



# Debates

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SEVENTH ASSEMBLY

Legislative Assembly for the ACT

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**Thursday, 24 June 2010**

**MR SPEAKER** (Mr Rattenbury) 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.

**Shepherd Centre and Noah's Ark  
Statement by minister**

**MR BARR** (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation and Minister for Gaming and Racing), by leave: Yesterday the Assembly resolved that I should report back on a number of aspects arising from the Department of Education and Training's forthcoming tender for therapy services. A number of members made the sensible point in the debate yesterday that there should be continuity of funding to existing grant recipients until the tender process is completed. I agree with that assessment.

As the Assembly is aware, the first tranche of continuity funding to existing grant recipients was to run out in December last year. At that time I directed my department to ensure continuity of funding until the tender was complete. I was advised at that time, and again on 22 April this year, that under the tender process new services would be in place by 1 July this year.

On that advice, funding to existing grant recipients was maintained until 1 July. However, it is now clear that the new tender will not be in place by 1 July. Yesterday I sought advice from the Department of Education and Training on the best way to deliver on my direction of December last year that funding to existing grant recipients be maintained until the tender process is completed.

Following that advice, I have decided to maintain funding to existing grant recipients until the end of this calendar year. This will ensure that the tender process can be completed in the coming months and continuity of service be maintained until the commencement of services funded under the tender for therapy services. I have asked the Chief Executive of the Department of Education and Training to contact existing grant recipients today to advise them of the details of this continuity to funding.

**Road Transport (Drink Driving) Legislation Amendment  
Bill 2010**

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

Title read by Clerk.

**MR STANHOPE** (Ginninderra—Chief Minister, Minister for Transport, Minister for Territory and Municipal Services, Minister for Business and Economic Development, Minister for Land and Property Services, Minister for Aboriginal and Torres Strait Islander Affairs and Minister for the Arts and Heritage) (10.03): I move:

That this bill be agreed to in principle.

This bill represents a key element of the government's strategy to improve road safety in the ACT as it tackles one of the major contributors to road crashes—drink driving. Over one in five drivers killed in crashes has a blood alcohol concentration exceeding the legal limit. Nationally, random breath testing results typically show that about one in 150 drivers tested exceed the legal limit. Recent ACT Policing data shows that approximately one in 70 drivers tested is a drink driver.

This is an extremely alarming outcome when compared to the national trend. While some of the ACT's higher drink-driving hit rate may be attributable to targeting through intelligence-led policing, it also indicates that there are many ACT drivers who simply have not got the message that drinking and driving is not acceptable. Regrettably, despite numerous warnings and targeted police operations, around 1,500 ACT motorists are caught drink driving each year and approximately one-third of those are repeat offenders.

Surveys of driver attitudes and awareness indicate that there is an understanding in the community about the impact of drinking alcohol on a person's ability to drive safely and the unacceptability of drink driving. Yet people continue to drink and drive and, in some cases, they do this repeatedly. In doing so, they put themselves, their passengers and other road users at risk, at risk of death and at risk of life-changing injury.

The impact of road crashes resulting in death or serious injury is often expressed in terms of financial costs, such as health costs and loss of income. But the personal impact of the death or serious injury of a person in a car crash is much more difficult to quantify. The enduring impact on family and friends of the senseless and needless loss or disablement of a loved one at the hands of a drink driver can only be imagined.

It is clear that beyond the campaigns which highlight the dangers to road users of drink driving, there is a need for the ACT's drink-driving laws to do more to deter drink driving by letting motorists know that real and serious consequences will follow if they are caught. There is also a need to change the ACT's drink-driving laws to more clearly send the message that drinking and driving do not mix.

The ACT's current drink-driving laws are largely found in the Road Transport (Alcohol and Drugs) Act 1977, a piece of legislation developed over 10 years before ACT self-government, around the same time substantial controls on drink driving, including random breath testing, were being implemented elsewhere around the country.

The act has not been substantially reviewed or revised since then. So the package of reforms made by this bill represents the most significant reform to drink-driving laws in the territory since self-government. They are largely in line with changes made to drink-driving laws in other jurisdictions over recent years.

The process of arriving at these reforms has involved consultation with the community, through a discussion paper in mid 2008, which sought views on a range of potential reforms to the act. This discussion paper was followed by the establishment of a drink-driving reform working group last year. This group was

chaired by the Department of Territory and Municipal Services, and included representatives from ACT Policing, the Department of Justice and Community Safety, ACT courts, the Office of the Director of Public Prosecutions, the Government Solicitor's Office and ACT Health.

My department also liaised with the current providers of alcohol awareness and education courses, the Alcohol and Drug Foundation ACT, ADFACT, on aspects of proposed reforms. The expert working group developed a series of potential reforms to the existing drink-driving laws. These were considered by the most recent road safety roundtable which I co-chaired with Alan Evans from NRMA Motoring and Services.

There was broad support from roundtable participants to proceed with the reforms that were flagged. I am pleased to now be able to present to the Assembly a package of changes to the ACT's drink-driving laws which are intended to reduce the incidence of drink driving by reinforcing the message "drink or drive"; removing continuing access to a driver licence for more drink-driving offenders; and having all drink drivers complete an appropriate alcohol awareness course.

I will now outline the details of the reforms made by the bill. The first change to the drink-driving laws made by the bill is to reduce the blood or breath alcohol concentration, or BAC, for special drivers from the current .02 limit to zero. Special drivers include learner, provisional, public vehicle and heavy vehicle drivers as well as persons who hold a restricted licence.

The current ACT limit for special drivers is 0.02 grams of alcohol per 100 millilitres of blood. The bill will make the BAC for this group of drivers zero, as is the case in all other jurisdictions except Western Australia. A zero BAC for this class of drivers is appropriate given the novice driver status of learner and provisional drivers, the special responsibilities of drivers of public and heavy vehicles and the need to send a message to persons on a restricted licence who have already committed a drink-driving offence that alcohol and driving do not mix.

For younger and inexperienced drivers it also avoids the uncertainty created by the current .02 limit, about whether it is possible to drink a small amount of alcohol and not have their driving impaired. There is evidence to suggest that novice drivers find it difficult to effectively monitor their alcohol consumption to stay below .02. This change will send the simple message to this group of drivers: drink or drive.

I understand that a concern sometimes raised about the zero BAC limit for certain drivers, which was raised by some respondents to the discussion paper, is whether they may commit an offence as a result of innocently consumed alcohol such as communion wine, cough mixture or consuming, say, a sherry or alcohol-based trifle. I am advised that there is evidence showing that, in practice, this is unlikely to be a real problem because cough mixtures or foods prepared with alcohol when consumed in normal quantities are unlikely to influence BAC levels to an extent which would seriously interfere with the measurement of a driver's BAC.

Nonetheless, I am aware that New South Wales took the precautionary measure of including a limited defence in its legislation for drivers who register a BAC between

zero and .02, if the driver can prove that their reading was the result of the innocent consumption of alcohol—for example, for religious observance or medicine. The opportunity has been taken for a similar defence provision to be included in this bill.

It was noted in reviewing the BAC for special drivers, which includes learner drivers, that there were no special BAC requirements for instructors or supervisors of a learner. This means that presently a person can legally drink and be instructing a learner driver.

This raises a concern on two counts. One is that it is inconsistent with the message to young or inexperienced drivers to permit a person instructing or supervising them to drink and then provide driving instruction. The second is that instructors or supervisors of novice drivers need, in teaching another person to drive, to exercise a degree of skill and concentration above and beyond what is required when they are physically in charge of the vehicle themselves. For these reasons the bill extends the zero BAC to persons instructing or supervising learner drivers, including heavy vehicle learners.

I should also take the opportunity to indicate that I have no advice to suggest that there has been an issue with professional driving instructors instructing students after having consumed alcohol. The scenario that these amendments are designed to avoid is more likely to arise where, say, a mother or father has had a couple of drinks at a friend's barbecue and then allows a learner-driver child to drive them home. While I, of course, support and encourage the use of designated drivers, it is not appropriate for the designated driver to be a learner driver under the supervision of a person who has consumed alcohol. The changes to a zero BAC for special drivers and to persons instructing learner drivers will be widely publicised to ensure that affected drivers, parents and driving instructors are aware of the new laws.

As I mentioned earlier, a key purpose of these reforms is to send the message that there are serious consequences if a person is caught drink driving. One of the obvious deterrents to drink driving is the potential for a drink-driving conviction to result in loss of access to a driver licence. The review of the drink-driving laws indicated that existing ACT provisions are relatively lenient compared with interstate practice in terms of enabling convicted drink drivers to continue to drive. I am sure members will have seen or heard the advertisements by legal firms encouraging persons facing a drink-driving charge to seek assistance to retain their driving licence and suggesting that a conviction need not necessarily put an offender off the road.

Under current laws, while persons who are convicted of drink driving are liable to serve a period of licence disqualification, restricted licences, sometimes known as work licences, can be applied for by some persons convicted of drink driving to enable them to continue to drink during a period of licence disqualification. The court, in granting a restricted licence, must be satisfied that exceptional circumstances exist justifying the grant of the licence.

It is evident that a substantial number of ACT drink drivers, including offenders with previous drink-driving convictions, are successful in persuading the court that their circumstances are exceptional and are obtaining a restricted licence. Indeed, 558 such licences were issued in 2008-09. I mentioned earlier that around 1,500 people are charged each year with drink driving, so it would seem that around a third of them are

being granted a restricted licence rather than serving any period of licence disqualification.

It is critical to deterring drink driving that the community understands that drink-drive offenders will face appropriate consequences for their actions, including loss of the privilege of using the roads for a period of time. The rate of dispensation of restricted licences has contributed to a view in the community that a drink-driving conviction will not necessarily mean the loss of access to a driver licence. The approach taken in the bill is to allow an application for a restricted licence only in circumstances where it is possible that a person has made a first and genuine mistake.

To achieve this, the definition of repeat offender has been amended. Currently, a repeat offender cannot apply for a restricted licence. However, presently the definition of repeat offender only applies to a person who has had a drink-driving conviction in the past five years. The changes made by the bill will mean that a person will be a repeat offender if they have been convicted or found guilty of a drink-driving offence at any time, no matter how long ago. A person will also be a repeat offender where two drink-driving charges are dealt with concurrently. Consequently, in the future, only genuine first offenders will be eligible to apply for a restricted licence.

Further, the bill provides that only low-range first offenders will be able to apply for a restricted licence. If the offender has a BAC which is .05 or more higher than the BAC limit for that person, he or she will not be able to apply for a restricted licence. This means that a special driver who records a BAC of .05 or more, or a full licence holder who records a BAC of 0.1 or higher, will not be able to apply for a restricted licence.

Based on recent AFP data showing that around half of persons charged with drink driving have a BAC of 0.1 or more, this will mean that around half those caught drink driving will not be able to apply for a restricted licence based on their BAC reading alone. Some others with a lower BAC but who are also repeat offenders will also not be eligible to apply for a restricted licence. For the remainder who are eligible to apply, they will need to demonstrate to the court the exceptional circumstances justifying the grant of the licence. Based on current data, it could be expected that the number of restricted licences being granted would be at least halved.

Another new measure effected by this bill to protect other road users and to reinforce that a consequence of drink driving is loss of the privilege of holding a driver licence is immediate licence suspension by police for high-range offenders. Where a driver exceeds the BAC applicable to that person by .05 or more, police will be required to immediately suspend the person's licence. Similar provisions have been in place in some other jurisdictions.

The bill provides for a person whose licence is suspended by police to apply to the Magistrates Court for a stay of the suspension, and the court may stay the suspension if satisfied that there are exceptional circumstances warranting a stay. The court's primary consideration in deciding whether to stay the suspension will be the risk to the safety of road users.

Even where persons charged with drink driving successfully pursue a stay of the suspension in order to get their licence restored before their court appearance, they will, nonetheless, serve a minimum period of licence disqualification. This is because the level of their BAC reading will make them ineligible under the new law to apply for a restricted licence during the disqualification period.

The bill provides that, where a person serves a period of immediate licence suspension, the licence disqualification period imposed by the court on conviction will be reduced by the period of licence suspension already served. Even where a person seeks a stay of an immediate licence suspension and succeeds, the process will take a period of time and so one effect of this new provision will be that for high-range offenders there will be an immediate consequence of being caught drink driving—a period of time off the road.

Both the new immediate licence suspension provisions and the tougher rules on eligibility to apply for a restricted licence treat the threshold for high range offending for a full licence holder as 0.1. I can advise the Assembly that there was some consideration in finalising the bill as to whether it should be 0.15, as in some other jurisdictions. However, I am persuaded by a view strongly expressed at the last road safety roundtable, which was that at .1 a person is double the legal limit and it should not be necessary to reach triple the limit to be regarded as a high-range offender.

In addition, there is evidence which clearly demonstrates that the degree of crash risk, including the likelihood that a crash will result in a fatality, rises substantially with increased BAC levels. The degree of crash risk for a driver with a BAC of 0.1 is almost five times that of a driver with no alcohol in their system and double that of a driver with a BAC of .05.

While many of the amendments made by the bill are directed at deterring drink driving through the imposition of restrictions on access to a licence, the package of amendments made by the bill also includes a new initiative to better educate drivers about the dangers and impact of drink driving. New provisions will require every convicted drink driver to complete an alcohol awareness course before the driver can obtain a probationary licence following a period of licence disqualification or be issued a restricted licence where the court is satisfied that it is appropriate to grant such a licence.

There is currently an alcohol education course for drivers available in the ACT. It is the sober driver course run by ADFACT. However, concerns have been raised that, even where the court currently makes an order for a drink driver to complete this course, there is no means of effectively enforcing this requirement. Some persons charged with drink driving enrol in the course before attending court, to improve their prospects of making a case for a restricted licence. However, available information suggests that more than half the people who enrol in the course do not complete it, with many people pulling out as soon as they have a restricted licence or a probationary licence.

Under new provisions included in the bill, all convicted drink drivers and people found guilty of a drink-driving offence will be required to complete an alcohol

awareness course before they are eligible to have their licence returned. In practice, what will happen is that, when a person is caught drink driving by police, the person will be provided with information to the effect that if the person is convicted or found guilty of drink driving the person will have to complete an approved alcohol awareness course before getting access to any form of driver licence.

Over the coming months, my department will be working with other government and non-government agencies to settle the requirements for approved courses and to invite providers of alcohol education courses that meet those requirements to seek approval of those courses.

Apart from the measures in the bill to deter drink driving and provide for alcohol awareness education, there are some other amendments that have been included to improve the administration of the drink-driving legislation. The first of these is a change in the process of managing blood samples taken from drink drivers or suspected drink drivers. Currently, when a blood sample is taken, it is split into two containers. The first is sent to the Government Analytical Laboratory for analysis. In most cases the second sample is given to the person from whom it has been taken. If the person is incapable of taking the second sample—for example, where they are unconscious following an accident—the second sample is also sent to the laboratory.

The purpose of providing a second sample to the person is to allow them to have their own analysis of the sample undertaken, if they wish. I am advised that very few people pursue this, probably due to the long-established accuracy of blood analysis. Given the low level of use of the second samples currently taken, and the potential public health issues created by handing people vials of blood, the bill provides for a single sample of blood to be taken and forwarded to the laboratory for analysis. However, in order to preserve the opportunity for a defendant to have an independent analysis of the blood sample provided, the new provisions require the laboratory to take reasonable care to retain sufficient of the sample to be able to make a portion of the sample available to the defendant on request for that purpose.

The bill amends the provision describing how the concentration of alcohol in a person's blood is to be measured. The act currently refers to the measurement in terms of alcohol per 100 millilitres of blood. However, many newer breath testing machines record and report breath analysis in terms of grams of alcohol per 210 litres of breath, which provides an equivalent. The legislation is amended to reflect this. Finally, the bill includes a provision for a register of approved operators of breath analysis devices.

I have set out the key provisions of the bill, but I will, in the time remaining, take the opportunity to mention another measure which has been raised over the last 12 months as a potential response to drink driving and to indicate the government's view on this, which is that we will not proceed with it. The suggestion was raised last year, to which I was attracted, that the naming and shaming of drink drivers would be a potential deterrent to drink driving, and I indicated that I would consider this proposal and, in particular, any legal or privacy issues it might raise.

While the advice provided on these issues is that there are no fundamental legal barriers to implementing some form of naming and shaming, it must also be acknowledged that it has not been possible to identify any sound evidence which

supports the effectiveness of such a measure. On the other hand, there are some potential risks associated with naming of drink-driving offenders. These include devising a model that accurately identifies the offender without disclosing personal details that present a personal security or identity theft risk and that mitigates the risk of incorrectly naming a person as a drink-driver offender.

Another factor I have considered is the consistency of naming and shaming of drink drivers with the principles of restorative justice. Those principles are based on an approach which encourages offenders to acknowledge that what they have done is wrong and its impact on themselves and others but does not attempt to further stigmatise or isolate the offender. The requirement in the bill for all offenders to attend an alcohol awareness course is consistent with this approach and, together with other measures in the bill directed at deterring drink driving, is to be preferred.

Therefore, on balance, given the lack of evidence to demonstrate that naming and shaming is an effective deterrent measure, and the very significant new measures in the bill, I have decided not to proceed with systemic naming and shaming of drink drivers.

I commend the bill to the Assembly.

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

## **Liquor Bill 2010**

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

Title read by Clerk.

**MR CORBELL** (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (10.24): I move:

That this bill be agreed to in principle.

I am pleased to introduce to the Assembly today the Liquor Bill 2010, which will replace the old Liquor Act 1975. This bill will implement and facilitate the significant additional funding to ACT Policing and the Office of Regulatory Services already announced by the government in the 2010-11 budget.

The government is proposing funding of approximately \$5 million over four years to fund 10 additional police officers to establish a dedicated liquor licensing team. This team will enforce the new laws proposed in this bill and further improve the police presence in our entertainment precincts and across the city. In addition, the Office of Regulatory Services will be provided with additional funding of approximately \$1.34 million over four years to employ an increased number of regulatory staff to administer the new risk assessment management framework established by this bill.

These reforms are the latest in the government's ongoing program to improve safety and amenity in our city. Since 2007, the Labor government has provided funding for an additional 127 police, the largest increase in police officers for the city since self-government.

The government has modernised and expanded the city's CCTV network, expanded it for the first time to Manuka and Kingston, as well as major venues such as Exhibition Park, Manuka Oval and Canberra Stadium. In the 2009-10 budget, the government also invested in the real-time monitoring of this network from a purpose built CCTV monitoring centre at the Winchester Police Centre to assist police on the busy nights of Thursday, Friday and Saturday. The government has also introduced new on the spot fines for antisocial behaviour, such as urinating in public and defacing property. This sends home the clear message that such behaviour is not tolerated by our community.

The Liquor Bill 2010 is the product of a measured and comprehensive approach to the development of new liquor laws for the territory. The bill is the result of extensive research and broad community, industry and government consultation. The process has included a discussion paper released in April 2008, a final report to the government released in September 2009, and an exposure draft bill released in March this year. The government has responded to growing community and liquor industry concerns about the antisocial and violent behaviour associated with abuse of alcohol, and has recognised that wholesale reform of our liquor laws was required.

The government received 32 formal submissions from the consultation process on the discussion paper, and the views of these stakeholders were strongly represented in the exposure draft bill. Since the exposure draft bill was released for public comment in March this year, the government has made further changes to the bill arising from the 16 formal submissions received to further improve policy outcomes.

The bill is designed to balance the needs of the community and the liquor industry by requiring licensees to better manage the risks associated with the sale and consumption of liquor within the framework of the expectations and aspirations of our community.

The government appreciates the significant contribution made by the liquor industry to the vibrant Canberra nightlife we all enjoy today, and the role our liquor laws play in the responsible promotion of related industries such as live music entertainment, tourism and the hospitality sectors.

If we are to make a difference for the benefit of the people of Canberra and visitors to our territory, the government needs the community and the industry to come together in a strong and enduring partnership dedicated to minimising the harms that result from abuse of alcohol.

The reform of the territory's Liquor Act involves the introduction of important new concepts which govern the operation of the new laws. Today I will highlight eight major areas of reform in the government's Liquor Bill 2010. These are: first, introduction of new harm minimisation and community safety principles; second, new

regulatory powers for the Commissioner for Fair Trading; third, a new liquor licensing framework; four, strengthening the integrity of the liquor licences; five, stronger protection for children and young people; six, new police powers and offences; seven, new liquor licensing fees; and, eight, a two-year review process.

A new focus in the bill is the objects and principles statement on harm minimisation and community safety, which changes the landscape for decision making under the legislation. It also provides clear guidance to the regulator, licensees and the community about the purpose and objectives of the new laws to reduce the overall level of harm caused by the use of alcohol. No longer will liquor licensing approvals be made in isolation from the impact a liquor licence can have on the broader wellbeing of the community.

The second area of change is the inclusion of new regulatory powers for the Commissioner for Fair Trading. The commissioner will have new powers to deal promptly with situations where licensees have done the wrong thing. In response to alcohol-related incidents on licensed premises, the commissioner will be able to issue written directions requiring the licensee to take swift action to resolve alcohol-related problems or local neighbourhood problems associated with the sale of liquor by a licensed venue.

The commissioner will now be able to impose conditions on a licence in circumstances where systemic alcohol-related issues are occurring at a licensed venue. The licensee, of course, has the opportunity to make submissions to the commissioner. The commissioner's new power is a broad-reaching power which extends to any matter relating to licensed premises. The power could include, for example, a prohibition on the sale of certain drinks for a period of time or a reduction in the trading hours of licensed premises.

The bill also introduces a new power for the making of standard conditions which will be prescribed by regulation. Standard conditions will include a requirement to make drinking water freely accessible to patrons on licensed premises and providing wholesale and retail liquor data to the commissioner for national and local evaluation.

To protect the social amenity of areas when events are held nearby, the commissioner will have a new power to declare a public place as a temporary alcohol free zone, making it an offence for anyone to consume liquor in that area, in addition to the prescribed public places in the act and regulation. To better target regulatory action, licensees will be required to maintain an incident register and record any incident involving violence or antisocial behaviour occurring in the immediate vicinity of their licensed premises. This will allow the commissioner to use this information as a basis for undertaking regulatory action.

The bill also sets out grounds for the commissioner taking occupational disciplinary action in relation to a licensee or permit holder, which may have contrived a provision of the new act or been the subject of a substantiated complaint. The government believes that strengthening the administrative role of the commissioner is essential to tackling the drinking culture.

The third key area of change is the introduction of new measures to enhance the integrity of a liquor licence. A licensee will be required to disclose to the commissioner details of close associates or influential people in the business to ensure transparency and a high level of integrity with the granting and ongoing management of a liquor licence. The commissioner will assess the information provided about associates and influential people to determine the suitability of an applicant to manage a new liquor licence business. Suitability information will include relevant convictions, involvement in bankruptcy or insolvency proceedings, prior refusals for a liquor licence and an ability to comply with the act.

The commissioner will now be better placed to determine the suitability of a liquor licence business to operate in a particular location. Suitability information for premises will require the commissioner to take into account the proximity of premises to schools, places of worship, hospitals and residential homes. The commissioner will also take into account fire safety, the noise likely to come from the premises and whether the use of the premises for the sale of liquor would attract a large number of people and, if it would, the overall risk to the community. Failure by the licensee to inform the commissioner of changes to the suitability information about themselves, close associates, influential people or the premises is a serious offence, as it undermines the integrity of the licensing scheme.

The fourth key area of change is the liquor licensing framework. Central to the licensing framework are the five classes of licences. Both individuals and corporations will be able to apply for a liquor licence. The first class of licence is a general licence which authorises a licensee to sell liquor on and off the premises during the licensed times. Hotels and wineries are examples of this class of licence because they sell liquor for consumption on and off the premises, but any business wishing to sell liquor on and off the premises can apply for a general licence.

The second class of licence, which is an on-licence, has been refined to include three subclasses: a bar licence, a nightclub licence and a restaurant and cafe licence. An on-licence authorises a licensee to sell liquor at the licensed times for consumption on the premises only—that is, not for takeaway. The third class of licence is an off-licence, which authorises the licensee to sell unopened liquor at the licensed times for consumption off the premises. Bottle shops and supermarkets are examples of off-licences.

The fourth class of licence is a club licence, which authorises the licensee to sell liquor on and off the premises to club members and their guests. The fifth class of licence is a special licence, which authorises the licensee to sell liquor at the premises and at the licensed times. This licence class builds in flexibility. It will be used for those types of businesses which do not easily fit within the other four classes of licence. An example of a special licence is the licence that would be issued to the Canberra Casino, since it is subject to other legislation which can impact on the sale of liquor.

The centrepiece of the new liquor licensing framework is the new information sharing model, which will cultivate information decision making to reduce harm and improve public safety. The new model brings together the licensee, the community and the

regulator. Under the new model the applicant for a licence will be required to display a sign at the proposed premises and publish a notice in the *Canberra Times* telling the community of the intention to open a licensed venue at that location. The community, for the first time, will then have an opportunity to raise potential impacts with the commissioner, who could then discuss those concerns with the applicant with a view to them managing identified risks. Liquor licences will not be issued in circumstances where applicants are unable to adequately manage risks associated with the sale of alcohol.

Another component of the information sharing model is the new risk assessment management plan, or RAMP, which all licensees and commercial permit holders will need to complete to obtain a licence or a permit. The RAMP will set out how a licensee or permit holder plans to operate the liquor business so as to mitigate risks associated with the sale of alcohol.

The use of a RAMP is fundamental to the commissioner's capacity to assess how risks will be managed, taking into account any concerns raised by the community. Licensees will need to manage risks such as noise levels, security, transport, queuing outside the venue and dealing with minors and intoxicated people. There is provision in the bill for a licensee or commercial permit holder to seek amendment to the approved RAMP by making application to the commissioner. Failure to comply with an approved RAMP will be an offence.

The process of information sharing will not cease after the applicant has obtained a licence. The commissioner will be able to respond to community feedback and the licensee will be able to apply to the commissioner for amendment of certain aspects of the licence. For example, a licensee wanting to change the nature of their business from, say, a restaurant to a nightclub will need to obtain approval from the commissioner before doing so. Notification of an intention to change the nature of a licensee's business will trigger the new public consultation process and the local community will be able to raise with the commissioner any impacts the new business might have on them and their local community. Future decisions made by the commissioner will be informed by taking into account the views of the community and the liquor industry. The new liquor regulation will set out a methodology for the commissioner to apply when assessing the impact a new liquor licence or special event might have on the local community.

People wanting to sell liquor at special events will need to apply for a liquor permit. The bill introduces two classes of permit: commercial and non-commercial. A commercial permit will authorise a permit holder to sell liquor up to a retail value stated in the permit. An example of a commercial permit might be a stall at the Multicultural Festival.

A non-commercial permit authorises a not-for-profit organisation to sell liquor up to a retail value stated in the permit. Examples of non-commercial permits might be a school fete raising money through the sale of unopened, home-labelled wine or a local community theatre selling alcoholic beverages at intermission.

Commercial permits authorising large social events, unlike non-commercial permits, will be subject to similar requirements as licences—for example, managing the risks

associated with the sale of alcohol at special events through the use of the RAMP process and mandatory responsible-service-of-alcohol training.

Integral to the new licensing framework and harm minimisation is the introduction of mandatory industry training for the responsible service of alcohol. Licensees and commercial permit holders, their employees and security guards will all need to undertake mandatory responsible-service-of-alcohol training. Learning about the risks and the impact of irresponsible sale and consumption of alcohol will help employees recognise when a patron is intoxicated and help them to deal more effectively with intoxicated people.

The bill gives the commissioner power to approve a training organisation to provide a specified responsible-service-of-alcohol course. It also requires the commissioner to keep and maintain a licence and permit register for public inspection.

To improve the safety of patrons on licensed premises, all venues will be required to have an occupancy loading determined by the commissioner for all public areas of the premises, which cannot be greater than the loading recommended by the Chief Officer of the Fire Brigade. The commissioner may also require an occupancy loading for a commercial permit if the permitted premises is partially or wholly enclosed and would pose a fire risk. The government believes that the new liquor licensing framework is an important change that reflects community concerns.

The fifth key area of change enhances the security and protection of our young people. The bill defines an adults-only area for licensed premises, commonly known as the bar room, where children and young people are not allowed to enter. Importantly, the bill also strengthens the provisions dealing with under-age functions. In dealing with vulnerable young people, a higher threshold of scrutiny will be applied to licensees and their staff.

Unlike in the past, where licensees only had to notify the commissioner before holding an under-age event, in future licensees will need pre-approval from the commissioner. Everyone working at the event, regardless of capacity, will be required to undertake a police check. The commissioner will have the power to impose any condition on the approval, as well as those standard conditions prescribed by regulation, including preventing young people from being exposed to liquor, gaming or tobacco products.

Existing offences dealing with the supply of liquor to children and young people will continue to apply. However, there will be a new offence of a licensee or permit holder employing a person under the age of 18 years to work and supply liquor in an adults-only area. However, if a young person is employed in a licensed venue, they will be able to serve liquor in the non-adults-only area. For example, if a young person is employed to serve food in a licensed restaurant, the young person will be able to serve a glass of wine with the meal at the table but will not be able to serve liquor at the bar.

Police will continue to be able to issue a caution to any child or young person who is committing or has committed an offence under the new act. This approach supports the diversion of children and young people away from the criminal justice system.

The sixth key area of change is the inclusion of new police powers and offences. These changes result from comprehensive discussions with ACT Policing, the liquor industry and the community. The police will have new emergency powers to shut down a licensed venue for up to 24 hours in circumstances where police need to protect the safety of the community. The minister will also have a new regulatory power to impose a lock-out on licensed premises in circumstances where the protection of the community calls for stern action. These powers will allow the government to immediately respond to situations which threaten the community's safety in a serious way.

New police resources will be engaged to work constructively with liquor licensees and, if appropriate, enforce the new liquor offences of supplying liquor to an intoxicated person by an employee or patron on licensed premises and supplying liquor without a responsible-service-of-alcohol certificate. It has always been an offence for a licensee to supply liquor to intoxicated patrons and minors on licensed premises. Police will be given new power to issue on-the-spot fines for licensees and their staff who supply liquor to a person who is intoxicated. These new offences are central to the government's policy objectives of changing the culture of binge drinking, which is the major cause of alcohol-related violence and antisocial behaviour in our community.

There are also two new offences dealing with the way liquor is advertised and promoted. Advertising and promotion of alcohol influences patrons, the way they consume alcohol and how they behave. The first offence is a general prohibition on any promotional or marketing activity which encourages excessive or rapid consumption of liquor. The second offence allows the government to prohibit specific promotional or marketing activities by regulation, such as an activity which inappropriately targets children or young people.

In terms of making a difference and reducing the harms associated with alcohol abuse, the definition of "intoxicated" has been changed from a person's speech, balance, coordination or behaviour being "seriously affected" by alcohol to "noticeably affected" by alcohol, in line with other jurisdictions. The bill also contains interpretative and procedural provisions for enforcing the new laws and setting fees under the act. (*Extension of time granted.*)

The seventh key area of change is the new liquor licensing fee structure, which will be set out in a ministerial fee determination and will reflect the higher risks and regulatory costs associated with late-night trading. Licensees who choose to trade past midnight will be subject to a commensurately higher late-night trading fee. The new late-night risk-based fees will be cost-recovery and fund the new police presence in licensed premises to ensure compliance with the legislation. In line with the cost-recovery model and the new regulatory framework, it is timely that the base application and renewal fees also be reviewed.

Continuing the momentum of the review, the government has prepared a draft liquor regulation for public consultation, which I will table for the information of members shortly.

The draft regulation will prescribe specific rules to underpin the operation of the new liquor laws. For example, it will prescribe rules detailing the public notice requirements which licensees will need to comply with, rules setting out the content of a RAMP and rules prohibiting certain advertising and promotional practices. The regulation will also set out the new standard and late-night trading hours. The new standard trading hours will be from 7 am to midnight, with a new late-night trading authorisation process for licensees who choose to trade past midnight—either to 2 am or 4 am. There will also be provision for licensees to seek approval from the commissioner to trade to 5 am, but only in circumstances where the commissioner is satisfied that the risk to public safety is negligible.

Finally, the government intends to undertake a two-year review of the new liquor laws which will commence 18 months or so into the operation of the new Liquor Act. The review will look at all aspects of the legislation, including the new trading hours and the new risk-based licensing fee structure, and gather evidence-based data to gauge the efficacy of the new reforms. The two-year review may also draw on the experiences of other jurisdictions which have also recently introduced new liquor laws or are looking at their laws as we debate these.

The success of the reforms made by this bill depends directly on the strong and enduring partnership between government, the community and the liquor industry, and I am confident that this partnership will be successful because of the contributions already made by individual groups, particularly those representing the liquor, hospitality and club industries.

I take this opportunity to thank everyone who has contributed to the public consultation review process. The public submissions provided to the review were crucial to the process. Through the valuable insights into the way the affected parties undertake their liquor-related activities, the government has been able to develop a measured and comprehensive approach, in partnership, to the regulation of liquor. I commend the bill to the Assembly.

Debate (on motion by **Mrs Dunne**) adjourned to the next sitting.

## Papers

**MR CORBELL** (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services), by leave: I present the following papers:

Liquor Regulation 2010—

Exposure draft.

Explanatory statement to exposure draft.

I have tabled those documents this morning and I would invite members of the Assembly, the public and the broader community to provide comment on this regulation, which will be open until 6 August this year.

## **Security Industry Amendment Bill 2010**

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

Title read by Clerk.

**MR CORBELL** (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (10.49): I move:

That this bill be agreed to in principle.

Mr Speaker, I am bringing this amendment bill forward today after detailed consultation with key employer and employee representatives of the ACT security industry. Following debate of these amendments on 8 December last year, I took the opportunity to write to all members of the industry to clarify any misinformation which may have existed, explain the policy rationale behind this government initiative and outline how the law would work in practice. A number of industry representatives have taken the opportunity to raise their concerns and ask questions about the operation of the proposed new law. While some continue to hold reservations, others have expressed support in principle for the aims of the legislation, particularly with respect to holding unscrupulous traders to account.

The Security Industry Amendment Bill amends the Security Industry Act 2003 to ensure that people wanting to work in the security industry have the same access to information about their workplace entitlements, rights and responsibilities as do people working in other industries.

Due to the nature of their work circumstances, which can often involve working in isolation from each other in other people's workplaces, often only able to take short meal breaks, many security industry employees do not always have full access to this opportunity to access information available from union officials, for example, work safety information.

The bill will amend the Security Industry Act 2003 to expand the current suitability criteria and prerequisites for applicants for an employee licence to work in the security industry.

As envisaged by current law, workplace information would be provided by union officials belonging to a registered organisation. This information would be provided free of charge, made easily accessible to security licence applicants and pose no burden on security employers. The employee organisation will give participants a certificate on completion of the information session. Armed with this information, workers will be in a much better position to know their legal rights as they relate to their entitlements under relevant laws in force in the territory, thereby promoting greater productivity and economic growth in the ACT security industry.

The government's consultation with the sector has made it clear that certain workers in the security industry—for example, locksmiths, security equipment installers and security consultants—are not working under the same set of circumstances and the bill does not require these people to be involved in an information session process.

To acknowledge any lingering reservations about the operation of these new amendments the bill provides for a review after 12 months.

Mr Speaker, this is an important reform for security industry workers. It acknowledges the direct concerns raised by those workers and their union representatives about the isolation and the problems associated with working alone in this industry, often at unusual hours and in difficult circumstances. We recognise that most employers in the ACT security industry are doing the right thing. But for those few unscrupulous traders, these amendments, by making sure information flows to employees about workplace matters, will hold them to account and to the same high standard as the rest of the ACT security industry.

I commend the bill to the Assembly.

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

## **Public Accounts—Standing Committee**

### **Statement by chair**

**MS LE COUTEUR** (Molonglo): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Public Accounts.

The Government Procurement Act 2001 requires agencies to provide the public accounts committee with a list of reportable contracts every six months. Reportable contracts are defined, with some exceptions, as procurement contracts over \$20,000 that contain confidential text. Agencies provide the committee with the names of the contracting parties, the value of the contract and the nature of the contract.

The committee is aware that the information chief executives provide in relation to reportable contracts is readily available in the public domain on the ACT government contracts register.

The Minister for Territory and Municipal Services has informed the committee that consideration is being given to changing the process for the reporting of reportable contracts. As an interim step in this process, the committee again welcomed receiving the list of reportable contracts for this period in one consolidated report. The committee believes that there is value in the provision of a consolidated report for the six-monthly reporting periods. However, the committee is of the view that the purpose of scrutiny would be served by a report that combines the two current six-monthly reporting periods. The committee has written to the responsible minister on this matter to convey its views.

The public accounts committee believes that this information should be available to all members, and the committee will continue to table these lists as it receives them. I therefore seek leave to table the list of reportable contracts for the period 1 October 2009 to 31 March 2010 as received by the public accounts committee.

Leave granted.

**MS LE COUTEUR:** I table the following papers:

Reportable contracts—Agencies reporting reportable contracts for period  
1 October 2009 to 31 March 2010—Table.

## **Executive business—precedence**

*Ordered that executive business be called on.*

## **Public service—pay equity** **Statement by minister**

**MS BURCH** (Brindabella—Minister for Disability, Housing and Community Services, Minister for Children and Young People, Minister for Ageing, Minister for Multicultural Affairs and Minister for Women), by leave: The government undertook to report to the Assembly in the May sitting period on the measures required to conduct a pay equity audit of the ACT public service. This came about in relation to a motion put on the board by Ms Hunter in the February sitting about gender pay equity. I provided advice to Ms Hunter and tabled my letter to her in the Assembly on 6 May 2010 and I am now in a position to report back on the measures that the government will take to progress gender pay equity.

In February Ms Hunter advocated for the government to take the lead in identifying the reasons for men being paid more than women in the ACT public service. I would like to commend Ms Hunter for her strong interest and her advocacy on behalf of the women in the ACT.

It needs to be noted that this is in stark contrast to the statements made by the so-called shadow minister for women, Mrs Dunne, when this matter was raised before the Assembly. Mrs Dunne described the motion as “a series of motherhood statements”, “a mishmash of different subject materials”, a “lazy sort of motion” and the poorest women’s motion that she has seen. And Mrs Dunne’s bizarre rant did not end there. One of her stand-up quotes was:

... women have somewhat of a luxury about whether they are in the workforce or  
not ...

But Mrs Dunne’s out-of-touch thinking when it comes to women unfortunately does not end there. Mrs Dunne chooses to use her position as shadow minister for women to continue to offer demeaning and ill-informed comments. Some of Mrs Dunne’s more recent statements appear to put blame on young women for being sexually assaulted. In a story titled “Women’s conduct factor in violence: MLA” on the University of Canberra student news site NowUC, Mrs Dunne blames young women who become intoxicated for subsequent offences committed against them. Mrs Dunne is quoted as saying that a contributing factor in violence against women was young women who are not used to—

**Mrs Dunne:** I knew you would do this, Joy, but you did not have the courage to actually give me a copy of the statement you were going to deliver.

**MS BURCH:** I will start again. Mrs Dunne is quoted as saying—

**Mrs Dunne:** You are a disgrace. You are a coward.

**MS BURCH:** You are the disgrace. You are the disgrace, and I will say why you are. Mrs Dunne is quoted as saying that a contributing factor in violence against women was “young women who are not used to drinking alcohol who overindulge and lose judgement and lose control”. It is an outright insult to blame young women who are victims of sexual assault—an absolute outright insult for the shadow minister for women to make such statements. This is the kind of nonsense that reveals Mrs Dunne’s true nature when it comes to women’s rights. There we are: women have a luxury—a luxury to be in the workforce.

**Mrs Dunne:** You tried to get that story up last week, Joy, and no-one would touch it, so you had to bring it in here. You had to bring it in here.

**MS BURCH:** Yes, I did. I did indeed.

**Mrs Dunne:** You tried to get the story up last week and no-one would touch it.

**Mr Corbell:** Point of order, Madam Deputy Speaker. Mrs Dunne is continually harassing Ms Burch and trying to make a statement. The Assembly has given her leave to make the statement. I ask you to ask Mrs Dunne to allow Ms Burch to make that statement.

**MADAM DEPUTY SPEAKER:** Thank you, Mr Corbell. Mrs Dunne, could you allow Ms Burch to complete her statement, please?

**MS BURCH:** Thank you, Madam Deputy Speaker. While Mrs Dunne is off in her own little world, the members of this Assembly who do actually care about a fair go for women, members like Ms Hunter and myself, are actually getting on the job and looking at issues—important issues, issues that are of national importance, such as pay equity.

I am proud to announce that this government will commit to identifying the reasons why women in the ACT public service are paid less than men. We will do this in stages by examining and reporting on data at a whole-of-government level, by individual agencies and by classification groups. By taking this approach we will be able to identify where the gender equity issues may be and whether the issues lie in more than one agency or in a particular classification group.

This announcement is particularly timely in light of the comments made just yesterday by the federal Sex Discrimination Commissioner, Elizabeth Broderick, who told the National Press Club that governments in Australia need to do more to reduce the gender pay equity gap, which is nationally at 17 per cent, placing Australia at No 20 in the 2009 World Economic Forum’s global gender equality report. I stand here to say that this government is actually doing something about it.

As members of the Assembly are aware, the Commissioner for Public Administration publishes the ACT public service workforce profile each year. The commissioner reports on the ACT public service workforce by various characteristics such as employment type, age profile, remuneration, separation rates and equity and diversity profiles. These demographics are also analysed and reported by groups such as generation, gender, length of service, agency and classification.

The ACT workforce profile looks at gender pay in terms of the difference in average earnings between all females and males calculated for full-time employees and part-time employees. What we know now is that in 2008-09 the average full-time salary for all female public servants was \$68,110 compared to the average full-time salary for all male public servants of \$72,720. This means that on average women who are working full time are paid on average 94 per cent of the men's salaries. When I reflect on comments that Mrs Dunne made at the time of the motion when she said that there was no inequity—Mrs Dunne seems to have got that wrong, but I am not surprised because she often does.

In looking at salary information by workforce groups, further detail is identified. For example, the average full-time salary for all Aboriginal and Torres Strait Islander female public servants in 2008-09 was \$61,886, compared with \$63,170 for their male counterparts. In culturally and linguistically diverse female employees, the average full-time salary was \$67,625, and for males working full time the salary was \$70,307. For employees with a disability, there seems to be a turnabout: female public servants received an average full-time salary of \$68,980, and male public servants received an average full-time salary of \$66,718. Male and female remuneration data is also currently reported by generation groups from pre baby boomers to generation Y, by length of service and also by full-time and part-time status.

What is needed now is an analysis and reporting of pay rates for women and men by agencies and by classifications. To commence this level of analysis, the Commissioner for Public Administration has committed to report information about the ACT public service by agencies and by classification groups. In the next three months, the commissioner will conduct an analysis of the 2008-09 ACT public service workforce data by gender and average age levels for each agency. The exception to this report will be the ACT workforce data where individuals in small agencies could be identified.

The commissioner will also complete an analysis of 2008-09 ACT public service workforce data by the classification groups identified in the current workforce profile. The report on this information will be available by September, possibly October, of this year. The commissioner intends to complete the same analysis for agency and classification groups for the 2009-10 ACT public service workforce profile in future years. Such work will provide the government with the opportunity to undertake further analysis and put in place steps to improve gender pay equity where equity is not being achieved.

The Western Australia pay equity audit tool also looks at non-salary remuneration in the form of certain allowances, access to higher duties and the use of differing leave types. This information is currently not provided in the ACT public service workforce

profile. To complete this next level of analysis will require considerable resources after the agencies and classification reporting has occurred.

Equally of interest would be a comprehensive and reliable set of measures on the relative skills, capabilities and work experience of ACT public service employees. This information is not readily available in the ACT public service at this time, and to compile such data would be quite resource intensive.

By taking a step-by-step approach, the government will progressively add to its reporting on gender pay levels in the ACT public service. This approach is consistent with the government's commitment in the *ACT Women's Plan 2010-2015* to increase reporting on sex disaggregated data.

I will, of course, continue to investigate the potential to examine gender pay equity at the national level. As I mentioned in February, I will chair the Ministerial Conference on the Status of Women in September of this year. Gender pay equity across all sectors is an agenda item. I expect that a national approach to this issue may occur out of that discussion; I certainly hope it does.

I am pleased to say that this government has taken on board the need to consider pay equity across the ACT public service. We will work with the commissioner on doing that and having it as standard reporting with our ACT public reporting profile. That is a great move forward.

**MS HUNTER** (Ginninderra—Parliamentary Convenor, ACT Greens): I seek leave to make a brief statement.

Leave not granted.

## **Crimes (Surveillance Devices) Bill 2010**

Debate resumed from 25 February 2010, on motion by **Mr Corbell**:

That this bill be agreed to in principle.

**MRS DUNNE** (Ginninderra) (11.08): The Canberra Liberals will be supporting this bill in principle but I will be introducing a minor amendment at the detail stage. This bill will enable police to use surveillance devices in criminal investigations, obtained and retrieved by warrant or by emergency authorisation. Commencement is by notice of the minister or after six months. It is based on model legislation called cross-border investigative powers for law enforcement, which was developed in the Standing Committee of Attorneys-General and the Australasian Police Ministers Council joint working group on national investigation powers. There will be a process of mutual recognition in cross-border investigations where the cross-border jurisdiction has corresponding laws.

Four types of surveillance devices are covered by this legislation. They are data, listening, optical and tracking devices. Warrant applications including retrieval warrants are made to the Supreme Court for all forms of devices or to the Magistrates Court for tracking devices only. Warrants can cover more than one form of device,

and their duration is limited to a maximum of 90 days. Extension applications are permitted, which can be done more than once. Applications may only be made in relation to offences that attract imprisonment of three years or more. Emergency authorisations in limited circumstances can be given by the Chief Police Officer, by delegation to the Deputy Police Chief Officer or by certain other officers in the Australian Crime Commission.

There are offences for communicating or publishing information collected by surveillance devices except as authorised under the law. There are strict conditional, compliance, monitoring, accountability and reporting provisions, including giving the Ombudsman independent oversight and requiring enforcement agencies to report annually to the Attorney-General. In turn, the attorney is required to report to the Assembly. This is similar to requirements under the assumed identities legislation which the Assembly passed last year. The bill also contemplates the Australian Crime Commission, which will be able to operate in the ACT under both ACT and commonwealth law in national investigations.

Finally, the bill gives the court the discretion to admit or exclude evidence. The surveillance devices bill engages the Human Rights Act. The explanatory statement and the attorney's presentation speech addressed this issue in some detail. Both the Human Rights and Discrimination Commissioner and Civil Liberties Australia have been prominent in the discussion on this issue.

The scrutiny of bills committee gave a preliminary but quite detailed assessment of the bill in its report No 20 of 15 March 2010, to which the Attorney-General has responded. A week later, in report No 21 of 22 March, the committee adopted the preliminary report and added further comments, including a response to the submission made by Civil Liberties Australia. Report 21 called on the Attorney-General to justify to the Assembly the emergency authorisations provisions on human rights grounds.

The Attorney-General provided a quite detailed response to the committee's and the CLA's comments, in addition to advising the committee of a response to a letter he had received from Mr Rattenbury, and I thank Mr Rattenbury for sharing with me his copy of this correspondence. Boiling it all down, there are two main issues of concern. The first is on the question of whether, in applying for a warrant, the required threshold of "suspects on reasonable grounds" is too low.

In some international jurisdictions, the threshold is set higher, at "suspects or believes on reasonable grounds" or even "believes on reasonable grounds"—that is, by excluding the word "suspects"—and therefore raising the bar. There is complex international jurisprudence about this issue. New South Wales legislation sets the threshold at "suspects" or "believes" and the commonwealth sets what could be considered a lower threshold of "suspects".

One concern I have is in relation to the inclusion of both terms—that is, suspicion and belief—in the one threshold. My concern is supported by some of the commentary I have reviewed. This commentary suggests that if the two thresholds are in the one marker, it is probable that any officer applying for a warrant would approach the application from the lower point—that is, suspicion rather than belief.

On that simple analysis, inclusion of both would seem redundant. However, in either case, the issue is mitigated somewhat by the requirement that the officer demonstrate sufficient “reasonable grounds”. Further, the judicial officer would be required to be satisfied as to those “reasonable grounds”. Nonetheless, I acknowledge that a judicial officer would expect stronger grounds for a belief than for a suspicion.

Above that is the fact that the ACT is a human rights jurisdiction. This would suggest that the judicial officer considering a warrant application would need to consider the arguments for reasonable grounds in the light of that act. This in itself would raise the bar as to the reasonable grounds of suspicion. Indeed, the role of the Human Rights Act in the judicial officer’s assessment of a warrant application made on reasonable grounds of suspicion might well suggest that it should be made using a threshold somewhat higher than that of suspicion generally understood in jurisprudence.

This in itself might suggest that the inclusion of both terms in the threshold marker might in fact be justified as being an indicator of the range in which a judicial assessment can be made. The important thing here is that for this cross-jurisdictional cooperation to fight serious organised crime, there should be consistency in inter-jurisdictional legislation.

I noted earlier that the New South Wales legislation carries the threshold of “suspects or believes” and that the commonwealth carries “suspects” only. The Victorian legislation mirrors that in New South Wales in this aspect. Leaving aside the fact that the ACT is a human rights jurisdiction, I consider that the ACT’s legislation should, as far as possible, be consistent with similar interstate legislation.

For this reason, and subject to the caveat that I will be proposing an amendment to correct what appears to be a drafting inconsistency in this bill, I am happy that the drafted threshold sets suitable markers. Accordingly, the Canberra Liberals will not be supporting the amendments proposed by the Greens on this subject. Nonetheless, I have spoken with and written to the Attorney-General to ask him to take to SCAG the concerns about this that have been expressed so widely and will continue to be so expressed during this debate.

Clearly, national consistency as to an appropriate “reasonable grounds” threshold is necessary. This is demonstrated by international jurisprudence and the risk that the resultant interpretive variations can confuse the practical application of the law. Even the inconsistency that exists currently between the commonwealth legislation and that of the states and territories which I have identified earlier may create confusion, and this should be addressed.

This leads me to the apparent drafting inconsistency in the bill. The bill provides that an application can be made on reasonable grounds of suspicion, but the judicial officer considering the application must be satisfied that there are reasonable grounds for “suspicion or belief”. This inconsistency continues because, contrary to applications for warrants, applications for retrieval of warrants and for warrant extensions must be made on reasonable grounds of suspicion or belief with a corresponding test to be applied by the assessing judicial officer.

The amendment I will propose in the detail stage is a simple one which seeks to address this apparent inconsistency. The other major question relates to emergency authorisations by a law enforcement officer. An application for an emergency authorisation must show reasonable grounds for suspicion or belief. In addition, there are only very limited circumstances in which an emergency authorisation can be given.

The authorising officer must be satisfied that there are reasonable grounds for suspicion or belief. The human rights arguments in this case are much stronger. Indeed, Civil Liberties Australia calls on the government to amend these provisions such that the emergency authorisation in the form of a warrant can be issued by a duty magistrate. I consider this has some merit, and the scrutiny committee in its report 21 agrees.

I note that the correspondence between Mr Rattenbury and Mr Corbell addressed this matter as well. It is interesting to note from Mr Corbell's reply both to Mr Rattenbury and the scrutiny committee that the utilisation of duty magistrates is, and I quote: "precisely what the Bill anticipates". Mr Corbell goes on to say that the grounds of practicality on which an emergency authorisation might be made will only be made if, and again I quote, "There is no judicial officer available by telephone to grant the warrant."

It is unfortunate that this was not made clear in the drafting of the bill, nor was it discussed in the explanatory statement or in the attorney's presentation speech. Were it so, perhaps there may not have been so much discussion of it in the scrutiny committee, by Civil Liberties Australia or by the Human Rights and Discrimination Commissioner. Simply said, the discussion that has occurred indicates that the language in the bill is unclear on this matter.

The Greens are proposing amendments to address this issue and to make the position clearer. The Canberra Liberals will be supporting those amendments. Nonetheless, there are only very limited circumstances in which an emergency authority can be given and these must be validated by a warrant application to a court within two working days. If the bill is otherwise lacking in this area, it is that it does not give the court a deadline by which an ex post facto application must be considered and decided upon.

Quite simply, Madam Deputy Speaker, you have to start the process within two working days but there is nothing to tell the court how long they must take to finalise that process. I think that is something we will have to keep an eye on. Indeed, time limits are not placed on the assessment by judicial officers of any warrant applications, whether they are for new warrants, retrieval warrants or extensions.

Perhaps a time limit would be especially important in the case of warrant applications following an emergency authorisation. Overall and on balance, but subject to consideration of the amendments to be proposed by the Greens and ourselves, I am satisfied that the bill adequately addresses the human rights issues. In the view of the Canberra Liberals, the conditional, compliance, monitoring, accountability and reporting provisions in the bill, in concert with the requirements of the Human Rights Act and the process required for obtaining warrants, provide sufficient safeguards from a human rights viewpoint.

Given the clarification provided by the attorney in relation to emergency authorisations, perhaps to be made clearer by the Greens' amendment, I believe the human rights considerations are adequately covered. To this end, Madam Deputy Speaker, it comes down to the ability of the law enforcement agencies to have adequate resources and required flexibility to investigate crimes quickly and effectively. Mr Corbell said as much in his response to the scrutiny committee report No 21:

Proportionality always requires that a balance is struck between the burden placed upon the individuals whose rights are being limited and the interests of the general public in achieving the aim that is being protected.

This is especially important when one considers that the use of surveillance devices is only to be authorised in cases where criminal activity is being investigated that would attract an imprisonment sentence of three years or more. Crimes of this kind are serious. They threaten the human rights of citizens to the safe and peaceful enjoyment of our city. Every available utility must be given to law enforcement agencies to minimise that threat.

This matter is of paramount importance to the Canberra Liberals. The human rights of law-abiding citizens must come before those of suspects in matters of such serious crime. The Canberra Liberals support this bill because it gives the law-abiding citizens of Canberra an extra piece of protection that they expect and it is their right.

**MR RATTENBURY** (Molonglo) (11.21): The Greens support this bill and support a cool-headed, evidence-based approach to investigating crime. We are on the record as supporting this type of well-thought-out approach to developing legislation. The alternative, which was on the public radar last year, was to rush in and legislate in a simple way that causes more problems than it solves. A key example of this is the dangerous approach of banning participation in a prescribed organisation, more widely known as anti-bikie laws. We are pleased to support this bill today. It steers well away from simplistic solutions such as that and provides the police with the investigative tools they need.

In order to equip our police to perform their duties to the best of their ability, they do need access to surveillance devices. By having these devices, police will be able to accurately investigate crime they believe is occurring or is about to occur. Importantly, this allows for police intervention to stop the planned crime being committed. The stark example, of course, is the threat of a terrorist attack, but information gathered can equally relate to threats to individual personal safety or other serious crime.

As Mrs Dunne has touched on, the ACT is a human rights jurisdiction, and that is something to be proud of. The use of surveillance devices engages the right to privacy, as is guaranteed by section 12 of our Human Rights Act. Human rights are not absolute and do not result in blanket bans on things such as surveillance devices. Rather, their use needs to be justified by outlining the community benefit gained and weighing this against the intrusion on human rights. The Greens accept that the broad benefit gained from investigating crime through surveillance devices does justify this legislation. On that basis, we support the intent of the bill and look forward to supporting it later in the morning.

That said, there will be two sets of key amendments that I will move later in the debate that will strengthen this legislation and strengthen the ACT's protection of human rights. I would like to speak to those two sets of amendments now, in the context of this opening comment.

Our first set of amendments relates to the threshold test that must be satisfied before a surveillance device can be authorised for use. I understand the Attorney-General will take the threshold issue to the Standing Committee of Attorneys-General for discussion. I am somewhat disappointed that we are not going to be able to move these amendments through today, as I understand it, but I will outline the purpose of them anyway because I do want to put on the record my amendments and the reasons for them. They are important amendments that relate to the right to be free from arbitrary interference with privacy.

The proposed legislation would allow a surveillance device to be issued on the basis of a reasonable suspicion or belief that a crime is being planned. The police must show that, at the minimum, they are acting on a suspicion, before a judge can issue a warrant. It is an important test because, by its very nature, the surveillance will be highly intrusive and, if the police do their job well, the person being watched will never know.

Clearly, the use of surveillance devices engages the right to privacy as guaranteed by section 12 of our Human Rights Act. At the outset, I should say that the Greens agree with the principle that the invasion is warranted when balanced against the need to give police the tools to investigate crime. However, because of the way in which the right to privacy is quietly interfered with, without the knowledge of the person concerned, surveillance should only be authorised where there is strong and reliable evidence that a crime is being planned or about to be committed. Anything less inappropriately interferes with the right to privacy and allows for surveillance to take place based on weak evidence.

This raises the question of what is the most appropriate threshold test for authorising surveillance. The Greens' position is that a higher threshold than the one proposed is warranted. The appropriate test is that there is a "reasonable belief". If "suspicion" is retained in the test, this lowers the level of evidence required to support an application.

There is detailed case law to support the threshold that the Greens propose as well as the threshold that the government proposes. The debate today in the Assembly will not be advanced by detailed discussion of those various decisions. As is the case with many legal debates, there are valid arguments both ways and we could debate the legal theory for a very long time indeed.

In summary, however, the government cites case law from Europe that has found "suspicion" is a valid basis from which to justify the state's intrusion on human rights. By contrast, the Greens have relied upon Canadian case law, as well as statute law from the United Kingdom and New Zealand, which all use the higher threshold test when interfering with the right to privacy.

What is clear, however, are the three arguments that have been raised with my office about why our amendments should not pass or, put another way, why the lower threshold is appropriate. I will address each now and set out why we do not think they warrant the lower threshold being used.

The first argument is that “suspicion” is used in the national model bill signed off by the Standing Committee of Attorneys-General and has been implemented by New South Wales and Victoria. The intent of the laws is to work in conjunction with corresponding laws interstate so that a warrant issued here in the ACT can be used in New South Wales and vice versa.

Neither the Greens nor the Liberals sit on the standing committee and do not have input into its decisions. It is an often-used argument that, because something has been agreed to by the standing committee or by COAG, individual states and territories cannot interfere during their legislative process. The Greens reject that argument. To say that the ACT Legislative Assembly does not have the right or power to make its own law is misleading and devalues the role that we have. We will continue to apply our own principles and thought to all legislation that comes to the Assembly.

Further, by setting a higher threshold test, the system of corresponding laws will not be put in jeopardy. Warrants issued in the ACT will continue to be able to be used interstate. The explanatory statement makes that clear when it says:

It is not intended that mutual recognition would be defeated if corresponding law was not cast in exactly the same terms as the Territory’s law.

The second argument is that a review of all ACT criminal thresholds is imminent and that this issue can be revisited then. The Greens cannot agree with this justification. If the Assembly does have a view on what the appropriate threshold test is when introducing new law, then it should be passed that way the first time around. Put simply, the Greens believe that, if something is worth legislating, it is worth doing correctly the first time.

The third argument is that the Human Rights Act would operate to require “reasonable belief” or “suspicion” to be read up to actually mean “reasonable belief”. The two points on this last issue are that, if “reasonable belief” is the appropriate test in light of human rights, then this should be set out in the legislation up front, rather than left to decision makers to read up or down words based on the Human Rights Act and this jurisdiction’s commitment to that.

The second point is that these laws envisage applications being made over the phone in times of stress and urgency. We should give decision makers all the assistance we can to make their decision-making process clear. Requiring them to read words up or down cannot help them in their decision-making process as they try to contemplate what impact the Human Rights Act might have in the application of the legislation.

To conclude on this amendment, the ACT is a human rights jurisdiction. We should not be afraid of leading the pack because of that. Rather, we should be proud of occupying that place. We, as legislators, must bear human rights firmly in mind when

doing our job to draft and pass law. The amendments that I will be moving later will ensure compliance with the right to privacy and should be passed on that basis when it comes to the threshold test.

The other amendments that I will be moving later relate to emergency authorisations and have been prepared to strengthen the emergency authorisation process. Our amendments make clear that on-call duty magistrates and judges will be used in the process to issue surveillance warrants where applications are needed either out of hours or in an emergency.

Significant concerns have been raised by stakeholders about how the emergency authorisations process will operate. Provisions give the chief officer of the Australian Federal Police the power to issue warrants in emergencies. The concern was that this excluded judicial officers from their proper role in providing a check and balance on the police, even in times of urgency.

However, in correspondence with the Attorney-General, I have discovered that the government do envisage the use of on-call duty magistrates and judges. The amendments will make sure that is absolutely clear and put it beyond doubt. The amendments we propose will simply insert an example of a situation where the police can self-issue a warrant. The example is where a call has been placed to an on-call duty magistrate and contact has not been able to be made. In those narrow situations, where a judicial officer is not contactable, the police do still need the ability to use surveillance devices.

The existing emergency provisions of the bill cater for that well. An emergency authorisation will be issued by the chief officer of the AFP and will be put before a judge within two working days. The Greens' amendments will add certainty to this law and add strength.

We will obviously come to the amendments later. I thought it was useful at the start of the debate to outline both the nature of them and the rationale behind them. As I said earlier, the Greens will be supporting the bill in principle and look forward to support for the amendments we are proposing.

**MR CORBELL** (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (11.31), in reply: I would like to thank members for their support of this bill this morning. I would like to address some of the aspects of the bill that have attracted members' comments and attention.

Firstly, I would like to answer the question of what is required before an application for a warrant for the use of a surveillance device can be made. A law enforcement officer must suspect, on reasonable grounds, that a relevant offence has been, is being or is about to be or is likely to be committed and that the use of the surveillance device will be necessary in the course of the investigation for the purpose of enabling evidence or information to be obtained of the commission of the relevant offence or the identity or location of the offender.

The bill defines “relevant offence” as an “offence against an ACT law that is punishable by imprisonment of three years or more or an offence against an ACT law that is prescribed under regulation”. The use of a surveillance device must be necessary for the purposes I have previously alluded to.

Much has been said about the threshold “reasonable suspicion” for the making of an application and whether it is the appropriate threshold or whether the threshold should be “reasonable belief”. The threshold that is used in the Crimes (Surveillance Devices) Bill 2010 is the same threshold as was used in the cross-border investigative powers for the law enforcement model bill for surveillance devices. As mentioned previously, consistency across jurisdictions is important. The Assembly already accepted that this is a reasonable threshold when it passed the cross-border investigative powers legislation.

The position that the government has taken on the bill is that it is the reasonableness of the threshold that is imperative. Threshold laws are currently being examined as part of the police powers review. The police powers review project steering committee is currently preparing a discussion paper which is scheduled for release later this month.

The discussion paper includes a section on considerations relating to the appropriate threshold for the issue of warrants. I have asked my department to consider all submissions received on this issue before a decision is made on the appropriate threshold. I believe that it is better to have a discussion on this threshold question in the broader context of police powers rather than revisiting this question in isolation.

Turning to the emergency authorisation powers contained in that bill, part 3 sets out that emergency authorisations for the use of a surveillance device are only available in limited circumstances, where it is not practicable in these circumstances to apply for a surveillance device warrant from a judicial officer, even by facsimile or telephone. These applications will, in the case of ACT Policing, be made to the Chief Police Officer. Circumstances for making such an application would be that no judicial officer was available. Given that a duty roster exists for judicial officers outside of business hours, the circumstances that give rise to the option of making such an application would be extremely limited and extremely unusual. This was always envisaged in the way the government drafted its bill.

Following from this then, the law enforcement officer must suspect or believe on reasonable grounds in the course of investigation that an imminent threat of serious violence to a person or substantial damage to property exists and the use of a surveillance device is immediately necessary for the purpose of dealing with that threat, and the circumstances are so serious and the matter is of such emergency that the use of a surveillance device is warranted. As members can see, these are extremely unusual and, I would argue, limited circumstances. The rationale for the use of the emergency procedure in these circumstances is that the risk of harm and damage is so great as to justify the use of the device without court authorisation.

But it is important to note in relation to this matter that, if the emergency authorisation is granted and then the matter comes before a judicial officer, as it must, and the

judicial officer rules that that emergency authorisation was not warranted, then any evidence gained in the course of that emergency authorisation is not available to the police. So there is a real check in the exercise of these powers. Police can get an emergency authorisation under the terms of the act but if the judicial officer says, "It just does not stack up; you should not have given that authorisation in the first place," then any evidence obtained is completely unavailable to police. I think this is a very important check and it means the police themselves must exercise a high level of diligence, as we expect they will, in the exercise of these emergency powers.

The rationale for the use of the emergency procedure in these circumstances is that the risk of harm and damage is so great as to justify the use of a device without a court authorisation. Additionally, if an emergency authorisation is given, within two working days after giving an emergency authorisation, an application must be made to a judge for approval of the exercise of powers under the emergency authorisation. That is to say that the judge must ratify the decision made by the Chief Police Officer if the surveillance device is to remain in use.

As I have already indicated, a further safeguard is that, regardless of the method by which a warrant is obtained, the bill provides a broad discretionary power to judicial officers to make an order relation to how the information and records of information are to be dealt with. This broad discretionary power is intended to be used by judicial officers on a case-by-case basis, taking the individual circumstances of the case into account.

