australian Governments are working closely with the Jervis Bay Territory community to identify opportunities to improve service outcomes.
- (3) The ACT Government is engaged by the Commonwealth to provide a broad range of state-type services in Jervis Bay Territory. These services fall into the following categories:
- Primary Education
  - Early Childhood Regulation
  - Care and Protection
  - Health Protection Services
  - Environmental Monitoring
  - Vehicle Registration and Drivers Licenses
  - Access Canberra Services – government services and compliance activities
  - Court and Justice Services

The total value of funding provided by the Australian Government to the ACT Government for services in Jervis Bay Territory for the period requested is as follows:

- 2015-16: \$3,089,478
- 2016-17: \$3,415,770
- 2017-18: \$3,540,773 (note that this is the current year agreed amount but may be subject to change dependent on service needs)

- (4) The provision of services by the ACT Government in Jervis Bay Territory is funded by the Australian Government through a mutually agreed yearly budget.

The Australian Government has additional arrangements with NSW state and local governments for the provision of other services to the Jervis Bay Territory. These include municipal and primary health services. Further, some services are provided in Jervis Bay Territory by Commonwealth entities such as the Australian Federal Police and Defence. The ACT Government does not have line of sight to the service arrangements between the Commonwealth and other Government agencies, and cannot comment on the funding value of the services provided by those agencies.

### **ACTION bus service—routes (Question No 582)**

**Ms Lee** asked the Minister for Transport and City Services, upon notice, on 25 August 2017:

- (1) What is the exact route of the Green Rapid Bus.



- (2) When will the Green Rapid route start services.
- (3) How often will the Green Rapid Bus run.

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

- (1) The Green Rapid Bus route will run between City West and Woden via Barton, Kingston, Manuka and the Canberra Hospital. Full details are available on the Transport Canberra website.
- (2) The Green Rapid will commence on Monday 9 October 2017.
- (3) The Green Rapid will run every 15 minutes between 7am and 7pm, with frequency reducing after 7pm until the last service.

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**Mental health—services  
(Question No 587)**

**Ms Lee** asked the Minister for Health and Wellbeing, upon notice, on 25 August 2017 (*redirected to the Minister for Mental Health*):

- (1) What contact does the Directorate have with mental health clients previously supported by ACT Health under the Samaritan Mental Health Accommodation Support Program at Oaks Estate.
- (2) What support is available from the ACT Government to people with complex mental health issues who do not qualify, given only 1 in 4 Australians with a psychosocial disability qualifies for the NDIS.

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

- (1) Prior to the roll out of the NDIS, ACT Health funded St Vincent's de Paul to provide the Samaritan Mental Health Accommodation Support Program. This program was a recovery oriented mental health model involving a clinical manager and where a recovery plan was in place. Contact with mental health clients previously supported under the Samaritan Accommodation Support Program has been maintained by the Mental Health, Justice Health Alcohol & Drug Service mental health clinical managers.

When ACT Health transitioned community support funding to the NDIS, the recovery plan remained in place, however the community support resourcing shifted from ACT Health funding St Vincent de Paul to the NDIS scheme.

Saint Vincent De Paul have advised that all mental health clients previously supported by ACT Health under the Samaritan Mental Health Accommodation Support Program at Oaks Estate are eligible for NDIS. St Vincent de Paul have advised that all 30 clients previously supported through ACT Health funding, have ongoing support service delivery from St Vincent de Paul from their individual NDIS packages.

- (2) A range of services and supports exist through ACT Health to assist people with psychosocial disability who are found to be NDIS ineligible, or whom in the

immediate term are unable /not agreeable to be assessed by the NDIS. This includes access to Community Mental Health teams, in patient and out patient facilities and a suite of non government organisation partner programs.

### **Access Canberra—complaints (Question No 589)**

**Ms Le Couteur** asked the Minister for Regulatory Services, upon notice, on 25 August 2017:

- (1) Has Access Canberra received any complaints in regard to construction at 74 David Street, Turner; if so, what (a) did the complaints relate to and (b) action has Access Canberra undertaken in regard to these complaints.
- (2) Has Access Canberra taken any compliance action in regard to construction of this house; if so, (a) what did the compliance action relate to, (b) what was the compliance action and (c) does Access Canberra consider the matter to be finalised.