The appropriateness of powers included in part 3 of the bill, emergency authorisations, as well as in the model bill, was the subject of detailed consideration by the joint working group on national investigative powers November 2003 report. I agree that the emergency authorisation powers engage the right to privacy. I am of the view, however, that the very limited circumstances where they can be used and the safeguards in place following their use make them proportionate in all the circumstances.

Finally, I consider it is appropriate for the territory to be reluctant to deviate from the model bill in the manner proposed by Mr Rattenbury. As members will no doubt be aware, for a cross-border scheme to effectively operate, the legislation of other jurisdictions must be found to correspond. To deviate from the model bill in the ways that are being suggested would leave the territory out of step with other jurisdictions. The territory would be unable to justify a position where our provisions do not correspond with those of other jurisdictions. The very limited circumstances in which the emergency authorisation provisions operate, together with the safeguards requiring the application by a judicial officer, are, in my view, more than sufficient to meet human rights compatibility while still ensuring a nationally consistent response.

As we have already heard, the joint working group acknowledged that the scheme for the use of surveillance device laws was most likely to attract privacy considerations in implementation. As such, the joint working group gave careful consideration to this issue and, in particular, article 17 of the International Covenant on Civil and Political Rights relating to the right of privacy, which is reflected in section 12 of the ACT's Human Rights Act. Consequently, a number of important safeguards and

accountability measures were developed in the model legislation to ensure the use of surveillance devices was restrained and not abused.

I will take the opportunity briefly to outline those safeguards again and the accountability mechanisms contained in the bill. These include annual report requirements, including numbers of applications, arrests and prosecutions relating to the warrants sought; the establishment of a warrants register which will contain information relevant to the warrant, including when it was executed, by whom, what kind of surveillance device was used, when and where; the requirements for warrants to set out comprehensive details relating to each authorisation; and providing the Ombudsman with extensive powers to inspect records to determine compliance, including powers of entry, full and free access to all records and the power to require a person of an agency to provide necessary information.

The Crimes (Surveillance Devices) Bill complements the controlled operations and assumed identities legislation and, together with the government's legislative response to serious organised crime, provides an appropriate and balanced response to this important law and order community safety issue. I would like to thank members for their comments today and for their support of the bill overall and I commend it to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

### **Detail stage**

Clauses 1 to 10, by leave, taken together and agreed to.

Clause 11.

**MRS DUNNE** (Ginninderra) (11:42): I move amendment No 1 circulated in my name [*see schedule 2 at page 2485*].

This amendment simply rectifies what appears to be a drafting inconsistency in the bill. Currently, the bill provides, at clause 11, that a law enforcement officer can make an application for a surveillance device warrant if he or she suspects on reasonable grounds that certain specified activities will justify the application. But a little further on, in clause 13(1)(a), a judicial officer is required to test the application so as to be satisfied that "there are reasonable grounds for suspicion or belief founding the application".

In my speech in the in-principle debate I discussed at some length the question of the threshold levels of suspicion versus belief, so I do not intend to repeat that discussion here. Suffice to reiterate that I have written to the Attorney-General to ask him to take the question to SCAG in an endeavour to achieve language consistency in the legislation across all participating jurisdictions.

In the meantime, I noted in my speech that New South Wales and Victorian legislation are consistent and that ours, too, should be consistent with theirs. My

amendment would achieve this. My amendment is supported by the fact that elsewhere in the bill it provides that applications for retrieval warrants and for warrant extensions must be made on reasonable grounds of suspicion or belief. The judicial officer assessing those applications must apply a corresponding test so as to be satisfied that there are reasonable grounds for suspicion or belief founding the application.

My amendment addresses this apparent inconsistency, and I commend it to the Assembly.

**MR CORBELL** (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (11:43): The government will not be supporting Mrs Dunne’s amendment today. The reason is that this is not an admission or oversight. This is a deliberate decision in relation to how the language of the bill is drafted in this respect.

Mrs Dunne’s single amendment is to state an additional threshold upon which a law enforcement officer must satisfy a judicial officer before they can seek a surveillance device warrant. The bill, at clause 11, currently reflects the minimum threshold, which is “reasonably suspects”. If the law enforcement officer cannot satisfy the minimum threshold of “reasonably suspects” in clause 11 then an application cannot be made to a judicial officer.

If this minimum threshold is met, the officer can make an application to the relevant judicial officer. However, before a warrant can be issued, there are matters which a judicial officer must consider, which includes that they are satisfied that there are reasonable grounds for the suspicion or belief founding the application. This is discretionary and the judicial officer is not required to issue the warrant even if the matters set out in clauses 11(a) to (c) are met.

It is the case that elsewhere in the bill and in the model bill as drafted the term “reasonably suspects or believes” and “reasonable suspicion or belief” are used. The clause currently encompasses the minimum threshold. Any threshold met above this which includes the threshold of “reasonable belief” would satisfy the requirement.

Clause 11 was deliberately drafted in this fashion. I say again: clause 11 was deliberately drafted in this fashion—that is, referring only to the minimum threshold, as a direct result of consultation with ACT Policing, who were concerned that stating more than one threshold in the same provision could give rise to confusion amongst its officers. Regardless of what threshold the law enforcement officer uses, the bill prescribes the matters which a judicial officer must consider. These matters include that they are satisfied that there are reasonable grounds for the suspicion or belief founding the application.

The government does not support the amendment.

**MR RATTENBURY** (Molonglo) (11.46): The Greens are planning to support this amendment. We had understood that it clarifies what appears to be a drafting error. I have just listened to the attorney, and there is obviously a bit of discussion here. But we believe that the amendment ensures that the threshold test used throughout the

legislation is consistent, and that test is that there is a suspicion or belief. I have already given my comments on our views on that and I do not plan to elaborate on those any further. We believe that this is a small amendment that is worth passing in order to provide the clarification that we think is warranted.

Amendment agreed to.

Clause 11, as amended, agreed to.

Remainder of bill, by leave, taken as a whole.

**MR RATTENBURY** (Molonglo) (11.50), by leave: I move amendments Nos 2 to 12 circulated in my name together [*see schedule 1 at page 2484*].

As I observed, I have spoken to these earlier, so I will not do so again, but I understand it is the wish of the Assembly to vote on these separately—to vote on amendments 6 and 9 together, separately from the rest.

**MR ASSISTANT SPEAKER** (Mr Hargreaves): Can I just ask you to repeat that for me?

**MR RATTENBURY**: Yes. I am moving amendments Nos 2 to 12. I ask that they be voted on as a group but that Nos 6 and 9 be voted on together.

**MR ASSISTANT SPEAKER**: And the rest separately?

**MR RATTENBURY**: So there will be two groups of amendments.

**MR ASSISTANT SPEAKER**: Members, the question that I put is that Mr Rattenbury's amendments 6 and 9 be agreed to. The rest of the amendments will be dealt with in a block.

**MRS DUNNE** (Ginninderra) (11.52): The Canberra Liberals will be supporting amendments 6 and 9 proposed by Mr Rattenbury. These provide, as notes to clauses 25(1)(d) and 26(1)(b)(iv), an example of the circumstances in which it might be considered impracticable to make an emergency application for a warrant—that is, in the event the applying officer has been unable to contact the relevant judicial officer by telephone.

These amendments have merit in that they provide clarification in the bill, by way of an example given in the notes, that a judicial officer should be the first port of call for an emergency warrant application. It is only in the case in which an application is impracticable—for example, if the rostered judicial officer cannot be contacted by phone—that it would be made by the Chief Police Officer or his delegate.

This clarification does what should have been done in the first place, either by way of a similar note in the drafting of the bill or by way of commentary in either or both the explanatory statement and Mr Corbell's presentation speech. Perhaps, if such had been the case, Civil Liberties Australia, the human rights commissioner, the scrutiny committee and, indeed, Mr Rattenbury and I would not have raised such serious

concerns about the issue. It provides the clarification that was needed, and for this reason the Canberra Liberals will be supporting these two amendments.

**MR CORBELL** (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (11.54): These amendments propose the insertion of an example to clauses 25 and 26 of the bill relating to the criteria for emergency authorisations. The example relates to what is not practicable under the clauses, and provides that the law enforcement officer has tried unsuccessfully to contact an on-call duty magistrate or judge by telephone. I think these amendments provide some additional guidance to police and, as such, they are a useful addition, and the government is pleased to support them.

Amendments Nos 6 and 9 agreed to.

**MR ASSISTANT SPEAKER:** The question now is that Mr Rattenbury's amendments Nos 2 to 5 inclusive, 7 and 8 and 10 to 12 inclusive be agreed to.

**MR CORBELL** (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (11.55): The government will not be supporting these amendments. I would like to again remind members that there are two thresholds which must be met in order to obtain a surveillance device warrant under the scheme contemplated by the bill.

Firstly, under clause 11, a new law enforcement officer must satisfy a minimum threshold of suspicion on reasonable grounds for the following matters: that a relevant offence has been, is being, is about to be or is likely to be committed; that an investigation into that offence is being, will be or is likely to be conducted in the ACT, in the ACT and in one or more participating jurisdictions or in one or more participating jurisdictions; and that the use of a surveillance device is or will be necessary in the course of that investigation for the purpose of enabling evidence or information to be obtained of the commission of the relevant offence or the identity or location of the offender.

If the law enforcement officer does not meet this minimum threshold then an application cannot be made to a judicial officer. If this minimum threshold is met, the officer can make an application to the relevant judicial officer. However, before a warrant can be issued, there are matters which a judicial officer must consider, which include that they be satisfied that there are reasonable grounds for the suspicion or belief founding the application. This is discretionary, and the judicial officer is not required to issue the warrant even if the matters set out in clauses 11(a) to (c) are met.

It is interesting that, in making preliminary comments on the bill in report No 20, the scrutiny committee did not agree with the position that was put by the Human Rights and Discrimination Commissioner with respect to the threshold at which an officer may apply for, and a judge or magistrate may issue, a surveillance device warrant.

I disagree that the threshold of "suspects or believes on reasonable grounds" that is drawn from the model bill *prima facie* is an impermissible interference with the right

to privacy under the Human Rights Act. I would also like to draw to the Assembly's attention article 5 of the European Convention on Human Rights, which contemplates the notion of arrest on the basis of reasonable suspicion. Indeed, the police powers of arrest without warrant contained in section 212 of the Crimes Act set a similar threshold of "suspect on reasonable grounds". This provision has not been found by the Supreme Court to be incompatible with the human rights jurisprudence.

I have previously announced that, as part of the implementation of the model cross-border laws, the government will progress a review of all of the ACT criminal investigative powers. I have advised the justice and community safety committee, in my response to report 20, that I expect to be in a position to release the discussion paper for this review shortly.

On 14 May, I released for public consultation the discussion paper in relation to police criminal investigative powers, with the consultation period concluding at the end of this month. That review will comprehensively evaluate for the first time all police powers of criminal investigations and ancillary laws in the territory. The review is a long-range project and will result in a proposal for substantial legislative reform.

A number of contentious issues are explored in the paper. These include the manner in which safeguards and protections for criminal suspects in police custody are described and the threshold at which police officers are able to exercise powers such as stop and search, both with and without warrant, and the power of arrest. Along with a series of other important questions, the paper includes a comprehensive analysis of the thresholds of "reasonable belief" and "reasonable suspicion". The paper includes an analysis of the law and jurisprudence of Canada and the United Kingdom.

On this topic, I acknowledge the views and contributions made by the human rights commissioner and the Assembly scrutiny of bills committee. As I have indicated in correspondence with both of these parties recently, I am satisfied that the thresholds currently in the bill are compatible with international human rights jurisprudence. I do, however, accept that the question of thresholds for the exercise of powers by law enforcement and judicial officers warrants detailed attention, an exercise that should be conducted as part of a broader, holistic review of police criminal investigative powers.

The government does not support the remainder of Mr Rattenbury's amendments.

**MRS DUNNE** (Ginninderra) (12:00): As I noted in my in-principle speech, the Canberra Liberals will not be supporting this group of amendments. Our not supporting them does not necessarily suggest that they lack merit. Our concern lies in the need to maintain consistent legislative language across participating jurisdictions. In particular, the ACT's legislation needs to be consistent with that in New South Wales and Victoria. This amendment would remove that consistency. The ACT legislation is already complicated by the fact that we are a jurisdiction that must take account of human rights legislation, and this would be more complicated by passing inconsistent legislation in relation to the use of surveillance devices.

In addition, I have previously noted that I have written to the Attorney-General to ask him to take the question of warrant application thresholds back to SCAG in an

endeavour to achieve and maintain consistency across jurisdictions participating in this scheme. It may be that SCAG ultimately comes back with a recommendation that reflects the purpose of Mr Rattenbury's amendments. For now, however, for this legislation to work effectively, I believe it needs to be consistent. We will therefore not be supporting these amendments.

Amendments Nos 2 to 5, 7 and 8 and 10 to 12 negatived.

Remainder of bill as a whole, as amended, agreed to.

Bill, as amended, agreed to.

## **Construction Occupations Legislation (Exemption Assessment) Amendment Bill 2010**

Debate resumed from 6 May 2010, on motion by **Mr Barr**:

That this bill be agreed to in principle.

**MR SESELJA** (Molonglo—Leader of the Opposition) (12.02): I rise to speak on the Construction Occupations Legislation (Exemption Assessment) Amendment Bill 2010. The Canberra Liberals agree with the intent of this bill and will not oppose it. According to the accompanying explanatory statement, the bill will allow home owners to participate in a non-mandatory process to have some structures on their property certified. The structures are those which do not require either building approval or a development application.

Currently that means there are various structures which legitimately do not require approval but which will appear on sale contracts without any corresponding paperwork. This can cause an understandable level of doubt, particularly in negotiations for contract of sale. Buyers are rightly cautious about structures without paperwork, even if those structures do not strictly require it. Therefore, home owners and home buyers may like to see some official certification to state that the structure does indeed meet the requirements of the law.

This bill therefore has the potential to provide a level of certainty, a level of comfort, to all parties. At the moment, as outlined in the explanatory statement, people can determine for themselves whether what they propose to build is exempt from building approvals or development applications. The explanatory statement notes that the objective of the bill is to introduce a category of licensed people who can certify if a proposed development is exempt from the need to obtain development approval and/or building approval and to provide a legislative mechanism for applicants to obtain formal certification of the exempt status of a proposed development. The third objective is to provide new business opportunities for licensed people.

The Canberra Liberals have consulted industry and I will share some of the feedback we have received. For instance, the MBA has stated it should certainly create efficiencies and reduce unnecessary workload through the applications secretariat. As I stated earlier, for the reasons above the Canberra Liberals will support the bill.

**MS LE COUTEUR** (Molonglo) (12:03): The Greens will also be supporting the Construction Occupations Legislation (Exemption Assessment) Amendment Bill before us today. We note that in February we passed a bill which introduced a new occupation of works assessor, which enables elements of unit titling to be assessed outside of ACTPLA. In general, we support this shift to the creation of more official occupations which are able to be monitored, audited and reported upon by ACTPLA.

The key parts of the bill include the introduction of a new category of licensed occupations, which is an exemption assessor. This person will be able to do the work to ensure that the development is indeed an exempt development, and issue a notice to that effect. This option is not a mandatory proposal for all exempt developments but it may be helpful for people who are developing houses, or other types of development, which can include things such as internal alterations, refinishing of buildings, chimneys, fences, sheds, decks, water tanks, signs and suchlike.

These may all sound quite straightforward, but in some instances it can be quite complex to determine whether these things are exempt or not. This new exemption assessor will be able to give these people an official opinion to determine whether or not they are officially exempt rather than leave people guessing. I imagine this certificate will also be very useful in the case of a house being bought or sold because the buyer will then be able to see that the development did not need approval; it was exempt.

I do not really have a lot more to say about this COLA bill but, as we are talking about COLA and related issues, I thought I might talk about the things that we would be hoping to see in some forthcoming COLA bills. I am particularly concerned about the auditing of buildings and building standards. Ensuring high-quality building standards should be a high priority for the government. I understand the government is trying to rectify the current problems. They have been discussed quite widely, most recently on *Stateline*. They have been mentioned in the *Canberra Times* and many other forums recently.

We want to see this work continue. We support the government's engagement with the industry. We support the continued investigation of more COLA-related legislation so that there are more relevant occupations which are going to be properly licensed and regulated. We support the investigation of more training requirements and a consumer education program so that consumers have a better idea about what to look out for when they are buying a building or when they are supervising the building of their own home, as well as compliance mechanisms and checks to ensure that high-quality building materials are used. One of the things that have been raised with me as issues is that some of the building materials are imported from overseas and they do not in fact meet the Australian standards.

We want to ensure that building subcontractors are licensed, as well as builders. We want to see the investigation of dispute resolution mechanisms; insurance options and, in particular, insurance options which relate to phoenix companies—I understand the commonwealth is also looking at the general issue of phoenix companies—extensions to building warranty; and possibly a defects fund for the future. I note the significant issue of existing buildings which have unresolved problems which need rectification.

One particular area which is specifically COLA related and which needs work, I believe, is improving the auditing and monitoring of building certifiers and, as part of that, making sure that on-site inspections become a more integral part of building certification processes. I am aware that some certification is done with a certifier never having physically seen what they are certifying. It is purely done on the paperwork. This is an area where the certifiers, I think, probably need to do more. The government needs to do more in terms of auditing the certifiers. Ultimately, I guess, it is a question of resources. ACTPLA needs to have the resources to go and audit that everything has been done correctly.

We also need to see more distance put between the builder and the building certifier. A number of proposals have been put forward around this. I do not have a view at this stage as to exactly how that should be done. One suggestion that has been made is that the building certifier report directly to ACTPLA rather than to the builder. This would clarify that the certifier is engaged by the building owner, not by the builder. I know quite a few people think that these certifiers are engaged by the builder. It is just that they get a separate bill for it. That is the only reason they have any idea—

*Mr Barr interjecting—*

**MS LE COUTEUR:** It is a consumer issue, but it is all related to the building quality. These are COLA-regulated occupations. It has also been suggested to me—this is for another COLA bill—that maybe there needs to be a new occupation of water proofing because that seems to be one of the areas—

**Mr Barr:** We're looking at that, yes.

**MS LE COUTEUR:** I am glad to see this may be in a COLA bill to come. I am looking forward to a few more COLA bills here. The Greens have also been watching, as I said, this whole area and the negotiations between the Owners Corporation Network, the various arms of the building industry, the government and other stakeholders. We hope to see further improvements via the COLA legislative reform program in coming months.

Another COLA area which I am fairly confident will be coming up very soon—I think it might be the next one—concerns energy efficiency ratings assessors. I am glad to see the minister nodding on that one. The lack of certification is an issue. It does not have the potential dangers, obviously, of certifying buildings without proper inspections, but it is of concern that building owners simply are not always getting what they have paid for. As buildings are a long-term investment this is a very significant issue.

As I explained in February, we see a number of houses which should have been five-star houses when they were constructed—they had to have been certified as five-star houses to be constructed—but when they are reassessed for resale their energy efficiency rating can be as low as three or even 2½ stars. I appreciate that things can change, but it is almost unbelievable that a house could be correctly certified as five stars when it was built when you see some of the ratings that now come up through the sale of premises legislation. I am very concerned about the lack

of certification of energy assessors. I look forward with eager anticipation to the next COLA bill which will rectify these problems. The Greens are supporting this COLA bill and look forward to many in the future.

**MR BARR** (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation and Minister for Gaming and Racing) (12.11): I thank Ms Le Couteur and Mr Seselja for their support of this particular piece of legislation, acknowledging that it does follow on from earlier reforms and continues the government's drive to ensure that planning and development in the ACT deliver for the community and for industry and, of course, are more environmentally sustainable.

I acknowledge that this will be one of many bills in this area, and there is a considerable amount of work currently underway across a range of different areas covered by the COLA legislation. Ms Le Couteur is right: this certainly will be an area that there will be close Assembly and community scrutiny of, and that is rightly so. It is an important area and obviously at times very complex and technical. For those of us who are not expert practitioners in the relevant areas, it can be quite challenging to get across all of the detail. But it is, nonetheless, an important process for this Assembly to engage in. A test of a good legislative process is where laypeople seek explanations and understandings from the technical experts through this legislative process, and that can certainly aid in delivering a better outcome and ensuring that the community also understands the nature of the reforms.

In relation to this bill today, the scrutiny of bills committee have reviewed the bill and made no comment on it as it was originally presented. Can I take the opportunity to thank the committee for their consideration of the bill and to quickly recap why this reform is needed. Back in 2007 the Assembly unanimously passed the Planning and Development Act. In doing so, it introduced sweeping improvements to the territory's planning system. These reforms included an expansion of the range of things that can be built without the need for a development application.

As the Assembly is aware, a DA is an important document that is applied for by the lessee or their nominated representative. It provides information to the building surveyor in the role of building certifier, and, importantly, a copy is placed on the building file. This is an important step as it allows future prospective buyers to know if the building was built lawfully.

In addition, a building approval, or a BA, cannot be issued if the building required development approval and none was provided. A BA is required to be placed on the building file. Although the concept of DA-exempt development was around prior to these reforms, the community and industry indicated that more exemptions were desirable. It is this expansion in the range and scope of DA and BA exemptions and the need to provide adequate documentation for future users that led to the need to make these amendments.

It is also likely that the range and scope of exemptions will continue to expand in the future. This has become clear to the government over the past 18 months as we have listened to industry and the community. In April last year the existing exemption for a single dwelling in a greenfield residential area was extended to all residential zones.

This levelled the playing field so that homeowners in the established areas of Canberra could also do things consistent with their fellow homeowners in new residential areas. In practice, this allowed homeowners to do developments such as alterations or additions to their existing homes without the need for a DA, provided they met defined criteria.

DA-exempt work does not need to be notified to neighbours, and no formal assessment and certification is required. This means that a person can determine themselves if the proposed development meets the exemption criteria, and no record of development is required to be placed on the building file. The building file has historically been a place where persons look to see what development or building on the lease has occurred and, through this, can check that the building was indeed lawful. This is particularly important in the conveyance check for the sale of leases. It is common for prospective buyers who want evidence of DA for all development on the lease, and some sales fall through when this evidence is not available.

Significantly, in April 2009 the exemptions were expanded to include a single dwelling that was compliant with the single dwelling housing development code of the territory plan. Whereas, before, the DA-exempt development covered only relatively minor buildings and structures, for example, garden sheds or pergolas, this new exemption changed that. We have striven to keep the balance. Structures made exempt from requiring a DA are mostly “code track” developments. As such, notification was not required and they had to comply with the same criteria as the current exemption requires.

By making the development exempt, the proponent or homeowner does not have to apply to ACTPLA for approval. With the expansion of exemptions, it became possible to look at the building file and not know immediately if the main structure on the lease was lawful or not. Although the DA is not the only thing on the building file that will attest to the legal status of the buildings on the lease, it is commonly understood, I believe, across the community that the house has both a DA and a BA. While the existing homeowner knows that the DA exemption was available to them, the buyer may not have been as familiar with the concept of DA exemptions as the seller.

This bill will deliver reform that will allow for the existing homeowner to obtain an exemption assessment notice from a suitably qualified and experienced person. If applied for, a copy of the exemption assessment notice must be placed on the building file, and this will greatly assist prospective buyers in the conveyancing process, giving them peace of mind that the home they are looking at buying is lawful. Additionally, the new exemption assessment notice will provide comfort to homeowners, even though they may not be selling their houses.

The reform, of course, will not be limited just to exemption for single dwellings; rather, it will be available for the full range of things that can be exempt from the need to have a development approval. To put this in context, there are currently around 100 exemptions covering developments as diverse as fences, driveways, landscaping and signs. The proponent, whether a homeowner or shop owner for commercial premises, will be able to apply for an exemption assessment notice to cover these exempt development activities.

The reforms contained in this bill also include Building Act exemptions. Like the Planning and Development Act, the Building Act provides that some types of buildings do not require building approval in some circumstances. A homeowner or a leaseholder will be able to apply for an exemption notice in the same way as they can for a notice under the Planning and Development Act. Because the concept is the same for both the Building Act and the Planning and Development Act, the processes have been replicated in both acts, which means that there are similar requirements for the application process, similar controls on requests for further information and similar obligations for those issuing an exemption assessment notice either under the Building Act or the Planning and Development Act.

It is also important to note that a person acting in good faith can gain protections under the act when relying on such certificates to carry out building or development works. In that context, though, it should also be noted that ACTPLA still has the power to cease works if it considers the exemption certificates are deficient in some manner.

Further, an additional amendment to the Building Act will now allow a building surveyor to issue a formal notice for all applications for building approval. Previously, the surveyor could formally only issue a building approval. This left some proponents with no written notice of the outcome of their building approval applications. The reforms will now ensure that, for every application for building approval made to a building surveyor, a formal response is provided. In fact, it will become mandatory that a written determination to all BA applications is made by the building surveyor.

I will now turn to who can issue these exemption assessment notices and what regulatory framework will be used to license people to do this work. This will include important protections for the community and for industry. Earlier this year, through a previous amendment to the COLA act, we created a new construction occupation of works assessor. Currently, a works assessor can only do work around the unit title application process. This bill expands that scope of work to allow a suitably qualified works assessor to issue an exemption assessment notice under the Planning and Development Act. They cannot issue a notice under the Building Act.

The role of the building surveyor has also been expanded to allow the licence holder to issue exemption assessment notices under the Building Act and the Planning and Development Act. This now means that, instead of the one traditional scope of work that a building surveyor used to do, they can now undertake a range of new and enhanced functions under the same licence. Although building surveyors have been determining DA-exempt status for some time, there was no formal process or documentation connected with this.

These functions can cover work under the Unit Titles Act in the form of a unit title assessment report. They also cover work under the Planning and Development Act in the form of exemption assessment D notices and an expanded role under the Building Act to now also include exemption assessment B notices. This reform alone significantly expands the business base for building surveyors and may prompt an expansion of employment in these firms to undertake this work. However, it remains the case that a building surveyor could not issue a BA unless there is a DA, a DA-exempt certificate or the building surveyor determines that the DA is not required.

Construction occupation licensing legislation plays an important role in delivering these reforms. Not only does it provide the framework for creating the construction occupation; it also manages that licence category and provides a mechanism for compliance monitoring and a disciplinary framework.

COLA already has an established and well-accepted demerit point system. These reforms will operate in the same environment as other construction occupations. Specific offences and demerit points will be specified in the regulations which are being developed and will include such things as knowingly providing false or misleading information. COLA requires that the construction occupations registrar determine the qualifications required to be licensed to do this work. This ensures that only appropriately qualified people will be licensed to undertake this new range of functions.

Because COLA provides for different licence categories for any one construction occupation, these reforms envisage classes of licences for works assessors that will allow them to undertake specific types of exemption assessment notices, depending on their qualifications and experience. For example, a class A works assessor will only be able to work across the full spectrum of DA exemption, whereas a class B works assessor will only be able to work with a class 1 building—a residential building—or a class 10 building or structure—a carport, a garage, a pergola and so on.

Having said all of that, let me just say that this bill is an excellent example of the government being proactive in providing a service to the community and to industry. On a final note, the bill contains a minor addition to earlier COLA amendments in respect of unit titling applications. The amendment inserts more specific requirements on the material that must be included in the unit titling application. I am pleased to advise the Assembly that implementation of these earlier changes is proceeding smoothly. It is anticipated that unit titling application reforms will, subject to tabling and subsequent agreement by the Assembly to underpinning regulations, be in effect by September this year.

I again thank members for their support of this legislation, and we look forward to resuming debate on all matters COLA with subsequent bills later in the year.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

**Sitting suspended from 12.25 to 2 pm.**

## Questions without notice Hospitals—waiting times

**MR SESELJA:** My question is to the Minister for Health. Minister, I refer to the plight of Mr Allan McFarlane reported in the *Canberra Times* of 10 June 2010. Minister, in question time on Tuesday, you said:

... my office does not get involved in people getting access to surgery.

Minister, will you confirm for the Assembly and the community that there was no involvement, no communication, between your office and the department of health in the case of Mr McFarlane, who only received a date for his surgery after his plight was made public?

**MS GALLAGHER:** I would imagine—and this was while I was on leave—there was contact between the department and my office in relation to the media inquiries, and that would be the extent of it.

**MR SPEAKER:** Mr Seselja, a supplementary?

**MR SESELJA:** Thank you, Mr Speaker. Minister, can you confirm the same in relation to Mr David Wainwright?

**MS GALLAGHER:** I am not aware of David Wainwright, so I would have to check with my office, but I can say that my office at no point ever in my time as a minister in any of my portfolios would have used our office to direct or seek to influence an outcome in relation to someone's surgical booking time.

**MR SPEAKER:** Supplementary question, Mr Hargreaves?

**MR HARGREAVES:** Minister, are we seeing, by the sound of these questions, a litany of episodic issues being dressed up as systemic issues?

**Mr Seselja:** Point of order, Mr Speaker. I ask for your ruling as to whether a commentary on the first question is actually in order as a legitimate line of questioning for question time.

**Mr Hargreaves:** On the point of order, Mr Speaker, there is nothing in the standing orders to prevent the minister from giving me a view based on the facts being presented by the opposition.

**Mrs Dunne:** Mr Speaker, if Mr Hargreaves is seeking the minister's view, that would be seeking an expression of opinion, which is out of order.

**Mr Hargreaves:** On the point of order, Mr Speaker, I said "based on the facts as presented by the opposition". Of course, there are not any.

**MR SPEAKER:** Sorry, the last bit was—

**Mrs Dunne:** Irrelevant.

**Mr Hargreaves:** Do you want to do this sitting down or standing up, Vicki?

**Mr Hanson:** Supplementary, Mr Speaker?

**MR SPEAKER:** Hang on. Just one moment.

**Mr Seselja:** What does that mean, exactly? Was that some sort of weak threat?

**Mr Hargreaves:** We can stand up and make points of order or we can do it sitting down. I do not mind.

**MR SPEAKER:** I was actually speaking to the Clerk about this matter of opinion yesterday because I think it would be fair to say that many of the questions in the chamber do seek a minister's opinion, but I think there is some line there and I think that this one strays across it. So the question is out of order.

**Mr Hargreaves:** On the point of order, Mr Speaker, does your ruling in fact apply not only to my supplementary but to the preceding questions?

**MR SPEAKER:** No.

**Mr Hargreaves:** And why is that?

**MR SPEAKER:** They were questions about information. They asked whether the minister's office had done certain things. I think that is a question of fact.

**Mr Hargreaves:** Cool; okay.

**MR SPEAKER:** Any further supplementaries?

**MR HANSON:** A supplementary, Mr Speaker?

**MR SPEAKER:** Yes.

**MR HANSON:** Minister, why is it that elective surgery patients Allan McFarlane and David Wainwright only received a date for their surgery immediately after their cases were aired in the media?

**MS GALLAGHER:** I cannot answer on behalf of the surgical booking area but I imagine it was because an available date was there for their surgery.

### **Schools—safety**

**MS HUNTER:** My question is to the Minister for Education and Training and concerns the 2009 school survey data on safety in schools. Minister, in an answer to a question on notice following the recent estimates process you indicated that results from the survey showed students overall satisfaction regarding safety issues for the 2009 school year was 68 per cent. Can you please advise what the ACT government is doing to address this issue where one in three students are not satisfied with the safety levels in ACT schools?

**MR BARR:** I thank Ms Hunter for the question. This is an important issue and one that the education department—and indeed every single school in the territory—is grappling with. I think the most important initiative system-wide has been the establishment of a safe schools task force and the involvement in that task force of a number of key stakeholders. I am particularly pleased to be able to extend an invitation to the Youth Advisory Council to be represented on that safe schools task force, which also draws representatives from organisations as diverse as the parents and citizens association, the Australian Federal Police and various representatives from non-government schools across the territory.

It is an important organisation and group which has been tasked with a range of important advisory roles and also a range of important implementation roles in relation to the rollover of a number of new policies across the ACT education system; for example, the new code of conduct of students—in fact, for all on school grounds, but most particularly students, teachers and those who work on a day-to-day basis within our schools. That new code of conduct is in place as a result of the work of the safe schools task force.

There is also work underway in relation to cyberbullying. There are now new guidelines in place and new rules within the education system, most particularly in public schools, in relation to the use of various devices—mobile phones et cetera—and also guidelines around the use of various social networking sites; for example, MySpace, Facebook, Bebo and others that are utilised by students.

There are a number of reforms in place. The safe schools task force continues with its work. Recent events in other jurisdictions relating particularly to violent incidents—some, I believe, in Queensland have resulted, tragically, in the death of a student—have certainly led to a greater focus at a national level as well on these issues. Education ministers met in Perth earlier this month and have now established a national day of action against bullying and harassment. I believe that it is on the third Friday in March of each year that we will see a coordinated national action.

As I have said in relation to this matter on a number of occasions, schools play a very important role in addressing these issues. They are part of the solution, not part of the problem. I commend the work that is occurring at individual schools and across the system through the safe schools task force to address these issues, recognising that we have a long way to go. But every day more than 65,000 students interact across 150-odd campuses in this territory. Unfortunately, with that many people and that many interactions there are going to be issues from time to time.

We will be successful in eliminating bullying and harassment in our schools when we are successful in eliminating bullying and harassment in our society. Making our schools safe and making students feel safer is an important task. It is one that students have a leadership role to play in as well. We look forward to the continued work of the safe schools task force and the involvement of students themselves in seeking solutions to this problem.

**MR SPEAKER:** Ms Hunter, a supplementary question?

**MS HUNTER:** Yes, thank you, Mr Speaker. Minister, what are the particular safety issues being raised by students?

**MR BARR:** Most particularly and of great prevalence in recent times have been issues around cyberbullying and the use of new technologies, the sorts of bullying that can occur through the use of mobile phones, through filming particular incidents and circulating that material in social networking environments such as MySpace or Bebo or Facebook. Certainly, that has been an issue at the senior secondary end of the equation.

Some of the other challenges, particularly in our high schools, certainly related to the interactions of older students who are not actually enrolled at the school, so people coming on to the campus. That has been a particular issue of concern and a challenge for schools in terms of how to monitor across a physically large campus people who are coming in who are not actually meant to be at the school at all. There have been some incidents in the last 12 to 24 months where the origins clearly relate to a neighbourhood or family dispute that has been brought into the school grounds.

One of the ways to address that has been through the government's policy of having to fence school campuses. That certainly has meant that the number of access and egress points within a school campus has been restricted, which provides a greater level of security not only for the school buildings but for the students themselves.

It is an unfortunate reflection upon where our society is at at the moment that it is necessary to have such extensive fencing arrangements for our schools, but it would appear on the available evidence that they are effective in protecting the school buildings and also in protecting students.

**MR SPEAKER:** Ms Porter, a supplementary question?

**MS PORTER:** Minister, can you confirm that restorative justice practice is one of the methods used in some of our schools to assist young people to feel safer at school?

**MR BARR:** I thank Ms Porter for the question. Undoubtedly, restorative justice practices and restorative practices have been an important element in the range of responses that individual schools have. I know there are a number of schools in the ACT that have very successfully adopted these practices. I know Ms Porter's ongoing interest in this particular area of policy; it is one which she has championed over all her time in this place.

It is pleasing to see that across a range of ACT schools in a range of different settings—government and non-government, primary school level, high school level and college level—these practices have been successful in addressing some of the issues that occur, as I said, as a result of 65,000 young people interacting on a daily basis.

I think another important measure that is worth noting has been the agreement in this place, finally, in relation to suspension powers for principals. To have had that agreement to enable principals to take that initial responsibility has been an important

measure. In the context of this debate, it is but one of the many opportunities that are there for the schooling system to assist students to have a safe learning environment.

**MR SPEAKER:** Mr Doszpot, a supplementary question?

**MR DOSZPOT:** Minister, who does the safety task force report to and when can you expect to receive a report from them?

**MR BARR:** The Safe Schools Taskforce report regularly to me as minister. They have one particular reporting day, and in fact I interact quite regularly with them. I am often referring matters to them. They have some self-referral powers as well, so they have taken it upon themselves to look at particular areas of work. It is an ongoing process. It is not something where I have said, "You will give one report and that is the end of your work." They have been in place since 2007, I believe, and will continue their work in the months and years ahead.

## Visitors

**MR SPEAKER:** Before we move on to the next question, I would like to indicate to members that we have people attending a seminar today from the University of the Third Age joining us in the gallery for question time, and I again welcome them to the Assembly.

## Questions without notice

### Hospitals—waiting times

**MR HANSON:** My question is to the Minister for Health. Minister, your department sends a letter to visiting medical officers whose patients are at risk of not receiving surgery within the 30-day target for surgery in category 1. It gives the option to doctors of accepting a surgery date which falls outside the time limit. The doctor is then asked to reschedule their patient as category 2a in order to secure a date for surgery. Why does your department follow this procedure and when was it adopted?

**MS GALLAGHER:** I will check the date of that letter. There are different letters that are sent to doctors, depending on the nature of the discussion between the surgical bookings area, so I will check the date of that letter. The policy came into place on 1 January 2008. It replaced a policy that had been in place since January 2004. That letter is used to alert surgeons in circumstances where their category 1 patients are unable to be booked for surgery within the recommended 30 days during their standard operating times, and it gives them several options to follow.

**MR SPEAKER:** Mr Hanson, a supplementary?

**MR HANSON:** Yes, Mr Speaker. Minister, you said on Tuesday that this practice was not in accordance with ACT Health policy. Is that statement still true?

**MS GALLAGHER:** What I said on Tuesday, when you reflect on the *Hansard*, was in response to a supplementary question from you, Mr Hanson, in which you said:

Minister, have ACT Health at any stage approached doctors to request that patients be downgraded from urgent to a lower category?

I said that was not in accordance with the policy. If you have read the policy and if you have even read the letter, you will see that that is not the case. Health is not asking them to downgrade their patients.

**Mr Seselja:** Only if they want surgery.

**MR SPEAKER:** Mr Seselja, please!

**MS GALLAGHER:** What they are saying is: “This patient of yours that you have categorised as a category 1 is not going to be able to be seen within the 30 days on your lists. So here are some options: one, a surgery time outside of category 1. If that is acceptable clinically, then obviously they are not a category 1 patient. Then you can refer to another surgeon.”

**Mr Seselja:** It doesn't say that.

**Mr Hanson:** Don't do a further mislead.

**Mr Smyth:** If they haven't got their surgery, they are not category 1.

**MR SPEAKER:** Order! The minister is answering the question.

**MS GALLAGHER:** They are not interested in the answer because it does not fit with their campaign. “You can see another surgeon. In that case, refer on. The third option is to create additional operating space for that surgeon to do that work if the patient remains a category 1.”

**Mr Hargreaves:** Mr Speaker, on your comment to me, I heard Mr Hanson use the word “mislead”. If he does it again, I am going to seek a withdrawal.

**MR SPEAKER:** Sit down, Mr Hargreaves. A supplementary question, Mr Smyth.

**MR SMYTH:** Minister, is it true—

**Mr Hargreaves:** I don't care, Jeremy. You don't impress me.

**MR SPEAKER:** Mr Hargreaves!

**Mr Hargreaves:** You don't impress me.

**MR SPEAKER:** Mr Hargreaves!

**MR SMYTH:** Minister, is it not true that, as a result of this practice, your category 1 figures are fraudulent?

**Mr Hargreaves:** On a point of order, Mr Speaker, is “fraudulent” on that list of unparliamentary expressions?

**MR SPEAKER:** I do not believe so.

**Mr Hargreaves:** Well then, I seek your guidance to have it checked. The minister is being accused of fraudulently doing something, and I think that's objectionable.

**MR SPEAKER:** I do not believe the minister was accused of that, Mr Hargreaves. The Minister for Health.

**MS GALLAGHER:** No.

**MR SPEAKER:** Mrs Dunne, a supplementary question?

**MRS DUNNE:** Minister, was this process adopted to make elective surgery waiting lists for category 1 patients look better than they actually are?

**MS GALLAGHER:** No. It is a process of managing the lists and it is a practice that is—

**Mr Smyth:** Managing the list instead of the patients.

**MS GALLAGHER:** The patients are the list, Mr Smyth. It is a practice undertaken across the nation. Indeed, policies like this exist in most other states and territories.

### **Hospitals—waiting times**

**MR SMYTH:** My question is to the Minister for Health. Minister, in the Assembly on Tuesday this week, you were asked by Mr Hanson:

Minister, would you consider it appropriate or in accordance with policy that ACT Health would be contacting doctors to ask that they downgrade their patients?

You answered:

It would not be in accordance with the policy ...

Minister, do you stand by your statement?

**MS GALLAGHER:** Yes, I do. The surgical bookings area are contacting doctors around the management of their patients and providing them with several options. You will see that there is no request to downgrade patients without the clinical approval of—

**Mr Seselja:** Unless they want a date.

**Mr Smyth:** Unless you want a date. You don't get surgery unless you downgrade.

**MS GALLAGHER:** That is not true.

**Mr Seselja:** That is what it says.

**MS GALLAGHER:** That is not true. The letter provides several options. If the doctor—

**Mr Hanson:** They are impossible options.

**MR SPEAKER:** Thank you; order!

**MS GALLAGHER:** If the doctor does not believe the patient can wait longer than 30 days then there is a referral to another surgeon or there is additional operating time provided to that surgeon, and they need to make themselves available for it.

**Mr Smyth:** You've already crossed the 30 days.

**MR SPEAKER:** Thank you, Mr Smyth.

**MS GALLAGHER:** Those are the options available. It is simply incorrect, what the opposition are alleging.

**MR SPEAKER:** Now you can ask your supplementary question, Mr Smyth.

**MR SMYTH:** Thank you, Mr Speaker. Minister, how do you reconcile your answer with the letter that has now surfaced which clearly shows that your department does in fact ask doctors to downgrade patients to secure a date for surgery?

**MS GALLAGHER:** The letter does not do that, Mr Speaker.

**MR SPEAKER:** Mr Seselja, a supplementary?

**MR SESELJA:** Thank you, Mr Speaker. Minister, why is it that under your policy doctors are forced to downgrade patients in order to secure a surgery date?

**MS GALLAGHER:** They are not, Mr Speaker.

**MR SPEAKER:** Mr Seselja, a supplementary question?

**MR SESELJA:** Minister, why is it that the letter says that if the doctor accepts this date, they should please recategorise the patient as a 2a stage procedure?

**MS GALLAGHER:** What it means is that if the doctor accepts that the patient can wait for surgery outside—

**Mr Hanson:** They're waiting anyway.

**Mr Seselja:** It's just a matter of whether they're actually going to get a date.

**MS GALLAGHER:** Sorry—you have got to give the surgeons a bit of credit here that they understand the business they are operating in. So, what the letter says is, "If

your patient is currently unable to be accommodated within the category 1 time frame, here is a date. If this date is acceptable and it is outside the 30-day time frame—ie, your patient is not urgent and does not need to have 30 days—

**Mr Seselja:** It means they've got no choice.

**MS GALLAGHER:** Read the policy, Mr Seselja. Do not just read the letter; read the policy that underpins this. If a doctor determines that their patient can wait longer than 30 days for surgery, then their patient is no longer a category 1 patient.

### **Planning—McGregor hall**

**MS LE COUTEUR:** My question is to the Chief Minister and concerns McGregor hall, which is reportedly going to be demolished to make way for development in the coming months. Given that McGregor hall is such an important venue for local musicians and other community groups, what assistance is the government providing to ensure that these groups can still access affordable venues which are appropriately located for public transport and noise issues?

**MR STANHOPE:** I thank Ms Le Couteur for the question. Ms Le Couteur, I accept the importance of ensuring that community groups do have open access to reasonably priced venues for meetings and community activity. The government seeks to ensure that there is an adequate supply of such meeting places throughout the whole of the ACT. From time to time, of course, places that have been used for meetings will be redeveloped, their essential purpose will change and there will be, occasionally and unavoidably, some disruption to community-based activity.

Having said that, let me say that you would be aware, Ms Le Couteur, that the government has, just over the last couple of years, spent somewhere in the order of just on \$30 million providing new community-based halls and facilities across the whole of the ACT. There are significantly enhanced facilities in, I think, eight very extensively refurbished sites across the territory. Indeed, the work in relation to the development of community parks and those community facilities is, I think, coming to a conclusion.

Certainly there is disruption from time to time, as some facilities reach their useful life and are changed, demolished or rebuilt or have the essential purpose changed. But the government has been very active, through schools, through closed schools, through refurbished sites and through the development of eight new community centres across the territory, most particularly. And in saying that, I do not take into account venues such as the new \$8 million Belconnen Arts Centre, which has become a major focus for meetings within the heart of Belconnen. One of the refurbished community centres is at Holt, a suburb adjacent to Macgregor. Indeed, new community centres have been invested in very extensively by the government.

But in the context of McGregor as such, I will make some inquiries to better inform myself on the implications for the residents of Macgregor in relation to the change in that particular amenity.

**MR SPEAKER:** Ms Le Couteur, a supplementary?

**MS LE COUTEUR:** Yes, thank you. Is the government considering providing a community or music venue in an area which is affordable for community groups to hire and well located to respond to the lack of such venues?

**MR STANHOPE:** Perhaps my answer was at some cross-purposes to your central issue, Ms Le Couteur, which, as I understand it, is essentially rehearsal space for bands and live music. I was speaking more generally rather than specifically, Ms Le Couteur. I think perhaps I misunderstood the central point of your question. Ms Le Couteur, I think you are aware—indeed, you have raised it with me previously—that there is an issue across the city in relation to appropriate venues for live music, most particularly for bands that generate a fair bit of noise. We have had issues in some such venues.

In relation to neighbourhood amenity, neighbours complain. There was a very popular site, as you know, Ms Le Couteur—we have discussed this—in Ainslie, where most particularly young, emerging, noisy bands were wanting to practise or to play and issues were created there as a result of the impact on the neighbourhood. It is always going to be an issue in a city. We see it in relation to live music venues in the city and the issues around densification. People moving into residential apartments now complain about live music or music or noise coming from nightclubs and venues in the city. These are vexed and difficult issues in a city.

I will have to take on notice your question in relation to what the government is doing. It is an issue that we are looking at; I do not know how that is progressing, but I accept it, Ms Le Couteur, as a legitimate issue: how to achieve a balance with the need for venues that have been popular in the provision of entertainment, such as McGregor Hall; it is being refurbished as part of the overall refurbishment of the ANU.

**MR SPEAKER:** Ms Hunter, a supplementary question?

**MS HUNTER:** Thank you, Mr Speaker. Minister, what exactly is the ACT government intending to do to look at replacing McGregor hall so that we do have a centrally located, affordable venue for musicians that they can use well into the night?

**MR STANHOPE:** I will take some advice in relation to McGregor hall. I think this is the exchange in Childers Street and the public buildings. It has to be said—and I think we need to put this on the record—that the government negotiated a memorandum of understanding with the ANU in relation to the development of City West. It was very explicit in its demands and requirements. The ANU has responded I think entirely to the letter in relation to the housing and community groups that were affected by the development we now see along Childers and Kingsley Streets and the ANU. It is a fantastic development. It was a tremendous announcement by the commonwealth in funding 1,100 NRAS places for affordable student accommodation within that precinct. It is that development, of course—it is the construction of an additional 540 units, I believe, of student accommodation under NRAS—that provides a significant reduction in rent for students at the ANU.

This particular facility will be removed. In the context of the Conservation Council, Dance ACT and the other tenants, they are all being rehoused by the ANU consistent with the agreement that we struck. To suggest that the ACT government would then automatically rebuild a new facility is something that we are not contemplating.

**Ms Hunter:** Mr Speaker—

**MR SPEAKER:** Chief Minister, one moment please. Stop the clocks. Do you have a point of order, Ms Hunter?

**Ms Hunter:** Yes, I have a point of order about a directly relevant answer. There is some good context there, but I am particularly interested in what the ACT government is going to do about replacing that music venue in the city area.

**MR SPEAKER:** The Chief Minister.

**MR STANHOPE:** The ACT government has no plans to replace McGregor hall, Mr Speaker.

**MR SPEAKER:** Ms Bresnan, a supplementary question?

**MS BRESNAN:** What is the government doing about the reduction of community-use sites in and close to the city, which is primarily due to urban infill?

**MR STANHOPE:** I missed the first part of the question. I am sorry, Ms Bresnan, can you repeat the question?

**MS BRESNAN:** Yes, my question is: what is the government doing about the reduction of community-use sites in and close to the city, which is primarily due to urban infill?

**MR STANHOPE:** Well, I think I answered that question in my previous answer. In relation to community-use sites, the only ones that I am aware of are in city west. I think I had answered that question fully in providing some context to my last answer when Ms Hunter indicated she had had enough. I refer to my previous answer.

### **Housing—stimulus funding**

**MS PORTER:** My question is to the minister for housing. Could the minister please update the Assembly on progress with the development of stimulus funding for older persons accommodation?

**MS BURCH:** I thank Ms Porter for her question. As members will be aware, the federal government has made significant investment in social housing across Australia as part of its stimulus plan for the Australian economy. The ACT has been allocated \$87 million for the construction of new social housing properties here in the ACT.

It is my pleasure to report to members that the ACT continues to be one of the leading jurisdictions in the delivery of our construction program. As part of the government's

commitment to ensuring a sustainable social housing sector, it has transferred eight sites to housing and community services for the development of older persons' accommodation. The sites will have a total of 297 homes built on them, of which the majority are funded under the nation building and jobs plan. I can inform members that construction has commenced on all eight sites, which puts us ahead of the commonwealth's time lines and ensures that the ACT will be one of the leaders nationally in delivering on this very important project.

The investment of land by the territory to this initiative is valued at around \$30 million and has provided a most welcome boost to the social housing sector. I am advised by my department that the first sites are on track to be handed over in September this year, with the remaining sites being progressively handed over later this year and then early next year. All of the new homes achieve a minimum six-star energy rating, with some achieving a seven-star rating. The homes will also have energy-efficient hot-water units and heaters.

Housing ACT has invited its tenants to put in expressions of interest for these sites. Housing ACT has received 375 registrations of interest from its tenants. These expressions of interest are currently being assessed.

I am pleased to say that the investment of over \$10 million by this government and the Australian government will make a significant contribution to achieving the national target of halving primary homelessness in Australia by 2020.

**MR SPEAKER:** Ms Porter, a supplementary question?

**MS PORTER:** Minister, could you inform the Assembly whether these developments will have any benefit for those on existing housing waiting lists?

**MS BURCH:** I thank Ms Porter for her interest in social housing. A key focus of this spending is on the reduction in homelessness in the ACT. As older tenants move into new homes, the dwellings they vacate will become available for housing those who are on the waiting list. Housing ACT expects to house around 550 new households during the 2009-10 financial year. The significant increase in the supply of social housing properties will also see an increase in the number of new allocations in the 2010-11 financial year. This will mean further significant opportunities for applicants seeking housing, with reduced waiting times and even more targeted accommodation outcomes.

In addition to this new construction, we are also maintaining our support to homelessness services in the ACT. There is also \$10 million available over five years for homelessness services through the "A place to call home program". This is matched with funds between the ACT government and the commonwealth government. A place to call home will provide 20 additional homes for families who are homeless or at risk of homelessness.

As a consequence of the efforts of both the ACT and the commonwealth governments under the social housing stimulus plan, we are about to achieve a very significant boost to the social housing stock in the ACT. This will reduce homelessness and provide us with the flexibility to take on further aspects of the housing reform agenda.

**MR HARGREAVES:** A supplementary, Mr Speaker.

**MR SPEAKER:** Yes, Mr Hargreaves.

**MR HARGREAVES:** Thank you. Minister, what other policy initiatives has this government been doing in the social housing sector of late?

**MS BURCH:** I thank Mr Hargreaves for his continued interest in our social housing program. Mr Speaker, as you can see, this is a very positive time for the social housing sector in the ACT. In addition to the “A place to call home” program, which is linked to support through community agencies, the ACT government is progressing the central intake service and the common waiting list. The central intake service provides a central access point for homelessness services and social housing in Housing ACT—

*Members interjecting—*

**MR SPEAKER:** Order! Ms Burch, one moment please. Members, I am having trouble hearing Ms Burch. The minister has the floor.

**MS BURCH:** The central intake service provides a central point of access for homelessness services and social housing in Housing ACT’s gateway services. The central intake service will ensure that clients do not have to negotiate with multiple agencies in order to access services. We expect that this service will commence in early 2010-11. The common waiting list will see an amalgamation of the public and community housing waiting lists.

*Members interjecting—*

**MR SPEAKER:** Enough already!

**MS BURCH:** This will provide a seamless service for applicants and this, too, is scheduled in early 2010-11. I am pleased to report that a regulatory framework for the not-for-profit housing providers has also been established under the Housing Assistance Act 2007. The ACT has a two-tiered regulatory framework—an affordable housing tier and a community housing tier. To date, two providers have been registered—

*Members interjecting—*

**MR SPEAKER:** Order! Ms Burch, one moment please. The next person who intervenes with frivolous chatter across the chamber will be warned.

**MS BURCH:** To date, two providers have been registered, one in each tier, and a further three providers are currently being assessed.

**MR SPEAKER:** Supplementary, Mr Coe?

**MR COE:** Thank you, Mr Speaker. Minister, who and how many tenants will be invited to apply for these new properties? What criteria will be used to assess the applications?

**MS BURCH:** Out of the 297 older person units that I was talking about, we went out with clear criteria. It was older persons units. People over the age of age of 65 who are public housing tenants were able to apply. We had over 370 applications for 297 properties. So there was clearly a strong interest in our older public housing tenants to access these new properties.

Their interest is driven because these are sensible, purpose-built properties for older Canberrans. They have a high energy rating. They are two-bedroom properties. They are purpose built to suit ageing in place. They have raised garden beds, they have good security, they are located in eight sites across Canberra—in Condor, Bonython, Curtin, Kambah, Macquarie, Chapman, Florey and Rivett. That suits where they currently—

**Mr Coe:** Point of order, Mr Speaker. My question was about the criteria used to choose the applications, not about the features of the actual properties.

**MR SPEAKER:** Ms Burch.

**MS BURCH:** The location is actually an important part of the expressions of interest. It allows those that are in a particular regional area of Canberra to have access to older persons units within their sites. If you live in Gungahlin, then you are able to live on the northside. If you live at Condor, you are able to access those sites in Condor, Bonython or, indeed, Kambah. I think the location of—

**Mr Coe:** Point of order, Mr Speaker. The question I asked was about what selection criteria the department is going to be using to assess the applications. The minister still has not addressed that, and I ask her to do so now.

**MR SPEAKER:** Minister Burch, in your remaining time.

**MS BURCH:** In the remaining time, if you had listened to the beginning, I would have said that they were open to older tenants. (*Time expired.*)

**Mr Coe:** You are a master politician.

**Mr Doszpot:** Mr Speaker—

**Mr Hanson:** Some MLAs don't deserve this.

**MR SPEAKER:** Mr Hanson, you are undermining your own colleague. Mr Doszpot has the call.

## Hospitals—waiting times

**MR DOSZPOT:** My question is to the Minister for Health. Minister, yesterday you were asked in the Assembly by Mr Hanson:

Minister, have ACT Health at any stage approached doctors to request that patients be downgraded from urgent to a lower category?

In your answer, you stated:

I cannot answer that. Have ACT Health ever asked any doctor around the clinical status of every patient? I cannot answer that question. I think it would be unlikely but—

Minister, given that you stated last night that the letter tabled in the Assembly was in accordance with ACT Health policy and that you were aware of this policy and aware of the letters that were provided to doctors that included the request for doctors to downgrade their patients, did you mislead the Assembly when you stated that you could not answer the question and that it would be unlikely?

**MS GALLAGHER:** The answer to the question is no. The comments I made were actually on Tuesday in question time, not yesterday in question time. Let us just get your questions correct first. I think Mr Seselja's question was wrong, as well. I do not think there is a patient Wainwright; we are still trying to find him.

But the question was: were doctors approached by ACT Health specifically to downgrade patients. I said I could not say for certain that it had never happened but that it would be unlikely. The policy, which has a letter which sits below it as part of that policy, is around managing category 1 patients who are unable to be fitted in with their surgeon within the 30 days. They are given different options for managing that patient. If they remain a category 1, they must see another surgeon, the surgeon of their choice must get extra operating time, or, if they are able to wait for their surgery and it is outside the 30-day timetable, then they would be classified as category 2a.

**MR SPEAKER:** Mr Doszpot, a supplementary question?

**MR DOSZPOT:** Minister, do you stand by your answer or will you apologise to the Assembly for the inaccuracy of your answer?

**MS GALLAGHER:** My answer was not inaccurate.

**MR HANSON:** Supplementary, Mr Speaker?

**MR SPEAKER:** Yes, Mr Hanson.

**MR HANSON:** Minister, do you stand by your answer given in question time on Tuesday when you said that no-one can change the category of a patient other than their doctor?

**MS GALLAGHER:** That is the advice that I have and that is what the policy outlines—that it must be done with the approval. If you read the policy, it goes through the steps very clearly about the decision makers.

**MR SPEAKER:** A supplementary, Mr Hargreaves?

**MR HARGREAVES:** Thank you very much, Mr Speaker. Minister, could you let us know how often surgeons are advised or consulted by the hospital with respect to the waiting lists?

**MS GALLAGHER:** Surgeons are continuously in discussions with the surgical booking unit around patients, around availability of operating times, around their holidays and around leave requirements—on any number of matters. It is a constant and ongoing process.

### **Housing—energy efficiency**

**MS BRESNAN:** My question is for the minister for housing and is about the expensive energy bills for public housing tenants. Minister, I understand that some of the newer Housing ACT stock, despite having a six-star rating, is going to cause expensive energy bills because of costly design elements such as large, uncovered windows, halogen down-lighting and large living areas. Minister, on what basis is it appropriate to spot-purchase newer houses that will lead to high energy bills and why is the government including this housing as part of its stock?

**MS BURCH:** I thank Ms Bresnan for her question. My understanding is that houses constructed for new purchases for Housing ACT are six-star energy rated. We spoke earlier this week around “A place to call home”, which, indeed, as I mentioned, will bring on 20 new properties. These are new properties and these are supporting families who are at risk of homelessness. Housing ACT works closely with clients to match properties. They have choices sometimes in the properties they get offered.

We also have invested \$20 million over 10 years for energy efficient measures in public housing. Energy efficient improvements to date have been to 1,791 properties, and works under this plan have included wall and ceiling insulation, draft seals, high-energy hot-water systems for new and existing dwellings and photovoltaic electricity systems have been installed into apartment complexes. The hot-water systems being installed, where suitable, are five-star gas, electric boosted solar hot-water systems or electric heat pumps. The hot-water systems are being installed upon failure of existing systems.

As properties are vacated, Housing ACT goes into properties and has a look at what we can do to upgrade, maintain and improve the energy efficiency of properties as part of our routine maintenance. And that could be covered under the \$20 million over 10 years.

We are committed to replace old and inefficient portable whitegoods such as refrigerators and washing machines.

**Ms Bresnan:** On a point of order, my question was about design elements being included in houses that were not energy efficient and why these design elements were being included in properties that were being purchased.

**MR SPEAKER:** Ms Burch, there was a specific question.

**Mr Seselja:** She has just got a note that says “wrong answer”.

**MR SPEAKER:** Order! Let us hear the minister answer the question.

**MS BURCH:** New housing stock is meeting six-star energy ratings and I was asked about that. It was raised earlier in the week. If you have clients or know of families that are experiencing difficulties, ask them to contact their housing manager or, indeed, contact me.

My understanding is that new stock is six-star energy rated. We are spending \$20 million on energy efficiencies to upgrade our public housing stock. Some of our housing stock is quite old and, indeed, it is recognised that we need to upgrade its energy efficiency, which is why that money is being invested.

**MR SPEAKER:** Ms Bresnan, do you have a supplementary?

**MS BRESNAN:** I do, thank you, Mr Speaker. Minister, why is it that public housing tenants make up some 75 per cent of the ACAT’s hearings in regard to unpaid energy bills?

**MS BURCH:** I would imagine that 70 per cent of ACAT not paying energy bills is something that I can explore further within Housing ACT. I cannot validate or otherwise those numbers. I am happy to take that on notice and come back to the member.

**MR SPEAKER:** Ms Hunter, a supplementary?

**MS HUNTER:** Thank you. Minister, is the government progressing the recommendations that were made by the Conservation Council in 2008 that there be a “curtain library” for public housing tenants for at least pelmets and curtain rails in all ACT housing properties?

**MS BURCH:** I will have to get advice on the details of what part of our energy efficiency measures it includes. Our energy efficiency measures are carried out on properties. There have been audits and improvements across a range of properties. Appliances have been changed. Ceiling insulation—

*Members interjecting—*

**MR SPEAKER:** Minister Burch, the question was quite specific.

**MS BURCH:** I said at the beginning that I would take advice on the specific details, given that I have outlined a number of initiatives on energy efficiency. I am happy to leave it there.

**MR SPEAKER:** Mr Coe, a supplementary question?

**MR COE:** Minister, given energy efficiency will be one of the features of the new properties you are constructing, how will you be assessing the applicants for those new properties?

**MS BURCH:** Applicants for Housing ACT properties will be assessed according to Housing ACT protocols.

### **Hospitals—waiting times**

**MRS DUNNE:** My question is to the Minister for Health. Minister, a letter tabled in the Assembly last night from ACT Health to a doctor in relation to category 1 urgent elective surgery patients states:

... please re-categorise this patient as a '2a Staged Procedure' and return by fax ...

Minister, doesn't this letter show that patients are being downgraded because they cannot be operated upon within the prescribed period of 30 days rather than because of any change in their medical condition?

**MS GALLAGHER:** No, it does not. The letter, and I note Mrs Dunne read half of the final sentence in a paragraph of a letter which we went through last night—

**Mr Smyth:** No, we didn't go through it because you left it out.

**MR SPEAKER:** Order!

**MS GALLAGHER:** Mr Speaker, the interjections every time I get to my feet are intolerable. I cannot answer a question if every time I get to my feet all of them start barking. It is just impossible, and shows that they are actually genuinely not interested in the answer.

The letter, and perhaps I have to read it very slowly for Mrs Dunne to understand it, says, in the first paragraph:

... your Category 1 patients that are currently unable to be accommodated in your contracted operating time.

So it does not say that they are unable to be accommodated within 30 days; it says "within your contracted operating time". It continues:

According to the ACT Health Waiting Time and Elective Patient Management Policy, this category is for patients requiring admission within 30 days '... for a condition that has the potential to deteriorate quickly to the point that it may become an emergency' and that 'Doctors who add a category 1 patient to the waiting list must ensure they are available to perform surgery within the 30 day period.

So this says, “You’re not available to perform the surgery within the 30-day period,” which is part of the criteria for category 1. It continues:

Alternatively, the surgeon should make arrangements for another surgeon to perform the surgery within the ... time frame.’

Please respond by informing us which of the following options you will be using to help us manage each of these patients:

The first option says, “Here is a date.” This is all around efficiently managing the list. If we have a date, it falls outside the 30-day timetable. It continues:

If you accept this date, please re-categorise this patient as a ‘2a Staged Procedure’—

**Mrs Dunne:** If you want a date.

**MS GALLAGHER:** No, wrong. It is not if you want a date. It is: “Here is a date, and it falls outside the 30-day period. So if you think, in your clinical judgement, that this patient can wait for that date”—

**Mr Seselja:** It doesn’t say that.

**Mr Smyth:** That’s not what it says.

**MS GALLAGHER:** Well, give the surgeons a break, for God’s sake! It asks them for their opinion: “If your patient can wait for this date then that means this patient will be considered a 2a staged procedure.” However, it continues:

If you feel that waiting until this ... date is inappropriate, or you are not available for the full 30 day period due to leave ... please refer to the lists of spare sessions for the month that have been previously faxed to you, and inform me which session you would like to utilise to accommodate this patient.

Within the 30 days. It continues:

Priority for these extra sessions will be given to surgeons with outstanding Category 1 patients. Alternatively, please inform us which of your colleagues you will be referring the patient to that can perform the operation within the time period.

That is, the 30 days.

**MR SPEAKER:** Mrs Dunne, a supplementary question?

**MRS DUNNE:** Thank you, Mr Speaker.

**Mr Corbell:** Don’t mislead the Assembly, Mrs Dunne.

**Mr Smyth:** Simon!

**Mr Corbell:** Don't mislead the Assembly, Mrs Dunne.

**Mr Hanson:** Did he say, "mislead"?

**MR SPEAKER:** Mrs Dunne, let's just have the question.

**MRS DUNNE:** I will ignore it, only to say in passing, Mr Speaker, that I cannot mislead the Assembly by seeking information from the minister. Mind you, she can mislead—

**Mr Hargreaves:** On a point of order, Mr Speaker, Mrs Dunne can and does!

**MR SPEAKER:** Mr Hargreaves, sit down.

**Mr Hargreaves:** She's very capable of it.

**MR SPEAKER:** Mrs Dunne is asking a question.

**MRS DUNNE:** Thank you, Mr Speaker. My supplementary question is: minister, what are the health outcomes of patients being downgraded from category 1 to category 2a?

**MS GALLAGHER:** Well, I am not a doctor and I cannot speculate on that. But what I can say to the members who are interested is that this policy was agreed to by the surgeons themselves. It was heavily consulted upon. On Tuesday night—actually, it might not have been Tuesday night, but it was certainly within the last week—the surgical services task force met. It is the surgeons representing both hospitals, senior surgeons, the surgical bookings area, New South Wales health and ACT Health. It was asked of the surgeons whether they felt there was a problem *à la* the allegations being put by the opposition, and none of the surgeons agreed that there was a problem. They agreed that the policy that is in place is working and with their support.

Until someone provides me with some evidence—I know Mr Hanson has been ringing around the surgeons trying to find someone to come out and say that I am a liar—to say that the advice I have is to the contrary, then that is the challenge for the opposition. I have a feeling you think you may have something, so bring it out so I can investigate it.

**MR SPEAKER:** Mr Hanson, a supplementary?

**MR HANSON:** Minister, do you agree with the policy that only a patient's doctor is permitted to downgrade a patient's elective surgery category?

**MS GALLAGHER:** That is the policy that is in place, as agreed by the surgeons themselves.

## Hospitals—waiting times

**MR COE:** My question is to the Minister for Health. Minister, on Tuesday you were asked by Mr Hanson about claims by Dr Peter Hughes, the president of the visiting medical officers, that patients were downgraded if they were not able to be seen on time. You answered:

There is absolutely no evidence of downgrading of elective surgery patients in line with the allegations made by Dr Peter Hughes.

Yet, despite this, a letter from your department says:

If you accept this date, please re-categorise this patient as a '2a Staged Procedure'.

How do you reconcile these two contradictory statements?

**MS GALLAGHER:** I have answered that repeatedly today, Mr Speaker.

**MR SPEAKER:** Mr Coe, a supplementary question?

**MR COE:** Yes, Mr Speaker. Minister, do you stand by your claims that there is absolutely no evidence of downgrading of elective surgery patients? If not, will you correct the record now?

**MS GALLAGHER:** Certainly, there is no evidence of ACT Health approaching doctors and asking them to downgrade their patients for the convenience of the hospital, which were the questions that were being put to me by the opposition on Tuesday. In accordance with the waiting list policy, there is a process for the audit of lists and if clinicians deem it appropriate that someone can wait—and, you know, people get upgraded as well under this audit of lists. Some people who fall outside of their 30-day category 1 timetable and their clinicians agree that they can wait longer for surgery—it might be 60 days—then they can be categorised as a 2a.

Similarly, someone who is categorised as a category 3 can be re-categorised as a category 1. That is what happens all the time, every day, in managing the waiting lists across the hospitals.

**MR SPEAKER:** A supplementary, Mr Hanson?

**MR HANSON:** Yes, Mr Speaker. Minister, why do you stand by your claims given all of the evidence that has come to light?

**MS GALLAGHER:** There is not any evidence, Mr Speaker. All of my comments—based on the advice that I have, the documents that I have tabled—are correct.

**MR SPEAKER:** Mr Hanson, a supplementary?

**MR HANSON:** What inquiries have you made subsequent to question time on Tuesday regarding elective surgery waiting lists, and what was the outcome of those inquiries?

**MS GALLAGHER:** I have spoken to my department a number of times about information that they have given me around the management of the waiting lists—the waiting lists at both hospitals.

### **Minister for Health Motion of censure**

**MR HANSON** (Molonglo) (2.57): I seek leave to move a substantive motion, Mr Speaker.

**MR SPEAKER:** Do you want to wait until the end of question time, Mr Hanson?

**MR HANSON:** I seek leave to move a motion to censure the Minister for Health for ongoing mismanagement of the health portfolio and for having misled the community and this Assembly in relation to ACT Health's practice of requesting doctors to downgrade urgent elective surgery patients.

Leave not granted.

### **Standing and temporary orders—suspension**

**MR SMYTH** (Brindabella) (2.58): Mr Speaker, I move:

That so much of the standing and temporary orders be suspended as would prevent Mr Hanson from moving a motion of censure of the Minister for Health.

**MR SPEAKER:** The question is that standing and temporary orders be suspended.

**MR SMYTH:** It has always been the form of this place that substantive motions of this nature are moved on the spot. We are often told by those opposite that if we have allegations that we want to make or if we feel that the minister has misled or not lived up to her ministerial responsibilities it is appropriate to move the substantive motion. We are moving the substantive motion.

It is important that these issues are addressed and it is important, when a member rises to call into question the conduct of a minister, that he be able to put his case and that the minister be able to respond. It is therefore inappropriate to block leave on this matter. If we are going to vary the way in which we deal with substantive matters, perhaps we should write the standing orders to set aside time for it or something like that.

The process normally is that, when serious matters are afoot, they are dealt with expeditiously and they are dealt with when the member moves the motion. In that regard, I suggest that we suspend standing orders and get on with the motion.

Question put:

That **Mr Smyth's** motion be agreed to.

*A call of the Assembly having commenced—*

**Mr Seselja:** This is cowardly.

**MR SPEAKER:** Order, members! Mr Seselja, don't push me.

**Mr Stanhope:** Jellyback Jeremy.

**MR SPEAKER:** Order, Mr Stanhope!

**Mr Hanson:** Who is hiding?

**MR SPEAKER:** Mr Hanson! Order, members! We are in the middle of a vote.

**Mr Hanson:** Gutless Gallagher and the gullible Greens, eh?

**Mr Hargreaves:** Point of order, Mr Speaker: it reflects upon the character of the member. You cannot say "gutless person" and name the member. It cannot happen.

**Mrs Dunne:** While we are on the subject of unparliamentary language, how about you ask the Chief Minister to withdraw "Jellyback Jeremy"?

**MR SPEAKER:** Order, members! There are no points of order. Let us simply resume our seats and finish this vote, thank you.

**Mr Seselja:** They are gutless.

**Mr Stanhope:** It was his nickname for a decade.

**MR SPEAKER:** The next member who intervenes is out. You will be named straightaway.

The Assembly voted—

Noes 11

Ayes 6

Mr Barr	Ms Hunter	Mr Coe
Ms Bresnan	Ms Le Couteur	Mr Doszpot
Ms Burch	Ms Porter	Mrs Dunne
Mr Corbell	Mr Rattenbury	Mr Hanson
Ms Gallagher	Mr Stanhope	Mr Seselja
Mr Hargreaves		Mr Smyth

Question so resolved in the negative.

### **Questions without notice** **Multicultural affairs—programs**

**MR HARGREAVES:** My question is to the Minister for Multicultural Affairs. Can the minister detail some of the programs that the government provides and the

organisations that it supports to assist refugees in the ACT, given that we have the inclusion of refugees?

**MS BURCH:** I thank Mr Hargreaves for the question. The ACT government provides a range of services, either directly or through community organisations, to support refugees and asylum seekers settle in the ACT. The ACT government assists refugees and asylum seekers through the provision of services, including temporary housing, medical treatment, translating and interpreting services, English classes, childcare support and public transport for those attending English classes.

We also provide ongoing funding to Companion House to provide much needed specialist medical assistance, counselling and community development for refugees. The ACT government funds the Migrant and Refugee Settlement Services to undertake the program for after-school studies, men's African cooking classes, English language classes, homework classes and recreational activities such as the Harmony Players basketball team. The Migrant and Refugee Settlement Services are also funded to hold open days, information sessions and the celebration of events to engage refugees and other migrants. The ACT government will provide MARSS with \$200,000 over four years to undertake these activities.

The ACT government also funds the Multicultural Youth Services. The service has recently fully relocated to the Theo Notaras Multicultural Centre to continue its important work with young people who are mainly refugees. Through one-on-one case work information sessions, drop-in centres and referral services we will be working closely with the Multicultural Youth Services to develop further outreach services for young refugees that live in Canberra. Members are aware that the ACT government has made funds available in the recent budget for this purpose in the order of \$100,000 over four years.

The ACT government understands that housing is one of the most critical aspects of successful refugee settlement. My department, in conjunction with several community groups, delivered the transitional refugee housing program that provides short-term accommodation for newly arrived refugees. This is an essential service that is playing a crucial role in the successful settlement of refugees in the ACT.

We are also looking at the needs of children and young people with refugee backgrounds. The Department of Education and Training provides funding for a home tutor program and each year a number of refugees or humanitarian visa holders enrol in the introductory English lessons that we have in the ACT. It is clear that the ACT government's responsibility regarding the resettlement of these individuals is strengthened because of our firm partnership with community service providers and the new and emerging multicultural groups.

**MR SPEAKER:** A supplementary question, Mr Hargreaves?

**MR HARGREAVES:** Minister, how have you supported the events that have taken place this week as part of Refugee Week, and what was your personal involvement?

**MS BURCH:** I thank Mr Hargreaves for his question. Since 2001, World Refugee Day has been observed on 20 June each year, and it is a day dedicated to raising awareness of the situation of refugees throughout the world. I hope members would have noticed the World Refugee Day flags raised around the city and over Commonwealth Avenue and Kings Avenue bridges. This year's theme is "Home", and that is how we want the 200 or so refugees who come to live in Canberra each year to feel.

We have done this since 1986, and this year the ACT has celebrated World Refugee Day with events across the city and the weeks before and after. In 2010, World Refugee Week involved a range of events and activities for the fortnight before World Refugee Day. Oxfam refugee reality project ran at Stage 88, and it presented a compelling experience of some of the hurdles faced by refugees.

Catholic Care's new arrivals and humanitarian schemes and Multicultural Youth Services ran a creative arts competition inviting refugees to share their stories and thoughts of the refugee experience through painting, drawing, story telling, sewing or music. I look forward to hearing who are the winners.

St John's church, Kippax, with the Refugee Resettlement Committee, offered dedicated masses, and on 15 June, the Canberra Refugee Support group presented student scholarships to encourage and support outstanding student refugees.

Yesterday I was delighted to attend the Migrant and Refugee Settlement Services open day and career expo. MARSS enjoys a successful track record in assisting refugees and migrants. From June of last year to March of this year, 112 clients registered for job assistance, and 77 per cent of them have been employed in casual, part-time or full-time work.

**MS PORTER:** Supplementary, Mr Speaker?

**MR SPEAKER:** Ms Porter, a supplementary question.

**MS PORTER:** Minister, how does the ACT government work with the community sector to support the settlement of refugees and asylum seekers in the ACT? Have you seen opposition members involved in this work as well?

**MS BURCH:** I thank Ms Porter for her question. The ACT government is committed to working with the community sector to implement policies and programs that help refugees and asylum seekers to settle in our community and to call Canberra home.

I am happy to report that there is a strong and enthusiastic community sector support and buy-in for these policies and programs that assist refugees to settle in our city. This means the ACT government is not alone in creating this welcoming and supportive environment. Indeed, the ACT government is committed to working in partnership with community groups and settlement services and providers to make Canberra a place for refugees and asylum seekers.

In this regard I would like to highlight the work of the ACT refugee, asylum seeker and humanitarian coordination committee, a joint government and community sector forum that meets regularly and plays an important role in advancing discussion, sharing information and contributing ideas for program design and policy development in the area of resettlement of asylum seekers and refugees.

The committee comprises representatives from service providers and volunteers involved in the resettlement of asylum seekers and refugees here in the ACT and in the surrounding region. More particularly, the committee plays an important role in assisting with the identification of emerging issues, facilitating the provision and exchange of information and contributing to the development of policy advice and program design to both the ACT government and the federal government. All members and the organisations they represent are the first port of call for those seeking resettlement services.

I look forward to continuing to strengthen our partnership with both community groups and the settlement service providers to ensure Canberra is indeed a place for refugees to call home.

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

### **Supplementary answers to questions without notice Hospitals—waiting times**

**MS GALLAGHER:** In response to Mr Seselja's question of earlier today, my office does not have any record of a patient Wainwright, so I am not sure if that—

**Mr Seselja:** I believe it was an error in the question; I believe it was Wentworth.

**MS GALLAGHER:** Okay. I will respond to that accordingly. Yesterday, I believe Mr Seselja may have asked me to table the information I had about the workforce culture survey, keeping details of it confidential. I have a document that Best Practice, who do the workplace culture survey for ACT Health, have agreed for me to table today. Therefore, I table the following paper:

Best Practice Australia Survey—Copy of letter from the Executive Director, Best Practice Australia.

### **Planning—hot-water heaters**

**MR BARR:** Yesterday in question time Ms Le Couteur asked me about the government's commitment to introduce appropriate legislation for hot-water heaters in class 1 buildings by 1 May 2010 to be effective no later than 1 July 2010.

As I indicated yesterday in question time, the government has commenced introduction of an appropriate regulation for new and replacement hot-water heaters in class 1 buildings. And I was correct in my statement yesterday that the government did this through the water and sewerage regulation 2001 and this occurred on 3 May this year, because, as I understand it, 1 May was a Saturday.

I am advised by ACTPLA that the regulation is already in effect ahead of the 1 July deadline and that this regulation means that the ACT is one of the first jurisdictions to apply the BCA 2010's enhanced energy efficiency measures, that new houses, extensions and apartments in the ACT have to achieve the equivalent of at least six-star energy efficiency ratings and that commercial buildings will also have to meet increased energy efficiency standards.

In applying these new regulations, the government has been mindful of two things. Firstly, as I am sure all members would agree, this is an immensely complex and technical area and our experience with other legislative attempts has certainly proven that to be the case. Secondly, the government is mindful not to impose unjustifiable costs on some in the community. By "unjustifiable costs" I mean that the new regulations have taken appropriate account of the circumstances of those households without gas, with no direct sun or that are located in areas that are not suitable for heat pumps. The regulations do not force people in these circumstances to get gas connected or to buy a more expensive variety of hot-water heater that would prove to be inefficient when retrofitted. The government proposes to address these circumstances through the phase-in of more equitable measures relating to new energy efficient standards for replacement hot-water heaters over the coming year.

## **Paper**

**MR STANHOPE** (Ginninderra—Chief Minister, Minister for Transport, Minister for Territory and Municipal Services, Minister for Business and Economic Development, Minister for Land and Property Services, Minister for Aboriginal and Torres Strait Islander Affairs and Minister for the Arts and Heritage): For the information of members, I present the following paper:

Annual Reports (Government Agencies) Act, pursuant to subsection 9(5)—Chief Minister's 2007-2010 Annual Report Directions, dated June 2010.

I seek leave to make a statement.

Leave granted.

**MR STANHOPE:** In 2007 the government determined that it would streamline the annual reporting requirement through the adoption of directions with a currency of three years. This was done with the intention of reducing the significant resource impact upon agencies resulting from changing requirements each year. As this is the last financial year of the three-year directions, an evaluation will be made as to the feasibility of these arrangements.

A number of amendments to the directions applying to the 2009-10 annual reports were proposed which were provided to the Standing Committee on Public Accounts for consultation. The public accounts committee considered the proposed technical changes and advised on 2 June of its agreement with the changes to the directions.

I am pleased to advise the Assembly that, following the commitment to develop a triple bottom line annual reporting framework under the parliamentary agreement, a

new triple bottom line section has been added to the directions. This section has been developed following community consultation over the pilot triple bottom line annual report that was released by my department in December 2009.

The annual report directions require responsible ministers to provide reports to the Speaker who, in turn, is required under the act to provide it to members of the Assembly before the end of September. At this time annual reports will also be made publicly available.

As there are no sitting days of the Assembly in the last seven days of September, reports will be presented to the Legislative Assembly on 19 October 2010. All reports will include audited financial statements and performance statements when presented.

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

**MS GALLAGHER** (Molonglo—Deputy Chief Minister, Treasurer, Minister for Health and Minister for Industrial Relations): For the information of members, I present the following paper:

Financial Management Act, pursuant to section 16B—Instrument authorising the rollover of undisbursed appropriation of the Department of Territory and Municipal Services, including a statement of reasons, dated 17 June 2010.

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

Leave granted.

**MS GALLAGHER:** Section 16B of the Financial Management Act, rollover of undisbursed appropriation, allows for appropriations to be preserved from one financial year to the next as outlined in instruments signed by me as Treasurer.

As required by the act, I table a copy of recent authorisations made to roll over undisbursed appropriations from 2008-09 to 2009-10. This package includes one instrument signed under section 16B. The appropriation being rolled over was not disbursed during 2008-09 and is still required in 2009-10 for the completion of the projects identified in the instrument.

The instrument authorises a total of \$28.828 million in appropriation rollovers for the Department of Territory and Municipal Services: \$633,000 net cost of outputs; \$27.766 million of capital injection; and \$429,000 on expenses on behalf of the territory.

These rollovers have been made as the appropriation clearly relates to project funds or where commitments have been entered into but the cash was not required or expended during the year of appropriation; for example, where capital works or initiatives for which timing of delivery has changed or been delayed, where outstanding contractual or pending claims exist or where there are delays in implementing budgeted recurring initiatives. Specific details regarding these rollovers are included in the instrument, and I commend the paper to the Assembly.

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

**MS GALLAGHER** (Molonglo—Deputy Chief Minister, Treasurer, Minister for Health and Minister for Industrial Relations): For the information of members, I present the following paper:

Financial Management Act, pursuant to section 17—Instrument varying appropriations relating to Commonwealth funding to the Department of Treasury, including a statement of reasons, dated 16 June 2010.

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

Leave granted.

**MS GALLAGHER:** As required by the Financial Management Act, I table an instrument issued under section 17 of the act. The direction and a statement of reasons for this instrument must be tabled in the Assembly within three sitting days after it is given.

Section 17 of the act enables variations to appropriation for any increase in existing commonwealth payments by direction of the Treasurer. The Department of Treasury has received \$1.113 million in additional funding from the commonwealth for the first-home owners boost.

This increase in funding is due to the extension of the scheme by the commonwealth on 31 December 2009. This extension was announced after the release of the ACT's 2009-10 budget. The increase in appropriation is required to fund the additional first-home owner boost payments being made by the Department of Treasury.

I commend the instrument to the Assembly.

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

**MS GALLAGHER** (Molonglo—Deputy Chief Minister, Treasurer, Minister for Health and Minister for Industrial Relations): For the information of members, I present the following papers:

Financial Management Act—Instruments, including statements of reasons—

Pursuant to section 14—

Directing a transfer of funds from the Department of Treasury to the Department of Land and Property Services, dated 18 June 2010.

Pursuant to section 17—

Varying appropriations relating to Commonwealth funding to ACT Health, dated 18 June 2010.

Varying appropriations relating to Commonwealth funding to the Department of Education and Training, dated 18 June 2010.

Varying appropriations relating to Commonwealth funding to the Department of Disability, Housing and Community Services, dated 18 June 2010.

Varying appropriations relating to Commonwealth funding to Housing ACT, dated 18 June 2010.

Varying appropriations relating to Commonwealth funding to the Department of Treasury, dated 18 June 2010.

Pursuant to section 18A—

Authorisation of Expenditure from the Treasurer's Advance to the Department of Territory and Municipal Services, dated 18 June 2010.

Pursuant to section 19B—

Varying appropriations related to Essential Vaccines NPP and Elective Surgery Waiting List Reduction Program NPP—ACT Health, dated 18 June 2010.

Varying appropriations related to TAFE Fee Waivers for Childcare Qualifications NPP—Canberra Institute of Technology, dated 18 June 2010.

Varying appropriations related to National Partnership—Water for the Future—Department of the Environment, Climate Change, Energy and Water, dated 18 June 2010.

Varying appropriations related to Quality on the Job Workplace Learning Program—Department of Education and Training, dated 18 June 2010.

Varying appropriations related to Natural Disaster Mitigation and Resilience Programs—Departments of Justice and Community Safety, Territory and Municipal Services, Education and Training and Housing ACT, dated 18 June 2010.

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

Leave granted.

**MS GALLAGHER:** As required by the Financial Management Act, I table a number of instruments issued under sections 14, 17, 18 and 19B. Advice on each instrument's direction and a statement of reasons must be tabled in the Assembly within three sitting days after it is given.

Section 14 of the act allows for the transfer of funds between appropriations as endorsed by the executive. This package includes one instrument signed under section 14: \$600,000 has been transferred from the Department of Treasury to the Department of Land and Property Services. The transfer is related to necessary consultancy work for the functional design documentation for the government office building project advice project undertaken by LAPS.

Section 17 of the act enables appropriations to be varied for any increase in existing commonwealth payments by direction of the Treasurer. This package includes five instruments authorised under section 17 of the act to increase the appropriation of agencies following the receipt of additional funding from the commonwealth. ACT

Health has received \$768,000 from the commonwealth, which includes \$706,000 for the health services national partnership program. The department of education has received \$6.827 million from the commonwealth, which includes \$5.782 million for the nation building and jobs program and \$925,000 for the literacy and numeracy program.

The Department of Disability, Housing and Community Services has received \$21,000 from the commonwealth for the concessions for pensioners national partnership. Housing ACT has received \$1 million for the place to call home homelessness national partnership, and the Department of Treasury has received \$650,000 for the standard business reporting program NPP.

The funds received under these programs have been appropriated to several agencies as detailed in the instrument.

Section 19B of the act allows for an appropriation to be authorised for any new commonwealth payments where no appropriation has been made in respect of those funds, by my direction. This package includes five instruments authorised under section 19B of the act. ACT Health has received \$9.895 million of commonwealth funding for the essential vaccines and elective surgery waiting lists reduction programs. The Canberra Institute of Technology has received \$522,000 from the commonwealth for the TAFE fee waiver for childcare qualification program. The Department of the Environment, Climate Change, Energy and Water has received \$175,000 from the commonwealth for the water for the future program. The Department of Education and Training has received \$331,000 for the quality on the job workplace learning program, and the territory has received \$658,000 for the natural disaster resilience and the natural disaster mitigation programs.

The funds received under these programs have been appropriated to several agencies as detailed in the instrument.

Finally, section 18 of the act allows the Treasurer to authorise expenditure from the Treasurer's advance. I table a section 18 instrument relating to the commonwealth funding received under the natural disaster mitigation program that is being passed to the Department of Territory and Municipal Services.

Additional detail regarding these instruments is provided in the statement of reasons accompanying each instrument and I commend the instruments to the Assembly.

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

**MS GALLAGHER** (Molonglo—Deputy Chief Minister, Treasurer, Minister for Health and Minister for Industrial Relations) (3.22): For the information of members, I present the following papers:

Financial Management Act—Pursuant to section 18A—Authorisations of expenditure from the Treasurer's Advance, including statements of reasons, to—

Department of Territory and Municipal Services (2), dated 18 June 2010.

Department of Land and Property Services, dated 18 June 2010.

ACT Planning and Land Authority, dated 18 June 2010.

Department of Education and Training, dated 18 June 2010.

Department of Justice and Community Safety (2), dated 18 June 2010.

Department of Disability, Housing and Community Services, dated 18 June 2010.

Chief Minister's Department, dated 18 June 2010.

Legal Aid Commission (ACT), dated 18 June 2010.

Department of Treasury, dated 18 June 2010.

Territory Banking Account, dated 18 June 2010.

Independent Competition and Regulatory Commission, dated 23 June 2010.

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

Leave granted.

**MS GALLAGHER:** As required by the Financial Management Act, I table copies of expenditure authorisations and the final charge against the 2009-10 Treasurer's advance. Section 18 of the act allows the Treasurer to authorise expenditure from the Treasurer's advance. Section 18A of the act requires that within three sitting days after the authorisation is given the Treasurer present to the Assembly a copy of the authorisation, a statement of the reasons for giving it and a summary of the total expenditure authorised under section 18 for the financial year.

Initially, I would like to highlight that the unspent balance of the Treasurer's advance this year is \$13.571 million. This saving demonstrates the government's ability to control costs and our strong track record on financial management. These funds will be returned to the budget as a saving.

This package contains 13 instruments signed under section 18 of the act which comprise \$6.902 million for the Department of Territory and Municipal Services, comprising \$2.1 million to maintain service levels in ACTION; \$1.1 million for personal injury proceedings against ACTION relating to a motor vehicle accident which predated the formation of the ACT Insurance Authority; \$2.9 million to maintain service levels across the parks, conservation and land portfolio; \$150,000 for a performance fee agreement with the AFL; \$510,000 associated with the management of the Tuggeranong Lakeside Leisure Centre; and \$150,000 to maintain service levels in ACT libraries.

There is \$307,000 for the Department of Justice and Community Safety, comprising \$51,000 for higher than anticipated legal expenses on behalf of the territory and \$256,000 for costs associated with the implementation of the national emergency warning system.

There is \$6.925 million for the Department of Education and Training, comprising \$1.285 million for costs associated with higher student enrolments in ACT public schools, \$2.64 million for increased superannuation costs and \$3 million for costs associated with higher numbers of students with a disability and increased complexity of students with special needs.

There is \$922,000 for the Department of Disability, Housing and Community Services for operational costs associated with Bimberi Youth Justice Centre.

There is \$567,000 for the Chief Minister's Department, comprising \$182,000 to cover costs associated with the removal of loose asbestos, \$123,000 to cover costs associated with the review of the ACT asbestos management strategy, \$113,000 to cover the increased costs associated with the ACT public service enterprise bargaining negotiations, \$81,000 for costs associated with the FIFA world cup bid and \$68,000 for costs associated with the independent performance audit of the Auditor-General's office.

There is \$504,000 for the Department of Land and Property Services, comprising \$322,000 to continue with the nation building task force and \$182,000 for costs associated with the land swap arrangement involving Narrabundah Caravan Park. There is \$1.7 million for the Treasury, to cover anticipated payments of the first-home owners boost and first-home owners grant; \$95,000 for the territory banking account to cover the net borrowing requirements of the territory; \$329,000 for the Legal Aid Commission for costs associated with a court case; \$180,000 for the Independent Competition and Regulatory Commission for costs incurred in discharging regulatory responsibilities for the energy sector; and \$185,000 for the ACT Planning and Land Authority for costs associated with the upgrade of the Objective software.

These instruments and other instruments authorising expenditure under section 18 of the Financial Management Act have been authorised to address both a range of necessary expenses that were not foreseen at the time of the original appropriation and/or payments that were made in response to increased activity necessary to maintain front-line service delivery standards.

The Appropriation Act 2009-2010 provided \$36.8 million for the Treasurer's advance. Expenditure to date against the Treasurer's advance for 2009-10 is \$23.2 million, leaving a balance of \$13.6 million, which will be returned as a saving.

I commend the papers to the Assembly and I move:

That the Assembly take note of the papers.

**MR SMYTH** (Brindabella) (3.27): It does look like the annual end-of-year spending binge has continued with the Labor Party. As the Treasurer noted, there was almost \$ million worth of Treasurer's advance left until today. It is suddenly down to \$13 million; so another \$20 million has been expended. Of course, one of the big stars is, as always, territory and municipal services. Despite the Ernst & Young review of the Department of Territory and Municipal Services, it still seems to be unable to live within its budget.

I note that TAMS has received two payments: the first for \$3.7 million has things in it like \$150,000 for the library service, \$510,000 for payments associated with the management of Tuggeranong Lakeside Leisure Centre and \$150,000 for the performance fees agreement with the AFL. Curiously, there is a very large sum of \$2.924 million for the management of parks, conservation and land assets. I am intrigued. We would certainly give leave for the Treasurer or the minister for TAMS to tell us what that \$2.9 million was and how it was unexpected. It seems to be a very large amount of money. It is a very large amount of money to come so late in the year.

Of course, the next piece of the Treasurer's advance is again an allocation to the Department of Territory and Municipal Services. It seems to be for ACTION. It is \$1 million for personal injury claims pre the ACT authority; so there would be questions about that. There is an additional \$2,066,000 for general operating cost pressures. Yet again, ACTION has blown its budget.

It does bring into question the economic credentials of this government. In the last week of the financial year they manage to splurge almost another \$20 million of taxpayers' money for things that I think it is fair to say are probably not unforeseen. Without having the full detail—I will ask the Treasurer for a briefing on all of the elements here—just looking quickly through it, the Department of Land and Property Services has picked up another half a million dollars.

I am not sure why we need \$322,000 for the continuation of the national building task force. I thought that was a federal initiative. There is some money for software in ACTPLA. The Department of Education and Training has received \$6.925 million. Again, the notes say that this is for enrolment adjustment; but surely that has been known for some time.

I am always suspicious of payments that are made at the very last moment. We have got \$1.2 million for enrolment adjustments for the 2009-10 year and \$2.6 million for the higher than budgeted superannuation costs. Again, you have to question why we do not know these numbers when the financial year starts and the budget is put together. There is also \$3 million for the provision of services to cater for the high number of students with disabilities and increasing student needs, which I think we all welcome. But there is a question there that \$6.9 million is needed to be spent so late in the year. There is a quarter of a million dollars for the national emergency warning system, which, of course, the minister told us was operational before the season but, again, apparently not.

Then Justice has picked up another \$51,000—well, \$51,000 for higher than anticipated legal expenses is probably reasonable but you have to wonder why the department cannot actually absorb a \$51,000 payment. It is interesting. In the Department of Disability, Housing and Community Services, perhaps the minister might like to explain why the operational cost pressures have been blown out to the cost of \$1 million. But we got such unsatisfactory answers during the estimates that I am not sure the minister could explain anything.

The Chief Minister's Department has picked up another \$567,000. There is a bit of money there for the World Cup, which I am sure some of us will be pleased with,

although probably not with the results this morning at about 6 o'clock. It is pleasing to see that the independent audit of the audit office has been funded in that regard.

It does bring into question the need to spend so much money in the last week of the year and whether or not the government is managing, whether the ministers are managing, whether the departments are actually managing the funds that are appropriated to them and whether or not there is the need for this last-minute binge spending that the government is so keen on.

Question resolved in the affirmative.

## **Paper**

Mr Corbell presented the following paper:

ACT Criminal Justice—Statistical Profile 2010—March quarter.

### **ACTION bus service—network Discussion of matter of public importance**

**MR ASSISTANT SPEAKER** (Mr Hargreaves): Mr Speaker has received letters from Ms Bresnan, Mr Coe, Mr Doszpot, Mrs Dunne, Mr Hanson, Mr Hargreaves, Ms Hunter, Ms Le Couteur, Ms Porter, Mr Seselja and Mr Smyth proposing that matters of public importance be submitted to the Assembly. In accordance with standing order 79, Mr Speaker has determined that the matter proposed by Mrs Dunne be submitted to the Assembly, namely:

The ACTION bus network.

**MRS DUNNE** (Ginninderra) (3.32): The ACT Labor government led by the Chief Minister, Jon Stanhope, has utterly failed the people of Canberra in the delivery of bus services in this city. What we have here is a government, and more particularly a Chief Minister, that is more interested in arboreta and public artworks than in delivering the kinds of services that the people of the ACT have a right to, that they need and that they should expect.

The result is that some of the core services on which this ACT government should be focusing its attention fall into the depths of inefficiency and disrepair at great cost to the Canberra taxpayer. Perhaps the costs of these inefficiencies, were they to be saved, might be more readily available for more spending on some of the more ideological personal memorial projects that this Chief Minister seems so intent upon spending our money. But perhaps more importantly those savings might be more readily available for better delivery of other services such as shorter elective waiting lists, keeping schools open, delivering infrastructure projects on time and on budget or, in accordance with the topic of today's MPI, delivering a more efficient and effective bus service for the people of the ACT.

Instead of addressing his attention to some of those personal memorials, this Chief Minister should be addressing the efficiency of the ACTION bus network. By the government's own figures, the cost of this government's mismanagement of the

ACTION bus network is around \$30 million each year. Yet Mr Stanhope has done nothing to address this inefficiency. Instead of taking responsibility for the inefficiency or otherwise of the ACTION bus network, Mr Stanhope merely issues a statement of excuses, in effect blaming the staff and the drivers of ACTION for the failings of the government.

This is akin to his blaming public servants when he could not get the trees planted that he wanted planted in the places he wanted them planted, but the Chief Minister is pretty good at giving public servants a touch up on ABC Radio. He blamed ACTION drivers for being paid too much. He blames those drivers for taking too much leave. He blamed them for spending too much of their time not driving. He blamed ACTION for employing too many mechanics, cleaners and refuellers, and he blamed those mechanics, cleaners and refuellers for being paid too much.

He blamed ACTION for having too many air-conditioned buses. He blamed ACTION for spending too much on minor bus accident repairs and bus cleaning. He blamed ACTION for providing too many hours of service. Mr Assistant Speaker, where is Mr Stanhope's action to create efficiencies in ACTION? It does not exist. It simply does not exist. Where is Mr Stanhope in his efforts to get the size of the ACTION workforce right, to reduce the number of bus bingles in the depots, the amount of dead running? What he really does is wring his hands, because Mr Stanhope is about blaming people; he is not about action.

Like many of the efforts of this government, the ACTION bus network is littered with inefficiencies and poor planning. We saw the disastrous and infamous Network 06. It was introduced with great fanfare as the bee's knees for public transport, the way of the future for public transport in the ACT. Network 06 had to be taken off the road.

We saw \$5 million spent on a bus transit lane from Civic to Belconnen. That was not an actual bus transit lane. It was a virtual bus transit lane. "Virtual", I think, is one of the words that this government likes to use. We spent \$5 million not to build or even think about building, but just to set aside the roads—

**Mr Coe:** It is the thought that counts.

**MRS DUNNE:** It was a very good thought. It was a \$5 million thought. Federal Labor likes to talk about thought bubbles—but that was a very expensive thought bubble. He did not spend any money on digging a hole, and luckily there was no sham opening. But the money was spent anyhow.

**Mr Coe:** It was a virtual opening.

**MRS DUNNE:** It was a virtual opening. It is a virtual road; so you have to have a virtual opening. We have heard that more than \$500,000 of revenue was lost between July 2009 and April 2010 due to faulty ticketing machines. This translates to three in 100 passengers riding for free. It has to be acknowledged that Mr Stanhope has taken some action to fix the problem. He is going to install a new ticketing system, but, like many of this government's projects, implementation keeps getting pushed further and further back, and I wonder whether it will ultimately be implemented on time and on budget.

We have heard that passenger numbers are declining, and this is despite the much-touted Redex service. This financial year we will have 1.33 million fewer passengers than expected. This translates into a shortfall of 7.9 per cent in terms of the expected number of people using buses as a mode of transport. So where is our modern transport system and where is our environmentally-aware transport system? This performance also means that fares, as a percentage of the cost of ACTION, are on the decline. Therefore, the cost per passenger is on the increase. In 2008-09 the cost was \$5.43 per bus ride. Now it has gone up to \$6.30 per bus ride, an increase of 16 per cent.

We have heard of a churn of senior managers in recent years, and that the real control of ACTION has been handed over to the Transport Workers Union. Through a question on notice asked by my colleague Mr Coe, we know that empty ACTION buses cost the ACT taxpayer more than \$30,000 every single day, which translates to \$7.8 million each and every year, and that is a growing number. In this context, we have also heard of dead running, that is empty buses, travelling over 1,200 kilometres every weekday. This translates to 3,120,000 kilometres every year.

**Mr Coe:** 12,000.

**MRS DUNNE:** 3,112,000 is it? I will have to speak—

**Mr Coe:** 12,000 per weekday.

**MRS DUNNE:** 12,000 per weekday; 3,120,000 kilometres every year. Is that right?

**Mr Coe:** Correct.

**MRS DUNNE:** This means an empty ACTION bus travels the equivalent of 78 times around the earth's equator every year, or one and a half times every week. Just like the inefficiency of Mr Stanhope's ACTION bus network, it took him more than 100 days to answer that question from Mr Coe. On the day he released the answer, he also issued a media release announcing that he was going to take action to reduce dead running. He was only taking that action because the Canberra Liberals, through our representative Mr Coe, asked the question and therefore shamed him into it.

We have heard about the accidents. In 2008, there were 292 accidents. But in 2009 that increased dramatically by almost 80 per cent to 524 accidents. Mr Stanhope's excuse for this was that in 2008 ACTION had not been recording minor incidents that occurred in bus depots. This means that there were 232 accidents occurring in the bus depots as buses were being parked or driven out, perhaps on one of those dead runs.

But that is only the icing on the cake of the failure of the ACT Labor government and this Chief Minister in relation to ACTION. Tomorrow, the people of the ACT are going to be put to a huge amount of inconvenience because of the industrial dispute which this Chief Minister cannot or will not fix. Tomorrow morning, hundreds of thousands of Canberrans who normally commute to work on buses, who would go to medical appointments on buses, who go to school on buses, will not be able to do so.

Why is this dispute happening? Quite simply, it is happening because, despite, or perhaps even in spite of, being the party of the union—indeed, the party which, like ACTION, is run by the unions—Mr Stanhope is unable to communicate or negotiate with the Transport Workers Union over this industrial dispute.

Who will be affected by this strike? It will be some of Canberra's most needy and vulnerable people. It is Canberra's elderly who can no longer drive. It is Canberra's disabled who are unable to drive. It is Canberra's school kids who are unable to drive. It is Canberra's underprivileged who are unable to drive because they cannot afford a car. It is the thousands of commuter workers who choose to travel to work by bus, often even when it is inconvenient, because they do not want to run a second car. But all of those people will be seriously inconvenienced tomorrow because the Stanhope government will not do anything about this proposed bus strike.

These are the people who Stanhope's bus strike will affect. It is Mr Stanhope's lack of communication and negotiation skills that will cause these people to be inconvenienced tomorrow. It is Mr Stanhope whom these people can thank for this inconvenience. The inconvenience that we experience in the ACTION bus service is not just about tomorrow. It goes on every day. It is the delays. It is the failure to turn up when buses are supposed to turn up. It is the failure to deliver people to places on time. Just in my own family, both of my children who are still at school use the ACTION bus service every day. Both of them go to different schools and essentially they have a standard late pass because the ACTION bus service cannot deliver them to school on time. Dedicated going-to-school buses cannot deliver children to school on time.

Route buses that are supposed to deliver people at particular times cannot do it. So, if my children catch the bus from the end of the street, they cannot reliably get to school according to the timetable. That is being replicated over and over and over again. The people of Belconnen are constantly inconvenienced by poor service; buses that fail to arrive; buses that are slow; buses that are in many cases overcrowded. On top of that, we have the problems at the elongated bus interchange across the Belconnen town centre, which is very poor indeed. The representations that have been made to Mr Stanhope by me, Mr Coe and others from a range of people, including the Senior Citizens Club in Belconnen, show that this government is not interested in serving the people of the ACT who rely upon buses.

It has been pointed out to me, and it has certainly been my experience when I have used the buses, that, especially in Chandler Street opposite the tax office, the 31 buses—the most commonly used buses—are allocated the furthest-away bus stop. It has been reported to me by people who have disabilities and people who are elderly that negotiating yourself almost down from Eastern Valley Way, back up to Chandler Street and to the library and places like that is quite difficult from that bus stop. There is no seating. There is poor lighting. There was a long time when the pavement was being ripped up at the same time as bus stops were being put in there and buses were stopped there. It was hugely dangerous when people had to actually walk on the road and mix it with the buses.

This is all part of what is wrong with the ACTION bus service. It is not a service for the people of the ACT. Jon Stanhope has supervised the ACTION bus service for a very long time. He is the person responsible for the failure of those services. We have seen it with the work done by the Canberra Liberals to highlight these issues. I refer to the amount of dead running, the lack of collection of fares because the ticket machines do not work, the increased number of bingles, the incapacity to attract people to the bus system and the problems in the Belconnen bus interchange. They are symptomatic of that. The inability of buses to take people to where they are supposed to be, on time, is symptomatic of that. People will eventually give up using the bus service because it is unreliable.

Jon Stanhope has created an unreliable, expensive, inefficient bus system. On top of that, the people who are paying royally for that inefficient bus system will have it taken off the road tomorrow because he cannot communicate with the Transport Workers Union and come to a conclusion over a pay negotiation. It is time that the Stanhope government and ACT Labor did something about the ACTION bus network in this town.

**MR STANHOPE** (Ginninderra—Chief Minister, Minister for Transport, Minister for Territory and Municipal Services, Minister for Business and Economic Development, Minister for Land and Property Services, Minister for Aboriginal and Torres Strait Islander Affairs and Minister for the Arts and Heritage) (3.47): That was dreadful, Mrs Dunne. Who wrote that? We have come to expect a slightly higher standard of rigour in debate than has just been presented.

I am very pleased to take this opportunity to highlight the high quality bus service that we have in the ACT and the significant improvements that the service has undergone under this government in recent years. ACTION is a government-run bus operator, providing regular route services and dedicated school services to and from suburbs in the ACT. ACTION also provides special need services to schoolchildren with a disability, as well as charter services for schools, sporting bodies and other organisations hosting territory events and festivals.

ACTION currently provides 2,456 services each weekday and a further 314 school services on each school day. Included in the route services are the popular Xpresso services, which run in the peak hours and provide express travel between suburbs and major employment hubs within the territory. ACTION buses travel around 25 million kilometres every year, transporting around 17 million passengers per annum, including six million adults, 6.8 million concession holders and 3.7 million schoolchildren. ACTION also provides free travel to around half a million patrons, including the users of the popular gold card for those over the age of 75. ACTION maintains a “one fare anywhere” policy for travel within a period of 90 minutes in the ACT. This means that ACTION’s fares represent exceptional value for money and are amongst the lowest in the country.

Over the last three years, the ACT government has made significant investments in the bus network to provide an improved service for the community. The government announced Network 08 in 2007-08, a network that would have more services and better connections and that would be determined with direct reference to the

community's wants and needs, after extensive consultation. On implementation, the new network delivered an additional 428 new services each weekday.

This was followed by the addition of 16 new compressed natural gas buses, the announcement of funding for a new ticketing system, as well as major investments in repairs and maintenance and safety and security such as CCTV on all buses. Investments announced in 2007-08 included an addition \$2 million recurrent and \$16.5 million in capital funding.

During 2008-09, ACTION completed the procurement for a new ticketing system worth \$8 million. The system, which is expected to be implemented in late 2010, will utilise smartcard technology to improve the efficiency and effectiveness of the service by providing more accurate trip and travel data that will assist with network planning into the future.

In the same year, the government responded to the development of a fleet replacement strategy by providing \$49.5 million for the replacement of 100 buses. The fleet replacement strategy highlighted the need for ACTION to work towards the milestone targets identified in the Disability Discrimination Act for accessible buses, which will require the whole fleet to be accessible by 2022. The government responded to this challenge by initiating the 100-bus replacement program but also by providing for continued replacement of buses into the future. Funding of \$13 million per annum was provided for this purpose in each of the 2012-13 and 2013-14 financial years, bringing the total investment in bus replacement to around \$76 million over six years.

Out of a total operational fleet of 414, ACTION currently has 140 wheelchair accessible buses, representing 29.5 per cent of the total fleet at the moment. The first of these new buses delivered were state-of-the-art Euro 5 emission compliant buses introduced into Canberra in September 2009, being the first of their kind in Australia. The ACT government procured these buses well over 12 months in advance of the federal requirement for Euro 5 emission compliant buses. These new buses are not only accessible but climate controlled and, where possible, have bike racks fitted.

In 2008-09, the government continued to invest in repairing and maintaining buses, with \$450,000 for major unit overhauls designed to extend the useful life of existing buses. Investments in the bus network in 2008-09 included around \$33 million over four years for services associated with Network 08 and around \$76 million over six years in capital.

In 2009-10, the government continued to invest in ACTION by providing around \$2.4 million for capital upgrades, with a focus on safety and security including installing CCTV at interchanges, on buses, and undertaking the relocation of the communication centre from the Belconnen depot to the Winchester Police Centre. The government will continue its focus on safety and security in ACTION in the coming years by improving bus driver seats and retrofitting bus park brake alarms.

In 2009-10, the government also demonstrated its commitment to the provision of sustainable transport for the ACT by developing Transport for Canberra, a sustainable transport action plan. The plan will establish the steps that the government needs to undertake to meet the ACT's sustainable transport targets as set out in the sustainable transport plan.

The government expects that ACTION will play a pivotal role in the implementation of Transport for Canberra and commenced this process by providing \$1 million in 2009-10 to deliver a trial of a new high-frequency, limited-stop, rapid bus service called Redex. Redex travels between Gungahlin Marketplace and Kingston railway station every 15 minutes from 7 am to 7 pm, Monday to Friday. The evaluation of the Redex trial demonstrated it was an undisputed success. It was very well received by the community and encouraged greater patronage on the trunk route that it serviced.

I am pleased to acknowledge, in relation to Redex, that it is a service that was certainly initiated or facilitated as a result of very direct interest by the ACT Greens, as expressed through the parliamentary agreement, in relation to more responsive treatment, and I do acknowledge today the active and productive involvement of the ACT Greens in seeking to work cooperatively with the government in relation to public transport and actually doing it in a constructive and productive way. And the Greens can—

**Mr Smyth:** It really hurts to say that, doesn't it, Jon?

**MR STANHOPE:** It does not hurt to say it at all. I say it actually to contrast it with the speech that we have just listened to from Mrs Dunne but to also graciously acknowledge that the Greens have engaged very constructively with the government on—with some, they have not—this particular issue, public transport. The government continues to work constructively with the Greens as an expression of the commitment that we jointly have, genuinely, to seek to improve public transport in the territory.

As I was saying, the evaluation of the Redex trial demonstrated it was an undisputed success. It was very well received by the community and encouraged greater patronage on the trunk route that it services. Due to the success of that trial, the government intends to adopt it as part of the permanent network and extend it to Fyshwick, as of the beginning of network 10, with the implementation of a new network designed to begin the process of adopting the frequent network concept outlined in the public transport strategy which forms part of Transport for Canberra.

A recent benchmarking study conducted by Indec Consulting highlighted the costs associated with delivering ACTION's high quality service and that they can be attributed to the high expectations of the Canberra community. ACTION employs over 800 staff, a large proportion of which are drivers and workshop employees. The Indec report demonstrated that ACTION staff are well paid comparatively and that they are employed under favourable conditions.

The report also highlighted that meeting the community's expectations of environmental efficiency comes at a cost, as does the high presentation of buses. The report also indicated that bus services in the ACT operate over a longer span of hours than those in other jurisdictions and that patron comfort is foremost, with the provision of a high proportion of climate-controlled buses in comparison to other jurisdictions.

However, it is the community that evaluates whether or not a service is high quality, and the community does have views on that. In a community satisfaction survey—and this contradicts entirely everything that Mrs Dunne said just now—in relation to ACTION, when asked about overall satisfaction with the bus service, 80 per cent of respondents indicated, and consistently indicated, that they were satisfied with the service.

While the community has a high expectation which is usually met, there is of course still work to do to improve efficiency, and certainly there is still an awful lot of work to be done to improve patronage. But the surveys of the work and the independent surveys such as the Indec one clearly demonstrate that ACTION is a high quality and well-respected bus service. To assist in delivering the most effective bus service, the 2010-11 budget provides for bus priority measures planned and provided along the key transport corridors, Belconnen to city, Gungahlin to city and on Canberra Avenue along the eastern transport corridor.

Public transport services will also benefit through the implementation of network 10 changes which will incorporate the successful Redex pilot into the core network and extend it to Fyshwick and improve connections and commence services through the Belconnen town centre transport facilities now under construction.

A bus service is, of course, only as good as the infrastructure that supports it, and that is why the ACT government will invest in building key segments of the Belconnen to city transitway, including a priority lane between Clunies Ross Street and Marcus Clarke Street; bus priority and improved facilities for buses, passengers, pedestrians and cyclists on Barry Drive near the ANU, the busiest bus route in Canberra, as well as bus priority measures on College Street and Haydon Drive.

Further, a study will be undertaken to determine the alignment of the central section of the transitway. These facilities will complement the bus lane currently being constructed along Belconnen Way, ensuring fast and efficient travel between Belconnen and the city. There is also investment to improve bus facilities in the city, including the construction of a bus layover facility, installation of bus stops, shelters and signage, pedestrian crossings and footpath improvement, and facilities for bus drivers.

New bus stations will be constructed at the Gungahlin town centre and the Erindale shopping centre. A feasibility study for a station in Barton will be undertaken. Twenty-five large shelters with bike racks will be installed at major stops along high-frequency routes. A network of park-and-ride and secure, weatherproof bike-and-ride facilities will be constructed at locations, including Erindale, Exhibition Park in Canberra, Belconnen, Gungahlin and Fyshwick. These facilities will assist people to use public transport more and to reduce transport emissions and congestion.

To achieve the goals of the sustainable transport plan, the bus service cannot operate in isolation. Transport for Canberra links together four strategies which will detail how we move around Canberra and the region. These are all aspects of an integrated transport system—parking, public transport, cycling and walking, and supporting transport infrastructure—and need to be considered together to create a truly sustainable and efficient transport system for Canberra.

It is in that context that, in this most recent budget, the government has supported infrastructure for public transport over and above any other initiative in terms of deliberately new or, in some senses, discretionary expenditure that is incorporated in the budget, which will be debated next week. I look forward very much, in the context of that debate, to outlining the significance of each of the public transport or transport-related initiatives that are contained in the budget.

We recognise that, in order to continue to encourage greater modal shift, to encourage people to catch the bus, but indeed to employ and enjoy other forms of transport, most particularly to work, there are a range of significant investments that we need to continue to make, whether it be in relation to our extensive bikeways and our investment in those or other investments. Over the last two to three years there has been significantly enhanced investment in every aspect of our cycleway network both on and off-road.

We have invested and are beginning to invest in different infrastructure for bike riders in relation to bus bike racks, in relation to facilitating the movement of bikes around the city. Similarly, in plans that have been released around the city, there is a real focus now on improving the cycle-pedestrian networks, new funding for lighting, new funding for every aspect of the encouragement that we believe that we can provide, through capital investment, in transport that will encourage modal shift to meet the sustainable transport targets the government has adopted.

It is heavy going. The government does not deny that. We need to continue to invest, we need to be strategic, we need to develop the plans and we need to invest in the plans in terms of extra buses, more frequent buses, smarter planning and putting public transport first and foremost in our planning of, most particularly, new development, greenfields developments. We know that. And, to the extent that we can identify the funding and invest in those priorities, we are seeking to do it.

There is \$100 million of new public transport focused investment in this budget alone. We know that we will need significantly more than that. With the feasibility studies and the studies that are at the heart of this initial \$100 million down payment, we believe, with additional similar-sized investments in each of the next years, we can achieve the targets that we have set ourselves for modal shift to public transport. *(Time expired).*

**MS BRESNAN** (Brindabella) (4.02): I thank Mrs Dunne for bringing on this matter of public importance today. There is no doubt that, for many people in Canberra, public transport is a vital service without which they would be isolated from our community. However, it is not only people who are marginalised but older people and people on low incomes who rely on the ACTION bus system. Every day, a higher number of people, including students, workers, business owners and families, make the choice to catch the bus to school, university or their place of business.

We need to look at why people make the choice to use public transport. There can be many motivations. Comfort, convenience or taking a more sustainable form of transport to work are all valid reasons for people choosing to leave their car at home or at a park and ride.

I will address the issue of cost today as on many occasions we have heard complaints about the costs of maintaining the ACTION network. It is important to canvass the issue of costs, but to do so from the perspective of the Canberrans who choose to use the service.

Cost in this case is not simply a monetary consideration. The study of the economics of transport shows us that time as well as financial burden dictates the choice of transport mode. Contrary to what one may think, however, not all time has equal value. Studies demonstrate that we can instinctively understand that time at the wheel of a car, particularly on a congested road, is more expensive than time on a bus. This is simple to understand: bus travel is both more productive and more relaxing than being stuck in traffic on Northbourne or Canberra Avenue.

Within the public transport framework, however, there are variabilities in time costs, depending on what part of the public transport process an individual is engaged in. Waiting for the bus at the stop is universally regarded to be the most expensive form of time expenditure. It is to this end that we have sought to reduce waiting times through the implementation of frequent services. Additionally, we can reduce time costs by implementing limited stop services and building bus priority measures. These increase the effective speed of the service and prevent buses from contributing to road congestion. The Redex service is something the ACT Greens are very proud of being a part of; it is services like this that will build the rapid transit network of the future.

I choose the words “rapid transit network” carefully, however, as there is a series of very clear and important distinctions between a bus system and a rapid transit network. A bus system operates primarily within the road network. It is subject to congestion on the roads, is relatively infrequent, stops very frequently and provides basic services only. Time is infrequently a consideration. I will contest that most of our network fulfils this definition. The coverage services that ACTION currently provides are often circuitous. In some cases, it can take over 20 minutes before they can connect with intertown or other frequent services.

We understand why this is the case and we recognise the limitations of the fleet as it currently stands, but there still needs to be a definitive plan for change. Canberra, as we all know, is largely built upon an axis of major roads connecting a few major concentrated employment hubs surrounded by suburbs. These employment hubs provide definable endpoints for bus services and are often co-located with existing bus interchanges. Where they are not, we understand that the Transport for Canberra plan will be constructing major stops at those locations. This allows for the design of a genuinely rapid service that connects locations and that can run frequently, reliably and quickly.

Public transport—in Canberra’s case, buses—plays a significant role in reducing congestion and pollution. Roads are inherently congestible; that is, they get slower as more people use them. Cars do take up more space and, particularly when people are travelling with one person per car, numbers decrease the timeliness for everyone. Compare this to public transport. Buses do have a maximum capacity, and an increase in the number of users does not lower the time it takes for the service to run. As such, more people can use it without having to invest in substantial new infrastructure, particularly where there are bus routes with limited and defined stops.

Infrastructure improvements are what we need now to better service the ACTION network and the service it offers to Canberrans. In this place, I have often cited the success of Brisbane's busways in improving modal share in Brisbane and bringing new people into the bus system. I have also pointed out that this infrastructure investment was made by a Liberal lord mayor, in the face of quite strident opposition; and, while the work was going on to construct these busways, there was continued opposition over that. Yet, after the fact, it has turned out to be exceptionally popular and has been widely lauded as a success. It has seen a huge increase in public transport patronage in Brisbane; there is also the fact that it connects with park-and-ride facilities.

It is this kind of infrastructure investment to build in bus priority, even to the point of separate bus lanes along entire routes, that can deliver a reliable and fast network. This is the sort of work which has been done in Brisbane. This investment needs to be made not well after an area has been built up, as has occurred in some areas in Canberra—Gungahlin is often used as an example—but, rather, right at the beginning of planning, ensuring that public transport infrastructure is available for everyone right from the beginning of any development.

That is why we have expressed concern that the government intends to build Molonglo by essentially retrofitting main roads for public transport priority at some unspecified point in the future. We have heard from the government that it would take a brave government to do transport differently in Molonglo. We believe that a government always has an opportunity to do better things in greenfields development, and we would like to see this happening with Molonglo.

The Greens have made suggestions, including building medium and high-density developments early in development; and prioritising active transport infrastructure with an emphasis on connectivity to public transport hubs, to make it easier for workers and children to get to the bus that will take them to work and school. We are concerned that, if public transport is not available from when people start moving into Molonglo, it will not encourage people to use public transport or to use services once they are available.

When we talk about giving people choices and allowing families the opportunity to save money by using public transport and not having the cost of running a second car, we often get accused by members in this place, particularly the Liberals, of trying to rip people from their cars. Indeed, we support the right of individuals to own cars. Our objective here in this place with public transport is to provide people with a cost-effective and viable alternative which alleviates the necessity to own a car. Given the challenges we as a community face with housing affordability, we need to consider the financial impact on people who have to borrow to buy a car because inadequate public transport services exist.

The function of a public transport system is not only a transport issue and a sustainability issue, but a cost of living issue. Not long ago, we were seriously considering \$2 or \$3 a litre petrol prices. There will be a time again when petrol prices increase; people will suffer financially as a result of this and we will be looking for cheaper transport options.

For some Canberrans, with the current state of the network, particularly residents in west Belconnen, Weston Creek and Tuggeranong, their local bus fails to quickly connect with the central express services that get them to and from work. If we can make the network suit these families' needs through improvements to the network, by giving them alternatives such as nearby park and rides that serve major express routes, we believe that many more families will be able to choose the cheaper alternative of using public transport every year.

We would like to quickly refer to a forum we held last week with Dr Paul Mees from RMIT, who is a transport planning expert. He gave examples—not just overseas examples, but also from Perth—where, even though we have dispersed density of population, that is not a reason not to provide reliable, frequent public transport for people.

The example he gave was a European example, but it was a very good example where the population was comparable to that of Canberra—actually smaller—and quite widely dispersed. They were still able to provide extremely regular services for people, with about a 15-minute frequency of service. It was a train network, but they also had connection buses where trains were not available. These services were provided every day of the week. They were set times. People knew when those buses were going to arrive—at what time. It is widely used. It is something we can do, and people will use it if we provide it.

We have got many examples here in Australia too. Perth is another example where significant investment has gone in. People are using it. Brisbane is another example. We can do it. People do use it, because it is cheaper for them than running a car. We believe that if people are provided with that option of a good public transport system, they will take it up.

**MR COE** (Ginninderra) (4.12): We on this side of the chamber do not have any problem with Canberrans, Canberra families, choosing to drive their car. We have got no problem whatsoever with people investing in a vehicle, paying registration, paying insurance, paying petrol costs and paying maintenance for their car to keep it on the road and to help their family operate. They can get to work, get to school sport, get to the shops and do all the things that need to be done.

For many people in Canberra, this is not an option: they simply cannot afford to get their own car, so they get in a bus. It concerns me that there are very few people in Canberra at the moment who voluntarily get on an ACTION bus. I believe that the vast majority of people who use an ACTION bus at the moment do so because they have to, do so because either they cannot afford a car or, for one reason or another, their car is off the road.

Tomorrow's strike is going to hurt those people the most. They are the people that do not have a car in the garage, who have to get a bus. They are the people that depend on an ACTION bus to get to school, to get to uni, to get to TAFE, to get to CIT, to get to work. They are the people that are going to be hurt the most by tomorrow's strike.

The onus is on this Chief Minister, who is also the Minister for Transport, to sort this out pretty quickly. He has been in this job for nine years. For nine years, he has been running this territory and running our budget. Eight and a half years into his time as Chief Minister, it is not good enough for him to put out a press release on 7 May to say, “ACTION is not working and it is not good enough.” This is coming from the minister. Here he is putting out a few words that are copied from a benchmarking report which he refused to give me last year. We have some words that he pastes into a press release and he pretends that he has got a vision for transport, pretends that he is doing something to combat the inefficiency in ACTION. I am afraid that it is not good enough, Chief Minister. It is not good enough to simply copy and paste into a Chief Minister’s press release and say that you are doing something about transport.

I agree with quite a few of the things you are saying in this press release, Chief Minister, but the difference is that you are the Minister for Transport. You can make it happen, but you do not. You do not. You are not making it happen. What are you doing? What are you doing as Minister for Transport? When you get up each day, Chief Minister, and you think about your agenda for transport, what are you actually doing?

*Members interjecting—*

**MADAM ASSISTANT SPEAKER** (Ms Le Couteur): Mr Coe, one minute. Mr Stanhope, one minute. Stop the clocks.

**Mr Seselja:** If you run again, will they hide you in all the ads?

**MADAM ASSISTANT SPEAKER:** Mr Seselja, please be quiet. Mr Coe has the floor. I have been unable to hear him for the last minute or two.

**MR COE:** Thank you, Madam Assistant Speaker. Mr Stanhope has a great opportunity, as the Chief Minister and Minister for Transport, to reform ACTION buses, but he is not doing so and I am very doubtful that he is going to do so. It is for that reason that so many people in Canberra are forced to drive their own cars—because getting in an ACTION bus is simply not preferable for the vast majority of Canberrans.

That is shown by the fact that, as a modal share, ACTION has actually gone backwards this year. ACTION went from a target of 2.9 per cent to minus five per cent. That means that five per cent of the ACT travelling public are not getting an ACTION bus but were doing so last year. There were 1.33 million fewer passengers on an ACTION bus than were expected—818,000, in real terms, fewer than last year.

What sort of value are the Greens getting for their buck—for their buck that is putting this government into the corridors of power? What are they actually getting? They are getting tremendous dead running, \$161,000 a week. This government is squandering \$161,000 a week on dead running, as an empty ACTION bus drives 69,190 kilometres every week—every week.

I am sure that we all could put together a wish list of what we would like to do with \$161,000 each week for community groups here in Canberra. Instead, this Chief Minister, because he is incapable of showing leadership on this issue, refuses to step up to the TWU, refuses to step up to ACTION management and refuses to actually reform ACTION to make it a better system.

The Chief Minister can try and throw a few jibes across the table, but at the end of the day, by your own press release, Chief Minister, ACTION is costing \$31 million too much. That is \$31 million. How many Hall schools is that? How many Flynn schools is that? How many Cook schools or Tharwa schools is that? How many Noah's Ark centres is that? How many migrant youth services are there? How many? How many are there, Chief Minister?

The fact is that you have failed dismally when it comes to leading ACTION. The fact is that the problems with ACTION are so entrenched, so culturally entrenched, that this Chief Minister is incapable of resolving the problem. Whether it be dead running, the safety record, which Mrs Dunne pointed to earlier, or the countless other problems with ACTION, things simply have to change.

The cost per kilometre this year has gone up to \$4.13. The total cost per passenger is now up to \$6.30. Roughly speaking, the average fare when getting on an ACTION bus, by the government's own figures, is somewhere in the vicinity of \$1.20. Yet it costs \$6.30 for the government to run that very service. Every time somebody gets on an ACTION bus and in effect pays over \$1.20, the government is throwing in a fiver—throwing in a \$5 note for every person that gets on an ACTION bus.

With that sort of subsidy, with that level of service, with that level of money going into this bus system, would you expect that we would have the rubbish bus system that we have? No, you would not. Only 20 per cent of ACTION's operating budget comes from revenue from passengers. Why is that? Because the vast majority of Canberrans are not prepared to pay. And that is in spite of the 80 per cent subsidy and the \$5 per boarding. The vast majority of Canberrans still do not think it is good value for money, in spite of the fact that they are putting in only \$1.20 for every \$6.30 it actually costs. That is absolutely disgraceful, and it is up to this person here, Mr Stanhope, to step up and to reform it. He has got the powers at his disposal to do something about it; yet he is either unwilling or incapable of actually doing so.

Tomorrow we are going to have a strike. Tomorrow all the buses in Canberra are going to be off the road because the TWU and Mr Stanhope cannot come to an arrangement. This is in spite of the big words that Mr Stanhope put out in a press release in May, saying that ACTION are not good enough. This is in spite of coming from a unionist party where he should be able to have a backroom deal with the TWU. This is in spite of all of that. He still is not capable. It really does smack of a Chief Minister that either does not care or is simply someone who is biding his time, riding out the rest of his term. The problem is just too hard. It is just too hard for the Chief Minister to tackle this issue head on and make a name for himself.

*Members interjecting—*

**MADAM ASSISTANT SPEAKER:** Order, members! I cannot hear Mr Coe. Please let him be heard in silence.

**MR COE:** I thank Mrs Dunne for bringing on this matter of public importance. It is indeed of grave importance to us all—the fact that so much of taxpayers’ money is going towards a system which is so grossly inefficient. It is a system which many people in Canberra depend on, but many people in Canberra are getting a raw deal from it through their taxpayer dollars and also through the fare box. I urge the Chief Minister to resolve tomorrow’s strike as quickly as possible and to make ACTION a more viable bus service for everyone so that we truly can have a sustainable transport system here in Canberra.

**MR HARGREAVES** (Brindabella) (4.23): I was just wondering which one of Mr Coe or Mrs Dunne wrote the speeches. I reckon they have got notations in them: “Get really excited about now. See if you can put your voice into upper register G and not middle C.”

**Mr Coe:** Tell us about Network 06. Tell us about Network 08. Tell us all about it.

**Mrs Dunne:** I want you to justify Network 06, Johnno, because—

*Mr Coe interjecting—*

**MR HARGREAVES:** Madam Assistant Speaker, I have a record in this place. I get these people screaming at me inside three seconds.

**Mr Coe:** How is Network 08?

**Mrs Dunne:** you are the architect of Network 06.

**MR HARGREAVES:** You guys are unbelievable—I love ya. My life is complete. It would be dreadful without you.

**MR HARGREAVES:** Can you imagine this, Madam Assistant Speaker? I heard Mrs Dunne actually supporting the archaic provisions that the TWU want to continue. You know how we used to have this mind picture of somebody there with a balaclava and a big dog? I know who that was.

**Mr Coe:** That’s Kevin Reynolds.

**MR HARGREAVES:** No, that was Brendan Smyth’s boss, Peter Reith. That is who it was. I remember that. Now I have got this mind picture of Mrs Dunne out there in the middle of London Circuit with this great big bloke with a blue T-shirt, a blue singlet, arm-in-arm embracing themselves, saying, “You’re not going to take away my steel-capped boots.” They will swap T-shirts and boots and then they will walk down the road, hobnail boots in hand, and go into the sunset together in love. You have got to ask yourself, Madam Assistant Speaker. That made about as much sense as the entirety of those two speeches.

**Mr Coe:** Not even Klaus believed you.

**MR HARGREAVES:** Which Klaus are we talking about—Santa Claus?

**Mrs Dunne:** Klaus.

**MR HARGREAVES:** Good. Madam Assistant Speaker, let me tell you, there is a little bit of going back here. I will tell you about the bus service before Labor came to power in this place. I can tell you what the bus service needed. It did not have an effective 333 route. The Liberals boasted about it, but it did not have anything like a proper system. It had, in fact, a zonal fare system. It was a zonal unfair system, as it turned out.