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

- (1) Yes. Access Canberra has received a small number of complaints concerning construction-related activities at 74 David Street, Turner.
  - (a) The complaints alleged that construction within a basement was in breach of the development approval (DA) and that construction of a fence was forward of the building line.
  - (b) In response to both complaints, Access Canberra has undertaken several site inspections and an investigation is under way.

Access Canberra has engaged with the builder and certifier on multiple occasions concerning the requirements of the DA. Namely, that the void area is to remain so and is not accessible or useable for any other purpose. The builder has provided undertakings to this effect.

To ensure compliance with the DA, a hold on the issuance of a Certificate of Occupancy (CoU) has been placed on the development file. When an application is made for a CoU, this will be flagged with Access Canberra, who will undertake an inspection of the property. The CoU will not be issued if any non-compliance is identified.

Concerning the complaint alleging construction of a fence forward of the building line, an inspection was undertaken, which identified that the fence constructed was a site safety fence. This is a requirement under section 298 *Work Health and Safety Regulation 2011* for all sites where construction work of this nature is being undertaken.

- (2) Compliance with the approved DA is currently under investigation by Access Canberra. No compliance action has been warranted up to this point.
  - (a) Access Canberra has not taken any compliance action.

(b) N/A.

(c) No, Access Canberra will not consider this matter to be finalised until the CoU is issued following the completion of construction. Again, when an application is made for a CoU, this will be flagged with Access Canberra and an inspection will be undertaken of the property. The CoU will not be issued if any non-compliance is identified.

Upon completion of the works and issuance of a CoU, Access Canberra can undertake spot audits to assess ongoing compliance with the requirements of an approved DA.

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### **Municipal services—private gardens (Question No 590)**

**Ms Le Couteur** asked the Minister for Transport and City Services, upon notice, on 25 August 2017:

- (1) Under what circumstances does the Government contact private home owners regarding the state of their garden.
- (2) Does the Government have any power to compel private home owners to maintain, improve or rectify their own gardens.
- (3) If a private home owner's garden is overgrown with weeds that are threatening to spill over into other private properties or onto public land, what recourse do neighbours and the Government have against the home owner.
- (4) In the event where a private hedge line is adjacent to public land (for example a footpath or strip park), can the Government compel the private home owner to maintain the hedge line to a standard that allows the adjoining parkland to be useable by the local community.

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

- (1) Contact is made by City Rangers in circumstances where the state of the garden on a residential lease is impacting on public land, for example where overgrown vegetation located on a lease is causing an obstruction or safety issue on public land.
- (2) Under the *Public Unleased Land Act 2013*, residents may be directed by City Rangers to rectify issues impacting on public land, for example, to prune overgrown vegetation located on their lease that is causing an obstruction or safety issue on public land.
- (3) Managing the impact of overgrown weeds between adjacent leases is generally a matter for the respective residents to negotiate. The ACT Civil and Administrative Tribunal (ACAT) has the power to hear and determine applications for neighbourhood disputes, such as overgrown hedges that may have caused damage to a shared fence. Managing the impact of overgrown weeds from a lease onto public land could be addressed by the Government via the *Public Unleased Land Act 2013* as described in response (2) above, if it presents a safety or other issue. In general, the Government expects the nature strip adjoining a residential lease to be maintained by the resident.

- (4) Yes. The *Public Unleased Land Act 2013* allows the Government to direct the person responsible to have their plants pruned or removed to maintain safe access to public land.
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### **Transport—planning (Question No 591)**

**Ms Le Couteur** asked the Minister for Transport and City Services, upon notice, on 25 August 2017:

- (1) In regard to the disused sections of Joynton Smith Drive previously allocated as a bus lane to Charnwood (specifically Florey: Block 1, Section 148; Belconnen: Block 27, Section 157; Belconnen: Block 2, Section 59; and Belconnen: Block 30, Section 52), and noting the budget initiative “building a better city - active travel - Belconnen bikeway” on page 150 of 2017-18 Budget Paper 3, will any of the capital works as part of the above budget initiative be used to convert and reactivate the disused sections of Joynton Smith Drive.
- (2) What is the timeline for the reactivation or repurposing of those section.
- (3) What plans are in place to allow cyclist access to Lathlain Street in the event that this section is converted into the Belconnen Bikeway.
- (4) If no plans are currently in place, what short-term remediation efforts can be made to open up these disused sections to community use, for example, removing of fencing and barricades for use as a temporary dog park.