**Mr Coe:** Are you going to have a zonal system under the new ticketing system?

**MR HARGREAVES:** No. I have to say, Madam Assistant Speaker, that the people of Canberra said, “We don’t like you, Liberals, so we’re going to kick you out. We want to have one fare anywhere,” like Mr Corbell introduced when he was a minister. And that is what they did—they tossed them. We also did not have priority lanes for buses. We do now. We did not have particularly good bus stops. In fact, they were particularly bad bus stops, but these guys just ignored all that. Mr Coe asked Mr Stanhope when was the last time he went on a bus. My question to those opposite—not counting standing outside here waiting to go down to VIP pies—is: when was the last time you saw a bus? I do not know whether you know what one looks like. They are those really big things—the big green ones.

When those guys opposite were in office, all of the buses were orange. There were no natural-gas-powered buses at all. Not one of those guys’ buses was looking towards being environmentally friendly. Now we are exploring and looking at Euro diesel. We are trying to make sure that we have got the best environmentally-friendly engines in the place. They talk about the inefficiencies in the system. It was this government that started to introduce replacement engines to prolong the life of the buses from eight years to 12.

Madam Assistant Speaker, you raised the point—I think it was yesterday or the day before—about how old the trams were in Melbourne and you were bemoaning the fact that our buses have a fairly short lifespan. We recognise that because of the number of kilometres they do in a year. It was this government that introduced an engine replacement program to extend the life of those buses. When we did, we also looked at the replacement of the buses themselves to make sure that they were, firstly, CNG and, secondly, Euro diesel if we could get it. Thirdly, we had to have 50 per cent of the fleet disability friendly by 2012. I arranged for 100 per cent of them to be disability friendly.

Halfway through 2001, when Mr Coe was going from kindergarten 1 to kindergarten 2, there was none of that. We have double the amount—that is a bit of a loose phrase. We have increased incredibly the number of seats and shades at bus stops. We have got enclosed bus stops at no cost to the taxpayer. We have taken the Fred Flintstone bus service from this lot into the modern era, and all they can do is say, “Oh, this is not a good system.”

Madam Assistant Speaker, if Ms Hunter thinks that she has a contribution to make to the debate, I invite her to do so. She only has probably 180 seconds but she is welcome to 179 of them.

**MADAM ASSISTANT SPEAKER:** Ms Hunter, I am afraid Mr Hargreaves's timing is probably accurate. You have only got about five minutes, if that.

**MS HUNTER** (Ginninderra—Parliamentary Convenor, ACT Greens) (4.29): I thank Mrs Dunne for bringing on this matter of public importance today on ACTION. In 2008 the Greens made public transport a key plank of our election campaign. Despite Canberra being described by many as a car city, we have continued to campaign on the importance of investing in and improving the frequency of our buses. I acknowledge the improvements that have been made over the last few years by the ACT government, particularly in this budget. A significant amount has been put in. I acknowledge that the Chief Minister has pointed out that the Greens have had a lot to do with putting the focus back on to the importance of having a public transport system in the ACT that is going to meet the needs of people no matter where and in which suburb they live.

I also pick up on Ms Bresnan's point that we need to do further work. We need to ensure that public transport infrastructure is built into new developments, such as Molonglo. We will continue to push to make sure that happens and that it is not left to be retrofitted. We know that some improvements are being made. Back in 2005-06 I was on the ACTION board. We were making improvements in patronage at that time. Unfortunately, the 2006 budget meant massive cutbacks and it really set back the bus service in this town. That is why we must continue to ensure that we invest appropriately in our bus system.

I want to go back to Mr Coe's speech this afternoon. From what I could understand him saying, he said that nobody in the ACT would voluntarily get on an ACTION bus. I would like to see Mr Coe's evidence. I think that many people are using ACTION buses, particularly now more and more people are using the Redex bus service. It has proved incredibly successful. This is something that came out of the Greens-Labor agreement.

I note that in the *Canberra Times* the other day there was an article about a family who were buying a house in Gungahlin. They said that one of the reasons they were quite happy to be moving out to their home in Gungahlin was that they did not have to buy a second car because the wife was going to be able to get to work using the Redex service. This was a great selling point for them to move to Gungahlin. It was going to be of great benefit to their family finances.

Mr Coe made the point that no-one would voluntarily get on a bus, yet he went on to trash-talk the ACTION bus service, bad-mouth the ACTION bus service. I am not quite sure what is happening here. Do the Canberra Liberals support a public transport system in this town or do they not support a public transport system? It is absolutely essential that we have a public transport system because there are people, as Mr Coe pointed out, who cannot afford a car or cannot afford a second car. There are children who need to get around and need to use the bus services. We also know, having done

the greenhouse gas inquiry, that 23 per cent of our greenhouse gases are caused by buses.

**MADAM ASSISTANT SPEAKER:** Ms Hunter, I am afraid the time for discussion has expired.

## **Crimes (Serious Organised Crime) Amendment Bill 2010**

Debate resumed from 25 February 2010, on motion by **Mr Corbell:**

That this bill be agreed to in principle.

**MRS DUNNE** (Ginninderra) (4.33): This bill, which the Canberra Liberals support with one amendment, introduces a range of offences to combat serious organised crime. It responds to the government's report, *Serious organised crime groups and activities*, and is part of a package of legislative reform that either has been or will be put into law. The Human Rights and Discrimination Commissioner in her submission to the scrutiny of bills committee commented that the bill is a:

... reasonable and measured response to the recent community concerns regarding organised crime and "bikie gangs".

A lot of concern has been expressed in this place about these matters. The Canberra Liberals have been quite vocal about the need to introduce laws, particularly because the ACT sits in an island in the middle of New South Wales. Without appropriate laws, the ACT potentially will become something of a criminal haven for organised crime groups in New South Wales. Even further, the Canberra Liberals pushed quite hard for laws similar to those in other jurisdictions, particularly New South Wales, to be introduced into the ACT. The Labor government has responded, and this is to be commended.

In quoting from the Human Rights and Discrimination Commissioner, I omitted two critical words from the beginning of that quote: "far more". The commissioner, in fact, in making the comparison of the bill with the legislation in New South Wales and South Australia, commented that the bill is "a far more reasonable and measured response."

In supporting this bill today, we acknowledge that the very skilled legislative drafters in the ACT have used quite a subtle approach and some clever language to achieve outcomes similar to those of New South Wales and South Australia. In doing so, the drafters have recognised the status of the ACT as a human rights jurisdiction. As such, like it or not, we must develop legislation which is empathetic to the Human Rights Act, because it is the legislation which stands today.

Notwithstanding comments we previously made in this place about the extent to which legislation to tackle serious organised crime should go—that is, to emulate the New South Wales and South Australian legislation—it is pleasing to see that the legislation we are considering today does exactly that, but in a more legally sustainable way.

With those words, and before I go to the detail of the bill, I make the observation that this legislation, along with the Crimes (Surveillance Devices) Bill which we debated earlier today, is complex. There are complex legal and moral issues to be considered when coming to a view as to its efficacy. To give you an idea, the scrutiny of bills committee gave this bill preliminary consideration in its report No 20, dated 15 March 2010. It devoted almost 11 pages to its preliminary analysis of the bill. Then, a week later, in report No 21 of 22 March, the scrutiny committee gave a further three pages of analysis.

This is not analysis of simple bills; it is in-depth analysis that looks at national and international law and jurisprudence. It takes a frank and fearless approach to the provision of advice to ensure that all the bases are covered. The end game is to try and minimise the risk that this complex legislation might cause for the ACT further down the track.

This bill introduces a range of new offences, including affray, participation in a criminal group and recruitment of people to criminal activity. It expands the offences relating to the protection of people involved in judicial proceedings. It reintroduces the concepts of “joint criminal enterprise” and “knowingly concerned in the commission of an offence”.

Participation in a criminal group engages the Human Rights Act provisions that allow the right to freedom of association. The Attorney-General’s presentation speech and explanatory statement addressed this matter in some detail. The offence of participation can only be made if it can be shown that the person actually participated in the group, that the person knew that the group was a criminal group and that the person knew or ought to have known that their participation would contribute to a criminal activity or was reckless as to that participation.

The definition of a “criminal group” captures the cross-jurisdictional nature of such groups. It is interesting to note that a group of three or more people can be a criminal group, even if only one of the people involved in the group is involved in the actual criminal activity of the group.

In relation to the penalty for recruiting people to engage in criminal activities, which carries a maximum penalty of seven years, the bill particularly creates an offence, with a penalty of 10 years, for recruiting a person who is under the age of 18. There is also an offence of “causes or threatens to cause” a detriment to a participant in a criminal investigation either directly or indirectly. This offence carries a maximum penalty of 500 units or five years imprisonment.

The “knowingly concerned” offence extends the provisions in the criminal code relating to complicity and common purpose and is based on case law that suggests that its omission from the criminal code creates an unintended gap. The “joint criminal enterprise” provision also closes a potential gap by capturing circumstances in which two or more people agree to commit a crime and then carry out the agreement. It also captures the offence committed in the course of carrying out the agreement.

The term “agreement” is given a broad interpretation, even one reached by way of non-verbal understanding. A joint offence does not apply if a person who is party to an agreement withdraws before the offence is committed and tries to prevent the offence from being committed. Nonetheless, conviction will apply regardless of the status of criminal proceedings against other parties to the agreement.

The scrutiny committee report No 20 raised the following issues: whether the definition of “criminal group” should be clearer, including specific definitions for several of the specific elements; whether the interpretation of the state of mind of a participant as to whether the participant ought to have known or was reckless as to the criminal intent or activities of the group should be clarified; whether the limitations on human rights is proportionate; and whether the extraterritorial reach of the legislation—in effect, anywhere across the planet, as the Queensland scrutiny committee referred to the same clause in that state—is outside the legislative competency of the ACT Assembly.

I consider these are reasonable questions, but the attorney did not. His response, in effect, dismissed them except to the extent of undertaking to table an amended explanatory statement to clarify the issue of the mental state of a person who participates in a criminal group. The committee’s report No 21 again called on the attorney to justify the approach taken in the bills on these matters. But, as we have seen on a number of occasions this week, the attorney responded by dismissing them. The attorney has become known for his somewhat offhand dismissal of the matters raised by the scrutiny committee, and I consider this to be unfortunate in the least.

In my consultation on this bill, I noted the Australian Federal Police Association’s comment that the bill lacks coverage of conspiracy and unexplained wealth. I understand these matters are to be addressed at a later time, and I look forward to the Attorney-General introducing legislation some time in the near future.

In the context of participating in criminal groups, the Australian Federal Police Association also raised the matter of assault of a law enforcement officer, noting that this is covered in the New South Wales legislation but strangely absent from the ACT’s bill we are debating today. The AFPA believe—and I agree—that this is an important element to consider. The AFPA believe protection of our law enforcement officers is critical in the fight against organised crime. They also believe that consistency of the law between the ACT and New South Wales is important. I agree with the AFPA, and I consider this to be a matter that can now be addressed. I foreshadow that in the detailed debate on this bill I will be introducing an amendment to cover off on assaults on law enforcement officers.

Serious organised crime is something that we residents of the ACT never thought could affect us. It is one of those things that we like to think happens only elsewhere. But, increasingly, this attitude is unrealistic. Serious organised crime organisations know no bounds. Worse, they are so clever as to be able to find every gap or loophole in the law. For the ACT to remain an unlegislated island in the middle of New South Wales, which has serious organised crime laws in place, is to court disaster. Such a haven would seriously jeopardise the safety and security of our law-abiding citizens and our law enforcement personnel. This bill addresses that gap and provides more

security for the people of the ACT. We on this side of the house are pleased to support it.

**MR RATTENBURY** (Molonglo) (4.43): This is a bill that makes significant changes to the criminal law in the ACT. It creates three new serious crimes, it expands two existing offences and it reintroduces two legal concepts. In short, it is a serious bill that makes significant changes to the operation of criminal law.

Earlier today during the surveillance devices bill discussion, I spoke about rushed responses such as anti-bikie laws introduced in other Australian jurisdictions. These laws were quickly implemented in response to perceived concerns. The result has been High Court challenges to the laws, coupled with the fear that criminal groups have been pushed further underground and made harder to investigate. The potential for some criminal groups to be now acting in a way that makes it much harder for police to investigate them is an unintended consequence that cuts directly across the reason for introducing the laws—that is, to make our community safer.

The Greens believe the changes introduced today are a well-thought-through response to serious crime. They are changes that are not a knee-jerk reaction; they follow on from a detailed report last year that the government tabled in the Assembly. The changes in this legislation were flagged in that report, and members have had time to contemplate the broad proposals and issues involved. For this reason, the Greens broadly support the bill.

There is one key concern we have, and we will be moving amendments to address the concern. The Greens believe firmly—I have said this in this place before—that you should be charged with a crime you commit, not the group you belong to. There is a danger that this principle is jeopardised in one of the new criminal offences to be created today. I will outline the detail of our concerns and a solution at a later stage of debate.

Aside from that one concern, we have examined the remainder of the bill and are satisfied it is an appropriate and balanced response to serious organised crime. The remainder of the bill introduces criminal liability concepts, such as “knowingly concerned” and “joint enterprise”. I will not step through the very detailed legal rationale behind concepts such as these. For those who are required to look at that level of detail in the future, the explanatory statement provides a good level of information on the case law underlying these concepts.

However, broadly speaking, the new concepts introduced today cater for the reality that people commit crimes in groups. Because much of the criminal law constructs offences on the individual level, legal loopholes have arisen where a crime is committed by a group. Put simply, it has become difficult and complex to prove guilt where multiple people have acted as one, and the amendments address those gaps in the law. For now it is enough to say that the Greens support the bill, and we look forward to debating our amendments later in the discussion.

**MR CORBELL** (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (4.46), in reply: I thank members for their support of the bill. It

would be remiss of me, in commencing my comments in closing the debate, not to reflect on the interesting position adopted by the Liberal Party on this bill.

At the outset, I make the point that I acknowledge and thank them for their support of what the government believes is a proportionate and considered response to the issues around serious and organised crime. But it would be remiss of me not to reflect on the fact that one of their number is not here today. He previously called for laws exactly the same as in New South Wales when it comes to dealing with serious and organised crime. That is, of course, the shadow minister for police, Mr Hanson. The shadow minister for police, Mr Hanson, is on the record as saying that, unless the ACT legislated in exactly the same way as New South Wales and South Australia when it came to the issue of organised crime, in particular the prescribing of anti-association laws in relation to outlawed motorcycle gangs, the ACT would become a haven for these criminal groups.

I am pleased that Mrs Dunne has prevailed and has convinced her more extreme colleague not to maintain that position. Nevertheless, it is an interesting observation that needs to be made that the shadow minister for police is not here today, and perhaps that reflects the fact that he has been rolled in the party room by his colleague Mrs Dunne.

As members would know, these amendments are targeted at those people involved in serious and organised crime who seek financial gain by inflicting fear and violence upon our families and communities. These laws target criminal networks that engage in illegal activities. To address the evolving domestic and international threats posed by serious organised crime, the government has given careful consideration to our legislative responses.

The amendments that are being debated today represent a strong stand against organised crime groups. The bill is one of a suite of legislative amendments that will deny criminal networks the opportunity to establish themselves in our community. These amendments were flagged in the government's report on serious organised crime groups and activities.

Being a human rights jurisdiction, as other members have noted, we have investigated the effect of these proposals on our established human rights. To ensure that the government's approach appropriately considers and responds to our human rights obligations, I also sought the advice of the Human Rights and Discrimination Commissioner on these matters. This advice was tabled in the Assembly on 23 February this year and was very critical of the heavy-handed approach to serious organised crime that other jurisdictions like New South Wales and South Australia have taken. I would add, of course, that that approach, particularly in South Australia, is now the subject of challenge in the High Court.

I am on record as saying that the ACT does not need restrictive laws to deal with serious organised crime, and the advice of the commissioner confirms this belief. In light of that advice, the government will not be adopting the restrictive approach of disallowing the association of certain groups, as some other jurisdictions have done. As a jurisdiction with enshrined values in relation to human rights, the government has decided that the anti-association laws pose too great an affliction on the right to the freedom of association, freedom of movement, and the right to a fair trial.

The commissioner has voiced a concern about the government not tabling a detailed human rights statement with this bill. As I have said to the commissioner, the government has considered, and responded to, human rights issues throughout the development of the bill. The bill that we are debating today has been scrutinised by the government to ensure compliance with our human rights obligations. The explanatory statement which accompanies this bill gives detailed consideration to the human rights issues that this bill engages. As others have stated, this legislative response does not disproportionately infringe on the human rights of the individual to freely associate.

But, more importantly, the criminal conduct that this bill targets is not protected by human rights law. It is the innocent victims of organised crime, whose human rights to life, liberty and security of person deserve to be vehemently protected.

In March, the Standing Committee on Justice and Community Safety released scrutiny report 20. In the report, the committee provided preliminary comments on the bill and raised concerns over the construction of the offence of participation in a criminal group and its compatibility with our human rights obligations.

This offence consists of three elements, all of which must be proven for the offence to be made out. The first element is the requirement for a person to actually participate in a criminal group. The second element is that the person must actually know that the group is a criminal group. The final element is that the person must know that their participation in the group contributed to criminal activity. Because it requires these elements to be present, the offence contains strict evidentiary safeguards and consequently does not unduly impose on personal rights and liberties.

This bill supports and bolsters the amendments to our criminal law that the government has introduced into the Assembly to date. These amendments demonstrate the government's approach is an informed one and that it is decisive action to tackle serious organised crime.

There is now overwhelming evidence to suggest that organised crime groups are quickly adapting to changing law and market conditions and are evolving their structures to be flexible, market-driven networks. The amendments contained in this bill have, therefore, been extensively researched to ensure that the ACT government continues to provide safeguards to protect our families, businesses and communities and that those safeguards are proportionally balanced with our own individual human rights.

It is a challenge to provide our criminal law framework with the capacity to combat serious organised crime. According to law enforcement agencies, it is difficult to hold some members of criminal groups responsible for criminal conduct. It is difficult to hold leaders and financiers responsible for criminal conduct if they have no physical involvement in the execution of the criminal activity.

The commonwealth government's recent inquiry into the legislative arrangements to outlaw serious and organised crime groups stated that it is imperative to develop strategic responses that target, in the first instance, the criminal market. The inquiry

stated that, in order to prevent serious and organised crime, it is critical to reduce or remove the financial motivations. The ACT government agrees with the commonwealth's assessment.

The financial loss suffered by Australian society as a consequence of organised crime is tremendous. In 2008, the Australian Crime Commission estimated conservatively that the national cost of organised crime was at least \$10 billion. These costs include the loss of legitimate business revenue, the loss of taxation revenue, expenditure on law enforcement and regulatory efforts, and managing social harms when criminal activity compromises the health, safety and wellbeing of individuals and communities.

We must strive to ensure that the financial incentives of participating in organised crime are dissolved, as was flagged in the government's report on serious organised crime tabled last year. The government is working to address this issue and is currently investigating the most appropriate legislative method to confiscate unexplained wealth.

As with the Crimes (Serious Organised Crime) Bill, the government will ensure that any proposal is informed by and compliant with our human rights obligations. The legislation will not be rushed through the Assembly. It will not be rushed in a way that may result in future challenges, as is currently occurring, as I previously observed, in relation to the High Court and anti-association laws in other jurisdictions.

The commonwealth parliament has recently passed a bill to introduce unexplained wealth provisions into commonwealth law. Western Australia and the Northern Territory already have such provisions. The government will assess the unexplained wealth legislation in these jurisdictions in order to aid us in enacting the best model to prevent criminals yielding profit from illegal activities in the territory.

To further honour our commitment to address serious and organised crime, the government is also conducting a review of police powers. The review will determine the efficacy, scope and effect of the current powers and will ascertain whether any amendments are needed to provide for improvements to these powers. Along with this review, the government will be introducing legislation to provide witnesses with further protections, to ensure that those members of our community who oppose criminal activity will be protected as far as possible by the law.

As this debate has demonstrated, the Crimes (Serious Organised Crime) Amendment Bill provides law enforcement agencies with the increased capacity to respond to, and intervene in, serious organised crime. It is an important reform. I appreciate the support of members for it in principle today, and I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

### **Detail stage**

Clauses 1 to 8, by leave, taken together and agreed to.

Clause 9.

**MR RATTENBURY** (Molonglo) (4.56): I move amendment No 1 circulated in my name [*see schedule 3 at page 2486*].

Today's government bill creates the new offence of "participation in a criminal group". At the outset, it should be noted that this is better and more robust than any anti-bikie law, the point I made earlier and that Mr Corbell touched on in his comments just a moment ago. Anti-bikie laws prescribe an organisation as criminal and criminalise participation in a group outright. This is contrasted with the proposal today, which requires a group to be actually planning and preparing to commit a serious crime. This is a better construction of the offence and is a vast improvement.

Nevertheless, there is still one key unresolved issue in the construction of this offence. The Greens' concern is that the proposed construction of the crime leaves the door open for criminalisation of innocent participation in a group. This cuts directly across the principle that you should be charged with the crime you commit, not the group you belong to.

There is, however, an appropriate and relatively simple way to fix this issue and close the door on that danger, and the amendment that I am proposing on behalf of the Greens would do just that. This issue is that one element of the crime is that the defendant must have known or, in the words of the section, "ought to have known" that their participation in the group contributed to criminal activity. The danger in this proposal is in the wording "ought to have known". As the government's explanatory statement sets out, the "ought to have known" test will be satisfied in a court where it can be proven that, had the accused thought about it, they ought to have known that there was a real chance of their behaviour contributing to a crime. Therefore, a person who acts in haste, is naive or is simply slow minded could be caught up in this definition; that is, they should have known they were contributing to a crime but they did not actually know at the time.

The question is whether we as a legislature want to criminalise someone who acts in haste or is perhaps simply naive, and to set a prison term of five years for their behaviour.

The Greens' position is clear: we must not leave the door open to criminalise that sort of behaviour. Our amendment would retain the crime of participation but require that the defendant be proven to be reckless to the fact of whether or not their behaviour contributed to the criminal activity. The vital difference in this definition is that, for the reckless element to be made out, the defendant must be proven to have known at the time that their behaviour could contribute but chose to ignore that fact and act regardless. We believe that is a far more appropriate test.

There are other similar criminal offences that use this exact same test of recklessness. The government use the same text in the very next two clauses of the bill. At one level, the Greens have asked whether it is simply a typographical error that we are fixing. However, the government have tabled a revised explanatory statement that confirms they do in fact mean to use the phrase "ought to have known".

The amendment is an important one, as I have outlined, and I hope that other members of the Assembly can see fit to support this today in order to make an adjustment to this section of the law to address some of the concerns that the Greens have addressed today.

**MR CORBELL** (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (5.00): The government will be supporting this amendment. The mental elements of “ought to have known” and “recklessness” are very similar. The use of “ought to have known” was raised by the scrutiny committee in scrutiny report No 20 and consequently the government issued a revised explanatory statement to clarify the matter.

The proposed amendment would replace “ought to have known” with “recklessness”. The use of “recklessness” is consistent with the provisions of the Criminal Code 2002 and therefore, in order to provide further certainty around the threshold required in this offence, the government is happy to support the amendment.

**MRS DUNNE** (Ginninderra) (5.01): The Canberra Liberals, on reflection, will support this amendment. I was racked with indecision for a while, but on reflection I think that it probably is appropriate.

One of the points that was made to my staff by Mr Rattenbury’s staff was that it would bring us into line with the measures not only that are elsewhere in this legislation but those that are in section 93T of the New South Wales Crimes Act. I did suggest to my staff that they should suggest to Mr Rattenbury’s office that, if he supported my amendment, which also brings the provisions into line with section 93T, we would support his. But that would be churlish and not in the scope of good law making. I did think about it, and I was, I have to say, a little miffed that Mr Rattenbury would not come to the party with our amendment.

But I think, on reflection, that this is the right way to go. It does bring consistency into other parts of the legislation. It is interesting that the attorney seems to be having a bet each way in saying that he really did intend for it to do this but has changed his mind, so I think changing our mind is in the air today, and we will support this amendment as well.

Amendment agreed to.

**MRS DUNNE** (Ginninderra) (5.03): I move amendment No 1 circulated in my name [*see schedule 4 at page 2486*].

The government’s report *Serious organised crime groups and activities* acknowledges the inclusion in the New South Wales law of the offence of assault on a law enforcement officer as one of the three aggravated offences associated with the participation in a criminal group. Indeed, the report calls these “key New South Wales provisions”. However, the bill we are debating today, whilst picking up two of the aggravated offence provisions, fails to provide the same protection to law enforcement officers as is afforded in New South Wales.

For completeness, the two aggravated offence provisions that will be common between the ACT and New South Wales are, firstly, to assault another person with the intention of participating in a criminal activity of a criminal group and, secondly, to destroy or damage property or threaten to do so with the intention of participating in a criminal activity of a criminal group.

As mentioned earlier in the debate, the Australian Federal Police Association provided feedback to me and, I understand, to other members of the Assembly during consultation on this bill. The issues that were still outstanding and matters of concern to the Australian Federal Police Association are, as I have said before, the issues of unexplained wealth, conspiracy and assault on a law enforcement officer.

The attorney has said that he is looking at the issue of unexplained wealth. It is more on the never-never than I had previously expected, and that is something that I will have to address. But the reason why the government has not taken up this issue is less clear. It may well be the case that this type of offence is covered by other law in the ACT.

The important difference is that this amendment will do two things. Firstly, it will provide a consistency with the New South Wales law, thus closing any potential loophole or gap. I noted earlier that organised crime groups are very clever and able to identify loopholes and gaps easily. This amendment will make it much harder for these groups. Secondly, it is consistent with other aggravated offence provisions contained in the bill, in that the three of them will not be of any general kind of nature but specifically apply to the context of participating in a criminal group; thus other potential loopholes are closed.

The definition of “law enforcement officer” contained in my amendment is very broad, including officers who work anywhere on this planet. This is consistent with the intent of the bill as a whole, in that, as I noted earlier in the debate, it has extraterritorial effect—indeed anywhere on the planet.

If this new law is to be effective, it must provide necessary disincentives for engaging in organised crime, and a critical element of that strategy comprises our law enforcement officers. This amendment seeks to put law enforcement officers right up there with everything else for all the world to see. It acknowledges the important work of our law enforcement officers, noting that the definition even includes the Attorney-General himself, so at least self-interest should encourage the attorney to support this amendment. That work involves fighting crime, and in this case serious organised crime, in our community. Our community and our law enforcement officers—even this Attorney-General—are entitled to feel safe and secure and it is our duty as legislators to deliver that safety and security, and for this reason I commend the amendment to the House.

**MR RATTENBURY** (Molonglo) (5.07): I have just discovered from Mrs Dunne that her definition does not appear to include the Greens’ attorney-general spokesperson.

**Mrs Dunne:** It does not include me either, so it is all right.

**MR RATTENBURY:** Nor Mrs Dunne, so it is very disappointing for all of us, for those of us on the non-government benches. That said, the Greens will not be supporting the amendment put forward by Mrs Dunne. The proposal is to aggravate the government's offence of participation. The government's offence criminalises participation in a criminal group where harm is caused to any person. The maximum penalty for someone found guilty of the offence is 10 years imprisonment, and we believe that is a serious sentence to meet a serious crime.

What the Liberals' amendment would do is aggravate that offence where it is a law enforcement officer that has been caused harm. An extra four years would be added to the maximum sentence, making the penalty for a proposed offence 14 years. That is the effect of the proposals: 14 years if you cause harm to a law enforcement officer; 10 years if it is anyone else.

The Greens take the position that the government's offence and its 10-year sentence is a strong enough deterrent. To distinguish for one section of the community such as law enforcement officers raises question about whether other sections of the community such as teachers or nurses also require greater protection. The Greens do not think it is useful to enter into that discussion. We believe it is better to rely on the strong deterrent created by the government's offence.

Picking up on the issue of consistency that Mrs Dunne touched on briefly in her comments—I think partly tongue in cheek, but with an element of seriousness as well—I want to make the observation that our amendments are primarily aimed at human rights protection rather than a focus on consistency with New South Wales. As I said in the earlier debate today, I think that as a jurisdiction, particularly a jurisdiction that has specifically set out to name the human rights that we seek to provide protection for, we do not necessarily need to be dragged down by other jurisdictions. We should be striving to be the best we can be, and that may not always lead to the greatest of consistency—it may be that we are out in front on occasions—and that is the basis on which certainly our earlier amendments were moved.

**MR CORBELL** (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (5.09): The government will not be supporting the amendment, although I am touched indeed by Mrs Dunne's respect for the office of Attorney-General; I think perhaps I would put it that way.

The reason for this is that the government has a longstanding policy of not including aggravated offences against a class of person in the criminal law and this includes law enforcement officers. If the government introduced aggravated offences for offences against law enforcement officers, there is a risk this would create a class of more valued workers at the expense of others. There are many job categories that have significant contact with the public and as a result tend to experience an increased incidence of external workplace aggression or violence. This includes, for example, healthcare workers, teachers, security officers and welfare workers.

While the government believes that offences committed against law enforcement officers and other occupations with significant public exposure are serious, we believe

that this seriousness is already reflected in the existing law and that it provides sufficient maximum penalties for the courts to impose.

Question put:

That **Mrs Dunne's** amendment be agreed to.

The Assembly voted—

Ayes 6

Noes 11

Mr Coe

Mr Hanson

Mr Barr

Ms Hunter

Mr Doszpot

Mr Seselja

Ms Bresnan

Ms Le Couteur

Mrs Dunne

Mr Smyth

Ms Burch

Ms Porter

Mr Corbell

Mr Rattenbury

Ms Gallagher

Mr Stanhope

Mr Hargreaves

Question so resolved in the negative.

Amendment negatived.

Clause 9, as amended, agreed to.

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

Bill, as amended, agreed to.

## Adjournment

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

That the Assembly do now adjourn.

## Major General John Whitelaw

**MRS DUNNE** (Ginninderra) (5.16): I would like to use the adjournment debate this evening to mark the passing yesterday of a prominent Canberran, Major General John Whitelaw, who died at the age of 89 after a long illness. And I thank my friend James Bogle, who is Major General Whitelaw's nephew, for some of the information provided here today.

Major Whitelaw personified for many Australians, particularly his brother officers and those who served with him, the best sort of Australian soldier and conscientious servant of his country and his people. Efficient, capable, tough, determined in battle, he nevertheless retained high ordeals of humanity and integrity which commended him to not only his fellow servicemen but also his civilian colleagues in the many organisations which he continued to serve long after his retirement from the Army.

In 1939 Major General Whitelaw began his service in New Guinea and later commanded in Vietnam. He was born in Melbourne in 1931. His father was also a

serving officer. His association with the Australian Army began when he enlisted in 10th Brigade Royal Australian Artillery as a cadet in 1937. He was educated at Wesley College in Melbourne, he was commissioned on 15 March 1940 and subsequently served in the 14th Field Regiment until 1942 when he became a liaison officer on the staff of the 2nd Australian Division.

In 1943 he was transferred to the 4th Field Regiment and saw active service as a battery captain, troop commander and forward observer in New Guinea, Bougainville and New Britain until the end of the war. The battle against Japan was a tough one, undertaken in the jungles of New Guinea, which already concealed many dangers of their own. He was mentioned in dispatches for his services as a forward observer in action in Bougainville.

After the war, he left the Army for a time and went into civil employment but returned to active duty in 1948 as an adjutant for the 3rd Field Regiment and later on the staff of the 13th Infantry Brigade, followed with 1st Field Regiment as adjutant and then battery commander.

After a posting to Army headquarters, Whitelaw attended the Canadian staff training college in 1955 and for the next two years was an exchange officer at the Canadian National Defence Headquarters. Further staff appointments in Perth, Brisbane and Sydney followed on his return to Australia in 1958. In 1966 he was transferred to the staff of the Australian Army Force, Far East Land Forces in Singapore, becoming deputy commander in 1967.

He returned to Australia in 1968 as Director of Equipment Policy at Australian headquarters and again went overseas in 1970, this time as the Chief of Staff to the Australian Force Vietnam. His time as commander in Vietnam coincided with increasingly large scale anti-Vietnam demonstrations taking place in Australia. On his return from Vietnam and on his retirement, Major General Whitelaw was appointed Commander of the British Empire and awarded the Bronze Star by the USA for his services.

Appointments followed until he retired from the Army in 1978. He was appointed an Officer of the Order of Australia in the Queen's birthday honours in 1977. After retirement, Major General Whitelaw served on the council of the National Heart Foundation and became the founding executive director of the National Farmers Federation. He was appointed Colonel Commandant of the Royal Regiment of Australian Artillery until 1984 and found time in his busy engagements to continue his military interests in history and as a patron of various associations and societies.

He was highly active in all matters concerning veterans' welfare. He was also an ardent conservationist, with a longstanding membership of the National Conservation Strategy Consultative Committee and the National Tree Program Coordinating Committee when they were set up in 1982. He continued his interest as a consultant to Greening Australia, a position he held until 1996, where he was awarded an award for outstanding achievement. He always maintained, however, a sensible balance and, interestingly enough given the debate yesterday, when the ban on kangaroo culling led to them becoming a grave nuisance for farmers, he was able to persuade an international reporting mission of the facts by flying them around the country and, in

the course of the reporting, to airfields that were so overrun by kangaroos that the aircraft could not land.

In 1953 Major General Whitelaw married Nancy Bogle, who survives him, along with his daughters, Virginia, Belinda and Angela, and numerous grandchildren. I convey my sympathies to Major General Whitelaw's family at his passing.

### **ACT national highland dancing championships**

**MR COE** (Ginninderra) (5.21): Thank you, Madam Deputy Speaker. I rise this afternoon to pay tribute to the ACT national highland dancing championships and competition held in Canberra on 5 June. The championships are widely regarded as one of the major state championships within the Australasian dancing community and it was a pleasure for me to witness them.

The competition attracts dozens of entrants from around Australia; approximately three-quarters of the entrants came from interstate. With so many entrants and their families travelling to Canberra for the event, it really is a great event for tourism in the capital. The funds raised from the event are reinvested into the competition and other events to promote highland dancing in Canberra and Queanbeyan. Fundraising efforts are significant and they have a tough time vying for the sponsorship dollar.

Community groups such as this one are always up against it for money, time and other expenses. I know the ACT government has a number of schemes available in the multicultural, sports and arts areas to give financial assistance to community groups. As I have said in the past about musical theatre, the sheer fact that highland dancing is a traditional and mainstream practice should not preclude it from arts funding. The reach this dancing community has through participants, families, audiences and other outlets makes the highland dancing scheme a very worthwhile applicant. It is a great shame when community groups cannot be supported simply because they cannot be easily categorised by a government agency.

Of course, highland dancing will go on without government assistance. However, I think it is important we do not take the generosity of those involved for granted. The contribution is significant but not endless.

At the championships a few weeks ago, I and Eunice Stewart-Parker, President of the Burns Club, had the pleasure of presenting the trophies and shields to the winners of the different categories. I congratulate all the participants, volunteers, parents, friends and families. I also thank the adjudicators, Margaret McAlpine from Victoria, Maureen Fyffe from New South Wales and Melissa Rankin from Victoria, and the pipers, Rod Parker and Sean Hodgman. Special thanks must go to Linda Millar and her team for the exceptional job they did in putting together the event.

As I mentioned earlier, many of the participants and families travelled great distances to participate, and I am sure they were all very impressed with the professionalism and dedication of the volunteers, as I was.

Finally, I would like to congratulate Eunice and her team at the Burns Club for their support of the championships and for their ongoing patronage of an important part of

our heritage. I look forward to experiencing more highland dancing at Joy Reiher's School of Scottish Dancing competition to be held in October.

Finally, I note there is a group of pipers heading across to the Basel Tattoo in Switzerland next month. I hope everyone on the tour has a successful and enjoyable time.

### **Ms Dainere Anthoney**

**MR SESELJA** (Molonglo—Leader of the Opposition) (5.23): On Wednesday, 21 April this year I had the privilege of speaking at the book launch of *You Have to Go Through a Storm to Get to a Rainbow*.

What was remarkable about this particular launch was that the book was written by an extraordinary young lady, Dainere Anthoney. Eleven-year-old Dainere was diagnosed with medulloblastoma, a malignant and aggressive brain cancer, last year.

The book tells her story, which she updates on her blog, of her challenges and her trials. I had never actually met Dainere before going to the book launch; I had only seen her on *Stateline*, where there was a wonderful piece about her story. But when I met her I was so impressed by her courage. I was impressed by how articulate she is, both in spoken and written form. Although writing is her passion, she expresses herself very well, well beyond her years. I was also particularly impressed by her very positive outlook on life. After the launch, I received an email from Dainere, which was very touching. Dainere wrote:

Thank you so much for coming to the launch of my book 'You have to go through a storm to get to a Rainbow,' having you there made the day extra special.

Our world is a better place because of people like you. Together we are all going to be helping so many people and making such a difference to their lives. Perhaps one day, because we care, a cure or better treatment for children with Brain Tumours may be found.

If I could reach up and hold a star for every person who was so kind and generous in the purchasing and supporting of my book then I would have the entire sky in the palm of my hand.

This was a touching message of thanks from a very special young lady.

I would also like to acknowledge the many Starlight Foundation volunteers who worked with Dainere to make her special day possible. Without the hard work of the Starlight Foundation and its volunteers, Dainere's wish would not have come true. To Paul Gordon, Tess Kyprios, Emilia Armytage, Anita Duffin and, of course, Captain Starlight: thank you; also to Yvonne and Stephen Anthoney, Dainere's parents, and her brothers and sisters, who have done so much to support her through what has been an extraordinarily difficult time.

I would also like to take this opportunity to mention West Tigers footballer Benji Marshall. Dainere is a devoted West Tigers fan, and a touching message from

her hero, Benji Marshall, was read to Dainere at the launch. It included—and I am going from memory—this message, “You may think I’m your hero, but in reality you are mine.” I know that that meant a lot to Dainere and I think it reflected very well on Benji Marshall.

There were also very nice messages from Prime Minister Kevin Rudd—now the former Prime Minister, of course—and indeed some of the *Masterchef* team as well. David Furner was also at the launch, and I did mention to him that I had watched with interest as the West Tigers had come back to beat the Raiders at that game where Dainere was on the sideline, and even David acknowledged that, if there was one game they were going to lose, maybe that was not the worst one to lose.

My thoughts remain with Dainere and her family, and I encourage anyone who has the chance to visit her blog and get a copy of what is a truly inspirational book. This is a very special young lady and I ask the Assembly to remember, as we work in public life, the lesson she has taught us all about courage, humanity and compassion.

### **Slow food movement**

**MS LE COUTEUR** (Molonglo) (5.27): I would like to speak to the house about the slow food movement and in particular about the slow food soup kitchen which I was very happy to be part of on Saturday. The Solstice—Slow Food Kitchen was held at the EPIC farmers market and it was a great event. There were lots and lots of people there coming and having cups of really, really beautiful soup.

Maybe I should start by explaining what the slow food movement is. Slow food is a non-profit, eco-gastronomic, member-supported organisation that was founded in 1989 to counteract fast food and fast life, the disappearance of local food conditions and people’s dwindling interest in the food they eat, where it comes from, how it is created and how our food choices affect the rest of the world. Slow food tends to be local food, and that was one of the reasons it was at the EPIC market.

For those of you who are unfortunate enough not to be weekly patrons of the EPIC farmers market and may not know it as well as I do, the EPIC market is based on local producers; everyone who is selling there has to be the producer of the food or their family the producer of the food, so it is inherently local food. Local food is great because it is fresher; it was only picked the day before or the morning before, and fewer greenhouse gas emissions are involved in getting it there. You will find, in fact, that quite a lot of the people patronising the EPIC market come on their bikes, so there are even fewer greenhouse gas emissions involved in purchasing the food.

The other great thing about slow food is that it is food which is actually cooked from scratch, or largely from scratch; it is not something that has been in a freezer for a few million years and then comes out and is microwaved to death. Slow food tastes nicer and is better for you—and generally less energy is used to produce it.

So there was a soup kitchen there at the EPIC market and we started off with five different varieties of soup. By the end we had sold out, but before we sold out we made a whole big pot more of soup on the day. So it was a very positive and cheerful day. People are asked to give a donation towards the soup.

The other thing that made it so positive and cheerful is that the profits from the previous slow food soup kitchen were given to a group of children from Wanniasa primary because they have a kitchen garden. They are doing gardening and some cooking in their school, so they were given a big basket of a whole heap of gardening equipment, including a hose, watering cans, seeds and gloves. It was really nice and the kids were so pleased to be there, to have acknowledged that what they are doing is really great and that they are the foundation of our future.

So I commend the slow food movement to you. On 27 June, for those people who live on the south side, there will be a Solstice—Slow Food Kitchen at the Woden farmers market if you would like to go and experience it for yourselves.

### **Lions Club**

**MR DOSZPOT** (Brindabella) (5.31): Last Saturday night I had the pleasure of attending the changeover dinner of the Lions Club of Canberra City, the Australian Capital Territory's first Lions Club. It was chartered in 1958 by the Lions Club of Queanbeyan and has been pivotal in spreading the Lions Club international code of ethics and objectives within the Canberra region.

I have been aware of Lions Clubs International for many years and, whilst I have not been a member, I have a number of friends who are, and I have admired their commitment and service to our community. It is worth noting their code of ethics and objects and I quote a couple of these:

To show my faith in the worthiness of my vocation by industrious application to the end that I may merit a reputation for quality of service;

To remember that in building up my own business it is not necessary to tear down another's; and

To be loyal to my clients and customers and true to myself.

And their objectives:

To fund and otherwise serve the civic, cultural, social and moral welfare of the community.

To assist financially, culturally, socially and morally the handicapped, disadvantaged and infirm of the community both directly and also indirectly

It is impressive to note that membership of Lions International is now 1.35 million people around the world in around 205 countries or regions. The worldwide success of Lionism is because of the thousands of clubs such as the Canberra City Lions Club. As I understand it, the club was the original founding club in Canberra and it started out with 72 members based around the old Ainslie Rex Hotel, now Olims Hotel. One of its original projects was a scooter race from Canberra to Queanbeyan. The club started the two-bob—or, for the benefit of the younger members, 20c—chicken raffles in pubs and raised £8,000 in their first year.

Later, the club was granted a block of land and a major activity was the building of a house, which eventually brought a \$46,000 profit. So, from little beginnings, big and bigger projects grew and the club's members' hard work and energy have been continued over the years and are now carried out by its members of 2010.

Some of its initiatives have included the marshalling of the Canberra Day procession for 21 years; support of Marymead through the building of a swimming pool; the building of the original Camp Cottermouth for scouts; the establishment of a safe house for teenage boys that was eventually handed in to the care of the Salvation Army; the purchase of a yacht for Sailability, to provide a sailing program for people with disabilities; and the continued close involvement with Lions Youth Haven at Kambah. These initiatives typify the growth and substance of Lions International and what the organisation represents today.

I would like to congratulate President Rick Scheeren and his wife, Vicky, immediate past president, John Hayhoe, and some of the other members I met on the night: Ron Coffey, Robert Altimore, Les Coulter, Keith Gould, James Smith, Gary Dengate, Reg Frankel, John Boundy and Danny Howard.

I wish the Lions Club of Canberra City all the best and hope that it can continue to serve and challenge our community.

### **Childhood Hero Day**

**MS HUNTER** (Ginninderra—Parliamentary Convenor, ACT Greens) (5.34): I would like to bring to the attention of the Assembly the Australian Childhood Foundation's Childhood Hero Day, which was yesterday.

This event has been created and promoted by the Australian Childhood Foundation with the aim of drawing the nation's attention to the issue of child abuse within our communities. The Australian Childhood Foundation have recently found, through their annual survey "Doing Nothing Hurts Children", that Australians rate child abuse 13th on a list of community concerns, behind road tolls, council rates and petrol prices.

The survey also found that only one per cent of respondents were able to identify the number of cases of child abuse reported each year in Australia, which in the 2008-09 year was 339,454. One in three respondents believed that children made up stories about child abuse. One in four respondents were not sure they would believe a child's disclosure of abuse. Twenty-eight per cent of respondents did not feel confident enough to recognise the signs of child abuse and neglect, and one in three respondents felt tense and anxious when they took part in conversations about child abuse.

A childhood hero is an ordinary Australian who wants to make a difference to Australia's most vulnerable children. Childhood Hero Day achieves its aim by celebrating the fun, innocence and importance of childhood while raising much needed funds that go towards helping abused children receive the specialist counselling they need to recover from the trauma of abuse, neglect and family violence.

The Australian Childhood Foundation is a not-for-profit organisation that works tirelessly to support the children and families devastated by abuse, family violence and neglect. This support is provided through counselling, therapeutic care and training to foster carers and residential unit staff to better support these traumatised children.

In partnership with Monash University, the Childhood Foundation has established the Child Abuse Prevention Research Australia to research the problem of child abuse and identify constructive solutions. The foundation also works to inspire and support parents by providing ongoing parenting education seminars and easily accessible resources to strengthen the ability of parents to raise happy and confident children. They also provide a range of community and professional education, consultancy and debriefing programs, child abuse prevention programs and advocacy activities.

There are many ways that we here in this place, in the Assembly, can get involved beyond the activities of Childhood Hero Day. Dr Tucci from the Australian Childhood Foundation is quoted as saying:

The need to be reminded of the problem of child abuse for it to register as a community priority reflects the intensity of the effort it takes to deny its existence. It also highlights the ease with which we can forget it again once the issue has receded into the background. It is as if, collectively, the community avoids the issue, preferring to ignore it rather than face up to it.

Our role is to make sure this issue is raised over and over again and that we work towards stopping child abuse in our communities. No child should ever feel shame, scared or traumatised. The more we talk about this issue within our communities, the more chance we have of dismissing the myths and changing community attitudes.

We need to place pressure on our federal counterparts for the development of a national child abuse strategy and at a local level we need to make serious investment in community education campaigns to raise public awareness. We all have the chance to be a childhood hero every day, not just on Wednesday, 23 June. So I guess I put the question out there: what will you do to progress this issue?

### **Tuggeranong Arts Centre Multicultural Youth Services**

**MS BURCH** (Brindabella—Minister for Disability, Housing and Community Services, Minister for Children and Young People, Minister for Ageing, Minister for Multicultural Affairs and Minister for Women) (5.38): Briefly, I thank Ms Hunter for reminding us about looking through a different view of the world at times. I think it is just worth noting for *Hansard* that there is not a single opposition member here, so they are all tuckered out and have tucked themselves up in their rooms upstairs.

I would like to take a few minutes to talk about Tuggeranong Arts Centre's multiple award-winning Messengers program. I had a conversation with the manager of that on Monday and I think it is a wonderful program. Messengers is a youth arts program for high school students, providing them with opportunities for creative expression and personal development through visual arts—drama, music and dance—workshops. The

young folk participate in this work with artists and professional tutors and members of their peer group to create work that is relevant to them.

The program provides support to children at risk, who are often marginalised and are struggling in many ways with emotional stressors and life stressors, by using artistic expression as a building tool for building resilience in young people. A safe, creative and inclusive environment is provided to students so they can explore issues relevant to themselves. I think it is a fantastic program. It is open to all students up to year 10 and it runs creative workshops in Tuggeranong, Civic, Belconnen and Gungahlin.

Just on youth, I had the pleasure this afternoon to be a part of the official opening of the new premises of the Multicultural Youth Services. The youth services have just moved into larger and more flexible rooms across from here in the Theo Notaras Multicultural Centre. Multicultural Youth Services provide wonderful support to young refugees and asylum seekers.

I listened to some of their stories today, which was quite confronting, and I acknowledge that many of the youth who attend at the centre come to Australia either alone or with one parent. We in our society can only imagine what it means to come here as asylum seekers and refugees, alone or with one parent.

A young man who was part of the opening put out a bit of rap beat and a song and, whilst the beat and having him performing it made for quite a joyous occasion, when you got down to the words they were quite heart-rending. So I thank that young gentleman for sharing his story with us through that music. I think today just confirmed for me as minister how proud I am to support services such as the Multicultural Youth Centre, because they do such good work and they afford support services to a very vulnerable and fragile group of our new Canberrans.

**The Assembly adjourned at 5.42 pm until Tuesday, 29 June 2010, at 10 am.**

## Schedules of amendments

### Schedule 1

#### Crimes (Surveillance Devices) Bill 2010

##### Amendments moved by Mr Rattenbury

2

**Clause 13 (1) (a)**

**Page 8, line 20—**

*omit*

suspicion or

3

**Clause 19 (1) (b)**

**Page 16, line 8—**

*omit*

suspects or

4

**Clause 21 (1) (a)**

**Page 17, line 17—**

*omit*

suspicion or

5

**Clause 25 (1)**

**Page 21, line 7—**

*omit*

suspects or

6

**Clause 25 (1) (d)**

**Proposed new example**

**Page 21, line 16—**

*insert*

**Example—par (d)**

the law enforcement officer has tried, unsuccessfully, to contact an on-call duty magistrate or judge by telephone

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

7

**Clause 25 (3)**

**Page 21, line 21—**

*omit*

suspicion or

**8**

**Clause 26 (1) (b)**  
**Page 22, line 9—**

*omit*

suspects or

**9**

**Clause 26 (1) (b) (iv)**  
**Proposed new example**  
**Page 22, line 21—**

*insert*

**Example—par (b) (iv)**

the law enforcement officer has tried, unsuccessfully, to contact an on-call duty magistrate or judge by telephone

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

**10**

**Clause 26 (3) (b)**  
**Page 23, line 1—**

*omit*

suspicion or

**11**

**Clause 29 (1)**  
**Page 25, line 10—**

*omit*

suspect or

**12**

**Clause 29 (2) (b)**  
**Page 25, line 25—**

*omit*

suspect or

---

**Schedule 2**

**Crimes (Surveillance Devices) Bill 2010**

Amendment moved by Mrs Dunne

**1**

**Clause 11 (1)**  
**Page 6, line 21—**

*after*  
suspects  
*insert*  
or believes

---

### Schedule 3

#### Crimes (Serious Organised Crime) Amendment Bill 2010

Amendment moved by Mr Rattenbury

**1**  
**Clause 9**  
**Proposed new section 652 (c)**  
**Page 9, line 18—**

*omit*  
knows, or ought to have known, that  
*substitute*  
knows that, or was reckless about whether,

---

### Schedule 4

#### Crimes (Serious Organised Crime) Amendment Bill 2010

Amendment moved by Mrs Dunne

**1**  
**Clause 9**  
**Proposed new section 653A**  
**Page 10, line 17—**

*insert*  
**653A Participating in a criminal group—causing harm to law enforcement officer**

- (1) A person commits an offence if the person—
- (a) participates in, or intends to participate in, a criminal group; and
  - (b) in the course of participating in, or intending to participate in, the criminal group, engages in conduct that causes harm to a law enforcement officer while carrying out the officer's duty; and
  - (c) is reckless about causing harm to the law enforcement officer by the conduct.

Maximum penalty: imprisonment for 14 years.

*Note* The fault element of recklessness can be satisfied by proof of intention, knowledge or recklessness (see s 20 (4)).

- (2) A person commits an offence if the person—
- (a) participates in, or intends to participate in, a criminal group; and
  - (b) in the course of participating in, or intending to participate in, the criminal group, intentionally makes to a law enforcement officer a threat to cause harm to the law enforcement officer while carrying out the officer's duty; and
  - (c) intends the law enforcement officer to fear that the threat will be carried out.

Maximum penalty: imprisonment for 14 years.

- (3) In the prosecution for an offence against subsection (2), it is not necessary to prove that the law enforcement officer threatened actually feared that the threat would be carried out.
- (4) For this section, a person is taken to cause harm, or make a threat to cause harm, to a law enforcement officer while carrying out the officer's duty, even though the officer is not on duty, if the person causes the harm, or makes the threat to cause harm—
- (a) because of, or in retaliation for, previous conduct of the officer while the officer was on duty; or
  - (b) because the officer is a law enforcement officer.
- (5) In this section:
- law enforcement officer***—see section 700 (Definitions—ch 7).
-



## Answers to questions

### Marriage—same sex relationship schemes (Question No 620)

Mr Rattenbury asked the Attorney-General, upon notice, on 25 February 2010:

- (1) Does the Government have the legislative basis to make regulations recognising the current Tasmanian and Victorian schemes given that section 15 of the *Civil Partnerships Act 2008* allows for the ACT to recognise other jurisdiction's same sex relationship schemes whether or not the law corresponds, or substantially corresponds to ACT law.
- (2) If the Government does have the legislative basis to make the regulations, on what policy or practical grounds has the Government decided not to exercise its discretion to make the regulations.
- (3) Does the Government intend to compile a list of overseas jurisdictions where same sex relationship schemes exist and make regulations recognising those schemes given that on 19 November 2009 the regulation making power was extended to include international jurisdictions with same sex relationship schemes.
- (4) If the Government does not intend make regulations recognising international jurisdictions schemes, on what policy or practical basis is that decision based.

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

- (1) Yes.
- (2) The Government has not made a decision not to make regulations under section 15.
- (3) Yes, the Government intends to make regulations recognising relationships under overseas same sex relationships schemes.
- (4) Not applicable.

---

### Environment—conservation measures (Question No 624)

Mr Seselja asked the Chief Minister, upon notice, on 18 March 2010:

- (1) What measures, in the Minister's portfolio, are being undertaken in 2009-10 to reduce greenhouse gas emissions.
- (2) What is the (a) budgeted cost of each measure in 2009-10 and (b) actual cost to date in 2009-10 of each measure referred to in part (1).
- (3) How many tonnes of greenhouse gases have been abated by the implementation of each measure in 2009-10 to date.

- (4) What measures are the Government taking in each portfolio to reduce water consumption.
- (5) What is the (a) budgeted cost of each measure in 2009-10 and (b) actual cost to date in 2009-10 of each measure referred to in part (4).
- (6) How much water has each measure saved to date in 2009-10.

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

Comparative information of greenhouse emissions, water consumption and other of departmental resource usage will be reported in the Ecological Sustainable Development section of the Department's 2009-10 Annual Report.

### **Environment—conservation measures (Question No 630)**

**Mr Seselja** asked the Minister for the Arts and Heritage, upon notice, on 18 March 2010:

- (1) What measures, in the Minister's portfolio, are being undertaken in 2009-10 to reduce greenhouse gas emissions.
- (2) What is the (a) budgeted cost of each measure in 2009-10 and (b) actual cost to date in 2009-10 of each measure referred to in part (1).
- (3) How many tonnes of greenhouse gases have been abated by the implementation of each measure in 2009-10 to date.
- (4) What measures are the Government taking in each portfolio to reduce water consumption.
- (5) What is the (a) budgeted cost of each measure in 2009-10 and (b) actual cost to date in 2009-10 of each measure referred to in part (4).
- (6) How much water has each measure saved to date in 2009-10.

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

Comparative information of greenhouse emissions, water consumption and other of departmental resource usage will be reported in the Ecological Sustainable Development section of Departments' 2009-10 Annual Reports.

### **Environment—conservation measures (Question No 631)**

**Mr Seselja** asked the Treasurer, upon notice, on 18 March 2010:

- (1) What measures, in the Minister's portfolio, are being undertaken in 2009-10 to reduce greenhouse gas emissions.

- (2) What is the (a) budgeted cost of each measure in 2009-10 and (b) actual cost to date in 2009-10 of each measure referred to in part (1).
- (3) How many tonnes of greenhouse gases have been abated by the implementation of each measure in 2009-10 to date.
- (4) What measures are the Government taking in each portfolio to reduce water consumption.
- (5) What is the (a) budgeted cost of each measure in 2009-10 and (b) actual cost to date in 2009-10 of each measure referred to in part (4).
- (6) How much water has each measure saved to date in 2009-10.

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

- (1) - (6) Comparative information of greenhouse emissions, water consumption and other aspects of departmental resource usage will be reported in the Ecologically Sustainable Development section of the Department's 2009 10 Annual report

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**Environment—conservation measures  
(Question No 633)**

**Mr Seselja** asked the Minister for Industrial Relations, upon notice, on 18 March 2010:

- (1) What measures, in the Minister's portfolio, are being undertaken in 2009-10 to reduce greenhouse gas emissions.
- (2) What is the (a) budgeted cost of each measure in 2009-10 and (b) actual cost to date in 2009-10 of each measure referred to in part (1).
- (3) How many tonnes of greenhouse gases have been abated by the implementation of each measure in 2009-10 to date.
- (4) What measures are the Government taking in each portfolio to reduce water consumption.
- (5) What is the (a) budgeted cost of each measure in 2009-10 and (b) actual cost to date in 2009-10 of each measure referred to in part (4).
- (6) How much water has each measure saved to date in 2009-10.

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

Comparative information of greenhouse emissions, water consumption and other of departmental resource usage will be reported in the Ecological Sustainable Development section of the Department's 2009-10 Annual Report.

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**Environment—conservation measures  
(Question Nos 635 and 636)**

**Mr Seselja** asked the Minister for the Environment, Climate Change and Water and the Minister for Energy, upon notice, on 18 March 2010:

- (1) What measures, in the Minister's portfolio, are being undertaken in 2009-10 to reduce greenhouse gas emissions.
- (2) What is the (a) budgeted cost of each measure in 2009-10 and (b) actual cost to date in 2009-10 of each measure referred to in part (1).
- (3) How many tonnes of greenhouse gases have been abated by the implementation of each measure in 2009-10 to date.
- (4) What measures are the Government taking in each portfolio to reduce water consumption.
- (5) What is the (a) budgeted cost of each measure in 2009-10 and (b) actual cost to date in 2009-10 of each measure referred to in part (4).
- (6) How much water has each measure saved to date in 2009-10.

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

- (1-6) Comparative information of greenhouse emissions, water consumption and other aspects of departmental resource usage will be reported in the Ecologically Sustainable Development section of the Department's 2009-10 Annual Report.

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**Public service—staffing  
(Question No 646)**

**Mr Seselja** asked the Chief Minister, upon notice, on 18 March 2010:

- (1) How many staff are currently receiving higher duties allowance (HDA) in the Minister's department and each agency in their portfolio.
- (2) At which levels are staff receiving this allowance.
- (3) What is the total value of HDA that has been paid to staff in (a) 2007-08, (b) 2008-09 and (c) 2009-10 to date.
- (4) How long, on average, has each staff member currently on HDA been receiving HDA.
- (5) How many of the positions that are filled by staff members on HDA have been advertised and are waiting for recruitment processes to be completed.
- (6) How long, on average, is each recruitment process in the agency or department, from date of first advertisement to the employee commencing in the position.
- (7) What is the average cost of each recruitment process.

- (8) How much is spent on advertising and the engagement of agency hire firms and contractors to assist with recruitment on each recruitment process.
- (9) How many agency hire firms or contractors are currently contracted to each agency and/or the department and what are the terms of their contract.
- (10) Will any contracts with agency hire firms need to be broken to enforce the ACT Government's policy to freeze recruitment of non-essential staff.

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

Note that the structure of the agency has changed over the financial years for which figures have been provided to some parts of the question.

- (1) 21
- (2) 4 x ASO 6  
4 x SOA  
6 x SOB  
7 x SOC
- (3) a) \$290,513  
b) \$261,990  
c) \$223,642
- (4) 7.68 months
- (5) 2.
- (6) The average number of days to recruit was 45 days. This is measured from the date the request to advertise was received by Shared Services Recruitment to the date the employee has returned all required documents and Shared Services Recruitment has sent all required correspondence. Information on the time between dates of offer and commencement in position is not recorded.
- (7) This information is not collected separately and therefore is not available.
- (8) \$19,713 has been spent on recruitment advertising and \$11,993 has been spent on agency hire firms and contractors to assist with the recruitment process.
- (9) Nil.
- (10) n/a.

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**Public service—staffing  
(Question Nos 648, 651, 664, 665 and 666)**

**Mr Seselja** asked the Minister for Women, the Minister for Aboriginal and Torres Strait Islander Affairs, the Minister for Disability, Housing and Community Services, the Minister for Ageing and the Minister for Multicultural Affairs upon notice, on 18 March 2010:

- (1) How many staff are currently receiving higher duties allowance (HDA) in the Minister's department and each agency in their portfolio.
- (2) At which levels are staff receiving this allowance.
- (3) What is the total value of HDA that has been paid to staff in (a) 2007-08, (b) 2008-09 and (c) 2009-10 to date.
- (4) How long, on average, has each staff member currently on HDA been receiving HDA.
- (5) How many of the positions that are filled by staff members on HDA have been advertised and are waiting for recruitment processes to be completed.
- (6) How long, on average, is each recruitment process in the agency or department, from date of first advertisement to the employee commencing in the position.
- (7) What is the average cost of each recruitment process.
- (8) How much is spent on advertising and the engagement of agency hire firms and contractors to assist with recruitment on each recruitment process.
- (9) How many agency hire firms or contractors are currently contracted to each agency and/or the department and what are the terms of their contract.
- (10) Will any contracts with agency hire firms need to be broken to enforce the ACT Government's policy to freeze recruitment of non-essential staff.

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

The member should note that the response covers the entire Department of Disability, Housing and Community Services

- (1) 146 staff are currently receiving HDA in DHCS
- (2)

Count of ID Number	
Class	Total
ASO3	3
ASO4	11
ASO5	19
ASO6	32
DSO2	25
DSO3	8
HPO3	3
HPO4	4
LG2	1
SOA	5
SOB	11
SOC	24
Grand Total	146

- \* ASO - Administrative Services Officer
- \* DSO – Disability Services Officer
- \* HPO- Health Professional Officer
- \* LG – Legal
- \* SO A, B, C Senior Officer

(3) Total value of HDA paid to staff in

2007-08:	\$1,601,403.69
2008-09:	\$1,453,895.03
2009-10:	\$1,256,201.27 FYTD (17 March 2010)

(4) On average, each staff member on HDA has been receiving HDA for 9.6 months.

(5) The majority of the positions attracting Higher Duties Allowance (HDA) will not be advertised for permanent filling. The majority of these positions are not permanently vacant. Staff are on HDA for a variety of reasons including backfill for staff on maternity and leave without pay.

(6) Information is not recorded on the date of first advertisement to employee commencement. Records are collected on the period of time from the date of the recruitment request to advertise to the date of offer to a successful candidate. This period is currently 54 days. The date of employee commencement is variable as it is negotiated between the department and the employee.

(7) The information is not collected separately and therefore is not available.

(8) Information is not collected on each separate recruitment process. The total cost for advertising and the engagement of agency hire firms and contractors to assist with recruitment for FYTD is \$95,708.

(9) Four hire companies provide staff for casual relief in Disability ACT and Youth Justice Centre Bimberi.

(10) No.

### **Public service—staffing (Question No 650)**

**Mr Seselja** asked the Minister for Land and Property Services, upon notice, on 18 March 2010:

- (1) How many staff are currently receiving higher duties allowance (HDA) in the Minister's department and each agency in their portfolio.
- (2) At which levels are staff receiving this allowance.
- (3) What is the total value of HDA that has been paid to staff in (a) 2007-08, (b) 2008-09 and (c) 2009-10 to date.
- (4) How long, on average, has each staff member currently on HDA been receiving HDA.

- (5) How many of the positions that are filled by staff members on HDA have been advertised and are waiting for recruitment processes to be completed.
- (6) How long, on average, is each recruitment process in the agency or department, from date of first advertisement to the employee commencing in the position.
- (7) What is the average cost of each recruitment process.
- (8) How much is spent on advertising and the engagement of agency hire firms and contractors to assist with recruitment on each recruitment process.
- (9) How many agency hire firms or contractors are currently contracted to each agency and/or the department and what are the terms of their contract.
- (10) Will any contracts with agency hire firms need to be broken to enforce the ACT Government's policy to freeze recruitment of non-essential staff.

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

Please note that the structure of the agency may have changed over the financial years for which figures have been provided to parts of the question.

In relation to Department of Land and Property Services since its establishment on 1 December 2009:

- (1) 14 (at 17 March 2010).
- (2) Between ASO3 and Senior Officer Grade B.
- (3) (a) N/A, (b) N/A, (c) \$25,648.17
- (4) 4 weeks on average.
- (5) Nil.
- (6) Not applicable.
- (7) Not applicable.
- (8) Nil.
- (9) Nil.
- (10) No.

In relation to the Land Development Agency:

- (1) 10 (at 22 March 2010).
- (2) Between ASO5 and Senior Officer Grade A.
- (3) (a) \$113,113 (b) \$143,355 (c) \$89,582

- (4) Approximately 4 months on average.
- (5) 1.
- (6) The average time for a recruitment process in LDA is 64 days.
- (7) This information is not collected separately and therefore is not available.
- (8) \$1,826 on average per recruitment.
- (9) 2.
- (10) No.

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**Public service—staffing  
(Question No 652)**

**Mr Seselja** asked the Minister for the Arts and Heritage, upon notice, on 18 March 2010:

- (1) How many staff are currently receiving higher duties allowance (HDA) in the Minister's department and each agency in their portfolio.
- (2) At which levels are staff receiving this allowance.
- (3) What is the total value of HDA that has been paid to staff in (a) 2007-08, (b) 2008-09 and (c) 2009-10 to date.
- (4) How long, on average, has each staff member currently on HDA been receiving HDA.
- (5) How many of the positions that are filled by staff members on HDA have been advertised and are waiting for recruitment processes to be completed.
- (6) How long, on average, is each recruitment process in the agency or department, from date of first advertisement to the employee commencing in the position.
- (7) What is the average cost of each recruitment process.
- (8) How much is spent on advertising and the engagement of agency hire firms and contractors to assist with recruitment on each recruitment process.
- (9) How many agency hire firms or contractors are currently contracted to each agency and/or the department and what are the terms of their contract.
- (10) Will any contracts with agency hire firms need to be broken to enforce the ACT Government's policy to freeze recruitment of non-essential staff.