**Ms Fitzharris:** The answer to the member’s question is as follows:

- (1) The Belconnen Bikeway proposal will investigate the potential utilisation of the disused “bus only” section of Joynton Smith Drive.
  - (2) The feasibility and design phases have been funded in the 2017-18 ACT Budget.
  - (3) The feasibility and design work will identify where connections from the Belconnen Bikeway may be required to provide access to other areas within the Town Centre, including to Lathlain Street.
  - (4) The ability to have temporary uses in this area will require further investigation by TCCS.
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### **Bushfires—preparedness (Question No 593)**

**Mrs Jones** asked the Minister for Police and Emergency Services, upon notice, on 25 August 2017:

- (1) What steps have you taken to plan for the upcoming bushfire season during this drier than usual winter.

- (2) Will the bushfire season in the ACT commence earlier than usual.
- (3) What areas of the ACT have undergone back burning to prepare for the bushfire season.

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

- (1) The ACT Government is well advanced with preparations including our ongoing hazard reduction burning program, targeted grazing and pre-season training and checks by our ACT Rural Fire Service (ACTRFS) brigades across the Territory.

While a drier than average winter has created potentially hazardous fire conditions, this does not change the way the ACT Emergency Services Agency (ESA) monitors and prepares for every bushfire season.

Each year, the ESA conducts comprehensive pre-season preparations prior to 1 October, being the normal start of the bushfire season in the ACT. The ESA hosts a pre-season brief for all officers, other agencies and interstate counterparts. This year's pre-season brief is scheduled for 26 September 2017. The ESA also participates in the Bureau of Meteorology seasonal outlook briefs.

In terms of capability, as at 30 August 2017 the ACT has 25 heavy tankers (of which six are compressed air foam tankers), 15 medium tankers, 13 light units, one bulk water carrier, 14 pumpers, six pump trailers, one retardant batching trailer, two helicopters (contracted for the height of the bushfire season), along with heavy plant and support vehicles. All operational vehicles are serviced and equipment regularly tested for operational readiness.

The ESA has over 500 ACTRFS members, over 330 paid firefighters, 150 firefighters in the Parks and Conservation Service of the Environment, Planning and Sustainable Development Directorate, and 13 ACTRFS staff. The ESA also liaises with Commonwealth agencies, including Defence, and has a strong cross border relationship with the NSW Rural Fire Service.

ACTRFS volunteer members continually train in the winter months and work on their skills maintenance. All members are prepared and willing to respond to any incidents that may occur in or around Canberra.

In support of crews and vehicles, the ACT has four fire towers, fire weather analysts, media liaison officers, mapping specialists, communication specialists and a wider logistical and support capability that supports our emergency women and men in the field.

The Canberra Bushfire Ready community education campaign will continue to be used to raise the community's awareness of bushfire risk and encourage them to plan and prepare for bushfire. Community Fire Unit volunteers also continue to play a key role in both fire safety and community resilience programs managed by the ESA.

- (2) At this stage, there is no plan to start the official bushfire season early; however, this will be constantly monitored and reviewed.
- (3) The following areas of the Territory have undergone prescribed burning to prepare for the bushfire season: Kama Nature reserve, National Botanic Gardens surrounds,

Uriarra Village & Uriarra Forest, Aranda, Kowen Forest, Jerrabomberra Grasslands, Mulangarri Grasslands, Sterling Park, Yarramundi Reach and Gungaharra Grasslands.

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**Housing—affordability  
(Question No 594)**

**Mrs Kikkert** asked the Minister for Housing and Suburban Development, upon notice, on 25 August 2017:

- (1) What is the process for appointing members making up the Affordable Housing Advisory Group.
- (2) What are the selection criteria for applicants seeking to be a member of the group.
- (3) What date did the group's member selection process begin and what date were the members confirmed.
- (4) What are the relevant backgrounds and expertise of each member of the group.
- (5) What are all the roles and responsibilities of each member of the group, individually and collectively.

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

- (1) &(2) The members of the Minister's Advisory Group (the "Group") were selected by me based on their contribution to and expertise in matters associated with homelessness, public, community and supported housing, and the housing/property sector.
- (3) The considerations around forming an advisory group began in March 2017. The final membership was agreed by me on 6 July 2017 when the final terms of reference was presented to the Group.
- (4) The Group members serve as individuals and not solely as sector representatives.

They are requested to bring their own ideas and opinions to discussions but, where appropriate and able, are encouraged to also consult across their industry sector or cohort and to acknowledge different views.

The Group member backgrounds include experience in:

- the property and housing sector,
  - community service and community housing provision
  - housing and homelessness subject matter research experience and expertise,
  - architecture, urban design and planning, and
  - lived experiences of housing stress
- (5) The Group has been established to provide an independent, external perspective of the challenges of housing affordability in the ACT and the possible responses that might be considered by the government.

The Group is providing guidance and advice to me on affordable housing and homelessness policy and, in particular, on possible actions which could be included in a new ACT Housing Strategy.

The Group has been chosen for their independent external expertise and reflects the desire to engage with a broader and different group of interlocutors on the important issue of social and affordable housing policy.

The Group has guided and informed how the government is consulting with the wider community on these key issues. Members are also participating in targeted focus groups and wider community consultations, and are providing a conduit for feedback from interested stakeholders within their cohort.

The Group is also contributing to the planning of the ACT Housing and Homelessness Summit planned for October 2017.

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### **Children and young people—trauma recovery centre (Question No 595)**

**Mrs Kikkert** asked the Minister for Disability, Children and Youth, upon notice, on 25 August 2017:

- (1) How many children and youth are currently receiving services at the Trauma Recovery Centre, Melaleuca Place.
- (2) How many children and youth are currently receiving services at the Trauma Recovery Centre, Melaleuca Place who are (a) 0-12 months, (b) 3-5 years, (c) 5-7 years, (d) 7-9 years and (e) 9-12 years.
- (3) How many children and youth are currently receiving services at the Trauma Recovery Centre, Melaleuca Place who were (a) 0-12 months, (b) 3-5 years, (c) 5-7 years, (d) 7-9 years and (e) 9-12 years in (i) 2013, (ii) 2014, (iii) 2015 and (iv) 2016

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

1. As at 4 September 2017, Melaleuca Place is currently providing service to 45 children.
2. The age range of children and young people currently receiving services from Melaleuca Place are:
  - (a) 0-2 years – 7 children
  - (b) 3-5 years – 7 children
  - (c) 5-7 years – 6 children
  - (d) 7-9 years – 8 children
  - (e) 9-12 years – 17 children
3. The number of children currently receiving services from Melaleuca Place who were (a) 0-12 months, (b) 3-5 years, (c) 5-7 years, (d) 7-9 years and (e) 9-12 years in (i) 2013, (ii) 2014, (iii) 2015 and (iv) 2016 is:
  - (i) 2013 – Melaleuca Place commenced providing services to children in 2014.

- (ii) 2014
    - (a) 0-2 years - 18 children
    - (b) 3-5 years - 6 children
    - (c) 5-7 years - 6 children
    - (d) 7-9 years - 11 children
    - (e) 9-12 years - 4 children
  
  - (iii) 2015
    - (a) 0-2 years - 14 children
    - (b) 3-5 years - 6 children
    - (c) 5-7 years - 8 children
    - (d) 7-9 years - 9 children
    - (e) 9-12 years - 8 children
  
  - (iv) 2016
    - (a) 0-2 years - 10 children
    - (b) 3-5 years - 8 children
    - (c) 5-7 years - 6 children
    - (d) 7-9 years - 6 children
    - (e) 9-12 years - 15 children
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**Disability services—national disability insurance scheme  
(Question No 469)**

**Ms Lee** asked the Minister for Community Services and Social Inclusion, upon notice, on 18 August 2017:

- (1) How many NDIS providers are registered in the ACT or accredited to provide services in the ACT.
- (2) What assessment is done to determine whether they are providers for just one client or multiple clients.
- (3) What is the selection criteria.