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

The response for Arts is included in QON 646 asked of the Chief Minister.

The response for Heritage is included in QON 667 asked of the Minister for Territory and Municipal Services.

**Public service—staffing  
(Question No 655)**

**Mr Seselja** asked the Minister for Industrial Relations, upon notice, on 18 March 2010:

- (1) How many staff are currently receiving higher duties allowance (HDA) in the Minister's department and each agency in their portfolio.
- (2) At which levels are staff receiving this allowance.
- (3) What is the total value of HDA that has been paid to staff in (a) 2007-08, (b) 2008-09 and (c) 2009-10 to date.
- (4) How long, on average, has each staff member currently on HDA been receiving HDA.
- (5) How many of the positions that are filled by staff members on HDA have been advertised and are waiting for recruitment processes to be completed.
- (6) How long, on average, is each recruitment process in the agency or department, from date of first advertisement to the employee commencing in the position.
- (7) What is the average cost of each recruitment process.
- (8) How much is spent on advertising and the engagement of agency hire firms and contractors to assist with recruitment on each recruitment process.
- (9) How many agency hire firms or contractors are currently contracted to each agency and/or the department and what are the terms of their contract.
- (10) Will any contracts with agency hire firms need to be broken to enforce the ACT Government's policy to freeze recruitment of non-essential staff.

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

The response for Industrial Relations is included in QON 646 asked of the Chief Minister.

**Public service—staffing  
(Question No 656)**

**Mr Seselja** asked the Attorney-General, upon notice, on 18 March 2010:

- (1) How many staff are currently receiving higher duties allowance (HDA) in the Minister's department and each agency in their portfolio.
- (2) At which levels are staff receiving this allowance.

- (3) What is the total value of HDA that has been paid to staff in (a) 2007-08, (b) 2008-09 and (c) 2009-10 to date.
- (4) How long, on average, has each staff member currently on HDA been receiving HDA.
- (5) How many of the positions that are filled by staff members on HDA have been advertised and are waiting for recruitment processes to be completed.
- (6) How long, on average, is each recruitment process in the agency or department, from date of first advertisement to the employee commencing in the position.
- (7) What is the average cost of each recruitment process.
- (8) How much is spent on advertising and the engagement of agency hire firms and contractors to assist with recruitment on each recruitment process.
- (9) How many agency hire firms or contractors are currently contracted to each agency and/or the department and what are the terms of their contract.
- (10) Will any contracts with agency hire firms need to be broken to enforce the ACT Government's policy to freeze recruitment of non-essential staff.

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

- (1) 89 staff are currently receiving higher duties allowance (HDA) under my portfolio as Attorney General in the Department of Justice and Community Safety as at 17 March 2010.
- (2) The levels of staff receiving this allowance are stated out in the table below:

<b>Class</b>	<b>JACS</b>
Administrative Services Officer Class 3	7
Administrative Services Officer Class 4	11
Administrative Services Officer Class 5	6
Administrative Services Officer Class 6	10
Chief Executive	4
Custodial Officer Grade 2	4
Custodial Officer Grade 3	2
Custodial Officer Grade 4	1
Legal 1	2
Legal 2	4
Para Legal Grade 1	1
Professional Officer Class 2	1
Prosecutor Grade 2	3
Prosecutor Grade 3	1
Senior Officer Grade A	5
Senior Officer Grade B	10
Senior Officer Grade C	16
Trust Officer L2	1
<b>Total</b>	<b>89</b>

- (3) The total value of HDA that has been paid to staff in (a) 2007-08, (b) 2008-09 and (c) 2009-10 to date, as reported by Shared Services, is set out in the table below:

<b>FY</b>	<b>Total Value of HDA</b>
2007-08	\$1,037,848.23
2008-09	\$1,169,689.91
2009-10 to date (17/3/2010)	\$820,857.48

- (4) Each staff member currently on HDA has been receiving this allowance for an average of 6.26 months.
- (5) Eight positions that are filled by staff on HDA have been advertised, with recruitment action in progress. The remaining positions are not permanent vacancies.
- (6) The average length of recruitment processes from the date of a recruitment request until the date of offer to a successful candidate is 49 days. Information on the time between dates of offer and commencements in positions is not recorded.
- (7) This information is not collected separately and therefore is not available.
- (8) The cost of advertising is \$164,014. The cost of agency hire firms is \$46,260 + GST. The response does not include the cost of recruitment activity coordinated by Shared Services Centre.
- (9) One agency hire firm is currently contracted for a senior executive role. The contract provides for executive search including advertisement and assistance with recruitment.
- (10) No contracts with this agency hire firm will need to be broken to enforce the ACT Government's policy to freeze recruitment of non-essential staff.

**Public service—staffing  
(Question No 657 and 658)**

**Mr Seselja** asked the Minister for the Environment, Climate Change and Water and the Minister for Energy, upon notice, on 18 March 2010:

- (1) How many staff are currently receiving higher duties allowance (HDA) in the Minister's department and each agency in their portfolio.
- (2) At which levels are staff receiving this allowance.
- (3) What is the total value of HDA that has been paid to staff in (a) 2007-08, (b) 2008-09 and (c) 2009-10 to date.
- (4) How long, on average, has each staff member currently on HDA been receiving HDA.
- (5) How many of the positions that are filled by staff members on HDA have been advertised and are waiting for recruitment processes to be completed.
- (6) How long, on average, is each recruitment process in the agency or department, from date of first advertisement to the employee commencing in the position.
- (7) What is the average cost of each recruitment process.

- (8) How much is spent on advertising and the engagement of agency hire firms and contractors to assist with recruitment on each recruitment process.
- (9) How many agency hire firms or contractors are currently contracted to each agency and/or the department and what are the terms of their contract.
- (10) Will any contracts with agency hire firms need to be broken to enforce the ACT Government's policy to freeze recruitment of non-essential staff.

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

- (1) As at 17 March 2010, fifteen staff were receiving higher duties allowance.
- (2) ASO 5, ASO 6, SOG C, SOG B, SOG A
- (3) The total value of HDA that has been paid to staff is:
  - (a) n/a
  - (b) \$0.135 million
  - (c) \$0.190 million
- (4) 14.5 months
- (5) Two
- (6) The average length of recruitment processes from the date of a recruitment request until the date of offer to a successful candidate is 73 days. Information on the time between dates of offer and commencements in positions is not recorded.
- (7) This information is not collected separately and therefore is not available.
- (8) The financial year to date expense on advertising and engagement of agency hire firms and contractors to assist with recruitment is \$54,395.25.
- (9) The Department has one agency contractor. The terms of their contract cannot be disclosed due to privacy issues.
- (10) No.

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**Public service—staffing  
(Question No 659)**

**Mr Seselja** asked the Minister for Police and Emergency Services, upon notice, on 18 March 2010:

- (1) How many staff are currently receiving higher duties allowance (HDA) in the Minister's department and each agency in their portfolio.
- (2) At which levels are staff receiving this allowance.
- (3) What is the total value of HDA that has been paid to staff in (a) 2007-08, (b) 2008-09 and (c) 2009-10 to date.

- (4) How long, on average, has each staff member currently on HDA been receiving HDA.
- (5) How many of the positions that are filled by staff members on HDA have been advertised and are waiting for recruitment processes to be completed.
- (6) How long, on average, is each recruitment process in the agency or department, from date of first advertisement to the employee commencing in the position.
- (7) What is the average cost of each recruitment process.
- (8) How much is spent on advertising and the engagement of agency hire firms and contractors to assist with recruitment on each recruitment process.
- (9) How many agency hire firms or contractors are currently contracted to each agency and/or the department and what are the terms of their contract.
- (10) Will any contracts with agency hire firms need to be broken to enforce the ACT Government's policy to freeze recruitment of non-essential staff.

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

- (1) 39 staff are currently receiving higher duties allowance (HDA) under my portfolio as Minister for Police and Emergency Services in the Department of Justice and Community Safety as at 17 March 2010.
- (2) The levels of staff receiving this allowance are set out in the table below:

<b>Class</b>	<b>Total</b>
Ambulance Manager 1	1
Ambulance Manager 2	2
Administrative Services Officer 5	5
Administrative Services Officer 6	1
Clinical Coordinator	3
Contract Executive	2
Fire Brigade 7	1
Fire Brigade 8	1
Senior Officer Grade A	1
Senior Officer Grade B	1
Senior Officer Grade C	1
Training and Development Officer (TDO)	11
Team Leader (TL)	9
<b>Total</b>	<b>39</b>

- (3) The total value of HDA that has been paid to staff in (a) 2007-08, (b) 2008-09 and (c) 2009-10 to date, as reported by Shared Services, is set out in the table below:

<b>FY</b>	<b>Total Value of HDA</b>
2007-08	\$320,929.84
2008-09	\$351,010.49
2009-10 to date (17 March 2010)	\$350,286.61

- (4) The average length of HDA received by staff currently is 7.17 months. This excludes the Training and Development Officer and Team Leaders positions which are only filled on a temporary basis in accordance with Clauses 156 and 157 of the Department of Justice and Community Safety ACT Ambulance Collective Agreement 2007-2010.
  - (5) Two positions that are filled by staff on HDA have been advertised and are waiting for recruitment processes to be completed.
  - (6) The average length of recruitment processes from the date of a recruitment request until the date of offer to a successful candidate is 49 days. Information on the time between dates of offer and commencements in positions is not recorded.
  - (7) This information is not collected separately and therefore is not available.
  - (8) The cost of advertising is \$154,113. The cost of agency hire firms was \$30,000 + GST. The response does not include the cost of recruitment activity coordinated by Shared Services Centre.
  - (9) One agency hire firm is currently contracted for executive search including advertisement and assistance with recruitment for a senior executive role.
  - (10) No contract with this agency hire firm will need to be broken to enforce the ACT Government's policy to freeze recruitment of non-essential staff.
- 

**Public service—staffing  
(Question No 661)**

**Mr Seselja** asked the Minister for Transport, upon notice, on 18 March 2010:

- (1) How many staff are currently receiving higher duties allowance (HDA) in the Minister's department and each agency in their portfolio.
- (2) At which levels are staff receiving this allowance.
- (3) What is the total value of HDA that has been paid to staff in (a) 2007-08, (b) 2008-09 and (c) 2009-10 to date.
- (4) How long, on average, has each staff member currently on HDA been receiving HDA.
- (5) How many of the positions that are filled by staff members on HDA have been advertised and are waiting for recruitment processes to be completed.
- (6) How long, on average, is each recruitment process in the agency or department, from date of first advertisement to the employee commencing in the position.
- (7) What is the average cost of each recruitment process.
- (8) How much is spent on advertising and the engagement of agency hire firms and contractors to assist with recruitment on each recruitment process.
- (9) How many agency hire firms or contractors are currently contracted to each agency and/or the department and what are the terms of their contract.

- (10) Will any contracts with agency hire firms need to be broken to enforce the ACT Government's policy to freeze recruitment of non-essential staff.

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

The information in relation to Transport has been provided in the response to QON 667.

**Public service—staffing  
(Question No 667)**

**Mr Seselja** asked the Minister for Territory and Municipal Services, upon notice, on 18 March 2010:

- (1) How many staff are currently receiving higher duties allowance (HDA) in the Minister's department and each agency in their portfolio.
- (2) At which levels are staff receiving this allowance.
- (3) What is the total value of HDA that has been paid to staff in (a) 2007-08, (b) 2008-09 and (c) 2009-10 to date.
- (4) How long, on average, has each staff member currently on HDA been receiving HDA.
- (5) How many of the positions that are filled by staff members on HDA have been advertised and are waiting for recruitment processes to be completed.
- (6) How long, on average, is each recruitment process in the agency or department, from date of first advertisement to the employee commencing in the position.
- (7) What is the average cost of each recruitment process.
- (8) How much is spent on advertising and the engagement of agency hire firms and contractors to assist with recruitment on each recruitment process.
- (9) How many agency hire firms or contractors are currently contracted to each agency and/or the department and what are the terms of their contract.
- (10) Will any contracts with agency hire firms need to be broken to enforce the ACT Government's policy to freeze recruitment of non-essential staff.

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

- (1) 280 (excluding ACTION).

Data is not available on ACTION Higher Duties Allowances for questions one to five. This data is recorded in a separate system maintained by an external company Ross Logic. This information was sought from Ross Logic however it will not be available within the required timeframe.

- (2) Staff are receiving Higher Duties Allowance at the following levels:

ASOs	128	(ASO – Administrative Services Officers)
CE	6	(Contract Executive)
CLSs	6	(CLS – Capital Linen Officers)
GSOs	17	(GSO – General Services Officers)
ITO2	8	(Information Technology Officers)
POs	2	(Professional Officers)
RNGs	3	(RNG – Rangesr)
SITs	8	(SIT – Senior Information Technology Officers)
SOs	43	(SO – Senior Officers)
SPOs	14	(SPO – Senior Professional Officers)
TOs	13	(TO – Technical Officers)

- (3) a) \$2,446,938.84  
 b) \$2,456,976.58  
 c) \$2,171,948.81

(4) 128 days average HDA period

(5) 16

(6) 52 days average across TAMS (date of advertisement to date of final recruitment action as calculated by SS Recruitment).

(7) \$2,670 average (mean) cost.

This figure is calculated using the total cost of all recruitment processes within the Department, not just those associated with a HDA arrangement.

(8) \$748 average (mean) cost per recruitment process.

This figure is calculated using the total cost of all recruitment processes within the Department, not just those associated with a HDA arrangement.

(9) 11. Contracts meet procurement requirements with no guarantees or commitment to contractors.

(10) No directive has been given to break any contracts with agency hire firms.

## **Government—appointments (Question No 668)**

**Mr Seselja** asked the Chief Minister, upon notice, on 18 March 2010:

- (1) How many working groups, consultation groups, inter-departmental committees, roundtables or other intra-government committees are chaired or organised by the Minister's department and agencies in their portfolio.
- (2) What is the cost of administering each group referred to in part (1).
- (3) What is the purpose of each group.
- (4) How often does each group meet and what costs are associated with each meeting.

- (5) Which other ACT Government departments or agencies are represented.
- (6) How many community consultation groups, roundtables or committees are chaired or organised by the Minister's department and agencies in their portfolio.
- (7) What is the cost of administering each group referred to in part (6).
- (8) What is the purpose of each group referred to in part (6).
- (9) How often does each group referred to in part (6) meet.
- (10) Who is represented on each group referred to in part (6).

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

- (1), (3), (4) and (5) See Table A attached.
- (2) This function is a part of core departmental business, and the specific information is not collected separately and is therefore not available
- (6), (8), (9) and (10) See Table B attached.
- (7) This function is a part of core departmental business, and the specific information is not collected separately and is therefore not available.

*(Copies of the attachments are available at the Chamber Support Office)*

### **Government—appointments (Question No 671)**

**Mr Seselja** asked the Minister for Land and Property Services, upon notice, on, 18 March 2010:

- (1) How many working groups, consultation groups, inter-departmental committees, roundtables or other intra-government committees are chaired or organised by the Minister's department and agencies in their portfolio.
- (2) What is the cost of administering each group referred to in part (1).
- (3) What is the purpose of each group.
- (4) How often does each group meet and what costs are associated with each meeting.
- (5) Which other ACT Government departments or agencies are represented.
- (6) How many community consultation groups, roundtables or committees are chaired or organised by the Minister's department and agencies in their portfolio.
- (7) What is the cost of administering each group referred to in part (6).
- (8) What is the purpose of each group referred to in part (6).

(9) How often does each group referred to in part (6) meet.

(10) Who is represented on each group referred to in part (6).

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

(1) 19.

(2) This function is a part of core departmental business, and (except in one instance – ACT Property Forum) the specific information is not collected separately and is therefore not available.

(3)– (5)

Name: **Infrastructure and Land Release Capital Works Working Group**

Purpose:

- To identify off site works required to support the Land Release Program and timing requirement for these works
- To recommend an appropriate method for undertaking off site works
- To monitor program requirements

Frequency: 4 – 6 times a year

Representations:

- Actew
- ActewAGL
- Department of Treasury
- ACT Planning and Land Authority
- Department of Land and Property Services
- Department of Territory and Municipal Services
- Land Development Agency

Name: **Supermarket Competition Coordination Committee**

Purpose: To provide advice to the Government on supermarket competition issues and to advise the Department of Land and Property Services on land release strategies for supermarket sites of greater than 1,500 m<sup>2</sup>.

Frequency of meeting: As required

Representations:

- Chief Minister's Department
- Department of Treasury
- Department of Land and Property Services
- ACT Planning and Land Authority
- Land Development Agency
- Independent Competition and Regulatory Commission

Name: **Direct Sale Eligibility Assessment Panel**

Purpose: To consider the eligibility of applicants seeking to acquire land by direct sale in accordance with the Planning and Development Act 2007 and to make recommendations to the Government (the decision maker)

Frequency of meeting: every three weeks (if required)

Representations:

- ACT Treasury
- ACT Planning and Land Authority
- Department of Territory and Municipal Services
- Department of Disability, Housing and Community Services
- Department of Environment, Climate Change, Energy and Water

- Department of Education and Training
- ACT Health
- Land Development Agency
- Department of Land and Property Services

Name: **Chief Executives' Steering Group on Government Office**

Purpose: to strategically manage the Whole of Government Office Building project

Frequency of meeting: every month

Representations:

- Chief Minister's Department
- ACT Treasury
- Department of Disability, Housing and Community Services
- Department of Land and Property Services
- Department of Environment, Climate Change, Energy and Water

Name: **Chief Executives' Steering Group on Land Supply**

Purpose: To assess the strategic goals for the planning, release and development of land in the Territory, balancing whole-of-government considerations including landuse, budget revenue, economic development, infrastructure and social priorities.

Frequency of meeting: Every month

Representations:

- Chief Minister's Department
- ACT Treasury
- ACT Planning and Land Authority
- Department of Environment, Climate Change, Energy and Water
- Department of Land and Property Services

Name: **Working Group Co-ordination**

Purpose:

- To review the performance against the land release program, identify the issues for discussion at the Land Release Committee
- To identify the information needed to resolve the issues
- To identify options and substitute development options
- To identify studies and clearances needed
- To set priorities for working groups
- To ensure working groups are co ordinate and issues clarified prior to going to the Land Supply Committee

Frequency of meeting: 4 to 6 per year

Representations:

- ACT Treasury
- ACT Planning and Land Authority
- Department of Environment, Climate Change, Energy and Water
- Department of Land and Property Services
- Land Development Agency
- Chief Minister's Department

Name: **Financial Working Group**

Purpose:

- To model changes/options to the land release program and financial implications
- To assess capacity to deliver monthly financials and options to key committees and basis of variations
- To agree on dates for program financials – 31 Oct for mid-year review and 28 Feb for budget
- To monitor the dividend policy and performance against it and identify the basis of variations

- To monitor revenue and cash monthly against the land program
- To develop a management information system to improve the financial effectiveness of sub-division design costs and revenue of different segments
- To identify financial implications of changes in standards/codes to revenue

Frequency of meeting: 4 to 6 per year

Representations:

- ACT Treasury
- Department of Land and Property Services
- Land Development Agency

**Name: Infrastructure Working Group**

Purpose:

- To identify off-site works required to support the Land Release Program and timing requirements for those works
- To recommend an appropriate method of undertaking off-site works
- To monitor program requirements

Frequency of meeting: 4 to 6 per year

Representations:

- ACT Treasury
- ACT Planning and Land Authority
- Department of Territory and Municipal Services
- Actew
- ActewAGL
- Chief Minister's Department
- Department of Land and Property Services
- Land Development Agency

**Name: Land Supply Pipeline Working Group**

Purpose:

- To maintain and provide the detailed land release pipeline reports to the Land Supply Committee including options for substitution and inventory in various stages
- To maintain accurate and up to date details on the approvals status of individual release components
- To track status of studies and clearances as required
- To provide details of risks to delivery of the programs

Frequency of meeting: 6 to 8 per year

Representations:

- ACT Treasury
- ACT Planning and Land Authority
- Department of Territory and Municipal Services
- Actew
- Chief Minister's Department
- Department of Environment, Climate Change, Energy and Water
- Department of Land and Property Services
- Land Development Agency

**Name: Demand Analysis & Monitoring Working Group**

Purpose:

- To monitor and forecast demand for and supply of residential, commercial, industrial land, non urban and community
- To monitor the supply of 'zoning ready', 'planning ready' and 'release ready' land
- To monitor the supply of dwelling sites being serviced; dwellings under construction and sites available for sale

- To oversee the maintenance of property market datasets as required, including movement in land prices
- To obtain market advice from private sector
- To assess inventory balance and price stability

Frequency of meeting: 6 to 8 per year

Representations:

- ACT Treasury
- ACT Planning and Land Authority
- Chief Minister's Department
- Department of Land and Property Services
- Land Development Agency

Name: **ACT Property Forum**

Purpose:

- To inform and advise agencies on key accommodation policies and develop guidelines and standards on property matters.
- To seek Management Council endorsement of individual accommodation policies and/or guidelines/standards when appropriate.
- To deal with the implementation of all approved guidelines and standards.
- To oversee consolidated whole of government reporting on property matters, along with the development of a revised whole of government property asset management plan.

Frequency of meeting: Quarterly

Costs for each meeting: \$1,085

Representations:

- ACT Health
- ACT Planning and Land Authority
- Canberra Institute of Technology
- Chief Minister's Department
- Cultural Facilities Corporation
- Department of Education and Training
- Department of Disability, Housing and Community Services
- Department of Land and Property Services
- Department of the Environment, Climate Change, Energy and Water
- Department of Justice and Community Safety
- Department of Treasury
- Department of Territory and Municipal Services
- Land and Development Agency
- Office of the Commissioner for Sustainability and the Environment

Name: **Property Sustainability Working Group**

Purpose: To provide advice, develops, monitors and reviews common materials, procedures and guidelines relating to sustainability in ACT Government owned and leased buildings.

Frequency: Quarterly

Representations:

- ACT Health
- ACT Planning and Land Authority
- Canberra Institute of Technology
- Chief Minister's Department
- Department of Education and Training
- Department of Disability, Housing and Community Services
- Department of Land and Property Services
- Department of the Environment, Climate Change, Energy and Water

- Department of Justice and Community Safety
- Department of Treasury
- Department of Territory and Municipal Services
- Land and Development Agency

**Name: Owned Assets Working Group**

**Purpose:**

- To ensure a whole of government perspective is adopted in the evaluation of potentially surplus property and the transfer and sale of owned assets;
- To assist in the evaluation of potentially surplus properties undertaken by the ACT Property Group;
- To make recommendations to the ACT Property Forum on the management of properties owned by the ACT Government.

**Frequency: Quarterly**

**Representations:**

- ACT Health
- ACT Planning and Land Authority
- Canberra Institute of Technology
- Chief Minister's Department
- Department of Education and Training
- Department of Disability, Housing and Community Services
- Department of Land and Property Services
- Department of Justice and Community Safety
- Department of Treasury
- Department of Territory and Municipal Services
- Land and Development Agency

**Name: Government Office Accommodation Working Group**

**Purpose:**

- To review proposals for improving the management of government offices
- To identify opportunities to improve the efficiency and operation of government offices
- To provide support in facilitating the process of reaching agreement on new policies and procedures to be applied to government offices
- To make recommendations to ACT Property Forum in relation to policy, standards and procedures for use of government offices.

**Frequency: On an 'as required' basis**

**Representations:**

- ACT Health
- Canberra Institute of Technology
- Chief Minister's Department
- Department of Education and Training
- Department of Disability, Housing and Community Services
- Department of Land and Property Services
- Department of Justice and Community Safety
- Department of Territory and Municipal Services

**Name: Community Tenancy Working Group**

**Purpose:**

- To work with agencies to ensure efficient management of community tenancies in ACT Government owned community facilities;
- To provide advice, as well as develops, monitors and reviews common materials, procedures and guidelines as they relate to community tenancies in ACT Government owned community facilities;

- To make recommendation to the ACT Property Forum on a whole of government approach to community tenancies which will include actions, budget, responsibility and timeline.

Frequency: On an 'as required' basis

Representations:

- ACT Health
- Chief Minister's Department
- Department of Education and Training
- Department of Disability, Housing and Community Services
- Department of Land and Property Services
- Department of Treasury
- Department of Territory and Municipal Services
- Land and Development Agency

Name: **Government Office Accommodation Committee**

Purpose:

- To review and approve Agency Accommodation Strategies
- To review and approve Agency fitout proposals and budgets in accordance with Government Real Estate Policy Guidelines
- To review of whole of government accommodation strategy and associated leasing strategies

Frequency: On an 'as required' basis

Representations:

- ACT Health
- Chief Minister's Department
- Department of Education and Training
- Department of Disability, Housing and Community Services
- Department of Land and Property Services
- Department of Treasury
- Department of Territory and Municipal Services

Name: **Traffic Model Management Committee**

Purpose: To coordinate development and application of a strategic and microsimulation traffic model for ACT traffic.

Frequency of meeting: as required

Representations:

- Chief Minister's Department
- Department of Disability, Housing and Community Services
- Department of Land and Property Services
- Department of Treasury
- Department of Territory and Municipal Services
- Department of the Environment, Climate Change, Energy and Water

Name: **Old Canberra Brickworks Steering Committee**

Purpose: To provide advice on issues related to the development of the Old Canberra Brickworks, the Environs Planning Strategy, and the Conservation Management Plan. The Committee is convened with the express purpose to align agency thinking on the development of the Planning Strategy, to review and evaluate the options, and select the preferred option within the whole of government context. The objectives are to:

- assist in the resolution of issues related to developing viable option/s for the study area;
- assist in the resolution of issues related to the Old Canberra Brickworks;
- assist in the delivery of the project aims and intent; and
- secure a sustainable future for the study area.

Frequency of meeting: as required

Representations:

- Land Development Agency
- Department of Land and Property Services
- ACT Planning and Land Authority
- Department of Territory and Municipal Services
- National Capital Authority

Name: **Old Bus Depot Market Inter-agency Consultative Committee**

Purpose: To provide advice on issues related to the future development of the Kingston Foreshore Cultural Precinct. The focus of the Committee is to test the vision for the Cultural Precinct and align agency thinking as to the ongoing function of the precinct and the preferred development options within the Whole of Government context.

The objectives of the Committee are to:

- help secure a sustainable future for the Kingston Foreshore Cultural Precinct;
- assist in the resolution of issues related to the Kingston Foreshore Cultural Precinct;
- assist in the resolution of issues related to the Transport Depot; and
- sign off on a Recommendation Paper on viable options for the precinct.

Frequency of meeting: as required

Representations:

- Land Development Agency
- Chief Minister's Department
- Department of Land and Property Services
- Department of Treasury
- Department of Territory and Municipal Services
- Department of the Environment, Climate Change, Energy and Water

(6) 3.

(7) This function is a part of core departmental business, and the specific information is not collected separately and is therefore not available.

(8)-(10)

Name: **Industry Reference Group**

Purpose:

- To provide a forum for industry to work with Government to deliver capital works projects in a collaborative manner and enhance the realisation of the expected benefits.
- To provide Government an opportunity to obtain the benefit of industry's expertise and experience in all stages of the project delivery cycle.
- To provide a forum for the two way exchange of advice and guidance between the Act Government and industry.
- To respond the MBA's request for an ongoing body with industry and government representation to monitor and advise on procurement issues.

Frequency of meeting: Every two months

Representations:

- Canberra Business Council
- Master Builders Association
- Housing Industry Association
- Property Council of Australia
- Civil Contractors
- Australian Institute of Project Management

- Institution of Engineers
- Australian Institute of Architects
- Association of Consulting Engineers Australia
- Actew
- Department of Disability, Housing and Community Services
- Department of Land and Property Services
- Department of Territory and Municipal Services

**Name: Albert Hall Plan of Management Reference Group**

Purpose: to provide advice to the Government on the conduct of the study to establish the future role and associated Plan of Management for Albert Hall, to identify potential future roles for the Albert Hall and to identify issues arising from the study or associated with particular uses.

Frequency of meeting: as required

Representations:

- Department of Land and Property Services
- The Molonglo Group
- Canberra Convention Bureau
- Friends of Albert Hall
- Chief Ministers Department
- Department of Territory and Municipal Services
- Department of Treasury

**Name: Albert Hall Capital Works Reference Group**

Purpose: to provide advice to ACT Property Group on the proposed renovation projects, including scheduling the required work and the desired level of finishes, in accordance with the Conservation Management & Landscape Plan

Frequency of meeting: Monthly except for January

Representations:

- Department of Land and Property Services
- Department of Territory and Municipal Services
- Friends of Albert Hall
- Heritage Consultants

**Government—information technology services  
(Question No 672)**

**Mr Seselja** asked the Chief Minister, upon notice, on 18 March 2010:

- (1) What was the cost of the provision of information technology (IT) services per employee on average for (a) 2008-09 and (b) 2009-10 to date for the Minister's department and each agency in their portfolio.
- (2) What is the marginal cost of the provision of IT services for an additional employee at the current staffing levels.
- (3) What specialist IT services are required, or have been custom-built, for the agency or department and what is the (a) cost of each and (b) depreciation cost of each.

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

- (1) a) \$5,121  
b) \$2,841

(2) The costs of IT services for an additional employee will be approximately the same as above.

(3) The information for the Chief Minister's Department is set out in the table below. Note all these IT services are fully amortised/depreciated.

<b>System</b>	<b>Purpose</b>	<b>Costs to date (Jul 09 - Mar 10)</b>
Business and Industry Development (BID) website	Key external communication tool for small to medium enterprise business community, skilled migration and international trade.	\$5,282
Canberra Information Portal	Outsourced purpose built self help settlement website.	\$19,086
Canberra Business Point	Business information mentoring and advisory service presented by Deloitte.	nil
Business License Information Service	High level information on a range of government controls for business operating in ACT. Service is delivered through Canberra Connect.	\$64,913
BID Grants System	Grants management system.	\$17,124
Program Information Management System	Program information system – holding historical and current data regarding grants programs managed since 2003.	\$11,375
Business Migration System	System used to process, track and manage applications from organisations and individuals wishing to migrate to the ACT.	\$772
Community Engagement Website	Website used as a single point of reference for all consultations across the ACT Government.	\$4,125
Events website	Website containing promotional and operational details for all events delivered by CMD Special Events, in addition to some ACT Government events.	\$1,220
Live In Canberra website	Website promoting Canberra and providing information to people considering or making a move to live and work in Canberra.	nil
Canberra 100 website	Communication interface regarding Centenary of Canberra projects and events. Website includes E-newsletter registration, pictorial history, news and announcements, taskforce information etc.	\$11,401
Branding website	Online publication of the ACT Government Branding Guidelines and provision of ACT Government logos electronically.	nil

<b>System</b>	<b>Purpose</b>	<b>Costs to date (Jul 09 - Mar 10)</b>
Workforce Analysis and Collection Application	Data collection and comparison tool to ensure accuracy and consistency in workforce reporting. Built for all participating Australian jurisdictions.	\$13,667
Enterprise Agreement website	Secure communication with enterprise bargaining representatives meeting Territory obligations under Fair Work Act.	\$5,968
Graduate Online Application Form	Online application form.	\$2,826
OHASIS	Whole of Government Occupational Health and Safety Integrated System (OHASIS) used to record case file details to support the management of injuries.	\$56,292
ACT Government Accident and Incident Database	Injury prevention information management system.	\$1,830
artsACT website	Communication interface for artsACT regarding arts policies, projects, grants, public art and facilities. Target audience is the arts community.	\$2,988
Arts grants database	Grants management system.	\$858
Visit Canberra website	Key online marketing tool providing visitor information about accommodation, events, things to see and do in Canberra and the surrounding region.	\$71,350
Floriade website	Website informs and provides information for visitors, volunteers, sponsors and media about Floriade and Floriade NightFest.	\$350
Wrapt In Winter website	Website supports the wrapt in winter marketing campaign. The web site enables visitors to book accommodation packages as well as providing them with information about what's on in Canberra.	\$350
Tourism Website	Australian Capital Tourism corporate website.	\$350
Culture shock website	Website supports the culture shock marketing campaign (summer). The web site enables visitors to book accommodation packages as well as providing them with information about what's on in Canberra.	\$350
Canberra Tourism awards website	Website supports the Canberra Tourism awards providing information about entries and allows for online registration for nominees.	\$350
Business Portal	CMD intranet.	\$2,988

System	Purpose	Costs to date (Jul 09 - Mar 10)
CMD website	Provides a web presence for the Chief Minister's Department; online access to publications and services that the Department delivers; profiles departmental projects and initiatives; and provide a point of contact for the public.	\$3,135
Ministerial and correspondence tracking system	Ministerial and correspondence tracking system.	\$6,011

The information for the Cultural Facilities Corporation is set out in the table below.

Application	Purpose	Cost	Depreciation Cost (Per Annum)
CMAG Website	Promotion and dissemination of information about ACT Museums and Galleries.	\$120,000	\$30,000
Box Office Equipment/Software		\$39,120	\$12,909
Micropay		\$31,638	\$10,441
CTC Website (Under Construction)	Ecommerce website that provides detailed information on, and sells tickets to, shows at the Canberra Theatre Centre.	\$192,467 (to date)	33.3% of final cost
CTC Ticketing (Under Construction)		\$46,668 (to date)	25% of final cost

### **Government—information technology services (Question No 675)**

**Mr Seselja** asked the Minister for Land and Property Services, upon notice, on 18 March 2010:

- (1) What was the cost of the provision of information technology (IT) services per employee on average for (a) 2008-09 and (b) 2009-10 to date for the Minister's department and each agency in their portfolio.
- (2) What is the marginal cost of the provision of IT services for an additional employee at the current staffing levels.
- (3) What specialist IT services are required, or have been custom-built, for the agency or department and what is the (a) cost of each and (b) depreciation cost of each.

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

- (1)
  - (a) 2008-09 per employee on average  
The Department of Land and Property Services: N/A  
The Land Development Agency: \$5,145

(b) 2009-10 to date per employee on average  
The Department of Land and Property Services and the Land Development Agency: In the order of \$4,300

(2) In the order of \$3,381.

(3) Item: TMI – financial reporting tool. Building of this package is underway.  
Cost: Budget cost is \$84,500  
Depreciation Cost: To commence when package is complete.

Item: Land and Property Services website and intranet.  
Cost: Budget cost is \$20,000  
Depreciation Cost: To commence when the website and intranet are complete.

Item: Customer Relationship Management system  
Cost: \$27,600 year to date  
Depreciation Cost: To commence when package is complete.

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**Government—grants programs  
(Question No 676)**

**Mr Seselja** asked the Chief Minister, upon notice, on 18 March 2010:

- (1) How many grants programs are administered in the Minister's department and each agency in their portfolio and what is the cost of administering each program.
- (2) What is the total value of grants paid in 2009-10 to date.

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

- (1) The Chief Minister's Department administer six grants programs.

This function is a part of core departmental business. Specific information on the cost of administering each grant program is not collected separately and is therefore not available.

- (2) The total value of grants paid in 2009-10 to date is \$5,974,965.

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**Government—grants programs  
(Question No 679)**

**Mr Seselja** asked the Minister for Land and Property Services, upon notice, on, 18 March 2010:

- (1) How many grants programs are administered in the Minister's department and each agency in their portfolio and what is the cost of administering each program.
- (2) What is the total value of grants paid in 2009-10 to date.

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

- (1) No grants programs are administered by the Department of Land and Property Services and the Land Development Agency.
  - (2) The Territory has provided a one-off grant of \$250,000, matched by private sector funding, to the Canberra Business Council Ltd for a study into a new convention centre for the ACT.
- 

**Government—motor vehicles  
(Question No 680)**

**Mr Seselja** asked the Chief Minister, upon notice, on 18 March 2010:

- (1) How many vehicles are currently used by the Minister's department or each agency, what are their types and sizes and how many are privately garaged.
- (2) How many kilometres are travelled each year by the vehicles referred to in part (1).
- (3) What are the insurance costs for the department and each agency, including third party insurance for vehicles.
- (4) What output costing methodology is used to allocate costs across the department and each agency.
- (5) What are the top ten individual depreciation costs for the department and each agency.
- (6) Which assets do the costs referred to in part (5) refer to and what was the initial cost of the asset.

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

- (1) As at 31 March 2010 the Chief Minister's Department and portfolio agencies had fifteen vehicles as follows:
  - Ford Focus hatch;
  - Hyundai I30 wagon;
  - Hyundai iLoad cargo van;
  - Mazda 6 wagon;
  - Mazda BT 50 utility;
  - Mercedes van;
  - Subaru Forester wagons x 2;
  - Subaru Liberty sedan;
  - Subaru Liberty wagon;
  - Subaru Outback wagon;
  - Toyota Camry sedans x 2; and
  - Toyota Tarago x 2.

These are all four cylinder vehicles. Five of these cars are provided to Executives as part of their package and are therefore home garaged, additionally three vehicles are home garaged as there is no secure parking.

- (2) For the year ended 31 March 2010 these vehicles travelled a total of 169,509km.

- (3) Third party insurance is included in the annual registration fee for all the vehicles and Comprehensive Insurance is included in the monthly leasing charges.
- (4) For the Chief Minister's Department output costing incorporates an amount of direct cost for each output, and an amount representing corporate overhead allocation. The Chief Minister's Department has recently revised its corporate overhead allocation to allocate overheads on a pro-rata basis based on the total direct cost of each output class.

The Cultural Facilities Corporation only has one output class (Cultural Facilities Management – see BP4 2009-10 pg 477).

(5) See table below.

(6) See table below.

	Asset	YTD Depreciation (31 March 2010)	Initial Cost
1	Link Building	\$285,911	\$16,522,241
2	Canberra Glassworks	\$225,750	\$7,525,000
3	Main Theatre Building	\$213,760	*\$2,472,319
4	Playhouse	\$204,816	*\$7,106,600
5	The Street Theatre	\$120,000	\$4,000,000
6	Belconnen Arts Centre	\$116,512	\$6,213,984
7	Tuggeranong Arts Centre	\$114,750	\$3,825,000
8	Gorman House	\$75,000	\$4,000,000
9	Lanyon Homestead	\$67,038	*\$2,436,820
10	Ainslie Arts Centre	\$58,687	\$3,130,000

\* Original cost of these assets is unknown as they were wholly, or in part, transferred to the Corporation at the time of its inception – where the original value is unknown the revaluation amount (performed April 08) has been used.

### **Government—motor vehicles (Question No 683)**

**Mr Seselja** asked the Minister for Land and Property Services, upon notice, on, 18 March 2010:

- (1) How many vehicles are currently used by the Minister's department or each agency, what are their types and sizes and how many are privately garaged.
- (2) How many kilometres are travelled each year by the vehicles referred to in part (1).
- (3) What are the insurance costs for the department and each agency, including third party insurance for vehicles.
- (4) What output costing methodology is used to allocate costs across the department and each agency.
- (5) What are the top ten individual depreciation costs for the department and each agency.

- (6) Which assets do the costs referred to in part (5) refer to and what was the initial cost of the asset.

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

Note that the structure of the agency has changed last year for which figures have been provided to parts of the question.

- (1) The Department of Land and Property Services uses 43 vehicles, including sedans and station wagons, vans and utilities and commercial style vans and trucks. On average, 33 of these vehicles are privately garaged, and they relate to Trades staff who go direct to job sites.

The Land Development Agency uses six vehicles, including station wagons utilities. Three of these are privately garaged.

- (2) In relation to Land and Property Services, for the 2009-10 FBT year: 685,481km  
In relation to the Land Development Agency, for the 2009-10 FBT year: 93,331km
- (3) The Department of Land and Property Services and the Land Development Agency: All vehicle related insurance costs are included in monthly fleet charges thus cannot be identified separately.
- (4) Output costing incorporates an amount of direct cost for each output, and an amount representing corporate overhead allocation.
- (5) and (6) Note that in relation to Land and Property Services the current value of the assets are those at the most recent valuation, 30/6/2009.

**Land Development Agency assets (at 28/02/10)**

<b>Item</b>	<b>Original Cost / Value @1 July 2009</b>	<b>Depreciable Amount (Valuation or Cost)</b>	<b>Depreciation Total (to end Feb 2010)</b>
Dickson Office Refurbishment	1,778,407.63	1,778,407.63	88,920.39
Kingston Foreshore Building (Fitters workshop, Total area)	2,420,000.00	2,420,000.00	12,099.99
Amenities Building	47,250.00	47,250.00	2,362.50
Subaru Outback -Rego YFR11H	33,148.96	17,568.95	2,196.12
Holden Rodeo LX RA - Rego 213345	32,538.41	14,642.28	1,830.30
Forester - Rego YFM15R	27,257.12	14,446.27	1,805.79
Holden Rodeo LX RA - Rego YFA40R	31,533.87	14,190.24	1,773.78
Electroboard	14,480.57	28,960.57	1,448.04
Holden Astra CD Ah - Rego 212874	21,233.63	9,289.71	-
Schiavello 8x workstations	-	19,770.00	659.00

**Department of Land and Property Services assets (at 30 April 2010)**

<b>Item</b>	<b>Value @ 1 July 2009</b>	<b>Depreciable Amount</b>	<b>Depreciation Total (1 Dec 2009 – 30 April 2010)</b>
Macarthur House Building	12,700,000.00	12,700,000.00	311,274.51
Macarthur House Improvements	5,700,000.00	5,700,000.00	296,875.00
North Building	8,100,000.00	8,100,000.00	281,250.00
Moore Street Building	19,500,000.00	19,500,000.00	280,172.41
Magistrates Court	23,000,000.00	23,000,000.00	252,192.98
Dame Pattie Menzies Building	17,400,000.00	17,400,000.00	190,789.47
Arscott House, Belconnen Student Accommodation	5,400,000.00	5,400,000.00	173,076.92
Callam Offices	12,000,000.00	12,000,000.00	161,290.32
Former Woden Police Station	2,400,000.00	2,400,000.00	125,000.00
Callam Offices (Fire Services)	800,000.00	800,000.00	111,111.11

**Government—regulatory impact statements  
(Question No 684)**

**Mr Seselja** asked the Chief Minister, upon notice, on 18 March 2010:

- (1) How many regulatory impact statements have been prepared by the Minister's department or each agency in their portfolio to date in 2009-10.
- (2) How many hours were spent on the preparation of each statement referred to in part (1).
- (3) Which areas of the department or each agency were responsible for drafting each statement.
- (4) What economic analysis, if any, has been performed by the department or each agency in (a) 2008-09 and (b) 2009-10 to date.
- (5) What was the cost of undertaking the analysis referred to in part (4).

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

- (1) 8.
- (2) This function is a part of core departmental business, and the specific information is not collected separately and is therefore not available.
- (3) Office of Industrial Relations.
- (4) The Canberra Theatre Feasibility Study ran from June 2008 to April 2009 and was funded to provide cultural, social and economic research into the need for a new lyric theatre that would be able to respond to contemporary and projected theatre programming, festival and community expectations.
- (5) The total cost of the Canberra Theatre Feasibility Study was \$115,000.

**Government—regulatory impact statements  
(Question No 686)**

**Mr Seselja** asked the Minister for the Environment, Climate Change and Water, upon notice, on 18 March 2010:

- (1) How many regulatory impact statements have been prepared by the Minister's department or each agency in their portfolio to date in 2009-10.
- (2) How many hours were spent on the preparation of each statement referred to in part (1).
- (3) Which areas of the department or each agency were responsible for drafting each statement.
- (4) What economic analysis, if any, has been performed by the department or each agency in (a) 2008-09 and (b) 2009-10 to date.
- (5) What was the cost of undertaking the analysis referred to in part (4).

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

- (1) Nil.
- (2) Not applicable.
- (3) Not applicable.
- (4) All policy and cabinet documents consider economic impacts
- (5) This function is a part of core departmental business, and the specific information is not collected separately and is therefore not available.

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**Government—advertising  
(Question No 688)**

**Mr Seselja** asked the Chief Minister, upon notice, on 18 March 2010:

- (1) How much has been spent on advertising to date in 2009-10 for the Minister's department and each agency in their portfolio.
- (2) On what campaigns was this money spent
- (3) What form of media was employed to undertake this advertising.
- (4) Which businesses were employed to undertake, or consult on, each campaign and how many of these are small businesses from the ACT.

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

(1)–(4) See attached table

Note information is not kept on whether these businesses are small businesses.

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

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**Public service—training programs  
(Question No 692)**

**Mr Seselja** asked the Chief Minister, upon notice, on 18 March 2010:

- (1) What are the overhead fixed costs for the Minister's department and each agency in their portfolio.
- (2) How much has the department and each agency spent on training programs in 2009-10 to date.
- (3) What was the purpose of each training program and how many staff participated.
- (4) What in-house training programs were undertaken in (a) 2008-09 and (b) 2009-10 to date which resulted in no marginal cost to the Government.
- (5) What in-house training programs were undertaken in (a) 2008-09 and (b) 2009-10 to date which resulted in a cost to the Government and what was this cost.
- (6) What is the average oncost for each officer in the Minister's department and each agency in their portfolio in 2009-10 and what is included in this oncost.
- (7) What is the marginal oncost of an additional worker at the current staffing levels.
- (8) What specialist qualifications are required by staff for the Minister's department and each agency in their portfolio to undertake its roles and responsibilities and what skills are currently lacking in department and each agency.
- (9) How many employees are currently employed and what level is each.
- (10) What is the average salary for each employee with a specialist skill that is required for the Minister's department and each agency to undertake its roles and responsibilities.
- (11) What training must employees undertake on a regular basis to maintain their specialist skills and what is the cost of this training.
- (12) What specialist equipment is required for officers to undertake their jobs.
- (13) For each piece of equipment referred to in part (12), (a) how many are required, (b) what is the capital cost of each and (c) what is the running cost.
- (14) Over what period is each piece of equipment, referred to in part (12), depreciated.
- (15) How many graduates are employed in the Minister's department and each agency in their portfolio.

- (16) What was the cost of employing each graduate referred to in part (15) and how many have been employed on average each year since 2001.
- (17) How many staff have been recruited in 2009-10 to date and how much has been spent on recruitment in 2009-10 to date.
- (18) How much space is currently leased as at 28 February 2010 by the Minister's department and each agency in their portfolio.
- (19) What is the cost of the leases referred to in part (18) and what is the make-good provision.
- (20) When will the leases be complete.
- (21) How many staff have left the Minister's department and each agency in their portfolio in 2009-10 to date.
- (22) What is the average amount of (a) recreation and (b) long service leave currently held by staff members.

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

- (1) Overhead fixed costs for the Department would include costs of office rental, depreciation, insurance, fixed IT costs, finance and human resources and other corporate and management functions.

For the Canberra Theatre Centre it should be noted that a majority of the following costs contain a fixed and variable component, the latter largely driven by theatre activity: All Corporate Administration divisional expenditure; Advertising; Rent; Cleaning; Printing and Stationery; Audit Fees; Insurance; Security; Land Tax and Rates; Telephone and Internet; IT leasing; Electricity, Gas, Water and Sewerage; Storage; Depreciation

(2) See attached table

(3) See attached table

- (4) a) The following in-house training was provided during 2008-09 at no cost:
- 2009-10 Budget process;
  - Accessing ABS Information;
  - Asset Management Training – Portable and Attractive Items;
  - *beyondblue*: Awareness to Action - General Staff;
  - *beyondblue*: Awareness to Action - Staff Managers and Supervisors;
  - *beyondblue*: Future Inquires Workshop;
  - Board Paper Preparation;
  - Discrimination in Employment Workshop;
  - End of Financial Year Process and Salary Break-up Report Session;
  - Equal Access to Public Information - Your Responsibility as a Web Publisher;
  - FBT and Petty Cash Information Session;
  - Financial Reporting Information Session;
  - GreenSteps: Nara centre waste audit and improvement strategies;
  - Health and Fitness Seminar;
  - ICT Information Session;

- Managers network: Canberra Connect online customer self service;
  - Managers network: Workplace Health & Safety Roles and responsibilities;
  - Natural Justice and Procedural Fairness;
  - Oracle Single Instance – Chart of Accounts and Forms;
  - Sharepoint Introduction;
  - Staff Orientation and Information Session;
  - Understanding ACT Government Web Policies;
  - Understanding Legislation;
  - What does the 2009-10 Budget mean for CMD;
  - What's New in HR21;
  - Whole of Government Search Capability Information Session.
- b) The following in-house training was provided during 2009-10 at no cost:
- ‘A day in the life of the Chief Minister’ – workshop on preparation of function Briefs;
  - Assembly and Government Processes Seminar;
  - Business Unit Discretionary Budgets;
  - FBT Training;
  - Manager's Forum - Leading Health & Safety at Work by M McCabe;
  - Ministerial Briefings Preparation;
  - Quarterly Report Preparation;
  - Staff Orientation and Information Session;
  - Work Safety Act Presentation.
- (5) a) The following in-house training was provided during 2008-09 that resulted in a cost:
- Communicating Clearly for Results (\$500);
  - Fraud and Ethics Awareness (\$4,950);
  - Freedom of Information (\$5,400);
  - How to relax and stop worrying (\$500);
  - Managing Different Generations in the workplace (\$500);
  - Managing Employee Performance (\$3,960);
  - Records Management Training series (\$1,700);
  - Recruitment & Selection Workshop (\$3,588);
  - Writing & Presentation Skills (\$6,164).
- b) The following in-house training was provided during 2009-10 that resulted in a cost:
- *beyondblue*: Awareness to Action (\$1,595);
  - Cabinet Handbook Training Sessions (\$219);
  - Community Engagement Skills Workshop (\$9,900);
  - Getting There First! Managing Staff with Stress Responses (\$5,800);
  - Introduction to Freedom of Information (Decision Making) (\$2,300);
  - Introduction to Freedom of Information (Introduction) (\$4,040);
  - Records Management - Arts ACT (\$1,733);
  - Respect and Courtesy @ Work (\$957).
- (6) The Department uses the Department of Treasury Salary and Admin On-cost Model (October 2008) to determine salary on-cost estimates for each generic classification based on an average salary cost for each classification, and a standard figure for administrative on-costs.

The salary on-costs include estimates for Superannuation, Employer Productivity Superannuation Contribution, Long Service Leave Provision, Annual Leave Loading, Workers Compensation Premium, and other issues as necessary on a case by case basis. The salary on-cost total is 16.41% of the average salary.

The administrative on-cost model is based on average estimates for IT and communications related costs; accommodation; insurance; training; fleet; other administrative items including OH&S expenses, office machines and equipment, stationery and postage; and a corporate component covering payroll and human resource costs per FTE across Government. The total standard figure for administrative on-costs (in the October 2008 Guideline) was \$15,790.

The Salary and Administration On-Cost Model is updated annually to assist with budget preparation.

(7) As above.

(8) The Canberra Theatre Centre has positions requiring the following specialist qualifications:

- Bachelor Business/Commerce (accounting major);
- Bachelor Business/Commerce (marketing major);
- Diploma of Education; and
- Certificate 4 Horticulture.

No positions where these qualifications are mandated are currently vacant.

(9) Below are the levels and numbers of employees in positions requiring specialist qualifications:

ASO6	1
GSO6	1
PO1	4
PO2	2
SOGA	1
SOGC	2
SPOC	2
TOTAL SPECIALIST EMPLOYEES	13

(10) \$73,930

(11) No ongoing training is required.

(12) Nil

(13) Not applicable

(14) Not Applicable

(15) One

(16) A Graduate Administrative Assistant is employed on a salary of \$53,616 per annum. The ACT Graduate Program costs \$15,000 per graduate, including assessment and selection processes and a training and development program.

2001 7  
2002 7  
2003 6  
2004 3

2005	8
2006	4
2007	0
2008	3
2009	3

- (17) In 2009-10 (as at 31 March 2010) 17 staff had been recruited on a permanent basis either from other ACTPS agencies or externally. A total of \$31,706 has been spent on recruitment advertising, agency hire firms, and contractors to assist in the recruitment process.
- (18) The response to this part is being provided by the Minister for Land and Property Services.
- (19) The response to this part is being provided by the Minister for Land and Property Services.
- (20) The response to this part is being provided by the Minister for Land and Property Services.
- (21) During 2009-10 (as at 31 March 2010) 11 permanent staff left the Chief Minister's Department and 3 left Cultural Facilities Corporation.
- (22) As at 28 February 2010, the average annual leave balance for CMD staff was 158 hours. Cultural Facilities Corporation staff had 93 hours.

As at 31 December 2009 the average long service leave liability for CMD staff was 1.748 months. The long service leave liability is estimated with reference to the minimum period of qualifying service. For employees with less than the required minimum period of 7 years of qualifying service, the probability that employees will reach the required minimum period has been taken into account in estimating the provision for long service leave. Cultural Facilities Corporation staff had an average long service leave liability of 199 hours.

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

## **Public service—training programs (Question No 695)**

**Mr Seselja** asked the Minister for Land and Property Services, upon notice, on, 18 March 2010:

- (1) What are the overhead fixed costs for the Minister's department and each agency in their portfolio.
- (2) How much has the department and each agency spent on training programs in 2009-10 to date.
- (3) What was the purpose of each training program and how many staff participated.
- (4) What in-house training programs were undertaken in (a) 2008-09 and (b) 2009-10 to date which resulted in no marginal cost to the Government.

- (5) What in-house training programs were undertaken in (a) 2008-09 and (b) 2009-10 to date which resulted in a cost to the Government and what was this cost.
- (6) What is the average oncost for each officer in the Minister's department and each agency in their portfolio in 2009-10 and what is included in this oncost.
- (7) What is the marginal oncost of an additional worker at the current staffing levels.
- (8) What specialist qualifications are required by staff for the Minister's department and each agency in their portfolio to undertake its roles and responsibilities and what skills are currently lacking in department and each agency.
- (9) How many employees are currently employed and what level is each.
- (10) What is the average salary for each employee with a specialist skill that is required for the Minister's department and each agency to undertake its roles and responsibilities.
- (11) What training must employees undertake on a regular basis to maintain their specialist skills and what is the cost of this training.
- (12) What specialist equipment is required for officers to undertake their jobs.
- (13) For each piece of equipment referred to in part (12), (a) how many are required, (b) what is the capital cost of each and (c) what is the running cost.
- (14) Over what period is each piece of equipment, referred to in part (12), depreciated.
- (15) How many graduates are employed in the Minister's department and each agency in their portfolio.
- (16) What was the cost of employing each graduate referred to in part (15) and how many have been employed on average each year since 2001.
- (17) How many staff have been recruited in 2009-10 to date and how much has been spent on recruitment in 2009-10 to date.
- (18) How much space is currently leased as at 28 February 2010 by the Minister's department and each agency in their portfolio.
- (19) What is the cost of the leases referred to in part (18) and what is the make-good provision.
- (20) When will the leases be complete.
- (21) How many staff have left the Minister's department and each agency in their portfolio in 2009-10 to date.
- (22) What is the average amount of (a) recreation and (b) long service leave currently held by staff members.

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

Note that the structure of the agency may have changed over the financial years for which figures have been provided to parts of the question.

- (1) Overhead fixed costs for the Department of Land and Property Services (LAPS) and the Land Development Agency (LDA) would include costs of office rental, depreciation, insurance, fixed IT costs, finance and human resources and other corporate and management functions.
- (2) LAPS has spent \$13,139.75 from 1 December 2009 to 22 March 2010.

The LDA has spent \$173,762.11 on training from 1 July 2009 to 22 March 2010.

(3)

<b>Training Program (LAPS)</b>	<b>Participants</b>
Computer Literacy	1
Certificate IV in Building and Construction	1
Diploma of Government	1
Economics Forum	2
First Aid	1
Job Application and Job Interview Skills	1
Nursery and Gardening Conference	1
Outlook 2007	4
Policy Development	1
TAFE Fees	1
Approved Study Leave	5
Community Engagement	3
Computer Literacy (e.g.: Excel, Word, Vista, Visio etc)	144
Various Conferences	14
Contract Negotiation	1
Conflict Management	1
Digital Publishing	5
Estate Master	12
Financial Management	5
Fire & Emergency Procedures	75
Freedom of Information	3
Governance	4
Investigation Skills	1
Job Application and/or Interview Skills	3
Leadership Skills	7
OH&S Training	4
OH&S Construction Card	13
Performance Management	89
Personal Development	2
Policy Development	4
Project Management	1
Records Management	1
Recruitment and Retention	1
Respect & courtesy at work	55
Risk Management	2
Sales Skills	4
Various Seminars	12
Sustainability	6

Training Program (LAPS)	Participants
Trim Records Management	17
Web Design	1
Writing Skills	6
Design Crime Risk Assessor Training	1

(4) LAPS: Nil

LDA: a number of staff presentations and in-house training sessions were undertaken in (1)2008-09 and (b) 2009-10. These, however, have not been recorded so no information can be provided.

(5) LAPS: Nil.

LDA:

(a) 2008-09 include:

- Estate Master training
- Fire and Emergency procedures
- Respect and Courtesy at Work

The total cost of this training was \$12,670.

(b) 2009-10 to 22/3/10 include:

- Computer literacy skills
- Performance management plan development techniques
- Respect and Courtesy at Work
- Sales team training; and
- Trim records management

The total cost of this training was \$23,922.

(6) The Department uses the Department of Treasury Salary and Admin On Cost Model (October 2008) to determine salary on-costs estimates for each generic classification based on an average salary cost for each classification, and a standard figure for administrative on-costs.

The salary on-costs include estimates for Superannuation; Employer Productivity Superannuation Contribution; Long Service Leave Provision; Annual Leave Loading; Workers' Compensation Premium, and other issues as necessary on a case-by-case basis. The salary on-cost total is 16.41% of the average salary.

The administrative on-cost model is based on average estimates for IT and communications related costs; accommodation; insurance; training; fleet; other administrative items including OH&S expenses, office machines and equipment, stationery and postage; and a corporate component covering payroll and human resources costs per FTE across Government. The total standard figure for administrative on-costs (in the October 2008 Guideline) was \$15,790.

The Salary and Administration On-Cost Model is updated annually to assist with budget preparation.

(7) See the answer to (6).

(8) In relation to the Department of Land and Property Services:

<b>Role</b>	<b>Specialist qualifications</b>
Carpenter	Trade certificate
Electrician	Licensed Electrician
Locksmith	Trade certificate
Mechanical Fitter	Trade certificate
Painter	Trade certificate
Plumber	Licensed Plumber
Plumber	Trade certificate
Playground Inspector	Level 2 Playground (Inspecting Certificate issued by the University of Technology, Sydney.)
Financial Controller	Accountancy

All appropriate skills and expertise relevant to LAPS operational requirements are met within the current staff mix.

The LDA does not have any positions requiring mandatory qualifications or mandatory specialist skills and all appropriate skills and expertise relevant to LDA operational requirements are met within the current staff mix.

(9) In relation to the Department of Land and Property Services:

<b>Role</b>	<b>No. of employees</b>	<b>Classification</b>
Carpenter	2	GSO 7
Electrician	1	GSO 8
Locksmith	2	GSO 5/6
Mechanical Fitter	4	1 x GSO 5/6, 2 x GSO 7, 1 x GSO 9
Painter	1	GSO 5/6
Plumber (Licensed)	2	1 x GSO 7, 1 x GSO 8
Plumber (Trade Certificate)	3	GSO 5/6
Playground Inspector	3	2 x GSO 5/6, 1 x GSO 7
Financial Controller	1	SO B

In relation to the LDA: N/A

(10) In relation to the Department of Land and Property Services:

<b>Role</b>	<b>Average salary</b>
Carpenter	\$48,811.50
Electrician	\$50,266.00
Locksmith	\$45,943.00
Mechanical Fitter	\$49,204.25
Painter	\$45,943.00
Plumber (Trade certificate)	\$45,249.67
Plumber (Licensed plumber)	\$52,391.50
Playground Inspector	\$47,360.00
Financial Controller	\$108,766.00

(11) Playground Inspectors must undertake renewal of their Level 2 Playground Inspecting Certificate issued by the University of Technology, Sydney every three years. The cost is \$1,100 (Inc GST) for each inspector.

The Financial Controller is required to undertake continuing professional development to maintain his CPA status. No costs have been incurred from 1 December 2009 to 17 March 2010.

(12) Specialist equipment for locksmiths: Bi-lock Key Cutting Equipment. Specialist equipment for plumbers: a jet rodder.

(13)(a) 1 set of each.

(b) Bi-Lock Key Cutting Equipment cost: \$29,471, Jet Rodder cost: \$24,000

(c) Bi-Lock Key Cutting Equipment was installed in late 2009. No annual running costs have been incurred to date. Jet rodder running costs are estimated at \$500 per year.

(14) Bi-Lock Key Cutting Equipment: Ten years

Jet Rodder: Five years

(15) LAPS: 1.

LDA: 1.

(16) \$53,616.

The cost of employing each graduate is one year's salary at ASO4 level plus the administration costs for the program being \$15,000 per graduate. Administration costs include the assessment and recruitment processes, as well as learning and development programs.

In 2010, the LDA paid an extra \$4,500 in administrative costs for a graduate who was selected but withdrew from the program, prior to commencing duties with the LDA.

LAPS has 1 graduate since its establishment in December 2009.

The LDA has employed graduates since 2001 as follows:

- 2001-2007 – Nil
- 2008 – 2
- 2009 – 2
- 2010 – 1

(17) 1 recruited in LAPS, nil cost.

Fifteen staff have been recruited in 2009-10 to date in the LDA. The cost of recruitment in this period was \$29,850 which includes advertisements, scribing services, police checks and medical examinations.

(18) ACT Property Group in the Department of Land and Property Services manages all leased accommodation on behalf of the Territory, therefore this question was redirected. Please find attached Whole of Government data.

(19) As above.

(20) As above.

(21) LAPS: 4.

LDA: 6.

(22) (a) As at the last payday in February, the average amount of recreation leave held by LAPS staff was 196 hours and by LDA staff was 148 hours.

(b) As at 31 December 2009 the average long service leave is: LAPS 2.125 months; and LDA 1.918 months.

*(Copy of the attachment is available at the Chamber Support Office)*

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### **Schools—vandalism (Question No 710)**

**Mr Doszpot** asked the Minister for Education and Training, upon notice, on 18 March 2010:

- (1) How many incidents of vandalism, occurred at ACT government schools, by school name, during (a) 2007-08, (b) 2008-09 and (c) 2009-10 to date.
- (2) How much was spent in each ACT government school on repairs due to vandalism, by school name, during (a) 2007-08, (b) 2008-09 and (c) 2009-10 to date.
- (3) What is the total school budget allocation for vandalism repairs for each ACT government school, by school name.

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

Data on vandalism is collected and maintained by the Department in calendar years only. While schools are required to report all incidents of vandalism, on occasion incidents are not reported centrally. An increased focus on the collection of data on vandalism in public schools has occurred since January 2008. However, it should be noted that difficulties still remain in data collection and classification. Therefore caution should be exercised in comparing the number of incidents to costs.

- 1) a) Data was not collected centrally prior to January 2008;  
b) Refer to (Attachment A);  
c) Refer to (Attachment A).
- 2) a) Data was not collected prior to January 2008;  
b) Refer to (Attachment A);  
c) Refer to (Attachment A);  
d) Refer to (Attachment A);
- 3) Refer to (Attachment A).

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

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### Multiculturalism—programs (Question No 717)

**Mr Doszpot** asked the Minister for Multicultural Affairs, upon notice, on 18 March 2010:

- (1) What is the cost for each program administered by the Office of Multicultural Affairs (OMA) and how many staff are involved in the administration of these programs.
- (2) What was the total cost of each event administered by OMA in 2008-09 and how many staff are involved with the administration each event.

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

- (1) A breakdown of the 2009-10 budget for the Office of Multicultural Affairs is at **Attachment A**. There are 9 officers involved in the administration of programs in the Office.
- (2) There were two key events administered by the Office of Multicultural Affairs in 2008-2009: the Multicultural Leaders Reception on 1 July 2008 and the 2009 National Multicultural festival on 6-15 February 2009.

The cost of the 2008 Multicultural Leaders Reception was \$5,935. The total cost of the 2009 National Multicultural Festival was \$1.064m.

2009-10 OMATSIA BUDGET	Expenses	Employee Expenses	Operating Expenses excl depn & grants	Depreciation & Amortisation	Grants & Purchased Services
Office of Multicultural, Aboriginal & Torres Strait Islander Affairs	3,840,000	1,488,000	1,455,000	346,000	551,000
MAIA Operating	1,012,292	866,392	46,900		99,000
Multicultural Affairs Program	1,961,555	111,155	1,172,400	346,000	332,000
Aboriginal & Torres Strait Islander Affairs Program	866,154	510,454	235,700		120,000

#### 2009-10 OMATSIA Budget

#### All Classifications

Office of Multicultural, Aboriginal & Torres Strait Islander Affairs	14
MAIA Operating	8
Multicultural Affairs Program	1
Aboriginal & Torres Strait Islander Affairs Program	5

### Roads—loading bays (Question No 719)

**Mr Coe** asked the Minister for Transport, upon notice, on 18 March 2010:

- (1) How many loading bays (parking for goods carrying vehicles) are there for each suburb in Canberra.

- (2) How many infringement notices have been issued for vehicles parking in loading bays without permission for each suburb in (a) 2008 and (b) 2009.
- (3) How many vehicles in Canberra are permitted to park in loading bays (parking for goods carrying vehicles).

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

- (1) The number of Loading Zones in the ACT

Loading zones have been extracted from current data within the TAMS Traffic Control Device (TCD) Grid Inventory depicting permanent standard loading zone signage. This TCD dataset is updated on a daily basis.

TCD dataset limitations:

- Excludes temporary loading zones (approx 50 per annum) that are authorised for construction / road works via Temporary Traffic Management (TTM) arrangements.
- Excludes TCD data for universities; hospitals; Defence land; some private carparks; underground parking at Parliament House; Botanical Gardens and generally private leases which are not maintained in the TCD Grid Inventory dataset.
- Data is as up to date as the data received by TAMS.

These limitations mean that there may be loading zone infringements issued in suburbs where the current TCD data record of loading zones does not identify a loading zone in that suburb.

The number of Loading Zones in the ACT extracted from the TCD Grid Inventory is as follows:

<b>Suburb</b>	<b>Number of Loading Zones</b>
Ainslie	1
Barton	11
Belconnen	29
Braddon	13
Bruce	5
Calwell	1
Capital Hill	2
Charnwood	1
Chifley	1
Chisholm	2
City	116
Curtin	6
Deakin	9
Dickson	18
Downer	1
Fisher	1
Florey	1
Forrest	5
Fyshwick	3

<b>Suburb</b>	<b>Number of Loading Zones</b>
Greenway	22
Griffith	13
Gungahlin	3
Hawker	2
Holder	1
Holt	7
Isaacs	1
Isabella Plains	1
Kaleen	3
Kambah	3
Kingston	17
Lyneham	4
Macquarie	3
Majura (rural)	1
Mawson	5
Mitchell	2
Narrabundah	3
O'Connor	2
Parkes	9
Phillip	28
Rivett	1
Russell	3
Turner	1
Wanniassa	2
Waramanga	1
Weston	7
Yarralumla	1

- (2) The number of infringement notices issued for vehicles parked illegally in loading zones in 2008 and 2009 is as follows:

<b>2008</b>		<b>2009</b>	
Acton *	1	Ainslie	1
Aranda *	1	Barton	54
Barton	80	Belconnen	167
Belconnen	157	Braddon	15
Braddon	25	Bruce	315
Bruce	155	Campbell *	4
Calwell	1	Capital Hill	28
Campbell *	2	City	4,563
Capital Hill	18	Curtin	17
City	4,515	Deakin	349
Curtin	24	Dickson	53
Deakin	438	Forrest	43
Dickson	58	Fyshwick	2
Forrest	32	Garran *	11
Garran *	1	Greenway	84
Gowrie *	1	Griffith	299

2008		2009	
Greenway	98	Gungahlin	98
Griffith	333	Holt	35
Gungahlin	126	Kaleen	21
Holt	58	Kambah	9
Kaleen	29	Kingston	128
Kambah	17	Lyneham	25
Kingston	109	Lyons *	1
Lyneham	43	Macquarie	123
Macgregor	1	Majura	35
Macquarie	36	Mawson	18
Majura	30	Ngunnawal *	2
Mawson	13	O'Connor	1
Parkes	17	Palmerston *	1
Phillip	619	Parkes	12
Reid *	22	Phillip	644
Russell	41	Reid *	37
Turner	3	Russell	47
Wanniassa	6	Turner	7
Weston	8	Wanniassa	7
Yarralumla	5	Weston	18
		Yarralumla	1

\*Indicates temporary loading zone or a loading zone on private property.

- (3) There are 26,595 goods vehicles registered in the ACT entitled to use loading zones and a further 1,110 permits issued to non-goods vehicles entitling them to use loading zones. Goods vehicles registered in other jurisdictions are also allowed to use ACT loading zones.

### Seniors—concessions (Question No 725)

**Ms Bresnan** asked the Minister for Ageing, upon notice, on 18 March 2010:

Is the Government considering making concession travel available for seniors who are not on the aged pension; if not, why not; if so, (a) what stage is the ACT Government up to in these considerations and (b) is the possibility of concession travel to be made available during peak time periods for pensioners and not just gold card holders part of these considerations.

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

- (a) & (b) Seniors Card holders have access to concession fares at all times on ACTION and Deane's Buslines. Seniors cards concessions are the same as those available to Centrelink card holders.  
Gold card holders travel free of charge at all times ACTION services.

**Public service—staffing  
(Question No 726)**

**Mrs Dunne** asked the Minister for Territory and Municipal Services, upon notice, on 23 March 2010:

- (1) What was the head count and the full-time equivalent (FTE) count for staff employed in Conservation, Parks and Lands as at 31 December 2009.
- (2) What was the head count and the FTE count for staff employed at (a) Canberra Nature Park, (b) Namadgi National Park, (c) Tidbinbilla Nature Reserve, (d) Mulligans Flat, (e) Goorooyooroo, (f) Australian Alps, (g) Murrumbidgee corridor, (h) catchment management, (i) former forestry reserves and (j) grassland reserves, as at 31 December 2009.
- (3) How many of those staff referred to in part (2), both head count and FTEs, were (a) executive, (b) professional staff, (c) support staff and (d) other staff, as at 31 December 2009.
- (4) What were the staffing costs, broken down as to salaries and on-costs, for each category referred to in part (3) for the period 1 July to 31 December 2009.
- (5) What were the roles and classifications for the staff referred to in part (3)(d) as at 31 December 2009.
- (6) What is the projected head count and FTE count for each category referred to in part (2) for (a) executive, (b) professional staff, (c) support staff and (d) other staff as at 30 June 2010.
- (7) What are the projected staffing costs, broken down as to salaries and on-costs, for each category referred to in part (5) for the period 1 January to 30 June 2010.

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

- (1) The FTE count for staff employed in Parks, Conservation and Lands (PCL) as at 31 December 2009 was 413.
- (2) Staff employed as at 31 December 2009 in relevant areas of PCL's Parks and Reserves Section was 105. Staff are employed in three operational districts (rather than employed at the reserves and parks outlined in the Member's question).
  - (a) (d) (e) (g) (j) The North and South Districts are responsible for management of Canberra Nature Park which includes Goorooyaroo and grassland reserves. Mulligans Flat is managed by the North District. The head count is 41 and the FTE count is 41.
  - (b) (g) (h) (i) The Rural District has responsibility for management of Namadgi National Park, Murrumbidgee River Corridor, the Cotter Catchment and former forestry reserves with a head count of 40 and the FTE count of 40.
  - (c) Tidbinbilla Nature Reserve has a head count of 21 and the FTE count is 21.

- (f) The Australian Alps budget funds one fulltime Program Manager who reports to the Australian Alps Liaison Committee (AALC). The ACT is currently hosting the Alps Program Manager position which rotates across the States/Territory every three years and, consequently, the Program budget is currently administered, and the Program Manager is engaged, under ACT arrangements. Contributions are made to the Australian Alps national parks Program budget by the ACT, NSW, Victorian and Commonwealth governments in the proportions of 11%, 40%, 40% and 9% respectively. The ACT's contribution amounts to \$40,000. The head count is 1 and the FTE is 1.
- (3) The breakdown of staff as at 31 December 2009 for Canberra Nature Park which includes Mulligans Flat, Goorooyaroo and grassland reserves is (a) executive – 0, (b) professional staff – 2, (c) support staff – 2 and (d) other – 37.

The breakdown of staff as at 31 December 2009 for Tidbinbilla Nature Reserve is (a) executive – 0, (b) professional staff – 3, (c) support staff – 3 and (d) other – 15.

The breakdown of staff as at 31 December 2009 for Rural District which includes Namadgi National Park, Murrumbidgee River Corridor, the Cotter Catchment and former forestry reserves is (a) executive – 0, (b) professional staff – 2, (c) support staff – 3 and (d) other – 35.

- (4) The staffing costs, broken down as to salaries and on-costs for the period 1 July – 31 December 2009 for Canberra Nature Park which includes Mulligans Flat, Goorooyaroo and grassland reserves is (a) executive – \$0, (b) professional staff – (Salaries - \$142,617) (On-costs - \$16,480), (c) support staff – (Salaries - \$50,820) (On-costs - \$16,480) and (d) other – (Salaries - \$1,257,635) (On-costs - \$304,880).

The staffing costs, broken down as to salaries and on-costs for the period 1 July – 31 December 2009 for Tidbinbilla Nature Reserve is (a) executive – \$0, (b) professional staff – (Salaries - \$175,451) (On-costs - \$24,720), (c) support staff – (Salaries - \$94,722) (On-costs - \$24,720) and (d) other – (Salaries - \$526,622) (On-costs - \$123,600).

The staffing costs, broken down as to salaries and on-costs for the period 1 July – 31 December 2009 for Rural District which includes Namadgi National Park, Murrumbidgee River Corridor, the Cotter Catchment and former forestry reserves is (a) executive – \$0, (b) professional staff – (Salaries - \$124,698) (On-costs - \$16,480), (c) support staff – (Salaries - \$125,137) (On-costs - \$24,720) and (d) other – (Salaries - \$1,350,172) (On-costs - \$288,400).

The staffing costs, broken down as to salaries and on-costs for the period 1 July – 31 December 2009 for Australian Alp is (a) executive – \$0, (b) professional staff – (Salaries - \$88,168) (On-costs - \$16,480), (c) support staff – \$0 and (d) other – \$0.

- (6) The projected FTE for the categories of staff referred to in question 2 for executive, professional staff, support staff and other staff as at 30 June 2010 is 105.9. As outlined in the response to Question 2 staff are employed in three operational districts (rather than employed at the reserves and parks outlined in the Member's question).

(a) (d) (e) (g) (j) The North and South Districts are responsible for management of Canberra Nature Park which includes Goorooyaroo and grassland reserves. Mulligans Flat is managed by the North District. The head count is 41 and the FTE count is 40.

(b) (g) (h) (i) The Rural District has responsibility for management of Namadgi National Park, Murrumbidgee River Corridor, the Cotter Catchment and former forestry reserves with a head count of 40 and the FTE count of 40.

(c) Tidbinbilla Nature Reserve has a head count of 21 and the FTE count is 21.

(f) The Australian Alps has a head count of 1 and the FTE is 1.

- (7) The projected staffing costs, broken down as to salaries and on-costs referred to in question 5 for the period 1 January 2010 – 30 June 2010 for Canberra Nature Park which includes Mulligans Flat, Goorooyaroo and grassland reserves is (a) executive – \$0, (b) professional staff – (Salaries - \$142,617) (On-costs - \$16,480), (c) support staff – (Salaries - \$35,574) (On-costs - \$11,536) and (d) other – (Salaries - \$1,333,400) (On-costs - \$304,880).

The projected staffing costs, broken down as to salaries and on-costs referred to in question 5 for the period 1 January 2010 – 30 June 2010 for Tidbinbilla Nature Reserve is (a) executive – \$0, (b) professional staff – (Salaries - \$182,350) (On-costs - \$24,720), (c) support staff – (Salaries - \$79,476) (On-costs - \$20,600) and (d) other – (Salaries - \$591,972) (On-costs - \$140,080).

The projected staffing costs, broken down as to salaries and on-costs referred to in question 5 for the period 1 January 2010 – 30 June 2010 for Rural District which includes Namadgi National Park, Murrumbidgee River Corridor, the Cotter Catchment and former forestry reserves is (a) executive – \$0, (b) professional staff – (Salaries - \$124,698) (On-costs - \$16,480), (c) support staff – (Salaries - \$125,137) (On-costs - \$24,720) and (d) other – (Salaries - \$1,387,904) (On-costs - \$296,640).

The projected staffing costs, broken down as to salaries and on-costs referred to in question 5 for the period 1 January 2010 – 30 June 2010 for the Australian Alps is (a) executive – \$0, (b) professional staff – (Salaries - \$88,168) (On-costs - \$16,480), (c) support staff – \$0 and (d) other – \$0.

### **Public service—staffing (Question No 734)**

**Mrs Dunne** asked the Minister for Children and Young People, upon notice, on 23 March 2010:

- (1) What was the head count and the full-time equivalent (FTE) count for staff employed in Office of Children, Youth and Family Support as at 31 December 2009.
- (2) What was the head count and the FTE count for staff employed in (a) Aboriginal and Torres Strait Islander services, (b) adoptions, (c) care and protection, (d) child and family centres, (e) child safe organisations, (f) children's policy and regulation, (g) early intervention and prevention, (h) foster care, (i) integrated court services, (j) parents and family services, (k) Schools as Communities, (l) Turnaround Program, (m) youth justice and (n) youth services.
- (3) How many of the staff referred to in part (2), both head-count and FTEs, were (a) executive, (b) professional staff, (c) support staff and (d) other staff.

- (4) What were the staffing costs, broken down into salaries and on-costs, for each category referred to in part (3) for the period 1 July to 31 December 2009.
- (5) What were the roles and classifications for those staff referred to in part (3)(d) as at 31 December 2009.
- (6) What is the projected head count and FTE count for each category referred to in part (2) for (a) executive, (b) professional staff, (c) support staff and (d) other staff as at 30 June 2010.
- (7) What are the projected staffing costs, broken down into salaries and on-costs, for each category referred to in part (5) for the period 1 January to 30 June 2010.

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

- (1) As at 31 December 2009, OCYFS - Head count was 401 and FTE was 383.1.
- (2)

Section	FTE 09/10	Head Count	Comments
(a) ATISIS	25	26	This includes: Family Support Services, Aboriginal Foster Care & Narrabundah House.
(b) Adoptions	7.6	9	This is also part of (c)
(c) Care & Protection	152.9	155	This includes: Adoptions and Integrated Court Services.
(d) Child and Family centres	15	18	This is also part of (g) below.
(e) Child safe organisations	NA	NA	Not an OCYFS service.
(f) Children's Policy and Regulation	9	9	This is also part of (g) below.
(g) Early intervention & Prevention	45.6	49	This includes: Child & Family Centres, Children's Policy & Regulation and Schools as Communities. The FTE includes 5.6 in Commonwealth funding.
(h) Foster care	NA	NA	OCYFS funds NGO OOHC support services. See also (c) Care & Protection.
(i) Integrated Court Services	7*	6	This is also part of (c) above.
(j) Parents and family services	NA	NA	These services are a range of elements of OCYFS, as well as provided by funded non government agencies. There is no specific unit within OCYFS.
(k) Schools as Communities	9	9	This is also part of (g) above.
(l) Turnaround	5*	4	
(m) Youth Justice	83*	68	This includes: Community Youth Justice & Bimberi
(n) Youth services	13	13	This includes: Adolescent Day Unit, Youth Engagement & Policy and Youth Connections

\*Both overtime and vacancies affect actual FTE numbers.

(3)

Staff referred to	FTE 09/10	Head Count	Comments
(a) Executive			SES
Total	2	2	
(b) Professional			Includes: Health Professionals - ie Social Workers and Psychologists, Senior Professionals, Professional Officers and Legal Officers
Total	178.1	199	
(c) Support Staff			Includes: Administrative Officers, Customer Support, Case Aids, Youth Workers & Case Managers
Total	121.6	115	
(d) Other staff			Includes: Senior Officer Grade C and above.
Total	22.8	23	

(4) This has not been calculated due to resource issues. As at 31 December 2009, the total OCYFS salary expenditure was \$13,593,909. There was an additional 29% on top of this for salary on-costs, which includes Annual and Long Service Leave, Superannuation and Workers Compensation.

(5) Positions which are classified as Other include Senior Office Grade As, Senior Officer Grade Bs and Senior Officer Grade Cs.

The position roles would include Senior Managers, Managers, Assistant Managers, Operations Manager, Executive Officer, Policy Adviser and Senior Court Officer.

(6) A projected head count and FTE is not available.

(7) It is expected that overall staffing levels will be within the budget.

### **Government—appointments (Question Nos 736 and 737)**

**Mrs Dunne** asked the Minister for the Environment, Climate Change and Water and the Minister for Energy, upon notice, on 23 March 2010:

(1) Which boards, authorities and committees in the Minister's portfolio have vacancies because appointments were not made in time to take over immediately from members whose terms expired as at 17 March 2010.

(2) In relation to each board, authority or committee in the Minister's portfolio with vacancies as at 17 March 2010, (a) how many vacancies were there, (b) for how long

have those vacancies continued, (c) why have appointments not been made in time so as to avoid the vacancies, (d) when will the vacancies be filled and (e) when will the appointees take up their appointments.

- (3) For each board, authority or committee in the Minister's portfolio during (a) 2007-08, (b) 2008-09 and (c) 1 July to 31 December 2009, (i) what on-going or professional development training was provided to members, (ii) how much did that training cost, (iii) did any of that training relate directly to the skills required to conduct the particular work of the relevant board, authority or committee and (iv) did all members avail themselves of those training opportunities.
- (4) If no training was provided for those members referred to in part (3)(a) to (c), why not.

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

- (1) There are no vacancies on the Flora and Fauna Committee, Natural Resource Management Advisory Committee, and the ACT Natural Resource Management Council.
- (2) Not relevant
- (3) No training was provided to members of the Flora and Fauna Committee or the Natural Resource Management Advisory Committee.

Training opportunities made available to ACT Natural Resource Management Council are included in the table below. All opportunities increased the natural resource management skills knowledge base of participants, and as part of ongoing information sharing, participants reported back to the Council. Costs depicted in the table below were funded through the ACT Caring for our Country initiative Base Level funding, which consists of 75% Australian Government investment and 25% ACT Government investment.

Date	Description	Participants	Cost
27 March 2008	National Strategy on Ecosystem Services Roundtable - Perth	Dr Sarah Ryan Chair	\$1003
15-16 April 2008	National NRM Knowledge Conference - Melbourne	Dr Sarah Ryan Chair	\$875
16-17 April 2008	National Regional Chairs Forum - Melbourne	Dr Sarah Ryan Chair	Nil
13-15 May 2008	NSW Catchment Management Authorities' Aboriginal Reference Groups State Conference - Dubbo, NSW	Ms Kirstin Ross Member	\$350
25-26 Aug 2008	Murrumbidgee Catchment Management Authority's Yindyamarra Showcase	Dr Sarah Ryan Chair Ms Kirstin Ross Member	\$500
8 Aug 2009	Biodiversity for Climate Change – Biodiversity Summit 2009 - Canberra	Dr Sarah Ryan Chair	\$95
15 Aug 2009	Reading the Landscape Workshop – Royalla Landcare Inc - Canberra	Dr Sarah Ryan Chair	\$25

Date	Description	Participants	Cost
1-4 December 2009	Indigenous Cultural Landscape Awareness Training Workshop - Canberra	All members	Nil

- (4) Both the Flora and Fauna Committee and the Natural Resource Management Advisory Committee are expert advisory committees. Members are appointed on the basis of their skills, knowledge and qualifications to provide advice in their areas of expertise. Therefore, training has not been regarded necessary.

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### **Government—appointments (Question No 742)**

**Mrs Dunne** asked the Minister for the Arts and Heritage, upon notice, on 24 March 2010:

- (1) In relation to each board, committee, advisory council or committee, or similar within the Minister's portfolio, including statutory authorities, government owned corporations and government business enterprises, what is the (a) name of the each body and (b) each body's function or role.
- (2) What are the names, positions and qualifications of the members of each body referred to in part (1) and when do their terms expire.
- (3) How many vacancies are currently carried on each body and how long have those vacancies remained unfilled.
- (4) When will the vacancies referred to in part (3) be filled.
- (5) What is the remuneration of each member of each body, annual or per diem as appropriate.
- (6) What are the allowances of each member of each body.
- (7) Which members of each body are required to travel to Canberra in order to participate in meetings.
- (8) What is the cost, on average, per body meeting for those members to travel to Canberra to attend body meetings.
- (9) Why was each member referred to in part (7) appointed to the body in preference to seeking local members.
- (10) What was the total remuneration, allowances and travel costs paid to body members in (a) 2007-08, (b) 2008-09 and (c) 2009-10 to date.
- (11) Do any members of each body have the use of a government vehicle; if so, (a) on what basis, (b) at what cost, and (c) did the member privately garage the vehicle.
- (12) Is the use of a government vehicle included as part of a remuneration determination by the Remuneration Tribunal; if not, who authorised it.

- (13) How often does each body meet and what is the average length of meetings.
- (14) Does each body ever meet outside Canberra; if so, (a) why, (b) how often and (c) at what cost.

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

The response for Arts is included in QON 864 asked of the Chief Minister.

The response for Heritage is included in QON 954 asked of the Minister for Territory and Municipal Services.

### **Public service—flex leave (Question No 743)**

**Mrs Dunne** asked the Minister for the Arts and Heritage, upon notice, on 24 March 2010:

In relation to each agency within the Minister's portfolio, including the Cultural Facilities Corporation, for (a) 2007-08, (b) 2008-09 and (c) 2009-10 to date, (i) how much paid overtime, average hours per employee, was worked by staff, (ii) what was the average cost per employee, (iii) what was the total cost, (iv) how much unpaid overtime, average hours per employee, was worked by staff and if this data is not available, can the Minister provide an estimate, (v) how much flex leave was taken by staff, (vi) what is the maximum amount of flex leave that staff can accumulate, (vii) what practices are in place to mitigate flex time exceedences, (viii) how much flex leave has been lost by staff who exceed their maximum allowable levels and (ix) how much flex leave was lost by staff who left the service before taking that leave.

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

- (i) 2007-08 – None  
2008-09 – 8.5 hours  
2009-10 to 31/3/2010 – 13.11 hours

The Cultural Facilities Corporation's payroll system only reports overtime worked in dollar terms – no report is available for overtime hours worked.

- (ii) 2007-08 – \$1,931  
2008-09 – \$757  
2009-10 to 31/3/2010 – \$914

- (iii) 2007-08 – \$131,312  
2008-09 – \$92,805  
2009-10 to 31/3/2010 – \$89,682

- (iv) There is no provision for "unpaid overtime" in the ACT Public Service.

- (v) Flextime provides a framework for an employee's pattern of attendance at work to be varied according to the needs of the employee and the requirements of the work unit while maintaining an average of the employee's normal hours per week. Individuals and managers are responsible for recording hours worked. Flextime balances are not centrally captured and recorded.

- (vi) An employee may have a maximum flextime credit equal to the employee's normal weekly hours of duty, at the end of the settlement period. A settlement period will comprise two pay periods (ie four weeks).
  - (vii) For flextime arrangements to work effectively managers and employees have a responsibility to manage hours of work to ensure that individuals are not building up excessive flex credits.
  - (viii) This information is not separately recorded, and I am not prepared to authorise the use of considerable resources that would be required to determine the figure.
  - (ix) This information is not separately recorded, and I am not prepared to authorise the use of considerable resources that would be required to determine the figure.
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### **Government—agency costs (Question No 744)**

**Mrs Dunne** asked the Minister for the Arts and Heritage, upon notice, on 24 March 2010:

What are the overhead fixed costs for each agency within the Minister's portfolio, including the Cultural Facilities Corporation.

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

The response for Arts is included in QON 692 asked of the Chief Minister.

The response for Heritage is included in QON 946 asked of the Minister for Territory and Municipal Services.

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### **Public service—staffing (Question No 745)**

**Mrs Dunne** asked the Minister for the Arts and Heritage, upon notice, on 24 March 2010:

- (1) In relation to staffing, for each agency within the Minister's portfolio, including the Cultural Facilities Corporation, what was the average per officer staffing oncost for (a) 2008-09 and (b) 1 July to 31 December 2009.
- (2) What is included in the oncosts referred to in part (1).
- (3) What is the marginal oncost of an additional worker at the current staffing levels.
- (4) What (a) specialist qualifications are required by staff to undertake their roles and responsibilities and (b) skills are currently lacking in the staffing base.
- (5) What are the current employee numbers, both headcount and full-time equivalent, and levels.

- (6) What is the average salary for employees with specialist skills required to undertake their roles and responsibilities.
- (7) What training must employees undertake on a regular basis to maintain their specialist skills and what is the cost of this training.
- (8) What specialist equipment is required for officers to undertake their work.
- (9) For each piece of equipment referred to in part (8), (a) how many are required, (b) what is the capital cost of each, (c) what is the running cost and (d) over what period is each piece of equipment depreciated.
- (10) How many graduates are currently employed in each agency.
- (11) What is the average cost of employing graduates for each agency.
- (12) How many graduates, on average, have been employed each year since 2001.
- (13) How (a) many staff have been recruited and (b) much has been spent on recruitment, in 2009-10 to date.
- (14) In relation to staff who leave, (a) how many staff have left in 2009-10 to date, (b) what were the reasons for leaving, (c) are exit interviews conducted; if so, what has been learned and changed as a result and (d) what was the average termination pay.
- (15) What is the average amount, per employee, of recreation, personal and long service leave in both time and cost currently owed to staff.

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

The response for Arts is included in QON 692 asked of the Chief Minister.

The response for Heritage is included in QON 950 asked of the Minister for Territory and Municipal Services.

### **Public service—training programs (Question No 746)**

**Mrs Dunne** asked the Minister for the Arts and Heritage, upon notice, on 24 March 2010:

- (1) In relation to training programs for staff, for each agency within the Minister's portfolio, including the Cultural Facilities Corporation, (a) how much has been spent in the period 1 July to 31 December 2009, (b) what was the purpose of each training program, (c) where was each training program held and (d) how many staff participated.
- (2) What in-house training programs were undertaken (a) in 2008-09, and (b) during 1 July to 31 December 2009 that resulted in (i) no marginal cost to the Government and (ii) a cost to the Government and what was that cost.

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

The response for Arts is included in QON 692 asked of the Chief Minister.

The response for Heritage is included in QON 948 asked of the Minister for Territory and Municipal Services.

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**Government—office leases  
(Question No 747)**

**Mrs Dunne** asked the Minister for the Arts and Heritage, upon notice, on 24 March 2010:

In relation to office leases, for each agency within the Minister's portfolio, including the Cultural Facilities Corporation, (a) how much space is leased by each agency as at 28 February 2010, what (b) is the average space on a per employee basis, (c) are the costs per square metre, (d) are the common costs, that is, costs shared with other tenants, (e) is the make-good provision and (f) is the lease expiry date.

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

ACT Property Group in the Department of Land and Property Services manages all leased accommodation on behalf of the Territory, therefore this question was redirected. Please find attached Whole of Government data.

The detail on the space occupied per employee and the associated cost are reported at a whole of government level which include the owned office portfolio. The utilisation rate as at 31 December 2009 was 16.5m<sup>2</sup> per occupied work point. The accommodation cost per employee at a whole of government level including the owned office portfolio was \$6,873 per annum. With regard to common costs, all costs within tenancies such as cleaning, light and power, and security are shared based on the ratio of the space occupied.

The tenancy for the Cultural Facilities Corporation is within the North Building which is a government owned building and is primarily gallery space. The total area is 4,414.8m<sup>2</sup> at a rental of \$315.43m<sup>2</sup> per annum.

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

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**Government—appointments  
(Question No 748)**

**Mrs Dunne** asked the Minister for the Arts and Heritage, upon notice, on 24 March 2010:

- (1) How many working groups, consultation groups, inter-departmental committees, roundtables and other intra-Government committees, in each agency within the Minister's portfolio, including the Cultural Facilities Corporation, are chaired or organised by the Minister's department and agencies.
- (2) What is the (a) cost of administering and (b) purpose and terms of reference of each group referred to in part (1).

- (3) How often and where does each group referred to in part (1) meet and what costs are associated with each meeting.
- (4) Which other ACT Government departments or agencies are represented on each group referred to in part (1).
- (5) What (a) records of meetings are kept and (b) briefings are provided to the Minister and to other Ministers whose departments are represented.
- (6) How many community consultation groups, roundtables, or committees, are chaired or organised by the Minister's department and agencies.
- (7) What is the (a) cost of administering and (b) purpose and terms of reference of each group referred to in part (6).
- (8) How often and where does each group referred to in part (6) meet and what costs are associated with each meeting.
- (9) Which other ACT Government departments or agencies are represented on each group referred to in part (6).
- (10) What (a) records of meetings are kept and (b) briefings are provided to the Minister and to other Ministers whose departments are represented.

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

The response for Arts is included in QON 668 asked of the Chief Minister.

The response for Heritage is included in QON 956 asked of the Minister for Territory and Municipal Services.

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### **Government—information technology services (Question No 749)**

**Mrs Dunne** asked the Minister for the Arts and Heritage, upon notice, on 24 March 2010:

- (1) What is the cost of the provision of information technology (IT) services per employee on average for (a) 2008-09 and (b) 1 July to 31 December 2009 for each agency within the Minister's portfolio, including the Cultural Facilities Corporation.
- (2) What is the marginal cost of the provision of IT services for an additional employee at the current staffing levels.
- (3) In relation to specialist IT services, what (a) services are required, or have been custom-built, (b) is the cost of each and (c) is the depreciation cost of each.

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

The response for Arts is included in QON 672 asked of the Chief Minister.

The response for Heritage is included in QON 958 asked of the Minister for Territory and Municipal Services.

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**Government—grants programs  
(Question No 750)**

**Mrs Dunne** asked the Minister for the Arts and Heritage, upon notice, on 24 March 2010:

- (1) How many grants programs are administered by each agency within the Minister's portfolio, including the Cultural Facilities Corporation.
- (2) What is the cost of administering each grants program.
- (3) What is the total value of grants paid during 1 July to 31 December 2009.

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

The response for Arts is included in QON 676 asked of the Chief Minister.

The response for Heritage is included in QON 960 asked of the Minister for Territory and Municipal Services.

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**Government—motor vehicles  
(Question No 751)**

**Mrs Dunne** asked the Minister for the Arts and Heritage, upon notice, on 24 March 2010:

- (1) How many vehicles are currently used by the Minister's department and each agency within the Minister's portfolio, including the Cultural Facilities Corporation.
- (2) What are the types and sizes each the vehicles referred to in part (1).
- (3) How many of the vehicles referred to in part (1) are privately garaged.
- (4) How many kilometres are travelled by each vehicle.
- (5) What are the insurance costs, including third party insurance for each vehicle.

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

The response for Arts is included in QON 680 asked of the Chief Minister.

The response for Heritage is included in QON 962 asked of the Minister for Territory and Municipal Services.

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**Government—agency costs  
(Question No 752)**

**Mrs Dunne** asked the Minister for the Arts and Heritage, upon notice, on 24 March 2010:

- (1) What output costing methodology is used to allocate costs across the Minister's department and each agency within the Minister's portfolio, including the Cultural Facilities Corporation.
- (2) What are the top ten individual depreciation costs and which assets do these refer to.
- (3) What was the initial cost of the assets referred to in part (2).

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

The response for Arts is included in QON 680 asked of the Chief Minister.

The response for Heritage is included in QON 964 asked of the Minister for Territory and Municipal Services.

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**Government—advertising  
(Question No 753)**

**Mrs Dunne** asked the Minister for the Arts and Heritage, upon notice, on 24 March 2010:

- (1) How much has been spent on advertising in 2009-10 to date for each agency within the Minister's portfolio, including the Cultural Facilities Corporation.
- (2) On what campaigns was the money referred to in part (1) spent.
- (3) What form of media was employed to undertake the advertising.
- (4) Which businesses were employed to undertake, or consult on, each campaign.
- (5) How many of these are small businesses based in the ACT.

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

The response for Arts is included in QON 688 asked of the Chief Minister.

The response for Heritage is included in QON 970 asked of the Minister for Territory and Municipal Services.

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**Government—appointments  
(Question Nos 754, 756 and 757)**

**Mrs Dunne** asked the Minister for Women, the Minister for Disability, Housing and Community Services and the Minister for Children and Young People, upon notice, on 24 March 2010:

- (1) In relation to each board, committee, advisory council or committee, or similar within the Minister's portfolio, including statutory authorities, government owned corporations and government business enterprises, what is the (a) name of the each body and (b) each body's function or role.
- (2) What are the names, positions and qualifications of the members of each body referred to in part (1) and when do their terms expire.
- (3) How many vacancies are currently carried on each body and how long have those vacancies remained unfilled.
- (4) When will the vacancies referred to in part (3) be filled.
- (5) What is the remuneration of each member of each body, annual or per diem as appropriate.
- (6) What are the allowances of each member of each body.
- (7) Which members of each body are required to travel to Canberra in order to participate in meetings.
- (8) What is the cost, on average, per body meeting for those members to travel to Canberra to attend body meetings.
- (9) Why was each member referred to in part (7) appointed to the body in preference to seeking local members.
- (10) What was the total remuneration, allowances and travel costs paid to body members in (a) 2007-08, (b) 2008-09 and (c) 2009-10 to date.
- (11) Do any members of each body have the use of a government vehicle; if so, (a) on what basis, (b) at what cost, and (c) did the member privately garage the vehicle.
- (12) Is the use of a government vehicle included as part of a remuneration determination by the Remuneration Tribunal; if not, who authorised it.
- (13) How often does each body meet and what is the average length of meetings.
- (14) Does each body ever meet outside Canberra; if so, (a) why, (b) how often and (c) at what cost.

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

*The member should note that the response covers collectively the above portfolio areas asked by Mrs Dunne.*

- (1) See Attached table.
- (2) See Attached table.
- (3) Nil, unless otherwise stated in the attached table.
- (4) Vacancies are filled as required.

- (5) Any 'Body' receiving remuneration is subject to determination by the Remuneration Tribunal. Details are available on the Tribunal's website.
- (6) No allowance are paid unless otherwise stated in the attached table.
- (7) Nil, unless otherwise stated in the attached table.
- (8) Nil, unless otherwise stated in the attached table.
- (9) Nil, unless otherwise stated in the attached table.
- (10) Costs included in outputs and not broken down.
- (11) No. However DHCS employees have access to departmental cars for official business.
- (12) Not applicable.
- (13) See Attached table.
- (14) Not applicable.

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

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### **Government—appointments (Question No 758)**

**Mrs Dunne** asked the Minister for Industrial Relations, upon notice, on 24 March 2010:

- (1) In relation to each board, committee, advisory council or committee, or similar within the Minister's portfolio, including statutory authorities, government owned corporations and government business enterprises, what is the (a) name of the each body and (b) each body's function or role.
- (2) What are the names, positions and qualifications of the members of each body referred to in part (1) and when do their terms expire.
- (3) How many vacancies are currently carried on each body and how long have those vacancies remained unfilled.
- (4) When will the vacancies referred to in part (3) be filled.
- (5) What is the remuneration of each member of each body, annual or per diem as appropriate.
- (6) What are the allowances of each member of each body.
- (7) Which members of each body are required to travel to Canberra in order to participate in meetings.

- (8) What is the cost, on average, per body meeting for those members to travel to Canberra to attend body meetings.
- (9) Why was each member referred to in part (7) appointed to the body in preference to seeking local members.
- (10) What was the total remuneration, allowances and travel costs paid to body members in (a) 2007-08, (b) 2008-09 and (c) 2009-10 to date.
- (11) Do any members of each body have the use of a government vehicle; if so, (a) on what basis, (b) at what cost, and (c) did the member privately garage the vehicle.
- (12) Is the use of a government vehicle included as part of a remuneration determination by the Remuneration Tribunal; if not, who authorised it.
- (13) How often does each body meet and what is the average length of meetings.
- (14) Does each body ever meet outside Canberra; if so, (a) why, (b) how often and (c) at what cost.

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

The response for Industrial Relations is included in QON 864 asked of the Chief Minister.

**Public service—overtime and flex leave  
(Question No 759, 760, 761)**

**Mrs Dunne** asked the Minister for Women, Minister for Disability, Housing and Community Services, Minister for Children and Young People, upon notice, on 24 March 2010:

In relation to each agency within the Minister's portfolio for (a) 2007-08, (b) 2008-09 and (c) 2009-10 to date, (i) how much paid overtime, average hours per employee, was worked by staff, (ii) what was the average cost per employee, (iii) what was the total cost, (iv) how much unpaid overtime, average hours per employee, was worked by staff and if this data is not available, can the Minister provide an estimate, (v) how much flex leave was taken by staff, (vi) what is the maximum amount of flex leave that staff can accumulate, (vii) what practices are in place to mitigate flex time exceedences, (viii) how much flex leave has been lost by staff who exceed their maximum allowable levels and (ix) how much flex leave was lost by staff who left the service before taking that leave.

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

The member should note that the response covers the entire Department of Disability, Housing and Community Services.

- (i)
- |    |                |             |
|----|----------------|-------------|
| a) | 2007 - 08      | 27.05 hours |
| b) | 2008 - 09      | 21.04 hours |
| c) | 2009 - present | 14.32 hours |

(ii)		
	a)	2007 -08
		\$1,219.29
	b)	2008 – 09
		\$993.01
	c)	2009 – present
		\$700.11
(iii)		
	a)	2007 -08
		\$1,335,730.88
	b)	2008 – 09
		\$1,149,677.65
	c)	2009 – present
		\$829,792.15

- (iv) There is no provision for “unpaid overtime” in the ACT Public Service.
- (v) Flextime provides a framework for an employee’s pattern of attendance at work to be according to the needs of the employee and the requirements of the work unit while maintaining and average 36.75 hours per week. Individuals and managers are responsible for recording hours worked. Flextime balances are not centrally captured and recorded.
- (vi) An employee may have a maximum flextime credit equal to the employee’s normal weekly hours of duty, at the end of the settlement period. A settlement period comprises two pay periods (i.e. four weeks).
- (vii) For flextime arrangements to work effectively managers and employees have a responsibility to manage hours of work to ensure that individuals are not building up excessive flex credits.
- (viii) This information is not separately recorded, and I am not prepared to authorise the use of the considerable resources that would be required to determine the figure.
- (ix) This information is not separately recorded, and I am not prepared to authorise the use of the considerable resources that would be required to determine the figure.

### **Public service—overtime and flex leave (Question No 762)**

**Mrs Dunne** asked the Minister for Industrial Relations, upon notice, on 24 March 2010:

In relation to each agency within the Minister’s portfolio for (a) 2007-08,(b) 2008-09 and (c) 2009-10 to date, (i) how much paid overtime, average hours per employee, was worked by staff, (ii) what was the average cost per employee, (iii) what was the total cost, (iv) how much unpaid overtime, average hours per employee, was worked by staff and if this data is not available, can the Minister provide an estimate, (v) how much flex leave was taken by staff, (vi) what is the maximum amount of flex leave that staff can accumulate, (vii) what practices are in place to mitigate flex time exceedences, (viii) how much flex leave has been lost by staff who exceed their maximum allowable levels and (ix) how much flex leave was lost by staff who left the service before taking that leave.

**Ms Gallagher:** The answer to the member’s question is as follows:

- (i) 2007-08 – 4.25 hours  
2008-09 – None  
2009-10 to 31/3/2010 – None
- (ii) 2007-08 – \$182.75  
2008-09 – None  
2009-10 to 31/3/2010 – None
- (iii) 2007-08 – \$182.75  
2008-09 – None  
2009-10 to 31/3/2010 – None
- (iv) There is no provision for “unpaid overtime” in the ACT Public Service.
- (v) Flextime provides a framework for an employee’s pattern of attendance at work to be varied according to the needs of the employee and the requirements of the work unit while maintaining an average of their normal weekly hours per week. Individuals and managers are responsible for recording hours worked. Flextime balances are not centrally captured and recorded.
- (vi) An employee may have a maximum flextime credit equal to the employee’s normal weekly hours of duty, at the end of the settlement period. A settlement period will comprise two pay periods (ie four weeks).
- (vii) For flextime arrangements to work effectively managers and employees have a responsibility to manage hours of work to ensure that individuals are not building up excessive flex credits. Flex records are checked by managers who are required to ensure that flextime is maintained within appropriate limits.
- (viii) This information is not separately recorded, and I am not prepared to authorise the use of considerable resources that would be required to determine the figure.
- (ix) This information is not separately recorded, and I am not prepared to authorise the use of considerable resources that would be required to determine the figure.

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**Government—agency costs  
(Question Nos 763, 764 and 765)**

**Mrs Dunne** asked the Minister for Women, the Minister for Disability, Housing and Community Services and the Minister for Children and Young People, upon notice, on 24 March 2010:

What are the overhead fixed costs for each agency within the Minister’s portfolio.

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

*The member should note that the response covers the entire Department of Disability, Housing and Community Services. (QON 919 also refers).*

The projected overhead fixed costs for the Department for 2009 -10 are \$16.8m. These costs include rent, utilities, shared services and INTACT costs.

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**Government—agency costs  
(Question No 766)**

**Mrs Dunne** asked the Minister for Industrial Relations, upon notice, on 24 March 2010:

What are the overhead fixed costs for each agency within the Minister's portfolio.

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

The response for Industrial Relations is included in QON 692 asked of the Chief Minister.

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**Government—agency costs  
(Question Nos 767, 768, 769)**

**Mrs Dunne** asked the Minister for Women, the Minister for Disability, Housing and Community Services and the Minister for Children and Young People upon notice, on 24 March 2010:

- (1) In relation to staffing, for each agency within the Minister's portfolio, what was the average per officer staffing oncost for (a) 2008-09 and (b) 1 July to 31 December 2009.
- (2) What is included in the oncosts referred to in part (1).
- (3) What is the marginal oncost of an additional worker at the current staffing levels.
- (4) What (a) specialist qualifications are required by staff to undertake their roles and responsibilities and (b) skills are currently lacking in the staffing base.
- (5) What are the current employee numbers, both headcount and full-time equivalent, and levels.
- (6) What is the average salary for employees with specialist skills required to undertake their roles and responsibilities.
- (7) What training must employees undertake on a regular basis to maintain their specialist skills and what is the cost of this training.
- (8) What specialist equipment is required for officers to undertake their work.
- (9) For each piece of equipment referred to in part (8), (a) how many are required, (b) what is the capital cost of each, (c) what is the running cost and (d) over what period is each piece of equipment depreciated.
- (10) How many graduates are currently employed in each agency.
- (11) What is the average cost of employing graduates for each agency.
- (12) How many graduates, on average, have been employed each year since 2001.

- (13) How (a) many staff have been recruited and (b) much has been spent on recruitment, in 2009-10 to date.
- (14) In relation to staff who leave, (a) how many staff have left in 2009-10 to date, (b) what were the reasons for leaving, (c) are exit interviews conducted; if so, what has been learned and changed as a result and (d) what was the average termination pay.
- (15) What is the average amount, per employee, of recreation, personal and long service leave in both time and cost currently owed to staff.

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

*The member should note that the response covers the entire Department of Disability, Housing and Community Services, (QON 925 also refers).*

- 1) The average staff oncosts were \$18,663 for 2008-09 and for the period 01 July 2009 to December 2009 was \$9,309.
- 2) Oncosts include provisions for annual leave, long service leave and workers compensation as well as superannuation.
- 3) The marginal oncost varies depending on the classification of the employee as well as which superannuation scheme the employee enters the Department on, as well as the level of worker's compensation required. The range is from 14.2% for an employee of fund of choice super with low worker's compensation to 35.2% for an employee under CSS super with a higher worker's compensation requirement.
- 4) (a) Tertiary qualifications required for Health Professional Officers ie Social Work, Psychology, Social Welfare, Social Science, Physiotherapy Occupational therapy Psychologists, Speech Therapist etc.  
  
(b) This information is not collected individually, therefore is not available.
- 5) This information is available in the Department's Annual Report each year.
- 6) This information is not collected individually, therefore is not available.
- 7) I am not prepared to authorise the use of considerable resources that would be involved in providing the detailed information required to answer the Members question.
- 8) I am not prepared to authorise the use of considerable resources that would be involved in providing the detailed information required to answer the Members question.
- 9) I am not prepared to authorise the use of considerable resources that would be involved in providing the detailed information required to answer the Member's question.
- 10) 3.
- 11) Graduates salary rates are paid in accordance with the Department of Disability, Housing and Community Services Collective Agreement 2007-2010.
- 12) On average the Department has employed 4 Graduates each year since 2001.

13) (a) 146.

(b) \$281,254.

14) (a) 120

(b) I am not prepared to authorise the use of considerable resources that would be involved in providing the detailed information required to answer the Members question.

(c) Yes exit interviews are conducted however I am not prepared to authorise the use of considerable resources that would be involved in providing the detailed information required to answer the Member's question.

(d) I am not prepared to authorise the use of considerable resources that would be involved in providing the detailed information required to answer the Member's question.

15) The total Recreation Leave accruals are \$8,589,034.39. The average cost per employee depends on a range of factors including full time part time status and I am not prepared to authorise the use of considerable resources that would be involved in providing the detailed information required to answer this section of the Member's question.

The total Long Service Leave accruals are \$13,145,236.58. The average cost per employee depends on a range of factors including full time part time status and I am not prepared to authorise the use of considerable resources that would be involved in providing the detailed information required to answer this section of the Member's question.

The total Personal Leave accruals hours are 505,421.24. Personal Leave in not an accrued liability, is not paid out on staff separation and therefore a cost figure is not calculated. The average cost per employee depends on a range of factors including full time part time status and I am not prepared to authorise the use of considerable resources that would be involved in providing the detailed information required to answer this section of the Member's question.

### **Government—agency costs (Question No 770)**

**Mrs Dunne** asked the Minister for Industrial Relations, upon notice, on 24 March 2010:

- (1) In relation to staffing, for each agency within the Minister's portfolio, what was the average per officer staffing oncost for (a) 2008-09 and (b) 1 July to 31 December 2009.
- (2) What is included in the oncosts referred to in part (1).
- (3) What is the marginal oncost of an additional worker at the current staffing levels.
- (4) What (a) specialist qualifications are required by staff to undertake their roles and responsibilities and (b) skills are currently lacking in the staffing base.

- (5) What are the current employee numbers, both headcount and full-time equivalent, and levels.
- (6) What is the average salary for employees with specialist skills required to undertake their roles and responsibilities.
- (7) What training must employees undertake on a regular basis to maintain their specialist skills and what is the cost of this training.
- (8) What specialist equipment is required for officers to undertake their work.
- (9) For each piece of equipment referred to in part (8), (a) how many are required, (b) what is the capital cost of each, (c) what is the running cost and (d) over what period is each piece of equipment depreciated.
- (10) How many graduates are currently employed in each agency.
- (11) What is the average cost of employing graduates for each agency.
- (12) How many graduates, on average, have been employed each year since 2001.
- (13) How (a) many staff have been recruited and (b) much has been spent on recruitment, in 2009-10 to date.
- (14) In relation to staff who leave, (a) how many staff have left in 2009-10 to date, (b) what were the reasons for leaving, (c) are exit interviews conducted; if so, what has been learned and changed as a result and (d) what was the average termination pay.
- (15) What is the average amount, per employee, of recreation, personal and long service leave in both time and cost currently owed to staff.

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

The response for Industrial Relations is included in QON 692 asked of the Chief Minister.

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### **Public service—training programs (Question Nos 771, 772 and 773)**

**Mrs Dunne** asked the Minister for Women, the Minister for Disability, Housing and Community Services and the Minister for Children and Young People, upon notice, on 24 March 2010:

- (1) In relation to training programs for staff, for each agency within the Minister's portfolio, (a) how much has been spent in the period 1 July to 31 December 2009, (b) what was the purpose of each training program, (c) where was each training program held and (d) how many staff participated.
- (2) What in-house training programs were undertaken (a) in 2008-09, and (b) during 1 July to 31 December 2009 that resulted in (i) no marginal cost to the Government and (ii) a cost to the Government and what was that cost.

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

*The member should note that the response covers the entire Department of Disability, Housing and Community Services. (QON 922 also refers).*

In relation to question:

- 1(a) From 1 July to 31 December 2009 \$282,719 was expended on training.
- 1(b) A range of training programs were offered during this time that supported the capacity of DHCS staff to comply with legislative responsibilities and provide quality services to the ACT public.
- 1(c) Training programs were conducted at a range of locations and I am not prepared to authorise the use of considerable resources that would be involved in providing the detailed information required to answer the Member's question.
- 1(d) From 1 July to 31 December 2009 there were 2882 staff attendances at training, a number of officers attending more than one training course in that period of time.
- 2 - I am not prepared to authorise the use of considerable resources that would be involved in providing the detailed information required to answer the Member's question.

### **Public service—training programs (Question No 774)**

**Mrs Dunne** asked the Minister for Industrial Relations, upon notice, on 24 March 2010:

- (1) In relation to training programs for staff, for each agency within the Minister's portfolio, (a) how much has been spent in the period 1 July to 31 December 2009, (b) what was the purpose of each training program, (c) where was each training program held and (d) how many staff participated.
- (2) What in-house training programs were undertaken (a) in 2008-09, and (b) during 1 July to 31 December 2009 that resulted in (i) no marginal cost to the Government and (ii) a cost to the Government and what was that cost.

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

The response for Industrial Relations is included in QON 692 asked of the Chief Minister.

### **Government—office leases (Question Nos 775, 776, 777 and 778)**

**Mrs Dunne** asked the Minister for Women, the Minister for Disability, Housing and Community Services, the Minister for Children and Young People and the Minister for Industrial Relations, upon notice, on 24 March 2010 (*redirected to the Minister for Land and Property Services*):

In relation to office leases, for each agency within the Minister's portfolio, (a) how much space is leased by each agency as at 28 February 2010, what (b) is the average space on a per employee basis, (c) are the costs per square metre, (d) are the common costs, that is, costs shared with other tenants, (e) is the make-good provision and (f) is the lease expiry date.

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

ACT Property Group in the Department of Land and Property Services manages all leased accommodation on behalf of the Territory, therefore these questions were redirected. Please find attached Whole of Government data.

The detail on the space occupied per employee and the associated cost are reported at a whole of government level which include the owned office portfolio. The utilisation rate as at 31 December 2009 was 16.5m<sup>2</sup> per occupied work point. The accommodation cost per employee at a whole of government level including the owned office portfolio was \$6,873 per annum. With regard to common costs, all costs within tenancies such as cleaning, light and power, and security are shared based on the ratio of the space occupied.

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

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## **Government—appointments (Question No 779, 780, 781)**

**Mrs Dunne** asked the Minister for Women, the Minister for Disability, Housing and Community Services and the Minister for Children and Young People upon notice, on 24 March 2010:

- (1) How many working groups, consultation groups, inter-departmental committees, roundtables and other intra-Government committees, in each agency within the Minister's portfolio, are chaired or organised by the Minister's department and agencies.
- (2) What is the (a) cost of administering and (b) purpose and terms of reference of each group referred to in part (1).
- (3) How often and where does each group referred to in part (1) meet and what costs are associated with each meeting.
- (4) Which other ACT Government departments or agencies are represented on each group referred to in part (1).
- (5) What (a) records of meetings are kept and (b) briefings are provided to the Minister and to other Ministers whose departments are represented.
- (6) How many community consultation groups, roundtables, or committees are chaired or organised by the Minister's department and agencies.
- (7) What is the (a) cost of administering and (b) purpose and terms of reference of each group referred to in part (6).

- (8) How often and where does each group referred to in part (6) meet and what costs are associated with each meeting.
- (9) Which other ACT Government departments or agencies are represented on each group referred to in part (6).
- (10) What (a) records of meetings are kept and (b) briefings are provided to the Minister and to other Ministers whose departments are represented.

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

The member should note that the response covers the entire Department of Disability, Housing and Community Services.

(1) – (10) Refer to Attachment A.

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

### **Government—appointments (Question No 782)**

**Mrs Dunne** asked the Minister for Industrial Relations, upon notice, on 24 March 2010:

- (1) How many working groups, consultation groups, inter-departmental committees, roundtables and other intra-Government committees, in each agency within the Minister's portfolio, are chaired or organised by the Minister's department and agencies.
- (2) What is the (a) cost of administering and (b) purpose and terms of reference of each group referred to in part (1).
- (3) How often and where does each group referred to in part (1) meet and what costs are associated with each meeting.
- (4) Which other ACT Government departments or agencies are represented on each group referred to in part (1).
- (5) What (a) records of meetings are kept and (b) briefings are provided to the Minister and to other Ministers whose departments are represented.
- (6) How many community consultation groups, roundtables, or committees are chaired or organised by the Minister's department and agencies.
- (7) What is the (a) cost of administering and (b) purpose and terms of reference of each group referred to in part (6).
- (8) How often and where does each group referred to in part (6) meet and what costs are associated with each meeting.
- (9) Which other ACT Government departments or agencies are represented on each group referred to in part (6).

- (10) What (a) records of meetings are kept and (b) briefings are provided to the Minister and to other Ministers whose departments are represented.

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

The response for Industrial Relations is included in QON 668 asked of the Chief Minister.

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**Government—information technology services  
(Question Nos 783, 784, 785)**

**Mrs Dunne** asked the Minister for Women, the Minister for Disability, Housing and Community Services, and the Minister for Children and Young People upon notice, on 24 March 2010:

- (1) What is the cost of the provision of information technology (IT) services per employee on average for (a) 2008-09 and (b) 1 July to 31 December 2009 for each agency within the Minister's portfolio.
- (2) What is the marginal cost of the provision of IT services for an additional employee at the current staffing levels.
- (3) In relation to specialist IT services, what (a) services are required, or have been custom-built, (b) is the cost of each and (c) is the depreciation cost of each.

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

*The member should note that the response covers the entire Department of Disability, Housing and Community Services. (QON 931 also refers).*

- (1) The cost of the provision of information technology (IT) services per employee on average for:
  - (a) 2008-09 is \$5,942. This includes desktop and business application support including InTACT staff costs; and
  - (b) 1 July to 31 December 2009 is \$2,976.
- (2) The marginal cost of the provision of IT services for an additional employee at the current staffing levels is \$4,000.
- (3) DHCS and Housing ACT both engage external consultants to support and on occasion, develop TM1 software, the Department's financial reporting application.

Annual maintenance and support fees for the whole Department are \$58,864 (GST incl).

As at 31 March 2010, the Department has intangible TM1 assets at a cost of \$321000, which have an estimated useful life of 5 years. Amortisation is approximately \$10,781 per year for software which has not yet been fully depreciated.

The Department does not engage with any other specialist IT services.

Housing ACT engage external consultants to support and maintain Homenet. The original development/installation of the application of \$5.1m has been fully depreciated, and the system upgrade is expected to cost about \$3.3m when completed. Software applications are amortised over 5 years so the amortisation expense will be about \$660,000 per annum. The annual support and maintenance agreement has been costed at \$230,000 in year 1, \$384,000 in year 2 and \$426,000 in year 3. The significant jump in fees relates to the system being estimated as only 60% operational in the first year and increases from that base.

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### **Government—information technology services (Question No 786)**

**Mrs Dunne** asked the Minister for Industrial Relations, upon notice, on 24 March 2010:

- (1) What is the cost of the provision of information technology (IT) services per employee on average for (a) 2008-09 and (b) 1 July to 31 December 2009 for each agency within the Minister's portfolio.
- (2) What is the marginal cost of the provision of IT services for an additional employee at the current staffing levels.
- (3) In relation to specialist IT services, what (a) services are required, or have been custom-built, (b) is the cost of each and (c) is the depreciation cost of each.

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

The response for Industrial Relations is included in QON 672 asked of the Chief Minister.

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### **Government—grants programs (Question Nos 787, 788 and 789)**

**Mrs Dunne** asked the Minister for Women, the Minister for Disability, Housing and Community Services and the Minister for Children and Young People, upon notice, on 24 March 2010:

- (1) How many grants programs are administered by each agency within the Minister's portfolio.
- (2) What is the cost of administering each grants program.
- (3) What is the total value of grants paid during 1 July to 31 December 2009.

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

*The member should note that the response covers the entire Department of Disability, Housing and Community Services, (QON 934 also refers).*

Information on grants is contained in the Department's Annual Report each financial year. Details on grants includes the name of the grant recipient, purpose of funding, level of funding, date and time period.

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**Government—grants programs  
(Question No 790)**

**Mrs Dunne** asked the Minister for Industrial Relations, upon notice, on, 24 March 2010:

- (1) How many grants programs are administered by each agency within the Minister's portfolio.
- (2) What is the cost of administering each grants program.
- (3) What is the total value of grants paid during 1 July to 31 December 2009.

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

The response for Industrial Relations is included in QON 676 asked of the Chief Minister.

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**Government—motor vehicles  
(Question No 794)**

**Mrs Dunne** asked the Minister for Industrial Relations, upon notice, on 24 March 2010:

- (1) How many vehicles are currently used by the Minister's department and each agency within the Minister's portfolio.
- (2) What are the types and sizes each the vehicles referred to in part (1).
- (3) How many of the vehicles referred to in part (1) are privately garaged.
- (4) How many kilometres are travelled by each vehicle.
- (5) What are the insurance costs, including third party insurance for each vehicle.

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

The response for Industrial Relations is included in QON 680 asked of the Chief Minister.

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**Government—agency costs  
(Question Nos 795, 796 and 797)**

**Mrs Dunne** asked the Minister for Women, the Minister for Disability, Housing and Community Services and the Minister for Children and Young People, upon notice, on 24 March 2010:

- (1) What output costing methodology is used to allocate costs across the Minister's department and each agency within the Minister's portfolio, including the Cultural Facilities Corporation.
- (2) What are the top ten individual depreciation costs and which assets do these refer to.
- (3) What was the initial cost of the assets referred to in part (2).

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

*The member should note that the response covers the entire Department of Disability, Housing and Community Services, (QON 916 also refers).*

- (1) The Department's outputs are costed on the basis of the direct cost of delivering the output, plus an overhead component allocated on the basis of the number of FTEs in each output.

Housing ACT only has one output class "Social Housing Services". As such, the total expenditure is the total cost for the output.

- (2) The top ten individual depreciations costs for the Department and Housing ACT are building depreciation costs.
- (3) The initial costs of these assets are included in the list of assets below.

<b>DHCS Assets Description</b>		<b>Initial Cost \$'000</b>	<b>Annual Depreciation Costs \$'000</b>
1	BIMBERI YOUTH JUSTICE CENTRE	37,315	773
2	GRIFFIN CENTRE	13,746	362
3	ATSI CULTURAL CENTRE	7,180	256
4	PEARCE COMMUNITY CENTRE	2,204	185
5	THERAPY ACT	3,551	175
6	BELCONNEN COMMUNITY & YOUTH CENTRE	6,682	167
7	TUGGERANONG COMMUNITY CENTRE - GREENWAY	4,401	126
8	HUGHES COMMUNITY CENTRE	589	87
9	TUGGERANONG CHILD & FAMILY CENTRE	3,000	77
10	WESTON CREEK COMMUNITY CENTRE	1,438	73

<b>Housing ACT Assets Description</b>		<b>Initial Cost \$'000</b>	<b>Annual Depreciation Costs \$'000</b>
1	CURRONG APARTMENTS	15,897	522
2	AINSLIE VILLAGE	6,750	234
3	NORTHBOURNE FLATS - TURNER	12,776	174
4	OWEN FLATS	9,096	127
5	NORTHBOURNE FLATS - BRADDON	9,100	126

	<b>Housing ACT Assets Description</b>	<b>Initial Cost \$'000</b>	<b>Annual Depreciation Costs \$'000</b>
6	BEGA COURT	8,009	105
7	ALLAWAH COURT	8,549	100
8	ILLAWARRA COURT	6,000	88
9	MALAHIDE GARDENS	6,634	85
10	STUART FLATS	6,980	79

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**Government—agency costs  
(Question No 798)**

**Mrs Dunne** asked the Minister for Industrial Relations, upon notice, on 24 March 2010:

- (1) What output costing methodology is used to allocate costs across the Minister's department and each agency within the Minister's portfolio, including the Cultural Facilities Corporation.
- (2) What are the top ten individual depreciation costs and which assets do these refer to.
- (3) What was the initial cost of the assets referred to in part (2).

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

The response for Industrial Relations is included in QON 680 asked of the Chief Minister.

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**Government—advertising  
(Question Nos 799, 800, 801)**

**Mrs Dunne** asked the Minister for Women, the Minister for Disability, Housing and Community Services and the Minister for Children and Young People upon notice, on 24 March 2010:

- (1) How much has been spent on advertising in 2009-10 to date for each agency within the Minister's portfolio.
- (2) On what campaigns was the money referred to in part (1) spent.
- (3) What form of media was employed to undertake the advertising.
- (4) Which businesses were employed to undertake, or consult on, each campaign.
- (5) How many of these are small businesses based in the ACT.

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

*The member should note that the response covers the entire Department of Disability, Housing and Community Services, (QON 937 refers also)*

- (1) General advertising \$64,000 and public notices \$34,000.
- (2) DHCS has not undertaken any advertising campaigns. Money expended has been on the general advertising of programs and activities and public notices, related to business activities.
- (3) Newspaper advertising is the major media utilised for general advertising and public notices. Some radio and television advertising was commissioned to promote attendances at the annual National Multicultural Festival.
- (4) Information on consultants and contracts is available in the Department's Annual Report each year.
- (5) Refer to question (4).

### **Government—advertising (Question No 802)**

**Mrs Dunne** asked the Minister for Industrial Relations, upon notice, on 24 March 2010:

- (1) How much has been spent on advertising in 2009-10 to date for each agency within the Minister's portfolio.
- (2) On what campaigns was the money referred to in part (1) spent.
- (3) What form of media was employed to undertake the advertising.
- (4) Which businesses were employed to undertake, or consult on, each campaign.
- (5) How many of these are small businesses based in the ACT.

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

The response for Industrial Relations is included in QON 688 asked of the Chief Minister.

### **Public service—overtime and flex leave (Question No 803)**

**Mrs Dunne** asked the Attorney-General, upon notice, on 24 March 2010:

In relation to each agency in the Department of Justice and Community Safety, including ACT Courts and the Director of Public Prosecutions, for (a) 2007-08, (b) 2008-09 and (c) 2009-10 to date, (i) how much paid overtime, average hours per employee, was worked by staff, (ii) what was the average cost per employee, (iii) what was the total cost, (iv) how much unpaid overtime, average hours per employee, was worked by staff and if this data is not available, can the Minister provide an estimate, (v) how much flex leave was taken by staff, (vi) what is the maximum amount of flex leave that staff can accumulate, (vii) what practices are in place to mitigate flex time exceedences, (viii) how much flex leave has been lost by staff who exceed their maximum allowable levels and (ix) how much flex leave was lost by staff who left the service before taking that leave.

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

- (i)-(iii) the details as reported by the Shared Service HR for the Department of Justice & Community Safety including ACT Courts, the Director of Public Prosecutions, Emergency Services Agency and the ACT Public Trustee are provided in the table below.

Year	Total Overtime Hours	Average Hours per Employee	Total Overtime Cost	Average Cost per Employee
<b>2009 – 14 April 2010</b>	74,653.3	48.1	\$4,202,966.36	\$2,708.10
<b>2008-09</b>	96,718.6	63.7	\$5,161,180.76	\$3,398.61
<b>2007-08</b>	94,389.8	69.1	\$4,756,575.95	\$3,481.04

- (iv) There is no provision for “unpaid overtime” in the ACT Public Service.
- (v) Flextime provides a framework for an employee's pattern of attendance at work to be varied according to the needs of the employee and the requirements of the work unit while maintaining an average of 36.75 hours per week. Individuals and managers are responsible for recording hours worked. Flextime balances are not centrally captured and recorded.
- (vi) An employee may have a maximum flextime credit equal to the employee's normal weekly hours of duty, at the end of the settlement period. A settlement period will comprise two pay periods (i.e. four weeks).
- (vii) For flextime arrangements to work effectively, managers and employees have a responsibility to manage hours of work to ensure that individuals are not building up excessive flex credits.
- (viii) and (ix) This information is not separately recorded, and I am not prepared to authorise the use of the considerable resources that would be required to determine the figure.

### **Government—office leases (Question No 807)**

**Mrs Dunne** asked the Attorney-General, upon notice, on 24 March 2010 (*redirected to the Minister for Land and Property Services*):

In relation to office leases, for each agency within the Department of Justice and Community Safety, including ACT Courts and the Director of Public Prosecutions, (a) how much space is leased by each agency as at 28 February 2010, what (b) is the average space on a per employee basis, (c) are the costs per square metre, (d) are the common costs, that is, costs shared with other tenants, (e) is the make-good provision and (f) is the lease expiry date.

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

ACT Property Group in the Department of Land and Property Services manages all leased accommodation on behalf of the Territory, therefore this question was redirected. Please find attached Whole of Government data.

The detail on the space occupied per employee and the associated cost are reported at a whole of government level which include the owned office portfolio. The utilisation rate as at 31 December 2009 was 16.5m<sup>2</sup> per occupied work point. The accommodation cost per employee at a whole of government level including the owned office portfolio was \$6,873 per annum. With regard to common costs, all costs within tenancies such as cleaning, light and power, and security are shared based on the ratio of the space occupied.

The ACT Courts are not leased buildings or classified as office accommodation.

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

### **Government—motor vehicles (Question No 811)**

**Mrs Dunne** asked the Attorney-General, upon notice, on 24 March 2010:

- (1) How many vehicles are currently used by the Minister's department and each agency within the Department of Justice and Community Safety, including ACT Courts and the Director of Public Prosecutions.
- (2) What are the types and sizes each the vehicles referred to in part (1).
- (3) How many of the vehicles referred to in part (1) are privately garaged.
- (4) How many kilometres are travelled by each vehicle.
- (5) What are the insurance costs, including third party insurance for each vehicle.