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

- (1) At 30 June 2017 there were 814 providers registered to deliver services in the ACT. The National Disability Insurance Agency maintains a list of registered NDIS providers on its website at <https://www.ndis.gov.au/document/finding-and-engaging-providers/find-registered-service-providers>
- (2) There is no assessment specifically related to number of clients. As services are funded by the NDIA, the ACT Government has no direct visibility as to the number of participants using each provider.
- (3) All providers are required to meet the NDIS criteria as described in the NDIS Guide to Suitability. The Guide is available at:  
<https://www.ndis.gov.au/medias/documents/h46/h91/8802541797406/NDIA-Module-4-Guide-to-Suitability.pdf>.



Providers cannot be registered to provide services under the NDIS in the ACT unless and until they have been assessed by the Human Services Registrar as complying with the requirements of the *Disability Services Act 1991* and subordinate legislation.

Relevant criteria for both NDIA and ACT depend on the registration groups for which registration is being sought.

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## Questions without notice taken on notice

### Public housing—Phillip

**Ms Berry** (*in reply to a question and supplementary questions by Mr Parton and Mr Hanson on Thursday, 30 March 2017*):

In response to the Member's question/s, I can inform the Assembly that Block 8 Section 24 Phillip is a privately leased property. A Development Application has been submitted for the construction of 280 dwellings on the site. The Development Application is being assessed in accordance with the requirements of the Territory Plan.

It is a mandatory requirement of the Territory Plan that multi-unit housing in excess of 10 units is required to supply a minimum number of dwellings that are designed to meet the Australian Standard for Adaptable Housing. In the case of this development, 28 adaptable dwellings is the minimum number required to be provided, however, the Development Application indicates that the applicant will be providing 70 adaptable units.

Whilst this is not a supportive housing development, adaptable dwellings can be used by people who would live in supportive housing, such as those who are older or have a disability and may need support.

At this time neither Housing and Community Services nor the Public Housing Renewal Taskforce have any proposals to purchase dwellings at the site in Phillip.

### Canberra Hospital—electrical systems

**Ms Fitzharris** (*in reply to a question and a supplementary question by Mr Wall on Tuesday, 9 May 2017*):

1. I was not specifically briefed on this matter.
2. In October 2016, I received an incoming Minister's brief outlining Health Infrastructure projects which made mention of the Upgrading and Maintaining ACT Health Assets (UMAHA) program, including the Electrical Main Switchboard Replacement Project. The brief did not contain any information about the risk status of the electrical system at Canberra Hospital. With the exception of the UMAHA business case, no other briefs have been received on the risk status of the electrical system in my capacity as Minister for Health or Assistant Minister for Health.

**Chief Minister, Treasury and Economic Development Directorate—  
employee assistance program**

**Mr Barr** (*in reply to a question and a supplementary question by Mr Wall on Thursday, 11 May 2017*):

1. The response to QON No. 15, asked by Mr Coe on 27 February 2017 through the Standing Committee on Economic Development and Tourism, used information provided by the EAP provider. It has come to light that the information provided was based on hours accessed, not numbers of individual employees who accessed the scheme.

The corrected information is provided in the table below. I have written to the Committee Chair to correct the record.

	<b>FY 14/15</b>	<b>FY 15/16</b>
<b>Annual EAP usage (by hours accessed) as reported in March 2017<sup>1</sup></b>	<b>164</b>	<b>493</b>
<b>Annual EAP usage per Individual</b>	<b>104</b>	<b>225</b>

It should be noted that Administrative Arrangements occurred in January 2015, increasing the size of the directorate by approximately 25%. The figures for 2014/15 do not illustrate a full year impact of these additional staff.

2. No – refer above table. One-fifth of the staff in my directorate did not access the employee assistance scheme.

It is noted that:

- for 2014/15, 37 % of new referrals were work related issues compared with 63% personal related issues;
- for 2015/16, 33% of new referrals were work related compared with 67% personal related issues;
- the industry benchmark for those periods was 60% work related and 40% personal related;
- staff are actively encouraged to access the service; and
- family members of directorate staff are entitled to access the scheme.

<sup>1</sup> Original hours reported (as provided by the EAP provider) in QON 15 arising from the Standing Committee on Economic Development and Tourism.

**Government—procurement policies**

**Ms Fitzharris** (*in reply to a question by Mr Wall on Tuesday, 15 August 2017*):

ACT Health supports local business and would only change sourcing options where value for money was evident.

ACT Health is modernising its procurement processes, including reviewing procurement and contracts and establishing direct purchasing networks. ACT Health will utilise these networks where value for ACT public funding can be demonstrated.

### **Government—building materials policy**

**Mr Gentleman** (*in reply to a supplementary question by Mr Coe on Thursday, 17 August 2017*):

EPSDD does not approve the use of specific products and materials for compliance with the building code and *Building Act 2004*.

A development approval (DA) confirms compliance with planning requirements under the *Planning and Development Act 2007*. The notice of decision for each DA reminds proponents that the DA is not an approval under all Territory laws and the development must also comply with other relevant laws, including the building code and Building Act.

Compliance with fire safety standards in the building code are assessed at the building approval stage. Building approvals are issued by building certifiers.

### **Centenary Hospital for Women and Children—aluminium cladding**

**Mr Gentleman** (*in reply to a supplementary question by Ms Lawder on Thursday, 17 August 2017*):

Other than some class 1 and 10 buildings, the majority of buildings subject to higher fire protection standards in the building code would require a development approval (DA). However, a range of building work and alterations to a building that may affect the building façade are exempt from requiring a DA.

Compliance with the building code and Building Act is not assessed at the DA stage but as part of the building approval process. Therefore, the current audit is focusing on building approvals rather than development approvals.

The inter-agency building cladding working group is currently identifying buildings that may have aluminium composite panels either as an aesthetic attachment or as an integral part of the wall.

As there are approximately 4000 building approvals for new buildings and building alterations issued each year this will take some time, but it is important that we are thorough.

### **Government—building materials policy**

**Mr Gentleman** (*in reply to a question by Ms Lee on Thursday, 17 August 2017*):

It is important to recognise that there are different types of aluminium and aluminium composite panels (ACPs). Not all panels are combustible, pose a risk to occupants or are unlawfully installed. Publicly identifying individual buildings as having ACPs, which may be fully compliant and fit for purpose, may cause undue concern to owners and occupants of those buildings and their visitors.

Buildings that may be at risk of having non-compliant panels are currently being identified. Building owners will be contacted directly if the type of cladding is uncertain or there are compliance concerns.

In relation to the 23 questions that Ms Lawder asked, I did reply to Ms Lawder. This reply did not answer each of her questions in turn, however it did respond to the issue of cladding in as much detail as could be provided at that point in time, noting that when the reply was sent the Government was still in the process of setting up the cross-directorate working group. In my response to Ms Lawder I said the community would be kept informed of the working group, which I have done, as evidenced by my ministerial statement to the Assembly on August the 17th. I will continue to provide updates to the community on this important matter.

### **Renewable energy—review**

**Mr Rattenbury** (*in reply to a question by Ms Lee on Thursday, 24 August 2017*):

Through two competitive grant processes \$2.6 million has been allocated among eight companies to support the installation of energy storage systems in ACT homes and businesses. The allocated funds can only be accessed by the installers once the systems have been installed and passed an inspection by Access Canberra. To date the Territory has been invoiced for \$471,000 of the allocated grant amount. The program is expected to ramp up significantly over the coming months due to the improved availability of new technology in Australia.

### **Drugs—pill testing**

**Ms Fitzharris** (*in reply to a supplementary question by Mrs Dunne on Thursday, 14 September 2017*):

1. The proposal for pill testing considered by ACT Government was developed by a working group led by ACT Health with representation from ACT Policing, ACT Ambulance Services and the Justice and Community Safety Directorate. The working group was tasked with presenting options for the conduct of Pill Testing to ACT Government.

The established mechanism for consulting with the Commonwealth Government on ACT events, including those on Commonwealth land, is through the ACT Event Coordination Planning Group (ECPG). The ECPG is led by Access Canberra to ensure cross government coordination for events and event approvals in the ACT. The ECPG includes representation from the National Capital Authority.