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

The information provided below excludes the Emergency Services Agency (ESA) as it falls under my responsibility as Minister for Police and Emergency Services. A separate response for question on notice 915 has been prepared in relation to ESA.

- (1) The Department of Justice and Community Safety, including the ACT Courts and the Director of Public Prosecutions has 82 vehicles in its departmental vehicle fleet.
- (2) The vehicles are categorised as:
  - 2WD commercial vehicle
  - 4WD passenger & commercial vehicle
  - Small passenger sedan (equal to or less than 2.0 litres)
  - Medium passenger vehicle (greater than 2.0 litres and less than 3.0 litres)
  - Large passenger vehicle (equal to or greater than 3.0 litres), and
  - Van and bus.

The various makes of vehicles include Citroen, Holden, Ford, Honda, Hyundai, Kia, Mercedes Benz, Nissan, Subaru, Toyota and Volkswagen.

- (3) All executive and judicial vehicles (24) are privately garaged. Other vehicles privately garage are:

- 1 Office of Regulatory Service vehicle is garaged by the rostered on-call officer.
- 3 Corrective Services vehicles are garaged by the rostered on-call dog squad officers.
- 2 Infrastructure and Security Management vehicles are infrequently garaged over the weekend.

(4) On average each vehicle travels 19,341 per annum.

(5) Third Party insurance costs for category 2WD commercial, 4WD passenger and commercial vehicle, van and bus are \$448.60 per vehicle per annum equalling \$26,018.80 (total).

Comprehensive insurance costs for large passenger vehicles is \$772.20 per vehicle per annum equalling \$14,671.80 (total).

Third Party insurance costs for category small passenger sedan, medium passenger vehicle and large passenger vehicle are \$511.30 per vehicle per annum equalling \$12,271.20 (total).

Comprehensive insurance costs for large passenger vehicles is \$534.60 per vehicle per annum equalling \$33,679.80 (total).

(All insurance costs include GST.)

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### **Government—agency costs (Question No 812)**

**Mrs Dunne** asked the Attorney-General, upon notice, on 24 March 2010:

- (1) What output costing methodology is used to allocate costs across the Minister's department and each agency within the Department of Justice and Community Safety, including ACT Courts and the Director of Public Prosecutions.
- (2) What are the top ten individual depreciation costs and which assets do these refer to.
- (3) What was the initial cost of the assets referred to in part (2).

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

1. The Department of Justice and Community Safety allocates costs to outputs as follows:
  - a. directly incurred costs of each business unit relevant to the output (eg for output 1.6 this would be ACT Electoral Commission); plus
  - b. an allocation of corporate and centrally held costs.
2. The top ten individual depreciation costs for the Department of Justice and Community Safety, including assets relating to the Minister for Police and Emergency Services, are as follows:

<b>Asset Description</b>	<b>2009-10 Depreciation Expense \$</b>	<b>Fair Value as at 30 June 2009 \$</b>
Alexander Maconchie Centre	145,969,000	4,724,516
ESA Radios	5,468,826	781,261
Winchester Centre	13,230,000	499,364
Supreme Court	8,320,000	438,415
Tuggeranong Police Station	8,590,000	319,233
City Police Station	4,818,000	272,662
Symonston Periodic Detention Centre	3,417,000	262,805
Magistrates Court Fitout	4,384,162	257,977
ESA Computer Aided Dispatch	1,711,690	244,527
Woden Police Station	8,465,000	242,440

3. The fair value of each asset is provided in the table above.

### **Disabled persons—students (Question No 817)**

**Ms Bresnan** asked the Minister for Disability, Housing and Community Services, upon notice, on 24 March 2010:

- (1) What is the average number of students with a disability that graduate from all schools in the ACT on average each year.
- (2) What is the average number of students graduating from Black Mountain School on average each year.
- (3) What steps are taken to assist students with a disability, and their carers, in organising post-school options.
- (4) What steps are taken specifically in relation to Black Mountain School students to assist them, and their carers, in organising post-school options.
- (5) What follow up is taken once students have graduated to see if their plans for post-school options have been achieved.
- (6) What follow up steps are taken in relation to Black Mountain School ex-students to see if plans for post-school options have been achieved.
- (7) What are the success rates for post-school plans.
- (8) What are the success rates in relation to Black Mountain School ex-students for post-school plans.
- (9) Does annual growth in the Individual Support Package Program build into it all the students that are graduating from Black Mountain School each year and what their funding requirements will be; if not, why not.

- (10) What impact will the lowering of the Black Mountain School graduating age have on post-school options and the Individual Support Package Program and how is the ACT Government catering for this impact.

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

- (1) The ACT Department of Education and Training advise that the average number of year 12 students with a disability who graduated from ACT public schools between 2005 and 2009 was on average 63.
- (2) The ACT Department of Education and Training advise that the average number of students who graduated from Black Mountain School between 2005 and 2009 was on average 12.
- (3) The ACT Department of Education and Training and Disability ACT work together to encourage and support families to formally plan for their adolescent children to move into adulthood.

A designated post school options teacher in the ACT Department of Education and Training, works in partnership with schools and staff from Disability ACT to support students with a disability and their carers to plan for their post school lives. This planning occurs as a part of the student's Individual Learning Plan process.

The Post School Options Expo is held each year to showcase the full range of vocational, educational, recreational and social supports available to all students with a disability in the ACT. Disability ACT has information staff at this event.

A comprehensive manual outlining all ACT and Commonwealth Government and community supports and services available to all students with disabilities -Future Pathway Guide - is available on the Disability ACT website.

Assistance with planning for families is provided, either directly by Disability ACT or by agencies it funds including the Local Area Coordination services, Planning Alternative Tomorrows with Hope (PATH) and Family Leadership and You (FLY).

Disability ACT funds two primary formal support models for school leavers who are not eligible for assistance from Commonwealth funded employment services:

o **Transitional Pre vocational Support – available for up to 3 years**

This type of service can assist people who have the capacity to participate in vocational activities such as employment, volunteering, further education, training, but who are not ready, or not able to do so without additional support.

o **Ongoing Community Access Services**

Community access services assist school leavers to maintain and further develop their artistic and recreational learning, life skills, to use community facilities and to participate in community events. Community access should be individualised, and provided in inclusive and normative community locations.

Students with further support needs are referred to the Disability ACT Registration of Interest.

The Registration of Interest process:

- provides information about supports that might be of assistance to the individual;
- enables Disability ACT to gather information about unmet need to inform future service planning and allocation processes;
- enables the ACT Government to be informed about the services that people are asking for that Disability ACT is not able to provide; and
- enables Disability ACT to identify people who have urgent needs.

Further information about Disability ACT's assistance to school leavers including the Registration of Interest form and policy, 2010 School Leavers Referral Form, Information Sheet and Future Planning Information Sheet are available on the Disability ACT website.

Information about the Commonwealth Government's employment service for people with disabilities requiring long term support to obtain and maintain open employment is available on the Department of Employment and Work place Relations website.

(4) In addition to the support outlined in Question 3, the Department of Education and Training advise:

- Black Mountain School has a functional curriculum that specifically targets the acquisition of skills for successful post-school life. Every student at Black Mountain has a Future Action Plan developed as a part of the Individual Learning Plan process.
- Post-school information sessions are held every term for parents and carers. The school offers vocational training opportunities for students in Horticulture and is developing specific training in Sustainability. Recently the school has taken on the operation of a canteen at a local primary school. This initiative assists students in developing industry-standard skills in preparation for post-school employment.

### **Disability ACT**

Disability ACT holds information sessions at Black Mountain School each year to outline the assistance available to students and their families in planning their post school life as well as the process for their needs to be considered and resources allocated.

Meetings have already been held at Black Mountain School this year and information provided to this year's and next year's school leavers.

All families of graduating students are provided with an information pack outlining the process to access formal supports, what can be expected in relation to any assessment of their needs, time frames and general information about planning.

Disability ACT officers also attend the students' Individual Learning Planning meetings at Black Mountain School to assist in providing specific information and making appropriate referrals to services and supports that may be of assistance to the student and their family.

(5) There are a number of mechanisms to monitor the achievement of student's future plans:

- In relation to those students linked to formal support services funded by Disability ACT, the service is required to work with the service user and their legal guardian to ensure the service provision aligns with the individual's circumstances and goals.
  - Disability ACT has an intensive relationship with some school leavers and their families, as they develop and implement their plans over several years. This includes working with them to adapt their plans and supports as their circumstances or aspirations change.
  - Students suited to the Transitional Service are eligible for up to three years support after leaving school to work toward their personal goals and plans.
- (6) Refer to question 5.
- (7) There are no qualitative measures of success rates for post school plans.
- (8) Refer to question 7.
- (9) Not all school leavers are seeking Individual Support Packages. In measuring the demand for disability services and support, Disability ACT considers the graduates from Black Mountain School.
- (10) Disability ACT and the and Department of Education and Training have been working together over the past eighteen months to manage the impact of the alignment of school leaving age at Black Mountain School to that of other ACT students.

The alignment will occur incrementally to minimise the impact on school leavers and their families, as well as on the formal service system.

The Disability ACT funding modelling, Funding Plan Précis indicates the impact of future demand for disability services including community access supports needed as students leave the education system. The Funding Plan Précis is available on the Disability ACT website.

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**Public service—commonwealth liaison staff  
(Question Nos 820-826, 828-841)**

**Mr Seselja** asked the Chief Minister, Minister for Planning, Minister for Women, Minister for Business and Economic Development, Minister for Land and Property Services, Minister for Aboriginal and Torres Strait Islander Affairs, Minister for the Arts and Heritage, Minister for Health, Minister for Industrial Relations, Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy, Minister for Police and Emergency Services, Minister for Education and Training, Minister for Transport, Minister for Tourism, Sport and Recreation, Minister for Gaming and Racing, Minister for Disability, Housing and Community Services, Minister for Ageing, Minister for Multicultural Affairs and Minister for Territory and Municipal Services upon notice, on 25 March 2010:

- (1) How many officers liaise with the Commonwealth Government on a regular basis from the Minister's department and each agency in the Minister's portfolio.

- (2) How many staff are solely dedicated to liaison with the Commonwealth Government.
- (3) What is the average level of the staff members referred to in part (2) and what specific programs do each work on.
- (4) How much money has been received from the Commonwealth in the 2009-2010 financial year to date and how much is expected to be received in the remainder of the 2009-2010 financial year.
- (5) What is the money, referred to in part (4), for.

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

- (1), (2), (3) ACT officials liaise as required with their colleagues in other jurisdictions on a wide range of matters.
- (4), (5) These questions have been redirected to the Treasurer.

**Government—websites  
(Question No 842)**

**Mr Seselja** asked the Chief Minister, upon notice, on 25 March 2010:

- (1) In relation to the Minister's department and each agency in the Minister's portfolio, (a) how many websites are managed and maintained, (b) which websites are they and (c) what is the purpose of each.
- (2) Who manages and maintains the websites referred to in part (1) and is this in-house responsibility or the responsibility of contractors.
- (3) What is the current annual cost of maintaining and managing the websites.
- (4) If contractors are engaged to perform some of this work, how much is the annual cost of engaging the contractors.
- (5) Does each website allow people to subscribe to a mailing list; if so, (a) what is the purpose of the mailing list, (b) how many subscribers does it have and (c) how many subscribers have an email address that end in "act.gov.au".
- (6) When did each website go live.
- (7) What was the initial development cost of each website.
- (8) Is the website considered an asset which is depreciated; if so, what is the (a) depreciation rate and (b) annual depreciation cost of the site.
- (9) How many individual visitors does each website receive on average per week.

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

- (1) This information is provided in response to QON 672.

- (2) - (9) I am not prepared to authorise the use of considerable resources that would be involved in providing the detailed information required to answer the Member's question.
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**Government—websites  
(Question No 843)**

**Mr Seselja** asked the Minister for Planning, upon notice, on 25 March 2010:

- (1) In relation to the Minister's department and each agency in the Minister's portfolio,
  - (a) how many websites are managed and maintained, (b) which websites are they and (c) what is the purpose of each.
- (2) Who manages and maintains the websites referred to in part (1) and is this in-house responsibility or the responsibility of contractors.
- (3) What is the current annual cost of maintaining and managing the websites.
- (4) If contractors are engaged to perform some of this work, how much is the annual cost of engaging the contractors.
- (5) Does each website allow people to subscribe to a mailing list; if so, (a) what is the purpose of the mailing list, (b) how many subscribers does it have and (c) how many subscribers have an email address that end in "act.gov.au".
- (6) When did each website go live.
- (7) What was the initial development cost of each website.
- (8) Is the website considered an asset which is depreciated; if so, what is the (a) depreciation rate and (b) annual depreciation cost of the site.
- (9) How many individual visitors does each website receive on average per week.

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

- (1) (a) In relation to ACTPLA it has one website.
  - (b) The ACTPLA website is: [www.actpla.act.gov.au](http://www.actpla.act.gov.au)
  - (c) The purpose of the website is to inform and educate the community and stakeholders about ACTPLA's role and functions. It also provides a portal for community consultation on significant planning projects and as a tool for notification of development applications and environmental impact statements etc.
- (2) The website is managed in-house by ACTPLA.
- (3) \$105,444 including salary and costs.
- (4) No contractors are engaged to maintain and manage the website.
- (5) (a) People are able to subscribe to the The Community Zone and The Zone electronic newsletters via the website.

- (b) At present there are 898 subscribers to The Zone (which is primarily for industry) and 389 are subscribed to The Community Zone.
  - (c) This information is not available.
- (6) ACTPLA's website went live when ACTPLA was established in July 2003.
  - (7) \$98,000
  - (8) The website is not considered an asset which is depreciated.
    - (a) not applicable
    - (b) not applicable
  - (9) In the week 21 March to 27 March 2010 there were 8,493 visits to the ACTPLA website.

**Government—websites**  
**(Question Nos 844, 860, 861 and 862)**

**Mr Seselja** asked the Minister for Women, the Minister for Disability, Housing and Community Services, the Minister for Ageing and the Minister for Multicultural Affairs, upon notice, on 25 March 2010:

- (1) In relation to the Minister's department and each agency in the Minister's portfolio,
  - (a) how many websites are managed and maintained, (b) which websites are they and (c) what is the purpose of each.
- (2) Who manages and maintains the websites referred to in part (1) and is this in-house responsibility or the responsibility of contractors.
- (3) What is the current annual cost of maintaining and managing the websites.
- (4) If contractors are engaged to perform some of this work, how much is the annual cost of engaging the contractors.
- (5) Does each website allow people to subscribe to a mailing list; if so, (a) what is the purpose of the mailing list, (b) how many subscribers does it have and (c) how many subscribers have an email address that end in "act.gov.au".
- (6) When did each website go live.
- (7) What was the initial development cost of each website.
- (8) Is the website considered an asset which is depreciated; if so, what is the (a) depreciation rate and (b) annual depreciation cost of the site.
- (9) How many individual visitors does each website receive on average per week.

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

- 1(a) Eight websites

- 1(b) DHCS <http://www.dhcs.act.gov.au>  
Children <http://www.children.act.gov.au>,  
Multicultural Festival <http://www.multiculturalfestival.act.gov.au>,  
Bushfire Recovery <http://www.bushfirerecovery.act.gov.au>,  
Parentlink <http://www.parentlink.act.gov.au>,  
Youth <http://www.youth.act.gov.au>  
Grants <http://www.grants.act.gov.au>,  
Concessions <http://www.concessions.act.gov.au>
- 1(c) To provide information to the ACT community on the above matters.
2. The majority of websites are managed and maintained by DHCS Online Services which consists of 1 x SOGC & 2 x ASO6. The Youth website is managed by 1 x ASO6 and the Parentlink website is managed by 1 x ASO6 in the Office for Children, Youth and Family Support.
3. DHCS <http://www.dhcs.act.gov.au> - \$8250 annual hosting costs including GST;  
Children <http://www.children.act.gov.au>, - \$1543 annual hosting costs including GST;  
Multicultural Festival <http://www.multiculturalfestival.act.gov.au> - \$4400 annual hosting costs including GST;  
Bushfire Recovery <http://www.bushfirerecovery.act.gov.au> - \$198 annual hosting costs including GST;  
Parentlink <http://www.parentlink.act.gov.au> - \$5500 annual hosting costs excluding GST;  
Youth <http://www.youth.act.gov.au> - \$2,035 hosting charge;  
Grants <http://www.grants.act.gov.au> - \$4400 annual hosting costs including GST; and  
Concessions <http://www.concessions.act.gov.au> - \$4400 annual hosting costs including GST.  
In addition, a portion of the staff costs identified in 2 above are also incurred.
4. Not applicable.
5. Not applicable except for the Youth website:  
a) subscribers receive updates on youth InterACT, Youth E-Bulletins and are consulted on youth sector matters,  
b) 758,  
c) unknown.
6. The Concessions website went live in 2009; the Grants website went live in 2008; the Bushfire Recovery website went live in 2003; the Youth website was redesigned in 2007; and Parentlink was redesigned in 2006. Go live dates for the other websites are not known.
7. Initial development costs known to the Department are Parentlink \$3000 for redesign; Grants \$1500; and Concessions \$1500.
8. No.
9. Individual Visitors per website (note the figures provided are unique visitors per week rather than average visits per week):  
DHCS Website – 3448 visitors on average per week;  
Children <http://www.children.act.gov.au> – 451 visitors on average per week;

Multicultural Festival <http://www.multiculturalfestival.act.gov.au> – 2741 unique visitors per day over a 3 day period of the running of the festival.  
 Bushfire Recovery <http://www.bushfirerecovery.act.gov.au> – 25 visitors on average per week;  
 Parentlink <http://www.parentlink.act.gov.au> – 1970 visitors on average per week;  
 Youth <http://www.youth.act.gov.au> – 63 visitors on average per week;  
 Grants <http://www.grants.act.gov.au> – 171 visitors on average per week;  
 Concessions <http://www.concessions.act.gov.au> – 88 visitors on average per week.

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### **Government—websites (Question No 848)**

**Mr Seselja** asked the Minister for the Arts and Heritage, upon notice, on 25 March 2010:

- (1) In relation to the Minister's department and each agency in the Minister's portfolio, (a) how many websites are managed and maintained, (b) which websites are they and (c) what is the purpose of each.
- (2) Who manages and maintains the websites referred to in part (1) and is this in-house responsibility or the responsibility of contractors.
- (3) What is the current annual cost of maintaining and managing the websites.
- (4) If contractors are engaged to perform some of this work, how much is the annual cost of engaging the contractors.
- (5) Does each website allow people to subscribe to a mailing list; if so, (a) what is the purpose of the mailing list, (b) how many subscribers does it have and (c) how many subscribers have an email address that end in "act.gov.au".
- (6) When did each website go live.
- (7) What was the initial development cost of each website.
- (8) Is the website considered an asset which is depreciated; if so, what is the (a) depreciation rate and (b) annual depreciation cost of the site.
- (9) How many individual visitors does each website receive on average per week.

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

The response for Arts to part 1 is included in QON 672 asked of the Chief Minister.

I am not prepared to authorise the use of considerable resources that would be involved in providing the detailed information required to answer the other parts of the Member's question.

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**Government—websites  
(Question No 850)**

**Mr Seselja** asked the Minister for Health, upon notice, on 25 March 2010:

- (1) In relation to the Minister's department and each agency in the Minister's portfolio,
  - (a) how many websites are managed and maintained, (b) which websites are they and (c) what is the purpose of each.
- (2) Who manages and maintains the websites referred to in part (1) and is this in-house responsibility or the responsibility of contractors.
- (3) What is the current annual cost of maintaining and managing the websites.
- (4) If contractors are engaged to perform some of this work, how much is the annual cost of engaging the contractors.
- (5) Does each website allow people to subscribe to a mailing list; if so, (a) what is the purpose of the mailing list, (b) how many subscribers does it have and (c) how many subscribers have an email address that end in "act.gov.au".
- (6) When did each website go live.
- (7) What was the initial development cost of each website.
- (8) Is the website considered an asset which is depreciated; if so, what is the (a) depreciation rate and (b) annual depreciation cost of the site.
- (9) How many individual visitors does each website receive on average per week.

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

- (1) In ACT Health four websites are managed and maintained.
  - www.health.act.gov.au - to provide comprehensive health service information to health consumers, professionals and other healthcare organisations.
  - www.healthpromotion.act.gov.au – to provided comprehensive health promotion information to health consumers, professionals and other healthcare organisations;
  - www.findthirty.com.au – aims to increase the number of ACT residents who are sufficiently active for good health;
  - www.kidsatplay.act.gov.au – aims to advance the health and wellbeing of ACT children aged 0-5years, by promoting health eating and physical activity to families and the early childhood sector.
- (2) All of these websites are managed internally, while more complex website modifications are performed by an external contractor.
- (3) The current annual cost for internal management of these websites is 0.2 FTE SOGC, and \$9000 per year for more complex modifications performed by external contractors.
- (4) See answer above.

- (5) Users cannot subscribe to a mailing list.
- (6) Go live dates are:
- www.health.act.gov.au – July 2003.
  - www.healthpromotion.act.gov.au – February 2008.
  - www.findthirty.com.au – April 2006.
  - www.kidsatplay.act.gov.au – April 2010.
- (7) Initial development costs are:
- www.health.act.gov.au – \$21,388.
  - www.healthpromotion.act.gov.au – \$2,217.
  - www.findthirty.com.au – funded by the Australian Government.
  - www.kidsatplay.act.gov.au – \$5,178.
- (8) The websites are not considered depreciable assets.
- (9) Average number of visitors per week:
- www.health.act.gov.au – 14,337
  - www.healthpromotion.act.gov.au – 5,178
  - www.findthirty.com.au – 534
  - www.kidsatplay.act.gov.au – Not available as the site only went live in early April 2010.

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**Government—websites  
(Question No 851)**

**Mr Seselja** asked the Minister for Industrial Relations, upon notice, on 25 March 2010:

- (1) In relation to the Minister's department and each agency in the Minister's portfolio, (a) how many websites are managed and maintained, (b) which websites are they and (c) what is the purpose of each.
- (2) Who manages and maintains the websites referred to in part (1) and is this in-house responsibility or the responsibility of contractors.
- (3) What is the current annual cost of maintaining and managing the websites.
- (4) If contractors are engaged to perform some of this work, how much is the annual cost of engaging the contractors.
- (5) Does each website allow people to subscribe to a mailing list; if so, (a) what is the purpose of the mailing list, (b) how many subscribers does it have and (c) how many subscribers have an email address that end in "act.gov.au".

- (6) When did each website go live.
- (7) What was the initial development cost of each website.
- (8) Is the website considered an asset which is depreciated; if so, what is the (a) depreciation rate and (b) annual depreciation cost of the site.
- (9) How many individual visitors does each website receive on average per week.

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

The response for Industrial Relations to part 1 is included in QON 672 asked of the Chief Minister.

I am not prepared to authorise the use of considerable resources that would be involved in providing the detailed information required to answer the other parts of the Member's question.

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**Government—websites  
(Question No 853)**

**Mr Seselja** asked the Minister for the Environment, Climate Change and Water, upon notice, on 25 March 2010:

- (1) In relation to the Minister's department and each agency in the Minister's portfolio,
  - (a) how many websites are managed and maintained, (b) which websites are they and (c) what is the purpose of each.
- (2) Who manages and maintains the websites referred to in part (1) and is this in-house responsibility or the responsibility of contractors.
- (3) What is the current annual cost of maintaining and managing the websites.
- (4) If contractors are engaged to perform some of this work, how much is the annual cost of engaging the contractors.
- (5) Does each website allow people to subscribe to a mailing list; if so, (a) what is the purpose of the mailing list, (b) how many subscribers does it have and (c) how many subscribers have an email address that end in "act.gov.au".
- (6) When did each website go live.
- (7) What was the initial development cost of each website.
- (8) Is the website considered an asset which is depreciated; if so, what is the (a) depreciation rate and (b) annual depreciation cost of the site.
- (9) How many individual visitors does each website receive on average per week.

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

- (1)
- (a) Five
- (b) Department website - [www.environment.act.gov.au](http://www.environment.act.gov.au);  
Think water, act water - [www.thinkwater.act.gov.au](http://www.thinkwater.act.gov.au);  
Australian Sustainable Schools Initiative (AuSSI) ACT -  
[www.sustainableschools.act.gov.au](http://www.sustainableschools.act.gov.au)  
Noise Awareness Campaign - [www.noise.act.gov.au](http://www.noise.act.gov.au);  
Department intranet - [decewintranet.act.gov.au](http://decewintranet.act.gov.au)
- (c) Department website – hosts information on programs, policies, and regulatory functions of the Department.  
Think water, act water – provides information on saving water, rebates and programs to help save water and related information.  
(AuSSI) ACT – contains information to assist, students, staff and families to make their school more environmentally sustainable.  
Noise Awareness Campaign –promotes the Environment Protection Authority’s Noise Awareness Campaign, launched in October 2009. It is not expected that this website will exist for more than 12 months.  
Intranet – promotes human resources, finance, corporate and other information relevant to staff.
- (2) All websites are managed by the Department as an in-house responsibility.
- (3) The current, annual cost of maintaining and managing the websites is \$15,027.
- (4) There is no ongoing annual costs paid to contractors.
- (5) The Department’s website has a mailing list.
- (a) To provide subscribers with information climate change issues.
- (b) 45
- (c) 11
- (6) Department website – March 2009  
Think Water, act water – 2003  
AuSSI ACT – 2007  
Noise Awareness Campaign – October 2009  
Department intranet – July 2009
- (7) Department internet - \$14,000  
Think Water, act water – \$10,852  
AuSSI ACT – \$2,300  
Noise Awareness Campaign – \$7,116  
Department intranet - \$3,000
- (8) No
- (9) Department website – 2,100  
Think Water, act water – 2,254  
AuSSI ACT – 300  
Noise Awareness Campaign – 153  
Department intranet – statistics have not yet been configured.
-

**Government—websites  
(Question No 854)**

**Mr Seselja** asked the Minister for Energy, upon notice, on 25 March 2010 (*redirected to the Minister for the Environment, Climate Change and Water*):

- (1) In relation to the Minister's department and each agency in the Minister's portfolio, (a) how many websites are managed and maintained, (b) which websites are they and (c) what is the purpose of each.
- (2) Who manages and maintains the websites referred to in part (1) and is this in-house responsibility or the responsibility of contractors.
- (3) What is the current annual cost of maintaining and managing the websites.
- (4) If contractors are engaged to perform some of this work, how much is the annual cost of engaging the contractors.
- (5) Does each website allow people to subscribe to a mailing list; if so, (a) what is the purpose of the mailing list, (b) how many subscribers does it have and (c) how many subscribers have an email address that end in "act.gov.au".
- (6) When did each website go live.
- (7) What was the initial development cost of each website.
- (8) Is the website considered an asset which is depreciated; if so, what is the (a) depreciation rate and (b) annual depreciation cost of the site.
- (9) How many individual visitors does each website receive on average per week.

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

Matters in relation to Energy functions are handled centrally by the Department of the Environment, Climate Change, Energy and Water.

- (1)
  - (a) Five
  - (b) Department website - [www.environment.act.gov.au](http://www.environment.act.gov.au);  
Think water, act water - [www.thinkwater.act.gov.au](http://www.thinkwater.act.gov.au);  
Australian Sustainable Schools Initiative (AuSSI) ACT - [www.sustainableschools.act.gov.au](http://www.sustainableschools.act.gov.au)  
Noise Awareness Campaign - [www.noise.act.gov.au](http://www.noise.act.gov.au);  
Department intranet - [decewintranet.act.gov.au](http://decewintranet.act.gov.au)
  - (c) Department website – hosts information on programs, policies, and regulatory functions of the Department.  
Think water, act water – provides information on saving water, rebates and programs to help save water and related information.  
(AuSSI) ACT – contains information to assist, students, staff and families to make their school more environmentally sustainable.

Noise Awareness Campaign –promotes the Environment Protection Authority’s Noise Awareness Campaign, launched in October 2009. It is not expected that this website will exist for more than 12 months.

Intranet – promotes human resources, finance, corporate and other information relevant to staff.

- (2) All websites are managed by the Department as an in-house responsibility.
- (3) The current, annual cost of maintaining and managing the websites is \$15,027.
- (4) There is no ongoing annual costs paid to contractors.
- (5) The Department’s website has a mailing list.
  - (a) To provide subscribers with information climate change issues.
  - (b) 45
  - (c) 11
- (6) Department website – March 2009  
 Think Water, act water – 2003  
 AuSSI ACT – 2007  
 Noise Awareness Campaign – October 2009  
 Department intranet – July 2009
- (7) Department internet - \$14,000  
 Think Water, act water – \$10,852  
 AuSSI ACT – \$2,300  
 Noise Awareness Campaign – \$7,116  
 Department intranet - \$3,000
- (8) No
- (9) Department website – 2,100  
 Think Water, act water – 2,254  
 AuSSI ACT – 300  
 Noise Awareness Campaign – 153  
 Department intranet – statistics have not yet been configured.

**Government—websites  
(Question No 858)**

**Mr Seselja** asked the Minister for Tourism, Sport and Recreation, upon notice, on 25 March 2010:

- (1) In relation to the Minister’s department and each agency in the Minister’s portfolio,
  - (a) how many websites are managed and maintained, (b) which websites are they and (c) what is the purpose of each.
- (2) Who manages and maintains the websites referred to in part (1) and is this in-house responsibility or the responsibility of contractors.
- (3) What is the current annual cost of maintaining and managing the websites.

- (4) If contractors are engaged to perform some of this work, how much is the annual cost of engaging the contractors.
- (5) Does each website allow people to subscribe to a mailing list; if so, (a) what is the purpose of the mailing list, (b) how many subscribers does it have and (c) how many subscribers have an email address that end in "act.gov.au".
- (6) When did each website go live.
- (7) What was the initial development cost of each website.
- (8) Is the website considered an asset which is depreciated; if so, what is the (a) depreciation rate and (b) annual depreciation cost of the site.
- (9) How many individual visitors does each website receive on average per week.

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

The response for Tourism to part 1 is included in QON 672 asked of the Chief Minister.

I am not prepared to authorise the use of considerable resources that would be involved in providing the detailed information required to answer the other parts of the Member's question.

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### **Government—appointments (Question No 864)**

**Mr Seselja** asked the Chief Minister, upon notice, on 25 March 2010:

- (1) In relation to each board, committee, advisory council or committee, or similar within the Minister's portfolio, including statutory authorities, government owned corporations and government business enterprises, what is the (a) name of each body and (b) each body's function or role.
- (2) What are the names, positions and qualifications of the members of each body referred to in part (1) and when do their terms expire.
- (3) How many vacancies are currently carried on each body and how long have those vacancies remained unfilled.
- (4) When will the vacancies referred to in part (3) be filled.
- (5) What is the remuneration of each member of each body, annual or per diem as appropriate.
- (6) What are the allowances of each member of each body.
- (7) Which members of each body are required to travel to Canberra in order to participate in meetings.

- (8) What is the cost, on average, per body meeting for those members to travel to Canberra to attend body meetings.
- (9) Why was each member referred to in part (7) appointed to the body in preference to seeking local members.
- (10) What was the total remuneration, allowances and travel costs paid to body members in (a) 2007-08, (b) 2008-09 and (c) 2009-10 to date.
- (11) Do any members of each body have the use of a government vehicle; if so, (a) on what basis, (b) at what cost, and (c) did the member privately garage the vehicle.
- (12) Is the use of a government vehicle included as part of a remuneration determination by the Remuneration Tribunal; if not, who authorised it.
- (13) How often does each body meet and what is the average length of meetings.
- (14) Does each body ever meet outside Canberra; if so, (a) why, (b) how often and (c) at what cost.

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

- (1) See table below

<b>Name of Body</b>	<b>Function or Role</b>
Community Inclusion Advocates	Individuals engaged by the Chief Minister to support community engagement and community inclusion.
Canberra-Nara Sister City Committee	The committee provides support and advice on activities, delegations and events related to the Canberra-Nara Sister City relationship.
The ACT Cultural Council	The ACT Government's principal advisory body on the arts. The Council provides advice in relation to the Government's identified key priorities for the arts including recommendations for funding through the ACT Arts Fund.
ACT Public Art Panel	The ACT Public Art Panel provides advice to the Minister on matters relevant to public art in the ACT.
Regional Development ACT	The RDA ACT is an incorporated association, part funded by the ACT and Commonwealth Governments. Its function is to be a trusted intermediary between government and local communities on regional development planning, programs and initiatives. RDA ACT replaces the former Capital Region Development Board / Capital Regional Area Consultative Committee structures.

<b>Name of Body</b>	<b>Function or Role</b>
Regional Development ACT	<p>Roles:</p> <ul style="list-style-type: none"> <li>• provide advice to governments about regional issues;</li> <li>• provide strategic input into Australian and ACT Government programs;</li> <li>• provide information to regional communities on Commonwealth and ACT Government initiatives;</li> <li>• help to coordinate regional planning and regional development initiatives; and</li> <li>• establish links and cooperative alliances as appropriate by closely working with other regional development organisations and neighbouring NSW RDA committees and local governments to promote regional development.</li> </ul>
Innovation Connect (Icon) Panel	The Panel is an informally convened advisory panel which assists the Department in the assessment of grant applications made under the Icon program.
Chief Minister's Department/Department of Treasury Audit Committee	To oversight risk, compliance, external accountability and internal control environment on behalf of the Chief Executive.
The Cultural Facilities Corporation Board	The role of the Corporation Board is to provide good governance and strategic direction to the Corporation.
Museum and Gallery Advisory Committee	The role of the Corporation's three advisory committees is to provide expert strategic advice on their particular areas of expertise. The committees also serve as a valuable link between the Corporation and wider community.
Historic Places Advisory Committee	
Performing Arts Advisory Committee	

(2) See Table below

<b>Name/ Position</b>	<b>Qualifications</b>	<b>Appointment expiry date</b>
Zoya Patel		
Community Inclusion Advocate	Writer/university student	30 June 2010
Mary Perkin		
Community Inclusion Advocate	CEO Relationships Australia, Canberra & Region	30 June 2010
Rev Gordon Ramsay		
Community Inclusion Advocate	Team Leader, UnitingCare Kippax	30 June 2010
Tessa Scrine		
Community Inclusion Advocate	EO, Government Relations, Aust Baha'i Community	30 June 2010

<b>Name/ Position</b>	<b>Qualifications</b>	<b>Appointment expiry date</b>
Mrs Narelle Hargreaves – Chair, Canberra-Nara Sister City Committee	Formerly the Director of School Operations (Northside) at the ACT Department of Education and has extensive experience in managing key high-level relationships in the community and public sectors.	31 December 2010
Prof Chris Braddick – Member, Canberra-Nara Sister City Committee	Lived, studied and taught extensively in Japan, and has published numerous papers on a range of topics in Japanese politics.	31 December 2010
Ms Helen Cohen– Member, Canberra-Nara Sister City Committee	Qualified landscape architect and Director of Campbell Dion Pty Ltd. Ms Cohen was the project manager and designer of the Draft Master Plan for the future planning of the Canberra-Nara Park in Lennox Gardens.	31 December 2010
Ms Majdie Hordern– Member, Canberra-Nara Sister City Committee	Volunteered for the annual Nara Candle Festival in Canberra and has taught English in Japan. She has a Bachelor of Tourism degree incorporating a minor in Japanese language studies.	31 December 2010
Mrs Carmel Ryan– Member, Canberra-Nara Sister City Committee	Life member of the Australia Japan Society and a retired Japanese teacher. In December 2006 Ambassador of Japan, H.E. Hideaki Ueda, commended her role supporting Australia-Japan relations.	31 December 2010
Ms Yasumi Tebecis– Member, Canberra-Nara Sister City Committee	Is a NAATI accredited Professional Level Interpreter and Translator with over 25 years of experience. Ms Tebecis has a Masters of Business Administration.	31 December 2010

<b>Name/ Position</b>	<b>Qualifications</b>	<b>Appointment expiry date</b>
Ms Rachael Taylor– Member, Canberra-Nara Sister City Committee	Has had an interest and association with Nara and its sister city relationship with Canberra since 1992. Between 1992-1993 she taught English in five Junior High Schools in Nara Prefecture as part of the Japanese Exchange Teaching Programme (JET). As one of the few Canberra citizens living in Nara Prefecture in 1993 she was able to represent Canberra at one of the ceremonies leading up to the establishment of the sister city relationship.	31 December 2010
Mr Michael Hodgkin– Member, Canberra-Nara Sister City Committee	A member of the Australia-Japan Society of the ACT for over 20 years.	31 December 2010
Mr Bill Andrews– Member, Canberra-Nara Sister City Committee	Long serving member of the Rotary Club of Canberra Burley Griffin and was involved in the establishment of twin clubs - his club and the Rotary Club of Heijo in Nara.	31 December 2010
Dr Paul Hetherington – Chair - ACT Cultural Council	Each member has expertise in one or more specific art forms.	31 December 2010
Ms Helen Ennis – ACT Cultural Council, Deputy Chair		31 December 2010
Ms Maureen Bettle – ACT Cultural Council, Member		31 December 2010
Ms Bev Hogg – ACT Cultural Council, Member		31 December 2010
Ms Dianna Laska Moore – ACT Cultural Council, Member		31 December 2010
Mr Greg Lissaman – ACT Cultural Council, Member		31 December 2010
Ms Cheryl Peate– ACT Cultural Council, Member		31 December 2010
Dr Andrew Pike OAM – ACT Cultural Council, Member		31 December 2010
Mr Michael Sollis – ACT Cultural Council, Member		31 December 2010
Mr John Topfer – ACT Cultural Council, Member		31 December 2010
Mr David Whitney – ACT Cultural Council, Ex Officio Member		31 December 2010

Name/ Position	Qualifications	Appointment expiry date
Dr Paul Hetherington – Chair, ACT Public Art Panel	Members have qualifications and experience in visual arts/curating, architecture/urban design and other arts practice.	30 June 2011
Dr Ian Templeman – Member, ACT Public Arts Panel		30 June 2011
GW Bot – Member, ACT Public Arts Panel		30 June 2011
Mr Graham Humphries – Member, ACT Public Arts Panel		30 June 2011
Ms Deborah Clark – Member, ACT Public Arts Panel		30 June 2011
Ross Barrett – Chair, Regional Development ACT	<p>Fellow of the Institute of Engineers Australia.</p> <ul style="list-style-type: none"> <li>• Fellow of Australian Institute of Company Directors.</li> <li>• Chair of Community Housing Canberra.</li> <li>• Board member of the Master Builders Association of Australia Inc.</li> <li>• Board member of the Civil Contractors Federation of Australia and the MBA Group Training (ACT) Inc.</li> <li>• President of the Master Builders Association of the ACT.</li> <li>• Member of the Board of Trustees – Master Builders Fidelity Fund ACT.</li> <li>• Member of the Residential Advisory Committee – ACT Planning &amp; Land Authority</li> </ul>	31 May 2010
David Malloch - Deputy Chair, Regional Development ACT	<ul style="list-style-type: none"> <li>• Chief Executive Officer of Malloch Digital Design.</li> <li>• Director and Vice President of the NSW Business Chamber.</li> <li>• Director of Australian Business Foundation.</li> <li>• Director of the Australian Association of Angel Investors.</li> <li>• Board member of the Canberra Business Council.</li> <li>• Director of Intelledox.</li> </ul>	31 May 2010

Name/ Position	Qualifications	Appointment expiry date
Faye Powell – Secretary, Regional Development ACT	<ul style="list-style-type: none"> <li>• BEc(Sydney).</li> <li>• Marketing Management Cert (UTS).</li> <li>• Contract Engineering Cert (TAFE).</li> <li>• PostGrad Cert Heritage/Archeology. 31 May 2010</li> </ul>	31 May 2010
David Gregory – Treasurer, Regional Development ACT	<ul style="list-style-type: none"> <li>• Bachelor of Science (Sydney).</li> <li>• Bachelor of Economics (ANU).</li> <li>• Graduate Diploma in Agribusiness (Monash).</li> <li>• Master of Philosophy (Economics) (Sydney).</li> <li>• Additional tertiary qualifications in accounting, finance, tax and business law.</li> </ul>	31 May 2010
Dr Christopher Bourke – Member, Regional Development ACT	<ul style="list-style-type: none"> <li>• Bachelor of Dentistry (Melbourne) .</li> <li>• Grad Dip Public Health (Adelaide).</li> <li>• Grad Dip Oral Implants (Sydney). 31 May 2010</li> </ul>	31 May 2010
Elizabeth Brown – Member, Regional Development ACT	Executive Officer and Regional Arts Development Officer at Southern Tablelands Arts NSW.	31 May 2010
Marita Corra – Member, Regional Development ACT	<ul style="list-style-type: none"> <li>• Director and Business Manager of Inland Trading Co (Australia).</li> <li>• Graduate Diploma Education. 31 May 2010</li> </ul>	31 May 2010
Diane Hinds – Member, Regional Development ACT	<ul style="list-style-type: none"> <li>• Master of Community &amp; Regional Planning (British Columbia).</li> <li>• Bachelor Arts Geography (British Columbia).</li> <li>• Diane Hinds is proprietor and co-director of the Old Bus Depot Markets. 31 May 2010</li> </ul>	31 May 2010

<b>Name/ Position</b>	<b>Qualifications</b>	<b>Appointment expiry date</b>
Professor John H. Howard – Governance Sub-Committee member, Regional Development ACT	<ul style="list-style-type: none"> <li>• PhD (Sydney).</li> <li>• MA (Admin) University Canberra.</li> <li>• BEc(Hons) (Tasmania).</li> <li>• Pro-Vice Chancellor, Development, at the University of Canberra. 31 May 2010</li> </ul>	31 May 2010
Mr Ian Cox, General– Chair, InnovationConnect Applications Advisory Panel Member	Manager, Business & Industry Development, Chief Minister’s Department.	There is no set Panel size or term. The Panel operates as a revolving resource to consider applications in the program application and assessment cycle. Members will be added and retire from time to time, depending on work commitments and interest.
Ms Dita Hunt, Senior– Alternate Chair, InnovationConnect Applications Advisory Panel Member	Manager, Business & Industry Development, Chief Minister’s Department.	
Mr David Gaul - InnovationConnect Applications Advisory Panel Member	President, CEA Technologies.	
Mr David O’Rourke - InnovationConnect Applications Advisory Panel Member	Managing Director, Mantis Industries.	
Mr Murray Rankin - InnovationConnect Applications Advisory Panel Member	Managing Director, Rankin Securities.	
Ms Anna Pino - InnovationConnect Applications Advisory Panel Member	General Manager, Lighthouse Business Innovation Centre.	
Ms Michelle Melbourne - InnovationConnect Applications Advisory Panel Member	General Manager, Intelledox.	
Mr Mick Burgess	Managing Director, Urban Contractors.	
Mr John Gordon	Chair of the CMD/Treasury Audit Committee Registered Tax agent.	B.Comms (Hons.) University of New South Wales, F.C.A., A.C.I.S., C.P.A.
Other Members of the Audit Committee are CMD and Treasury Executives		Ongoing
Professor Don Aitkin AO Chairman of the Cultural Facilities Corporation Board	Vice-Chancellor and President of the University of Canberra from 1991-2002; presently Chairman of the National Capital Authority.	6 August 2011

<b>Name/ Position</b>	<b>Qualifications</b>	<b>Appointment expiry date</b>
Ms Glenys Roper Deputy Chair of the Cultural Facilities Corporation Board	Has held a range of senior executive positions in the Commonwealth. Formerly Controller of the Royal Australian Mint and later CEO of the Federal Government ICT Office.	18 August 2012
Ms Christine Wallace Cultural Facilities Corporation Board Member	Journalist, author and artist. Graduate of the ANU (BA History, Polititcs), the University of Sydney (BEC) and the Australian Graduate School of Management (MBA).	31 August 2010
Ms Pamille Berg, AO Cultural Facilities Corporation Board Member	Director of Pamille Berg Consulting Pty Ltd. Has worked in the field of public art master planning, the inception and delivery of major public art programs, cultural planning, community consultation, and arts advocacy in the USA, Europe, Australia, and Asia for the past 26 years.	18 August 2012
Mr Crispin Hull Cultural Facilities Corporation Board Member	Journalist; Editor of The Canberra Times for seven years. Has contributed to both Federal and ACT parliamentary inquiries on defamation and freedom of speech. Currently teaches journalism at the University of Canberra.	18 August 2012

<b>Name/ Position</b>	<b>Qualifications</b>	<b>Appointment expiry date</b>
Ms Harriet Elvin Cultural Facilities Corporation Board Member and CEO of the Corporation.	Recipient of inaugural ACT Government ANU MBA Scholarship. 2001 ACT Telstra Business Woman of the Year. Member of numerous bodies including, the Tourism, Arts and Sport Taskforce of the Canberra Business Council; the Canberra Medical Society Indigenous Health Initiative; the Australiana Fund; and the ANU Chancellor's Awards Committee.	Appointed under Section 80 (1) of the Financial Management Act 1996.
Ms Roberta McRae OAM Convenor of Museum and Gallery Advisory Committee	Member of the ACT Remuneration Tribunal, President Belconnen Community Service; currently working as a lecturer for the Graduate Diploma of Legal Practice at the ANU.	30 June 2010
Ms Louise Douglas Deputy Convenor of Museum and Gallery Advisory Committee	20 year career in the cultural heritage management working at senior and executive management levels at both the Powerhouse Museum and the National Museum of Australia. Currently Assistant Director, Audience, Programs and Partnerships Division, National Museum of Australia.	30 June 2010

Name/ Position	Qualifications	Appointment expiry date
Ms Louise Doyle Member of Museum and Gallery Advisory Committee	Deputy Director, Programs and Collections, National Portrait Gallery; formerly Head Curator at Museum of Sydney, Historic Houses Trust NSW; more than 13 years experience in directing and managing regional galleries in NSW and Queensland.	30 June 2010
Ms Helen Geier Member of Museum and Gallery Advisory Committee	Renowned local artist; Canberra Times Artist of the Year 1997; recipient of a number of prizes including Capital Arts Patrons Organisation Fellowship (1993); has exhibited extensively nationally and internationally; held position of Senior Lecturer at the Canberra School of Art until 1994, and a visiting Fellow at the ANU, School of Art.	30 June 2010
Mr Dave Johnston Member of Museum and Gallery Advisory Committee	Indigenous archaeologist and Director of Aboriginal Archaeologists Australia; community appointed archaeologist for many Traditional Owner groups throughout Queensland, NSW, Victoria and ACT. Member of the ACT Heritage Committee; member of the Commonwealth's Indigenous Advisory Committee on Environment and Heritage.	30 June 2010

<b>Name/ Position</b>	<b>Qualifications</b>	<b>Appointment expiry date</b>
Emeritus Professor John Mulvaney AO Member of Museum and Gallery Advisory Committee	Chaired the ACT Heritage Committee from 1986-88; was a member of the Australian Heritage Commission 1976-82; served on the Committee of Inquiry on Museums and National Collections 1974-75; formerly Chair of Prehistory, Arts Faculty, ANU 1971-85.	30 June 2010
Mr Emmanuel Notaras Member of Museum and Gallery Advisory Committee	Well-known Canberra businessman active in the property industry since the late 1960s. President of the Canberra City Heart Business Association and Chairman of Canberra CBD Limited.	30 June 2010
Mr Bill Wood Convenor of the Historic Places Advisory Committee	Former Member of the ACT Legislative Assembly from 1989-2004. Minister for Environment, Land and Planning, 1991-95; Minister for Housing and Community Services from 2001-2004; Member of the National Trust (ACT).	30 June 2010
Ms Cathy Parsons Deputy Convenor of the Historic Places Advisory Committee	Former CEO of Green Globe Asia Pacific; worked as a Senior Executive for the Commonwealth and ACT Governments for over 15 years. Former member of the ANU's Board of the National Institute of the Arts for 9 years.	30 June 2010

Name/ Position	Qualifications	Appointment expiry date
Dr Brian Egloff Member of the Historic Places Advisory Committee	Specialist in cultural heritage management; currently an Adjunct Associate Professor in Cultural Heritage Studies, University of Canberra; former member of the ACT Heritage Council and Getty Conservation Institute Scholar in 2006 and 2007.	30 June 2010
Mr Guy Hansen Member of the Historic Places Advisory Committee	Senior Curator and Head of the Collections Development Unit at National Museum of Australia.	30 June 2010
Mrs Rosanna Hindmarsh Member of the Historic Places Advisory Committee	Canberra resident since 1971; taught both Ancient and Modern History at secondary level; completed a second BA (Hons) in Art History at the ANU; recently appointed to the Board of Management of Megalo Print Studio and Gallery.	30 June 2010
Mr Eric Martin AM Member of the Historic Places Advisory Committee	Established his own practice in 1998 offering a full range of service with additional expertise in Architectural Conservation, Heritage Reports and Disability Access Advice; Member of Australia ICOMOS; President of National Trust of Australia (ACT).	30 June 2010
Mrs Sally Osborne Member of the Historic Places Advisory Committee	Former educator with the ACT Department of Education; family owned Lanyon in the 1920s; former member of the University of Canberra Academic Board.	30 June 2010

<b>Name/ Position</b>	<b>Qualifications</b>	<b>Appointment expiry date</b>
Mr Greg Peters Member of the Historic Places Advisory Committee	Director, Patinations Furniture Conservation Services Pty Ltd; awarded Fellowship by the Institute of Specialised Skills in 2005; has worked with conservators and scientists at the Smithsonian Centre for Materials Research and Education; recipient of Winston Churchill Fellowship in 2000.	30 June 2010
Emeritus Professor Ken Taylor AM Member of the Historic Places Advisory Committee	Adjunct Professor, Research School of Humanities, ANU; former President of the National Trust of Australia (ACT); author of Canberra : City in the Landscape, 2006.	30 June 2010
Ms Noonee Doronila Convenor of the Performing Arts Advisory Committee	Director of several plays; former Artist-in-Residence with Jigsaw Theatre; continues to write, perform, facilitate and direct poetry readings and plays.	30 June 2010
Ms Jenny Deves Deputy Convenor of the Performing Arts Advisory Committee	Over 25 years arts management experience including with Musica Viva Australia, Nimrod Theatre Company as Marketing Manager and NIDA as Deputy Administrator.	30 June 2010
Ms Jillian Batri Member of the Performing Arts Advisory Committee	Recent graduate of the ANU; theatre interests include comedy, dance and musicals; brings youth perspective to the committee.	30 June 2010

<b>Name/ Position</b>	<b>Qualifications</b>	<b>Appointment expiry date</b>
Mrs Trish Boyd Member of the Performing Arts Advisory Committee	Background in early childhood education and early childhood government policy; nominated for the ACT International Women's Day Awards in 2004 in recognition of valuable contribution to school communities.	30 June 2010
Ms Jenni Colwill Member of the Performing Arts Advisory Committee	Resident of Canberra for 30 Years; former Board Member and Chair of the Gorman House Management Committee; Manager of Leapfrog Leadership Pty Ltd; Director and Board Member of the National Foundation for Australian Women.	30 June 2010
Ms Emma Dykes Member of the Performing Arts Advisory Committee	Former Programming, and Marketing Managers of the Canberra Theatre Centre; former Administrative Director, Paige Gordon and Performance Group; and Administrative Assistant, Gorman House Arts Centre.	30 June 2010
Ms Kerry Snell Member of the Performing Arts Advisory Committee	Background in education at Primary and Tertiary levels in Australia and overseas. Managed the Vision Australia Audio Description Program for the blind in 2006.	30 June 2010

<b>Name/ Position</b>	<b>Qualifications</b>	<b>Appointment expiry date</b>
Mr Michael White Member of the Performing Arts Advisory Committee	Founding member of Legerdemain Theatre Company; previous member of Jigsaw Theatre Company and Canberra Youth Theatre; currently Industrial Officer/Branch Secretary with Media Entertainment and Arts Alliance.	30 June 2010

(3) The Board of the Cultural Facilities Corporation has had one vacancy since 31 March 2010. This vacancy is currently being addressed

(4) See answer to Part 3.

(5) See table below -

<b>Body</b>	<b>Remuneration</b>
Community Inclusion Advocates	Members \$340 per diem
ACT Cultural Council	Chair \$415 per diem Members \$350 per diem
ACT Public Art Panel	Chair \$415 per diem Members \$350 per diem
Regional Development ACT	Nil. Remuneration is prohibited by Constitution
InnovationConnect Applications Advisory Panel Member	Nil
CMD/Treasury Audit Committee	Chair \$2,200 per diem Members are CMD and Treasury Executives and don't receive any additional remuneration
Cultural Facilities Corporation Board	Chair \$22,005 pa Deputy Chair \$11,005 pa Appointed Member \$7,705 parliament
Museum and Gallery Advisory Committee	Members donate their services
Historic Places Advisory Committee	Members donate their services
Performing Arts Advisory Committee	Members donate their services

(6) Regional Development ACT pays allowances for travel related expenses associated with Committee and related meetings. The costs are met by RDA Act from operating Revenues, not the ACT Government.

(7) Mr Gordon, chair of the CMD/Treasury Audit Committee and Ms Brown, Member of Regional Development ACT, travel to Canberra to attend meetings.

(8) Mr Gordon does not receive any allowances in addition to his remuneration. Regional Development ACT has spent \$185 on members' and staff travel for the period May 2009 to April 2010.

- (9) A search for a local chair for the CMD/Treasury Audit committee was unsuccessful in finding suitably qualified people interested in the role, therefore a non-local person was engaged.

Members of Regional Development ACT were drawn from the two organisations (CRACC and CRDB) which merged to form Regional Development ACT resulting in a member living outside of Canberra.

- (10) Total Remuneration, allowances and travel costs paid to body members are set out below -

<b>Name of Body</b>	<b>2007-08</b>	<b>2008-09</b>	<b>2009-2010 to date</b>
Community Inclusion Advocates	0	0	\$2,720
The ACT Cultural Council	\$30,105	\$44,325	\$22,834
ACT Public Art Panel	\$13,805	\$17,705	\$14,525
Regional Development ACT	0	0	\$185
Innovation Connect (Icon) Panel	0	0	0
Chief Minister's Department/Department of Treasury Audit Committee	0	\$3,300	\$9,900
The Cultural Facilities Corporation Board	\$60,320	\$62,875	\$39,825
Museum and Gallery Advisory Committee	0	0	0
Historic Places Advisory Committee	0	0	0
Performing Arts Advisory Committee	0	0	0

- (11) No

- (12) Not applicable

- (13) See table below -

<b>Body</b>	<b>Number of Meetings</b>	<b>Average length of meetings</b>
Community Inclusion Advocates	Two	Half a day
Canberra Nara Sister City Committee	Approximately once every six weeks	2 hours
ACT Cultural Council	Monthly (February to November)	Approximately 2 hours

Body	Number of Meetings	Average length of meetings
ACT Public Arts Panel  Panel Members also attend Tender evaluation Team meetings for the selection of artists approximately bi-monthly for 3-4 hours (one member per meeting), depending on the number of public art projects. Field trips to exhibitions and project sites are also attended by all Panel members for approximately three days per year.	Monthly	Approximately 2 hours
Regional Development ACT	Monthly	2 – 2½ hours
InnovationConnect Applications Advisory Panel	Bi-monthly	Up to 1 day
CMD/Treasury Audit Committee	Four ordinary meetings and six special meetings	2 hours on average
Cultural Facilities Corporation Board	Six times a year	3 hours
Museum and Gallery Advisory Committee	Four times a year	2 hours
Historic Places Advisory Committee	Four times a year	2 hours
Performing Arts Advisory Committee	Three times a year	2 hours

- (14) ACT Public Art Panel members travel interstate to attend exhibitions one to two days per year. The cost for two members to attend an interstate exhibition for one day 2009 10 was \$1,220.

Regional Development ACT has not met outside Canberra, but plans to hold one meeting per year with the neighbouring Regional Development Southern Inland. The host covers the costs.

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### **Government—appointments (Question No 865)**

**Mr Seselja** asked the Minister for Planning, upon notice, on 25 March 2010:

- (1) In relation to each board, committee, advisory council or committee, or similar within the Minister's portfolio, including statutory authorities, government owned corporations and government business enterprises, what is the (a) name of each body and (b) each body's function or role.
- (2) What are the names, positions and qualifications of the members of each body referred to in part (1) and when do their terms expire.

- (3) How many vacancies are currently carried on each body and how long have those vacancies remained unfilled.
- (4) When will the vacancies referred to in part (3) be filled.
- (5) What is the remuneration of each member of each body, annual or per diem as appropriate.
- (6) What are the allowances of each member of each body.
- (7) Which members of each body are required to travel to Canberra in order to participate in meetings.
- (8) What is the cost, on average, per body meeting for those members to travel to Canberra to attend body meetings.
- (9) Why was each member referred to in part (7) appointed to the body in preference to seeking local members.
- (10) What was the total remuneration, allowances and travel costs paid to body members in (a) 2007-08, (b) 2008-09 and (c) 2009-10 to date.
- (11) Do any members of each body have the use of a government vehicle; if so, (a) on what basis, (b) at what cost, and (c) did the member privately garage the vehicle.
- (12) Is the use of a government vehicle included as part of a remuneration determination by the Remuneration Tribunal; if not, who authorised it.
- (13) How often does each body meet and what is the average length of meetings.
- (14) Does each body ever meet outside Canberra; if so, (a) why, (b) how often and (c) at what cost.

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

(1) (14)

Information in response to the above questions is provided in the attached tables. Some information, however, is not easily accessible and the Government is not prepared to invest the significant time and resources required to retrieve and compile this information.

*(Copies of the attachments are available at the Chamber Support Office).*

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### **Government—appointments (Question No 866)**

**Mr Seselja** asked the Minister for the Environment, Climate Change and Water, upon notice, on 25 March 2010:

- (1) In relation to each board, committee, advisory council or committee, or similar within the Minister's portfolio, including statutory authorities, government owned corporations and government business enterprises, what is the (a) name of each body and (b) each body's function or role.
- (2) What are the names, positions and qualifications of the members of each body referred to in part (1) and when do their terms expire.
- (3) How many vacancies are currently carried on each body and how long have those vacancies remained unfilled.
- (4) When will the vacancies referred to in part (3) be filled.
- (5) What is the remuneration of each member of each body, annual or per diem as appropriate.
- (6) What are the allowances of each member of each body.
- (7) Which members of each body are required to travel to Canberra in order to participate in meetings.
- (8) What is the cost, on average, per body meeting for those members to travel to Canberra to attend body meetings.
- (9) Why was each member referred to in part (7) appointed to the body in preference to seeking local members.
- (10) What was the total remuneration, allowances and travel costs paid to body members in (a) 2007-08, (b) 2008-09 and (c) 2009-10 to date.
- (11) Do any members of each body have the use of a government vehicle; if so, (a) on what basis, (b) at what cost, and (c) did the member privately garage the vehicle.
- (12) Is the use of a government vehicle included as part of a remuneration determination by the Remuneration Tribunal; if not, who authorised it.
- (13) How often does each body meet and what is the average length of meetings.
- (14) Does each body ever meet outside Canberra; if so, (a) why, (b) how often and (c) at what cost.

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

- (1)
  - (a) ACT Flora and Fauna Committee (FFC);  
ACT Natural Resource Management Advisory Committee (NRMAC); and  
ACT Natural Resource Management Council (NRMC).
  - (b) FFC – The Committee assesses the conservation status of nominated species of flora and fauna and ecological communities in the ACT region, and the ecological significance of nominated threatening processes.

The Committee makes recommendations for the declaration of species as endangered or vulnerable, according to the degree of threat, for the declaration of ecological communities as endangered and for the declaration of threatening processes. It also provides advice to the Minister in relation to nature conservation issues in the ACT region.

NRMAC – The Committee provides high-level advice on natural resource management, responds to matters as requested by the Minister, and provides advice to the Department of the Environment, Climate Change, Energy and Water.

NRMC – The Committee oversees the delivery of the Australian Government’s Caring for our Country program funding along with complementary funding from the ACT Government. It also promotes development, awareness and involvement in natural resource management by governments, community volunteer organisation, landholders, industry, the local Indigenous community, scientific and research organisations, and regional neighbours.

(2)

FFC - all appointment expire on 30 June 2012

- Prof. Arthur Georges (Chair);
- Dr Penny Olsen (Deputy Chair);
- Dr Margaret Kitchin (Member);
- Dr Richard Norris (Member);
- Dr Barry Richardson (Member);
- Mr Paul Stevenson (Member); and
- Dr Richard Schodde (Member).

Members were appointed for their appropriate skill sets and knowledge base.

NRMAC - all appointments expire on 30 June 2012

- Mr Ian Fraser (Chair);
- Dr Lyn Hinds (Member);
- Dr Greg Richards (Member);
- Dr Rosemary Purdie (Member);
- Ms Anne Duncan (Member); and
- Mr Paul Davies (Member).

Members were appointed for their appropriate skill sets and knowledge base

NRMC

- Dr Sarah Ryan (Chair) - Appointment expires 31 May 2012;
- Mr Bill McCormick (Deputy Chair) - Appointment expires 31 May 2012;
- Mr Peter Davey (Member) - Appointment expires 30 June 2010;
- Ms Kirstin Ross (Member) - Appointment expires 30 June 2010; and
- Dr David Shorthouse (Member) - Appointment expires 31 May 2012.\

Members were appointed for their appropriate skill sets and knowledge base

(3) One vacancy exists, due to a resignation on 12 April 2010.

(4) A call will be issued shortly for a new members for the recent resignation, and members whose appointments are soon to expire.

- (5) All three committees – Chair \$415/diem, other Members \$350/diem.
  - (6) Nil
  - (7) Nil
  - (8) Nil
  - (9) N/A
  - (10)
    - (a) FFC - \$5,521; NRMAC - \$1,350; and NRMC - \$9751.
    - (b) FFC - \$5,575; NRMAC - \$5,605; and NRMC - \$14,675.
    - (c) FFC - \$7,829; NRMAC - \$4,192; and NRMC - \$9760.
  - (11) No
  - (12) Not relevant
  - (13) FFC – scheduled every three months for three hours  
NRMAC – scheduled every two months for three hours  
NRMC - scheduled every two months for five hours
  - (14) No
- 

**Government—appointments  
(Question No 867)**

**Mr Seselja** asked the Minister for Land and Property Services, upon notice, on 25 March 2010:

- (1) In relation to each board, committee, advisory council or committee, or similar within the Minister's portfolio, including statutory authorities, government owned corporations and government business enterprises, what is the (a) name of each body and (b) each body's function or role.
- (2) What are the names, positions and qualifications of the members of each body referred to in part (1) and when do their terms expire.
- (3) How many vacancies are currently carried on each body and how long have those vacancies remained unfilled.
- (4) When will the vacancies referred to in part (3) be filled.
- (5) What is the remuneration of each member of each body, annual or per diem as appropriate.
- (6) What are the allowances of each member of each body.
- (7) Which members of each body are required to travel to Canberra in order to participate in meetings.

- (8) What is the cost, on average, per body meeting for those members to travel to Canberra to attend body meetings.
- (9) Why was each member referred to in part (7) appointed to the body in preference to seeking local members.
- (10) What was the total remuneration, allowances and travel costs paid to body members in (a) 2007-08, (b) 2008-09 and (c) 2009-10 to date.
- (11) Do any members of each body have the use of a government vehicle; if so, (a) on what basis, (b) at what cost, and (c) did the member privately garage the vehicle.
- (12) Is the use of a government vehicle included as part of a remuneration determination by the Remuneration Tribunal; if not, who authorised it.
- (13) How often does each body meet and what is the average length of meetings.
- (14) Does each body ever meet outside Canberra; if so, (a) why, (b) how often and (c) at what cost.

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

In relation to the Department of Land and Property Services:

- (1) There is a Board for the National Arboretum Canberra. Its role is to provide advice to the Minister and the Government on issues related to the development and operation of the National Arboretum Canberra.
- (2) The Board consists of:
  - Mr John Mackay (Chair) – Chairman of ActewAGL, TransAct Communications Pty Ltd and the Canberra Glassworks;
  - Mr Eric Koundouris (Member) – Chairman and Managing Director of The Koundouris Group of Companies;
  - Ms Sherry McArdle-English (Member) – Business Woman with extensive experience in the community sector, Chair, Friends of the Arboretum;
  - Prof Peter Kanowski (Member) – Professor of Forestry in the Fenner School of Environment & Society at the Australian National University;
  - Mr David Marshall (Member) – businessman (TalkForce Consultants and Trainers), Chairman of the Snowy Hydro SouthCare Helicopter Rescue Service Trust Fund, a Board member of the Canberra Business Council and Chairman of the Council's Tourism Sports and Arts Task Force;
  - Ms Anne Duncan (Member) – former Director of the Australian National Botanic Gardens;
  - Mr Gary Byles (Member) – Chief Executive, Department of Territory and Municipal Services;
  - Mr George Tomlins (Member) – Acting Deputy Chief Executive, Strategy and Facilitation Division, Department of Land and Property Services.
  - There is no set term on duration of their appointments.
- (3) There is no vacancy.

- (4) Not applicable.
- (5) No remuneration is provided to Arboretum Board members.
- (6) No allowances are paid to Arboretum Board members.
- (7) Not applicable.
- (8) Not applicable.
- (9) Not applicable.
- (10) Nil.
- (11) No business or community members use government vehicles. Members who are ACT Government employees and executives within their respective departments, may utilise a vehicle, however it is considered as part of their salary packages.
- (12) See (11) above.
- (13) The Arboretum Board meets monthly for about three hours.
- (14) No.

In relation to the Land Development Agency:

- (1) There is a governing Board (the LDA Board), which governs the operation of the LDA in accordance with Planning and Development Act 2007 and a Board Audit Committee, which provides advice to the LDA Board on the LDA's risk, control and compliance framework, and its external accountability responsibilities.
- (2) The LDA Board consists of Mr John Haskins (Chair) – Member of the Board of CBUS (Construction Building Unions Superannuation Fund), Chairman of the CBUS Audit Committee, Director of the Utilities Trust of Australia and Director of Woden Green; Ms Jennifer Morison (Deputy Chair) - Member of the NSW and National Board of the Australian Institute of Management, and independent Member and Chair of a number of Commonwealth and ACT Government department audit and risk committees; Mr Ray Young (Member) – Member of the Board of Goodwin Aged Care Services, Vice President of the Royal Canberra Golf Club and a Member of the Salvation Army Advisory Board; Mr Bill Wood (Member); Ms Margaret Gillespie (Member) - Trustee on the board of ARIA (Australian Reward Investment Alliance) superannuation fund, Member of the University of Canberra Council, and Member of the Ministerial Advisory Council on Women; Mr Robert Tonkin (Member) - National Secretary and ACT Chair of the Australian Industry and Defence Network; and Mr John Robertson (Member) – Chief Executive Officer, LDA. Three members' terms are due to expire on 30 June 2010 and the other three members' terms will expire on 30 June 2012. The Chief Executive Officer of the LDA is also a Board member under the Act.

The LDA Board Audit Committee is comprised of a sub-set of LDA Board members.

The background information on the LDA Board members is available on LDA website at [www.lda.act.gov.au](http://www.lda.act.gov.au).

- (3) One vacancy exists on the LDA Board. This position has been vacant since 1 July 2009.
- (4) No decision has been made in relation to this matter.
- (5) The LDA Board remuneration is determined by the ACT Remuneration Tribunal. Please refer to “Determination 14 of 2009” at <http://www.cmd.act.gov.au/governance/remtrib/determinations>.
- (6) As determined by the ACT Remuneration Tribunal.
- (7) Nil, all members reside in the ACT.
- (8) Nil.
- (9) Not applicable.
- (10) (a) \$289,423 for 2007-08  
(b) \$307,169 for 2008-09  
(c) \$190,957 for 2009-10 to date.
- (11) No business or community members use government vehicles. The Chief Executive Officer of the LDA may utilise a government vehicle, however it is considered as part of his salary package.
- (12) Not applicable.
- (13) The LDA Board meets at least monthly, noting that in 2009-10 to date, there have been a total of 12 meetings. A further three meetings are scheduled prior to 30 June 2010. In addition to general Board meetings, the Board Audit Committee meets at least every two months. General Board meetings are usually of about 6 hour duration.
- (14) No.

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**Planning—Ainslie  
(Question No 868)**

**Mr Seselja** asked the Minister for Territory and Municipal Services, upon notice, on 25 March 2010:

- (1) When will the works to refurbish Ainslie shops be complete.
- (2) What is the current cost estimate of the refurbishment works at Ainslie shops.
- (3) How much does local business contribute to the maintenance and recurrent cost of the streetscape at Ainslie shops, both in kind and financial contributions, and what is the purpose of the contribution.
- (4) At which other local shops do local businesses contribute to any maintenance and recurrent cost of the streetscape of the shops.

- (5) How much is contributed and for what purpose is it contributed for those local shops referred to in part (4).

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

- (1) Construction is programmed for completion in August 2010.
  - (2) The project budget is \$1.6 million.
  - (3) Nil with the exception of some cleaning outside their shops that the businesses may undertake of their own accord.
  - (4) No contributions are made towards any maintenance or other recurrent costs relevant to unleased public open space at local shops.
  - (5) No contributions are made towards any maintenance or other recurrent costs relevant to unleased public open space at local shops.
- 

**Social welfare—low income families  
(Question No 871)**

**Mr Seselja** asked the Minister for Disability, Housing and Community Services, upon notice, on 25 March 2010:

- (1) How many families in the ACT are on low incomes and what is the source of the Government's information.
- (2) How many families on low incomes have children in childcare in the ACT, and how many children does each family have in childcare on average.
- (3) How many people on low incomes receive some form of assistance from the ACT Government.
- (4) What is the nature of the assistance referred to in part (3) and what is the total cost of each type of assistance.
- (5) How many families in the ACT are considered middle income families and what is the source of the Government's information.
- (6) How many people on middle incomes in the ACT have children in child care, and how many children does each family have in childcare on average.
- (7) How many families in the ACT are on single incomes and what is the source of the Government's information.
- (8) How many single income families have children in childcare and how many children does each family have in childcare on average.
- (9) How many single income families in the ACT are considered to be on low incomes.
- (10) What ACT Government support is provided to the families referred to in part (9), including any non-financial support and what is the total cost of the support.

- (11) How many children, on average, does each family referred to in part (9) have and how many of these children are in childcare.

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

1. In 2007-08 there were 25,817 households on lower incomes in the ACT. The Source of information was the Australian Bureau of Statistics (ABS) product 'Household Income and Income Distribution, Australia 2007-08', A customised query was performed by ABS staff as household data are not published for the ACT. The number, based on survey data has a Relative Standard Error of 13.06%. Low income for the purposes of this response was interpreted as relating to the second and third deciles of equivalised disposable income. The first decile was not used as it contains unusual data including negative values, typically from wealthier people reporting low incomes for taxation purposes. This definition is used on advice from the Australian Bureau of Statistics. The second and third decile relates to people with a mean weekly income of \$551.00. For this answer 'Family' was interpreted as a Household unit.
2. Low income families with children in childcare is data collected by the Department of Education, Employment and Workplace Relations.
3. The information required is too broad to respond to the members question.
4. See above (3)
5. In 2007-08 there were 24,532 households in the ACT in the middle income range, as measured by the third quintile of equivalised disposable income. The source for this data was a customised query performed by ABS staff on the dataset, as household data are not published for the ACT. The number, based on survey data has a Relative Standard Error of 10.1%.
6. This information is collected by the Department of Education, Employment and Workplace Relations.
7. For the purpose of this response, the concept of single income was defined as relating to families with children, where there is one income earner. This includes, sole parent families where the parent works and two parent families where one parent is unemployed/not working. This definition is largely consistent with Australian Government definitions used for determining payments for the 'single-income family bonus', although it excludes those families where one parent works part-time. Using this definition, at the 2006 census there were 17,129 single income families in the ACT. This represented approximately 33% of all families with children. The source of this information is ABS published census tables from the 2006 Census of Population and Housing, ABS product 2068.0.
8. Low income families with children in childcare is data collected by Department of Education, Employment and Workplace Relations.
9. Using the same definition of single income families as question 7, there were 1,773 single income families in the gross family income range of \$1-\$649. The source of this information is ABS published census tables from the 2006 Census of Population and Housing, ABS product 2068.0.
10. The information required is too broad to respond to the members question.

11. Department of Education, Employment and Workplace Relations would have to provide an answer on whether it is possible to identify family size in childcare. The ABS would be a source of data on household income by number of children, but this may have to be answered by a specific data request.
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**Public service—staffing  
(Question No 877)**

**Mr Smyth** asked the Minister for Police and Emergency Services, upon notice, on 25 March 2010:

- (1) What specialist qualifications are required by staff employed in Emergency Services Agency to undertake their roles and responsibilities and what skills are currently lacking in this agency.
- (2) What is the average salary for each employee who has a specialist skill that is required for this agency to perform their roles and responsibilities.
- (3) What is the average oncost for each officer in this agency in 2009-10 and what components comprise these oncosts.
- (4) What training must employees undertake on a regular basis to maintain their specialist skills and what is the cost of this training.
- (5) How many graduates were employed in this agency each year since 2001.
- (6) What is the cost of employing each graduate referred to in part (5).
- (7) How many staff have (a) left and (b) been recruited to this agency during 2009-10.
- (8) What is the average amount of recreation and long service leave currently held by officers in this agency.
- (9) What specialist equipment is required for officers to undertake their jobs.
- (10) For each piece of specialist equipment referred to in part (9), (a) how many are required, (b) what is the capital cost of each, (c) over what period are they depreciated and (d) what are the running costs of each.

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

- (1) The table below sets out the specialist qualifications that are required by staff employed in the Emergency Services Agency (ESA) to undertake their roles and responsibilities.

<b>Employment Classification - Job Title</b>	<b>Qualification</b>
Fire Fighters – Various Classifications	PUA30601: Certificate III Public Safety (Fire fighting and emergency operations) PUA40301: Certificate IV Public Safety (Fire fighting supervision) PUA50501: Diploma of Public Safety (Fire fighting management) Technical training to ACT Fire Brigade Standards
Ambulance Support Officers (Non-Emergency)	Certificate III Public Safety (Non-emergency Client Transport) Certificate IV Public Safety (Ambulance Communications) Authority to Practice (Issues by ACT Ambulance Service Chief Officer)
Intensive Care Paramedics (Emergency)	Advanced Diploma of Paramedic Studies (or equiv) Authority to Practice (Issues by ACT Ambulance Service Chief Officer)
Flight Paramedics (Southcare)	Advanced Diploma of Paramedic Studies (or equiv) Certificate IV Public Safety (Aeromedical Retrieval and Rescue) Authority to Practice (Issues by ACT Ambulance Service Chief Officer)
Mechanics	Trade Certificate / Appropriate Licenses

To further facilitate the accurate compilation of this information, operational staff would need to be brought offline to assist as the requested information is not readily captured. In the circumstances, I am not prepared to authorise the considerable additional resources needed to answer this request.

To facilitate the accurate compilation on the average salary for employees with specialist skills required to undertake their roles and responsibilities, operational staff would need to be brought offline to assist as the requested information is not readily captured. In the circumstances, I am not prepared to authorise the considerable additional resources needed to answer this request.

- (2) The department uses the Department of Treasury Salary and Admin On-Cost Model (October 2008) to determine salary on-costs estimates for each generic classification based on an average salary cost for each classification, and a standard figure for administrative on-costs.

The salary on-costs include estimates for Superannuation; Employer Productivity Superannuation Contribution; Long Service Leave Provision; Annual Leave Loading; Workers' Compensation Premium, and other issues as necessary on a case-by-case basis. The salary on-cost total is 16.41% of the average salary.

The administrative on-cost model is based on average estimates for IT and communications related costs; accommodation; insurance; training; fleet; other administrative items including OH&S expenses, office machines and equipment,

stationery and postage; and a corporate component covering payroll and human resources costs per FTE across Government. The total standard figure for administrative on-costs (in the October 2008 Guideline) was \$15,790.

The Salary and Administration On-Cost Model is updated annually to assist with budget preparation.

- (3) All Intensive Care Paramedics (ICP) complete a bi-annual in service/professional development program (4 days per calendar year). Other positions undertake in-service / training in line with position requirements. The cost of this training varies but typically the training is conducted in-house with the principal cost relating to staff time.
- (5) No graduates were employed under the ACTPS Graduate Program for each year since 2001, although some individuals recruited may coincidentally hold graduate qualifications. To analyse the total workforce would require staff to be taken off frontline responsibilities. Current obligations do not allow for this resource to be deployed to collate the information requested.
- (6) As there are no graduates employed in this agency under the ACTPS Graduate Program, no cost has been incurred.
- (7) In 2009-10 to date,
  - (a) 14 staff have left the Emergency Services Agency.
  - (b) 61 staff have been recruited.

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### **Emergency Services Agency—leases (Question No 879)**

**Mr Smyth** asked the Minister for Police and Emergency Services, upon notice, on 25 March 2010 (*redirected to the Minister for Land and Property Services*):

- (1) How much space is leased for the Emergency Services Agency as at 28 February 2010.
- (2) What is the cost of leasing the space referred to in part (1) and when will the leases expire.

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

ACT Property Group in the Department of Land and Property Services manages all leased accommodation on behalf of the Territory, therefore this question was redirected. Please find attached Whole of Government data.

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

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### **Floriade and Balloon Spectacular (Question No 880)**

**Mr Smyth** asked the Minister for Tourism, Sport and Recreation, upon notice, on 25 March 2010:

- (1) What was the cost of (a) Floriade and (b) the Balloon Spectacular in 2009 in terms of (i) the amount that was spent by the ACT Government, (ii) items or activities on which spending was incurred and the amount of spending on these items or activities, (iii) items or activities on which in-kind contributions were incurred and (iv) the value of any in-kind contributions that were made for each of these items or activities.
- (2) How were the costs and in-kind contributions, referred to in part (1) divided between the day time activities of Floriade and NightFest.

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

- (1) (a) (i) & (ii)

The total cost of Floriade and Floriade Night Fest 2009 is shown below:

**Floriade Day Financial Performance**

<b>Floriade Day 2009 Results</b>	
<b>REVENUE \$'000s</b>	
Stall Holders, Catering & Other	568
Floriade Shop	79
Sponsorship (cash)	255
Government Payment for Outputs	2,748
<b>TOTAL REVENUE</b>	<b>3,650</b>
<b>EXPENSES \$000's</b>	
Operational	3,012
Marketing	638
<b>TOTAL EXPENSES</b>	<b>3,650</b>
<b>OPERATING RESULT</b>	<b>0</b>

**Floriade NightFest Financial Performance**

<b>Night Fest 2009 Results</b>	
<b>REVENUE \$'000s</b>	
Ticket Sales	263
Corporate Activities & Other	26
Government Payment for Outputs	400
<b>TOTAL REVENUE</b>	<b>689</b>
<b>EXPENSES \$000's</b>	
Operational	571
Marketing	200
<b>TOTAL EXPENSES</b>	<b>771</b>
<b>OPERATING RESULT (DEFICIT)</b>	<b>(82)</b>

The operating deficit for the 2009 event is mainly due to less than expected revenue from ticket sales as a result of the inclement weather during NightFest.

**(1) (iii) & (iv)**

Australian Capital Tourism estimates that partners provided more than \$500,000 in in-kind support for the Floriade 2009 event (there were no specific in-kind contributions for Floriade NightFest). For example, sponsors provided activation activities on site including their staff and promotions that added to the Floriade & Floriade NightFest entertainment program for consumers.

In-kind Sponsorship highlights included:

- Lindemans Early Harvest (LEH) – 30 days plus five nights of onsite activity including a fully themed LEH marquee where visitors to Floriade & Floriade NightFest had the opportunity to participate in a flower arranging challenge and sample LEH wines.
- The Australian Sports Commission (ASC) – 30 days of onsite activity including the hosting of an ASC ‘Get involved in Sport’ marquee, which provided opportunities to meet Australian Institute of Sport athletes, get tips for coaching and officiating, see sports nutritionist cook and discover the secrets behind talent identification.

In return for these in-kind contributions from partners Australian Capital Tourism provided:

- Brand alignment with a world class event.
- Exposure to an event with attendance of 350,000 to 400,000 patrons.
- Onsite infrastructure.
- The opportunity to cross promote through Australian Capital Tourism’s marketing activities.

**(1) (b)**

Funding for the 2009 Balloon Spectacular was funded through CMD. Questions associated with its financial performance should be referred to the Chief Minister.

**(2)**

See answers provided above.

**Public service—staffing  
(Question No 881)**

**Mr Smyth** asked the Minister for Tourism, Sport and Recreation, upon notice, on 25 March 2010:

- (1) What specialist qualifications are required by staff employed in Tourism to undertake their roles and responsibilities and what skills are currently lacking in this area of the Minister’s department.
- (2) What is the average salary for each employee who has a specialist skill that is required for this area of the department to perform their roles and responsibilities.

- (3) What is the average oncost for each officer in this area of the department in 2009-10 and what components comprise these oncosts.
- (4) What training must employees undertake on a regular basis to maintain their specialist skills and what is the cost of this training.
- (5) How many graduates were employed in this area of the department each year since 2001.
- (6) What is the cost of employing each graduate referred to in part (5).
- (7) How many staff have (a) left and (b) been recruited to this area of the department during 2009-10.
- (8) What is the average amount of recreation and long service leave currently held by officers in this area of the department.

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

The response for Tourism is included in QON 692 asked of the Chief Minister.

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### **Tourism—grants (Question No 882)**

**Mr Smyth** asked the Minister for Tourism, Sport and Recreation, upon notice, on 25 March 2010:

- (1) How many grants programs are administered by the Tourism area of the Minister's department and what is the cost of administering each of these grants
- (2) What is the total value of grants made by this area of the department.

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

The response for Tourism is included in QON 676 asked of the Chief Minister.

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### **Tourism—autumn events (Question No 883)**

**Mr Smyth** asked the Minister for Tourism, Sport and Recreation, upon notice, on 25 March 2010:

- (1) What funds have been allocated to the new autumn event for 2010 and for each of the following three years.
- (2) What activities will be supported by these funds referred to in part (1).
- (3) What research has been undertaken to establish that any funded autumn activities are likely to be successful.

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

- (1) The ACT Government allocated \$5.3 million over 4 years in the 2009 10 budget for Tourism to assist in increasing the economic benefit generated through events and domestic marketing. Specifically, visitation in the autumn period, as well as enhancements to Floriade and Floriade NightFest in 2009.

Year	2009-10	2010-11	2011-12	2012-13
Amount	\$1.8m	\$1.5m	\$1.0m	\$1.0m

- (2) Breakdown for \$1.8 million allocated for 2009-10:  
 \$500k – Masterpieces from Paris exhibition (2010)  
 \$400k – Floriade NightFest  
 \$200k – Floriade  
 \$100k – Event development 2011  
 \$600k – Domestic marketing

2010-2011 and beyond breakdown is subject to current budget planning.

- (3) In February 2009, Australian Capital Tourism engaged the services of Instinct and Reason to undertake focus group research to test a range of concepts for the new autumn event.

In August 2009, Australian Capital Tourism engaged the services of Ernst & Young to undertake economic modelling of this concept.

In March 2010, the Masterpieces from Paris exhibition afforded an opportunity for Australian Capital Tourism to pilot the event concept on a modest scale. Ernst & Young were engaged to undertake visitor surveys to further test the concept.

### **Information technology—strategic plan (Question No 887)**

**Ms Le Couteur** asked the Minister for Territory and Municipal Services, upon notice, on 25 March 2010:

Has the ACT Government got an Information Technology Strategy Plan; if so, can a copy be supplied.

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

The development of a formal whole of government ICT strategic plan has not yet been undertaken. Development of such a plan is considered to be a priority and it is expected that work will commence on this project during the 2010/11 financial year.

### **Canberra Hospital—shift rotations (Question No 894)**

**Mr Hanson** asked the Minister for Health, upon notice, on 25 March 2010:

- (1) In relation to staff rostering and staff costs at The Canberra Hospital, how many and what is the duration of shift rotations for (a) nursing and midwifery, (b) medical including (i) consultants, (ii) intern (PGY1), (iii) junior medical officers, (iv) resident medical officers and (v) registrars, in a 24 hour period.
- (2) In relation to part (1), what handover periods are rostered in a 24 hour period and what is the annual cost of this handover period for (a) nursing and midwifery, (b) medical including (i) consultants, (ii) intern (PGY1), (iii) junior medical officers, (iv) resident medical officers and (v) registrars.
- (3) In relation to part (2), if there is no handover period rostered, and overtime and penalty rates are applied to cover excess periods, what is the annual cost of overtime for the purposes of handover for (a) nursing and midwifery, (b) medical including (i) consultants, (ii) intern (PGY1), (iii) junior medical officers, (iv) resident medical officers and (v) registrars.
- (4) On average, how many staff in total for each specialty or classification listed in part (1) is on duty for each shift in a 24 hour period.

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

Providing a response to these questions would substantially and unreasonably divert the resources of the agency.

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### **ACT Health—industrial relations (Question No 897)**

**Mr Hanson** asked the Minister for Health, upon notice, on 25 March 2010:

- (1) How many industrial disputes are currently being dealt with by ACT Health and what are they.
- (2) Can the Minister provide the precise details of each dispute referred to in part (1) including, (a) when ACT Health received notification of the dispute, (b) how ACT Health initially responded to each dispute notification, (c) whether ACT Health was aware of the grievances contained within each dispute prior to receiving a formal notification of the dispute.
- (3) If ACT Health was aware of the grievances contained within a dispute notification referred to in part (2)(c), for how long was it aware of the grievance, and what actions had been taken by ACT Health to resolve the grievance contained in it.
- (4) Who is representing ACT Health employees in each dispute referred to in part (1).

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

- (1) None.
- (2) Not applicable.
- (3) Not applicable.

(4) Not applicable.

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**Government—appointments  
(Question No 910)**

**Mr Hanson** asked the Minister for Aboriginal and Torres Strait Islander Affairs, upon notice, on 25 March 2010:

- (1) How many working groups, consultation groups, inter-departmental committees, roundtables or other intra-government committees are chaired or organised by the Minister's department and agencies in their portfolio.
- (2) What is the cost of administering each group referred to in part (1).
- (3) What is the purpose of each group.
- (4) How often does each group meet and what costs are associated with each meeting.
- (5) Which other ACT Government departments or agencies are represented.
- (6) How many community consultation groups, roundtables or committees are chaired or organised by the Minister's department and agencies in their portfolio.
- (7) What is the cost of administering each group referred to in part (6).
- (8) What is the purpose of each group referred to in part (6).
- (9) How often does each group referred to in part (6) meet.
- (10) Who is represented on each group referred to in part (6).

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

- (1) – (10) Refer to Attachment A.

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

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**Government—appointments  
(Question No 911)**

**Mr Hanson** asked the Minister for Health, upon notice, on 25 March 2010:

- (1) How many working groups, consultation groups, inter-departmental committees, roundtables or other intra-government committees are chaired or organised by the Minister's department and agencies in their portfolio.
- (2) What is the cost of administering each group referred to in part (1).
- (3) What is the purpose of each group.

- (4) How often does each group meet and what costs are associated with each meeting.
- (5) Which other ACT Government departments or agencies are represented.
- (6) How many community consultation groups, roundtables or committees are chaired or organised by the Minister's department and agencies in their portfolio.
- (7) What is the cost of administering each group referred to in part (6).
- (8) What is the purpose of each group referred to in part (6).
- (9) How often does each group referred to in part (6) meet.
- (10) Who is represented on each group referred to in part (6).

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

To provide a response to this question would substantially and unreasonably divert resources of the Agency.

Information on Community Engagement and Internal Accountability can be found in the ACT Health Annual Report.

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### **Government—motor vehicles (Question No 913)**

**Mr Hanson** asked the Minister for Aboriginal and Torres Strait Islander Affairs, upon notice, on 25 March 2010:

- (1) How many vehicles are currently used by the Minister's department and each agency within the Minister's portfolio.
- (2) What are the types and sizes each the vehicles referred to in part (1).
- (3) How many of the vehicles referred to in part (1) are privately garaged.
- (4) What is the purpose of each vehicle.
- (5) How many kilometres are travelled by each year by each vehicle.
- (6) What are the insurance costs, including third party insurance for each vehicle.

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

The response to this Question on Notice (913) has been included in the response for Question on Notice 792.

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**Government—motor vehicles  
(Question No 915)**

**Mr Hanson** asked the Minister for Police and Emergency Services, upon notice, on 25 March 2010:

- (1) How many vehicles are currently used by the Minister's department and each agency within the Minister's portfolio.
- (2) What are the types and sizes each the vehicles referred to in part (1).
- (3) How many of the vehicles referred to in part (1) are privately garaged.
- (4) What is the purpose of each vehicle.
- (5) How many kilometres are travelled by each year by each vehicle.
- (6) What are the insurance costs, including third party insurance for each vehicle.

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

- (1) The ACT Emergency Services Agency (ESA) has 52 vehicles in its leased vehicle fleet.
- (2) The vehicles in the ACT Emergency Services Agency fleet are categorised as:
  - 2WD commercial vehicle
  - 4WD passenger & commercial vehicle
  - Small passenger sedan (equal to or less than 2.0 litres)
  - Medium passenger vehicle (greater than 2.0 litres and less than 3.0 litres), and
  - Van.

The various makes of vehicles include Toyota, Nissan, Subaru, Ford, Volkswagen, Mitsubishi and Isuzu.

- (3) All executive vehicles (2) are privately garaged. Other vehicles privately garage are:
  - 5 Ambulance Service vehicles are privately garaged by duty officers
  - 6 Fire Brigade vehicles are privately garaged by duty officers
  - 4 Rural Fire Service vehicles are privately garaged by duty officers
  - 3 State Emergency Service vehicles are privately garaged by duty officers
  - 7 Emergency Services Agency vehicles are privately garaged by duty officers
- (4) The vehicles are used to provide a 24/7 response and out of hours capability in combating and support of incidents and logistic requirements for the ESA and other emergency management organisations.

**Government—agency costs  
(Question No 916)**

**Mr Hanson** asked the Minister for Aboriginal and Torres Strait Islander Affairs, upon notice, on 25 March 2010:

- (1) What output costing methodology is used to allocate costs across the Minister's department and each agency within the Minister's portfolio.
- (2) What are the top ten individual depreciation costs for the department and each agency.
- (3) What assets do the costs referred to in part (2) refer to and what was the initial cost of the assets.

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

The response to this Question on Notice (916) has been included in the response for Question on Notice 796.

### **Government—agency costs (Question No 918)**

**Mr Hanson** asked the Minister for Police and Emergency Services, upon notice, on 25 March 2010:

- (1) What output costing methodology is used to allocate costs across the Minister's department and each agency within the Minister's portfolio.
- (2) What are the top ten individual depreciation costs for the department and each agency.
- (3) What assets do the costs referred to in part (2) refer to and what was the initial cost of the assets.

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

1. The Department of Justice and Community Safety allocates costs to outputs as follows:
  - a. directly incurred costs of each business unit relevant to the output (eg for output 1.6 this would be ACT Electoral Commission); plus
  - b. an allocation of corporate and centrally held costs.
2. The top ten individual depreciation costs for the Department of Justice and Community Safety, including assets relating to the Attorney Generals Portfolio, are as follows:

<b>Asset Description</b>	<b>2009 10 Depreciation Expense \$</b>	<b>Fair Value as at 30 June 2009 \$</b>
Alexander Maconchie Centre	145,969,000	4,724,516
ESA Radios	5,468,826	781,261
Winchester Centre	13,230,000	499,364
Supreme Court	8,320,000	438,415
Tuggeranong Police Station	8,590,000	319,233
City Police Station	4,818,000	272,662
Symonston Periodic Detention Centre	3,417,000	262,805

<b>Asset Description</b>	<b>2009 10 Depreciation Expense \$</b>	<b>Fair Value as at 30 June 2009 \$</b>
Magistrates Court Fitout	4,384,162	257,977
ESA Computer Aided Dispatch	1,711,690	244,527
Woden Police Station	8,465,000	242,440

3. The fair value of each asset is provided in the table above.

### **Government—agency costs (Question No 919)**

**Mr Hanson** asked the Minister for Aboriginal and Torres Strait Islander Affairs, upon notice, on 25 March 2010:

What are the overhead fixed costs for the department and each agency within the Minister's portfolio.

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

The response to this Question on Notice (919) has been included in the response for Question on Notice 764.

### **Public service—training programs (Question No 922)**

**Mr Hanson** asked the Minister for Aboriginal and Torres Strait Islander Affairs, upon notice, on 25 March 2010:

- (1) How much has the department and each agency spent on training programs in 2009-10 to date.
- (2) What was the purpose of each training program referred to in part (1) and how many staff participated.
- (3) What in-house training programs were undertaken in (a) 2008-09 and (b) 2009-10 to date which resulted in no marginal cost to the Government.
- (4) What in-house training programs were undertaken in (a) 2008-09 and (b) 2009-10 to date which resulted in a cost to the Government and what was this cost.

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

The response to this Question on Notice (922) has been included in the response for Question on Notice 772.

**Public service—training programs  
(Question No 924)**

**Mr Hanson** asked the Minister for Police and Emergency Services, upon notice, on 25 March 2010:

- (1) How much has the department and each agency spent on training programs in 2009-10 to date.
  - (2) What was the purpose of each training program referred to in part (1) and how many staff participated.
  - (3) What in-house training programs were undertaken in (a) 2008-09 and (b) 2009-10 to date which resulted in no marginal cost to the Government.
  - (4) What in-house training programs were undertaken in (a) 2008-09 and (b) 2009-10 to date which resulted in a cost to the Government and what was this cost.
- (1) How much has the department and each agency spent on training programs in 2009-10 to date.
  - (2) What was the purpose of each training program referred to in part (1) and how many staff participated.
  - (3) What in-house training programs were undertaken in (a) 2008-09 and (b) 2009-10 to date which resulted in no marginal cost to the Government.
  - (4) What in-house training programs were undertaken in (a) 2008-09 and (b) 2009-10 to date which resulted in a cost to the Government and what was this cost.

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

- (1) During the period 1 July 2009 to 28 February 2010, the ESA expended \$341,028 on training. This amount represents only specific training costs and venue hire. However, it does not include any costs associated with backfilling positions. E.g. Overtime or Higher Duties Allowance.
- (2) Business Unit training figures for 1 July 2009 – 30 March 2010:

<b>Program</b>	<b>Program Objectives</b>	<b>No. of Participants</b>
ACTFB RFS Comcen Operator	Operate RFS radio equipment	3
Advanced CPR	Advanced CPR	2
Aerial appliance Instructor	Instruct others to use aerial appliance	1
Assess competence	Assess CBT	2
BA Van driver	Drive ACTFB BA van	8
Drive aerial appliance	Drive ACTFB aerial appliance	20
Defibrillator operators	Use and ACTFB defibrillator	8
Drive under operational conditions	Drive an ACTFB appliance to an incident safely	8
Chainsaw operations	Operate chainsaws and fell trees	7
ACTFB Comcen operator	Operate safely in the ESA Comcen	3

<b>Program</b>	<b>Program Objectives</b>	<b>No. of Participants</b>
Manage projects	Required for FB 8 promotion	4
Qrae operation	Operate specialist CBR equipment	10
Road accident rescue level 3	Operate safely at a road accident rescue	8
Road accident rescue refresher	Operate safely at a road accident rescue	3
Senior first aid certificate -ACTFB	Job requirement	22
Undertake vertical rescue - ACTFB		
	Job requirement	20
Diploma in Project Management	Job requirement	2
Wildfire refresher	Prepare for bushfire season	73
AFP command and control course	To train Police, Fire and Ambulance staff to work cohesively at major incidents	4
AFP command and control refresher	To test Police, Fire and Ambulance staff ability to work cohesively at major incidents	4
Community awareness program	Course required for ACT fire-fighters career progression	8
ACTAS Clinical Update programme	To keep Intensive Care Paramedic up to date with the latest in patient care	88
ACTAS Clinical Update programme	To keep Intensive Care Paramedic up to date with the latest in patient care	21
ACTAS Orientation	New staff orientation	5
Advanced Diploma of Paramedical Science	Base level qualification for intensive Care Paramedics	4
Certificate III in Non Emergency Client Transport	Base level qualification for Patient Transport Service officers	2
Leadership at the Peak program	Leadership program for senior ESA Managers	17
Ergogym Manual Handling Course	OHS program for ESA workshops and resource centre staff	8
Business Writing	Improve business writing of senior managers	10
Negotiating with Emotional Intelligence	Improve negotiating skills	1
Testing and Tagging Course	Job requirement	1
AIIMS 2 day short course	Job requirement	12
AIIMS Incident Controller	Train staff to perform the functions of an Incident Controller	5
AIIMS Information Officer	Train staff to perform the functions of an Information Officer at a major incident	6
AIIMS Planning Officer	Train staff to perform the functions of a Planning Officer at a major incident	6
AIIMS Management Support Unit	Job requirement	4
Basic Wildfire Awareness	Job requirement	9
Certificate IV in Frontline Management	Job requirement	12
Resilience and Conflict Resolution	Development program for ACTAS comms operators	23

<b>Program</b>	<b>Program Objectives</b>	<b>No. of Participants</b>
Work safely around aircraft	Safety induction unit for staff working around aircraft	5
Senior First Aid	Job requirement	2
Australasian Inter-Service Incident Management System (AIIMS 22022VIC)	Job requirement	11
ACTAS Clinical Update Program	Job requirement	27
Senior Fire Fighter Development	Job requirement	10
Stage III Road Accident Rescue	Job requirement	7
Station Officers Development	Job requirement	10
Writing a Business Plan	Job requirement	8
AEMI, ACT Extension Design and manage activities which exercise elements of emergency management	Job requirement	8

- (3) To facilitate the accurate compilation of this information, operational staff would need to be brought offline to assist as the requested information is not readily captured.
- (4) (a) The cost of undertaking in-house training programs in the 2008-09 year was \$159,635.
- (b) The cost of undertaking in-house training programs during the period 1 July 2009 to 28 February 2010 was \$47,251.

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### **Public service—staff and training (Question No 925)**

**Mr Hanson** asked the Minister for Aboriginal and Torres Strait Islander Affairs, upon notice, on 25 March 2010:

- (1) What is the average oncost for each officer in the Minister's department and each agency in their portfolio in 2009-10 and what is included in this oncost.
- (2) What is the marginal oncost of an additional worker at the current staffing levels.
- (3) What specialist qualifications are required by staff for the Minister's department and each agency in their portfolio to undertake its roles and responsibilities and what skills are currently lacking in department and each agency.
- (4) How many employees are currently employed and what level is each.
- (5) What is the average salary for each employee with a specialist skill that is required for the Minister's department and each agency to undertake its roles and responsibilities.
- (6) What training must employees undertake on a regular basis to maintain their specialist skills and what is the cost of this training.
- (7) What specialist equipment is required for officers to undertake their jobs.

- (8) For each piece of equipment referred to in part (7), (a) how many are required, (b) what is the capital cost of each and (c) what is the running cost.
- (9) Over what period is each piece of equipment, referred to in part (7), depreciated.
- (10) How many graduates are employed in the Minister's department and each agency in their portfolio.
- (11) What was the cost of employing each graduate referred to in part (19) and how many have been employed on average each year since 2001.
- (12) How many staff have been recruited in 2009-10 to date and how much has been spent on recruitment in 2009-10 to date.
- (13) How many staff have left the Minister's department and each agency in their portfolio in 2009-10 to date.
- (14) What is the average amount of (a) recreation and (b) long service leave currently held by staff members.

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

The response to this Question on Notice (925) has been included in the response for Question on Notice 768.

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### **Public service—staff and training (Question No 927)**

**Mr Hanson** asked the Minister for Police and Emergency Services, upon notice, on 25 March 2010:

- (1) What is the average oncost for each officer in the Minister's department and each agency in their portfolio in 2009-10 and what is included in this oncost.
- (2) What is the marginal oncost of an additional worker at the current staffing levels.
- (3) What specialist qualifications are required by staff for the Minister's department and each agency in their portfolio to undertake its roles and responsibilities and what skills are currently lacking in department and each agency.
- (4) How many employees are currently employed and what level is each.
- (5) What is the average salary for each employee with a specialist skill that is required for the Minister's department and each agency to undertake its roles and responsibilities.
- (6) What training must employees undertake on a regular basis to maintain their specialist skills and what is the cost of this training.
- (7) What specialist equipment is required for officers to undertake their jobs.
- (8) For each piece of equipment referred to in part (7), (a) how many are required, (b) what is the capital cost of each and (c) what is the running cost.

- (9) Over what period is each piece of equipment, referred to in part (7), depreciated.
- (10) How many graduates are employed in the Minister's department and each agency in their portfolio.
- (11) What was the cost of employing each graduate referred to in part (19) and how many have been employed on average each year since 2001.
- (12) How many staff have been recruited in 2009-10 to date and how much has been spent on recruitment in 2009-10 to date.
- (13) How many staff have left the Minister's department and each agency in their portfolio in 2009-10 to date.
- (14) What is the average amount of (a) recreation and (b) long service leave currently held by staff members.

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

- (1) and (2) The answers to these questions are detailed below.

The department uses the Department of Treasury Salary and Admin On-Cost Model (October 2008) to determine salary on-costs estimates for each generic classification based on an average salary cost for each classification, and a standard figure for administrative on-costs.

The salary on-costs include estimates for Superannuation; Employer Productivity Superannuation Contribution; Long Service Leave Provision; Annual Leave Loading; Workers' Compensation Premium, and other issues as necessary on a case-by-case basis. The salary on-cost total is 16.41% of the average salary.

The administrative on-cost model is based on average estimates for IT and communications related costs; accommodation; insurance; training; fleet; other administrative items including OH&S expenses, office machines and equipment, stationery and postage; and a corporate component covering payroll and human resources costs per FTE across Government. The total standard figure for administrative on-costs (in the October 2008 Guideline) was \$15,790.

The Salary and Administration On-Cost Model is updated annually to assist with budget preparation.

The budgeted marginal on-cost of an additional worker during 2009 10 at current staffing levels is determined using the Department of Treasury Salary and On-Cost Model as detailed above.

- (3) The table below sets out specialist qualifications that are required by staff of the Emergency Services Agency to undertake their roles and responsibilities.

<b>Employment Classification - Job Title</b>	<b>Qualification</b>
Fire Fighters – Various Classifications	PUA20601: Certificate II Public Safety (Fire fighting and emergency operations) PUA30601: Certificate III Public Safety (Fire fighting and emergency operations) PUA40301: Certificate IV Public Safety (Fire fighting supervision) PUA50501: Diploma of Public Safety (Fire fighting management) Technical training to ACT Fire Brigade Standards
Ambulance Support Officers (Non-Emergency)	Certificate III Public Safety (Non-emergency Client Transport) Certificate IV Public Safety (Ambulance Communications) Authority to Practice (Issues by ACT Ambulance Service Chief Officer)
Intensive Care Paramedics (Emergency)	Advanced Diploma of Paramedic Studies (or equiv) Authority to Practice (Issues by ACT Ambulance Service Chief Officer)
Flight Paramedics (Southcare)	Advanced Diploma of Paramedic Studies (or equiv) Certificate IV Public Safety (Aeromedical Retrieval and Rescue) Authority to Practice (Issues by ACT Ambulance Service Chief Officer)
Mechanics	Trade Certificate / Appropriate Licenses

There is no specific area of skill shortage readily identifiable in the agency.

- (4) The details as reported by the Shared Services HR for the Emergency Services are outlined below. The figures provided are as at 31 March 2010.

<b>Classification</b>	<b>FTE</b>	<b>Headcount</b>
Ambulance Manager 1	3	3
Ambulance Manager 2	3	3
Ambulance Paramedic	9.32	10
Administrative Services Officer Class 2	1	1
Administrative Services Officer Class 3	8.6	9
Administrative Services Officer Class 4	4.76	5
Administrative Services Officer Class 5	15.46	16
Administrative Services Officer Class 6	16	16
Clinical Coordinator	4	4
Contract Executive	9	9
Communications Officer	4.53	5
Emergency Services Manager	1.63	2
Fire Brigade 2	14	14
Fire Brigade 3	15	15
Fire Brigade 4	37	37
Fire Brigade 5	150.12	151
Fire Brigade 6	86	87

<b>Classification</b>	<b>FTE</b>	<b>Headcount</b>
Fire Brigade 7	17	17
Fire Brigade 8	3	3
General Service Officer 10	1	1
General Service Officer 5	1	1
General Service Officer 7	5	5
Intensive Care Paramedic	62.64	68
Qualified Ambulance Support Officer	12	12
Senior Officer Grade A	4.9	6
Senior Officer Grade B	7	7
Senior Officer Grade C	9	9
Student Paramedic	15	15
Trainee Ambulance Support Officer	5	5
Training and Development Officer	11	11
Team Leader	8.55	9
<b>Total</b>	<b>544.51</b>	<b>556</b>

- (5) To facilitate the accurate compilation on the average salary for employees with specialist skills, staff would need to be brought offline to undertake this analysis as the requested information is not readily captured. Current resourcing does not allow for this information to be gathered.
- (6) All Intensive Care Paramedics (ICP) complete a bi-annual in service/professional development program (4 days per calendar year). Other positions undertake in-service / training in line with position requirements. The cost of this training varies but typically the training is conducted in-house with the principal cost relating to staff time.
- (7)-(9) All ESA operational services require specialist equipment to undertake their work including fire pumpers, hoses, defibrillators and specialist medical monitoring equipment. Current resourcing at the ESA does not allow for detailed analysis to be undertaken without affecting ESA operational capability. To facilitate the accurate compilation of this information, operational staff would need to be brought offline to assist as the requested information is not readily captured.
- (10) No graduates under the ACTPS Graduate Program are currently employed in the Emergency Services Agency.
- (11) N/A
- (12) In 2009-10 to date,  
(a) 61 staff have been recruited.  
(b) As to how much has been spent on recruitment, this information is not collected separately and therefore is not available.
- (13) In 2009-10 to date, 14 staff have left the Emergency Services Agency. The reason for separation of 12 staff is resignation. One staff retired and another accepted a voluntary redundancy.
- (14) The average amount of (a) recreation and (b) long service leave currently held by staff members, as reported by Shared Services, is stated in the table below.

ESA		
Description	Average per Employee	
	Time	Amount (with oncost)
Recreation Leave	589.12 hours	\$27,009
Long Service Leave	92.48 days	\$24,636

**Government—building leases  
(Question Nos 928, 929 and 930)**

**Mr Hanson** asked the Minister for Aboriginal and Torres Strait Islander Affairs, the Minister for Health and the Minister for Police and Emergency Services, upon notice, on 25 March 2010 (*redirected to the Minister for Land and Property Services*):

- (1) How much space is currently leased as at 28 February 2010 by the Minister's department and each agency in their portfolio.
- (2) What is the cost of the leases referred to in part (1) and what is the make-good provision.
- (3) When will the leases be complete.

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

ACT Property Group in the Department of Land and Property Services manages all leased accommodation on behalf of the Territory, therefore these questions were redirected.

Please find attached Whole of Government data.

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

**Government—information technology services  
(Question No 931)**

**Mr Hanson** asked the Minister for Aboriginal and Torres Strait Islander Affairs, upon notice, on 25 March 2010:

- (1) What is the cost of the provision of information technology (IT) services per employee on average for (a) 2008-09 and (b) 2009-2010 to date for the Minister's department and each agency within the Minister's portfolio.
- (2) What is the marginal cost of the provision of IT services for an additional employee at the current staffing levels.
- (3) In relation to specialist IT services, what (a) services are required, or have been custom-built, (b) is the cost of each and (c) is the depreciation cost of each.

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

The response to this Question on Notice (931) has been included in the response for Question on Notice 784.

**Government—grants programs  
(Question No 934)**

**Mr Hanson** asked the Minister for Aboriginal and Torres Strait Islander Affairs, upon notice, on 25 March 2010:

- (1) How many grants programs are administered in the Minister's department and in each agency within the Minister's portfolio.
- (2) What is the cost of administering each grants program.
- (3) What is the total value of grants paid in 2009-2010 to date.

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

The response to this Question on Notice (934) has been included in the response for Question on Notice 788.

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**Government—grants programs  
(Question No 936)**

**Mr Hanson** asked the Minister for Police and Emergency Services, upon notice, on 25 March 2010:

- (1) How many grants programs are administered in the Minister's department and in each agency within the Minister's portfolio.
- (2) What is the cost of administering each grants program.
- (3) What is the total value of grants paid in 2009-2010 to date.

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

The Emergency Services Agency does not administer any grants programs.

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**Government—advertising  
(Question No 937)**

**Mr Hanson** asked the Minister for Aboriginal and Torres Strait Islander Affairs, upon notice, on 25 March 2010:

- (1) How much has been spent on advertising in 2009-10 to date for the Minister's department and each agency within the Minister's portfolio.
- (2) On what campaigns was the money referred to in part (1) spent.
- (3) What form of media was employed to undertake the advertising.

(4) Which businesses were employed to undertake, or consult on, each campaign.

(5) How many of these are small businesses from the ACT.

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

The response to this Question on Notice (937) has been included in the response for Question on Notice 800.

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**Government—advertising  
(Question No 938)**

**Mr Hanson** asked the Minister for Health, upon notice, on 25 March 2010:

(1) How much has been spent on advertising in 2009-10 to date for the Minister's department and each agency within the Minister's portfolio.

(2) On what campaigns was the money referred to in part (1) spent.

(3) What form of media was employed to undertake the advertising.

(4) Which businesses were employed to undertake, or consult on, each campaign.

(5) How many of these are small businesses from the ACT.

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

(1) \$147,396 has been spent by ACT Health.

(2) \$112,908.90 was spent the following campaigns:

H1N1 Influenza.

'Kids at Play' physical activity campaign for 0-5 year olds.

'How Do You Measure Up' better health initiative.

'Go for 2 and 5' fruit and vegetable campaign.

'Find 30' physical activity campaign.

'Best for Baby Best for You' breastfeeding campaign.

(3) Print, bus advertising, radio, television and the ACT Health website.

(4) HMA Blaze, Adcorp, The Canberra Times, Fine Line Design, 303 Advertising, CITSA, National Mailing and Marketing, Canberra FM and the Canberra Chronicle.

(5) Most are small businesses from the ACT.

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**ACTION bus service—fares  
(Question No 941)**

**Mr Coe** asked the Minister for Transport, upon notice, on 25 March 2010:

What was the breakdown in revenue from ACTION fares by fare type for the (a) 2008-09 and (b) 2009-2010 to date financial years.

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

	<b>08-09 Mar YTD '000</b>	<b>09-10 Mar YTD '000</b>
Adult	\$8,303	\$8,990
Concession	\$3,628	\$4,788
School	\$2,318	\$2,223
<b>Total</b>	<b>\$14,250</b>	<b>\$16,001</b>

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### **Roads—parking revenue (Question No 944)**

**Mr Coe** asked the Minister for Territory and Municipal Services, upon notice, on 25 March 2010 (*redirected to the Attorney General*):

What is the breakdown in revenue from ACT Government parking meters by (a) month and (b) suburb for the 2009-2010 financial year to date.

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

(a)	July 2009	\$79,483.77
	August 2009	\$73,530.50
	September 2009	\$78,643.89
	October 2009	\$74,685.38
	November 2009	\$70,465.36
	December 2009	\$77,119.79
	January 2010	\$59,508.86
	February 2010	\$71,359.43
	March 2010	\$83,000.12
(b)	City	\$280,026.58
	Braddon	\$150,960.29
	Turner	\$38,328.75
	Manuka	\$32,088.11
	Kingston	\$44,900.60
	Woden	\$71,129.88
	Deakin	\$18,619.07
	Dickson	\$31,743.81

(Note all figures provided are GST exclusive)

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### **Government—departmental costs (Question No 945)**

**Mr Coe** asked the Minister for Transport, upon notice, on 25 March 2010 (*redirected to the Minister for Territory and Municipal Services*):

What are the overhead fixed costs for the department and each agency within the Minister's portfolio.

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

The Department's overhead fixed costs that are not dependent on the activities of the Department include office rental, utility costs, finance and human resources, and other corporate and management functions.

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**Public service—staffing  
(Question No 949)**

**Mr Coe** asked the Minister for Transport, upon notice, on 25 March 2010:

- (1) In relation to staffing, for the department and each agency within the Minister's portfolio, what is the average oncost for each officer and what is included in the oncosts.
- (2) What is the marginal oncost of an additional worker at the current staffing levels.
- (3) What (a) specialist qualifications are required by staff to undertake their roles and responsibilities and (b) skills are currently lacking in the staffing base.
- (4) How many employees are currently employed and at what level is each.
- (5) What is the average salary for employees with a specialist skill that is required for the department or agencies to undertake their roles and responsibilities.
- (6) What training must employees undertake on a regular basis to maintain their specialist skills and what is the cost of this training.
- (7) What specialist equipment is required for officers to undertake their work.
- (8) For each piece of equipment referred to in part (7), (a) how many are required, (b) what is the capital cost of each, (c) what is the running cost and (d) over what period is each piece of equipment depreciated.
- (10) How many graduates are currently employed in the department and each agency.
- (11) What is the average cost of employing graduates for the department and each agency.
- (12) How many graduates, on average, have been employed each year since 2001.
- (13) How (a) many staff have been recruited and (b) much has been spent on recruitment, in 2009-10 to date.
- (14) In relation to staff who leave, (a) how many staff have left in 2009-10 to date.
- (15) What is the average amount of recreation leave and long service leave held by staff.

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

The information is included in the response to QON 950

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**Public service—staffing  
(Question No 950)**

**Mr Coe** asked the Minister for Territory and Municipal Services, upon notice, on 25 March 2010:

- (1) In relation to staffing, for the department and each agency within the Minister's portfolio, what is the average oncost for each officer and what is included in the oncosts.
- (2) What is the marginal oncost of an additional worker at the current staffing levels.
- (3) What (a) specialist qualifications are required by staff to undertake their roles and responsibilities and (b) skills are currently lacking in the staffing base.
- (4) How many employees are currently employed and at what level is each.
- (5) What is the average salary for employees with a specialist skill that is required for the department or agencies to undertake their roles and responsibilities.
- (6) What training must employees undertake on a regular basis to maintain their specialist skills and what is the cost of this training.
- (7) What specialist equipment is required for officers to undertake their work.
- (8) For each piece of equipment referred to in part (7), (a) how many are required, (b) what is the capital cost of each, (c) what is the running cost and (d) over what period is each piece of equipment depreciated.
- (10) How many graduates are currently employed in the department and each agency.
- (11) What is the average cost of employing graduates for the department and each agency.
- (12) How many graduates, on average, have been employed each year since 2001.
- (13) How (a) many staff have been recruited and (b) much has been spent on recruitment, in 2009-10 to date.
- (14) In relation to staff who leave, (a) how many staff have left in 2009-10 to date.
- (15) What is the average amount of recreation leave and long service leave held by staff.

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

- (1) The Department uses the Department of Treasury Salary and Administrative On-Cost Model (October 2008) to determine salary on-costs estimates for each generic classification based on an average salary cost for each classification, and a standard figure for administrative on-costs. The Salary and Administrative On-Cost Model is updated annually to assist with budget preparation.

The salary on-costs include estimates for Superannuation; Employer Productivity Superannuation Contribution; Long Service Leave Provision; Annual Leave Loading; Worker's Compensation Premium, and other issues as necessary on a case-by-case basis. The salary on-cost total is 16.41% of the average salary.

The administrative on-cost model is based on average estimates for IT and communications related costs; accommodation; insurance; training; fleet; other administrative items including OH&S expenses, office machines and equipment, stationery and postage; and a corporate component covering payroll and human resources costs per FTE across Government. The total standard figure for administrative on-costs (in the October 2008 Guideline) was \$15,790.

- (2) See response to question one.
- (3) This information is not separately recorded, and I am not prepared to authorise the use of the considerable resources that would be required to answer the Member's question.
- (4) Headcount 2939, FTE 2742.95 (as at end March 2010).

<u>Classification Level</u>	<u>No. Staff</u>
ACTPS Trainee A	8
Admin Service Officers 1	852
Apprentice	19
Bus Operator	610
Bus Operator Trainee	27
Capital Linen Officers	85
Contract Chief Executive	1
Contract Executive	29
General Service Officers	409
Graduate Admin Assistant	1
Indigenous Trainee	2
Information Technology Officer 1	39
Information Technology Officer 2	74
Information Technology Trainee	11
Manager	2
Park Rangers	30
Senior Park Ranger 3	9
Professional Officer 1	48
Public Affairs Officer 1	6
Senior IT Officers	65
Senior Officers	389
Senior Professional Officers	46
Senior Technology Officer C	56
Technical (Electronics) Officer 4	1
Technical Officers	119
Veterinary Officer 3	1
<hr/> Total Headcount	<hr/> 2939

- (5) See response to question three.
- (6) See response to question three.

- (7) See response to question three.
- (8) See response to question three.
- (9) There is no question nine.
- (10) One.
- (11) \$15,500
- (12) Two.
- (13) a) 266 staff recruited since July 2009  
b) \$710,337 spent on recruitment 2009-10 to date.
- (14) a) 219 staff have separated from the Department since July 2009.
- (15) Average annual leave: 173.89 hours per person (as at end February 2010)  
Average long service leave: 2.207 months per person (as at end December 2009)

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**Government—office leases  
(Question Nos 951 and 952)**

**Mr Coe** asked the Minister for Transport and the Minister for Territory and Municipal Services upon notice, on 25 March 2010 (*redirected to the Minister for Land and Property Services*):

In relation to office leases, for the department and each agency within the Minister's portfolio, (a) how much space is leased as at 28 February 2010, what (b) is the cost of the leases, (c) what is the make-good provision and (d) when will the lease be complete.

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

ACT Property Group in the Department of Land and Property Services manages all leased accommodation on behalf of the Territory, therefore these questions were redirected.

Please find attached Whole of Government data.

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

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**Government—appointments  
(Question No 953)**

**Mr Coe** asked the Minister for Transport, upon notice, on 25 March 2010:

- (1) In relation to each board, committee, advisory council or committee, or similar within the Minister's portfolio, including statutory authorities, government owned corporations and government business enterprises, what is the (a) name of each body and (b) each body's function or role.

- (2) What are the names, positions and qualifications of the members of each body referred to in part (1) and when do their terms expire.
- (3) How many vacancies are currently carried on each body and how long have those vacancies remained unfilled.
- (4) When will the vacancies referred to in part (3) be filled.
- (5) What is the remuneration of each member of each body, annual or per diem as appropriate.
- (6) What are the allowances of each member of each body.
- (7) Which members of each body are required to travel to Canberra in order to participate in meetings.
- (8) What is the cost, on average, per body meeting for those members to travel to Canberra to attend body meetings.
- (9) Why was each member referred to in part (7) appointed to the body in preference to seeking local members.
- (10) What was the total remuneration, allowances and travel costs paid to body members in (a) 2007-08, (b) 2008-09 and (c) 2009-10 to date.
- (11) Do any members of each body have the use of a government vehicle; if so, (a) on what basis, (b) at what cost, and (c) did the member privately garage the vehicle.
- (12) Is the use of a government vehicle included as part of a remuneration determination by the Remuneration Tribunal; if not, who authorised it.
- (13) How often does each body meet and what is the average length of meetings.
- (14) Does each body ever meet outside Canberra; if so, (a) why, (b) how often and (c) at what cost.

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

- (1) This information is included within the response for Territory and Municipal Services.

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**Government—appointments  
(Question No 954)**

**Mr Coe** asked the Minister for Territory and Municipal Services, upon notice, on 25 March 2010:

- (1) In relation to each board, committee, advisory council or committee, or similar within the Minister's portfolio, including statutory authorities, government owned corporations and government business enterprises, what is the (a) name of each body and (b) each body's function or role.

- (2) What are the names, positions and qualifications of the members of each body referred to in part (1) and when do their terms expire.
- (3) How many vacancies are currently carried on each body and how long have those vacancies remained unfilled.
- (4) When will the vacancies referred to in part (3) be filled.
- (5) What is the remuneration of each member of each body, annual or per diem as appropriate.
- (6) What are the allowances of each member of each body.
- (7) Which members of each body are required to travel to Canberra in order to participate in meetings.
- (8) What is the cost, on average, per body meeting for those members to travel to Canberra to attend body meetings.
- (9) Why was each member referred to in part (7) appointed to the body in preference to seeking local members.
- (10) What was the total remuneration, allowances and travel costs paid to body members in (a) 2007-08, (b) 2008-09 and (c) 2009-10 to date.
- (11) Do any members of each body have the use of a government vehicle; if so, (a) on what basis, (b) at what cost, and (c) did the member privately garage the vehicle.
- (12) Is the use of a government vehicle included as part of a remuneration determination by the Remuneration Tribunal; if not, who authorised it.
- (13) How often does each body meet and what is the average length of meetings.
- (14) Does each body ever meet outside Canberra; if so, (a) why, (b) how often and (c) at what cost.

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

- (1) Please see Attachment A.
- (2) Please see Attachment A. It should be noted that all board and committee members have the appropriate skills and qualifications to fulfil the requirements of the positions on the boards or committees they hold.
- (3) Please see Attachment A.
- (4) Vacancies on any Board will be filled as soon as possible, if the position is critical to the running of the Board, or at an appropriate stage that fits in with the scheduling of the Board.
- (5) ACT Remuneration Tribunal Statement 17 of 2009 determines the remuneration, allowances and other entitlements to a person holding a position or appointment or a part-time holder of public offices. Previous determinations for earlier time-frames can also be accessed from the ACT Remuneration Tribunal web-site.

- (6) See above. In addition the ACT Remuneration Tribunal Statement 16 of 2007 provides for travel allowances for part-time office holders. Previous determinations for earlier time-frames can also be accessed from the ACT Remuneration Tribunal web-site.
- (7) Two members of boards and committees reside in Queanbeyan.
- (8) Not applicable. Queanbeyan residents are not reimbursed for any travel between their residence and the meeting location.
- (9) The positions that they are filling require either nomination from a key stakeholder group, or specific expertise.
- (10) See Attachment A.
- (11) No.
- (12) Not applicable.
- (13) Each Board or committee meets appropriately in accordance with their Terms of Reference (if applicable) or their work program.
- (14) No.

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

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**Government—appointments  
(Question No 955)**

**Mr Coe** asked the Minister for Transport, upon notice, on 25 March 2010:

- (1) How many working groups, consultation groups, inter-departmental committees, roundtables or other intra-government committees are chaired or organised by the Minister's department and agencies in their portfolio.
- (2) What is the cost of administering each group referred to in part (1).
- (3) What is the purpose of each group.
- (4) How often does each group meet and what costs are associated with each meeting.
- (5) Which other ACT Government departments or agencies are represented.
- (6) How many community consultation groups, roundtables or committees are chaired or organised by the Minister's department and agencies in their portfolio.
- (7) What is the cost of administering each group referred to in part (6).
- (8) What is the purpose of each group referred to in part (6).
- (9) How often does each group referred to in part (6) meet.

(10) Who is represented on each group referred to in part (6).

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

(1) This information is included within the response for Territory and Municipal Services.

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**Government—information technology services  
(Question No 957)**

**Mr Coe** asked the Minister for Transport, upon notice, on 25 March 2010:

- (1) What is the cost of the provision of information technology (IT) services per employee on average for (a) 2008-09 and (b) 2009-2010 to date for the Minister's department and each agency within the Minister's portfolio.
- (2) What is the marginal cost of the provision of IT services for an additional employee at the current staffing levels.
- (3) In relation to specialist IT services, what (a) services are required, or have been custom-built, (b) is the cost of each and (c) is the depreciation cost of each.

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

(1-3) This information is included within the response to QON 958

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**Government—information technology services  
(Question No 958)**

**Mr Coe** asked the Minister for Territory and Municipal Services, upon notice, on 25 March 2010:

- (1) What is the cost of the provision of information technology (IT) services per employee on average for (a) 2008-09 and (b) 2009-2010 to date for the Minister's department and each agency within the Minister's portfolio.
- (2) What is the marginal cost of the provision of IT services for an additional employee at the current staffing levels.
- (3) In relation to specialist IT services, what (a) services are required, or have been custom-built, (b) is the cost of each and (c) is the depreciation cost of each.

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

Due to the complexity of the TAMS SLA with InTACT and the time constraints in providing this information TAMS is unable to break down all the information requested. This response also covers QON 957 IT Costs for Transport and QON 749 IT costs for Heritage in TAMS.

- (1) The total cost for IT services for TAMS in the 2008-09 period was \$20,216,204 and for the 2009-10 period to March 2010 will be \$14,064,696. This includes all ICT user services, business systems and external vendor charges paid through the TAMS Service Level Agreement with InTACT. The user services component cannot be disaggregated easily, and therefore a cost per employee cannot be provided.
- (2) The Department of Treasury has provided a model for the cost of IT per employee at \$4,626 per employee. This figure is for the desktop services only and does not include business systems or software maintenance.
- (3) There are a number of specialist charges for business systems supported through the TAMS SLA with InTACT. The TAMS SLA charges for these systems cover both external vendors as well as software and support agreements with InTACT. Attachment A lists all business systems software and support maintenance. Attachment B outlines the business systems supported through the InTACT SLA that cover both external vendors as well as support agreements with InTACT for internally supported systems.

TAMS depreciation for intangible assets (software) 2008-09 was \$2.899m and 2009-10 to March YTD is \$1.847m.

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

### **Government—grants programs (Question No 960)**

**Mr Coe** asked the Minister for Territory and Municipal Services, upon notice, on 25 March 2010:

- (1) How many grants programs are administered by the department and each agency in the Minister's portfolio and what is the cost of administering each of these grants.
- (2) What is the total value of grants paid in 2009-10 to date.

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

- (1) This information will be detailed in the TAMS 2009-10 Annual Report, which will be published later this year.
- (2) As above.

### **Government—motor vehicles (Question No 961)**

**Mr Coe** asked the Minister for Transport, upon notice, on 25 March 2010:

- (1) How many vehicles are currently used by the Minister's department and each agency within the Minister's portfolio.
- (2) What are the types and sizes each the vehicles referred to in part (1).

- (3) How many of the vehicles referred to in part (1) are privately garaged
- (4) How many kilometres are travelled by each year by each vehicle.
- (5) What is the purpose of each vehicle.
- (6) What are the insurance costs, including third party insurance for each vehicle.

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

The response to this Question on Notice (961) has been included in the response for Question on Notice 962

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**Government—motor vehicles  
(Question No 962)**

**Mr Coe** asked the Minister for Territory and Municipal Services, upon notice, on 25 March 2010:

- (1) How many vehicles are currently used by the Minister's department and each agency within the Minister's portfolio.
- (2) What are the types and sizes each the vehicles referred to in part (1).
- (3) How many of the vehicles referred to in part (1) are privately garaged
- (4) How many kilometres are travelled by each year by each vehicle.
- (5) What is the purpose of each vehicle.
- (6) What are the insurance costs, including third party insurance for each vehicle.

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

- (1) As at 30 March 2010 there were 258 passenger and light commercial vehicles being used within the Territory and Municipal Services portfolio. Numbers are only accurate at given points of time due to vehicle replacement cycles.
- (2) Attachment A provides a breakdown of make, model, body type, number of cylinders and fuel type of each vehicle.
- (3) As at 30 March 2010, up to 59 vehicles are home garaged on any one night. The number varies from night to night depending on the nature of on-call and rapid response requirements. This figure does not include the SES vehicles, which are subject to conditions in SES Contracts.
- (4) Attachment A provides the average annual kilometres for each vehicle. These figures have been calculated by taking the last odometer reading as at 30 March 2010, dividing by the lease period and multiplying by 12 months to provide an annual average. These averages are based on the information that is available from the fuel consumption data held by the lease company.

- (5) Passenger and light commercial vehicles are utilised by Library and Information Services, Asset Acceptance, Asset Information, Canberra Connect, Territory Venues and Events, Licensing and Compliance (including Domestic Animal Services and the City Rangers), Parks, Conservation and Lands, ACT NOWaste, Roads ACT, Road User Services (including Traffic Camera Office), ACTION buses, Heritage Unit, Shared Services businesses and Corporate Support businesses. The purpose of the vehicles is to support the operation of these business units and includes small pools of vehicles available at various TAMS locations and private vehicles leased by Executives.
- (6) All 258 passenger and light commercial vehicles are leased. The insurance costs, including third party insurance, for each vehicle are embedded in the overall lease costs and are unable to be extrapolated out.

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

**Government—regulatory impact statements  
(Question No 966)**

**Mr Coe** asked the Minister for Territory and Municipal Services, upon notice, on 25 March 2010:

- (1) How many regulatory impact statements have been prepared by the Minister's department or each agency in their portfolio to date in 2009-10.
- (2) How many hours were spent on the preparation of each statement referred to in part (1).
- (3) Which areas of the department or each agency were responsible for drafting each statement.
- (4) What economic analysis, if any, has been performed by the department or each agency in (a) 2008-09 and (b) 2009-10 to date.
- (5) What was the cost of undertaking the analysis referred to in part (4).

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

This function is a part of core departmental business, and the specific information is not collected separately and is therefore not available.

**Government—regulatory impact statements  
(Question No 967)**

**Mr Coe** asked the Minister for the Arts and Heritage, upon notice, on 25 March 2010:

- (1) How many regulatory impact statements have been prepared by the Minister's department or each agency in their portfolio to date in 2009-10.

- (2) How many hours were spent on the preparation of each statement referred to in part (1).
- (3) Which areas of the department or each agency were responsible for drafting each statement.
- (4) What economic analysis, if any, has been performed by the department or each agency in (a) 2008-09 and (b) 2009-10 to date.
- (5) What was the cost of undertaking the analysis referred to in part (4).

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

The response for Arts is included in QON 684 asked of the Chief Minister.

The response for Heritage is included in QON 966 asked of the Minister for Territory and Municipal Services.

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**Government—regulatory impact statements  
(Question No 968)**

**Mr Coe** asked the Minister for Disability, Housing and Community Services, upon notice, on 25 March 2010:

- (1) How many regulatory impact statements have been prepared by the Minister's department or each agency in their portfolio to date in 2009-10.
- (2) How many hours were spent on the preparation of each statement referred to in part (1).
- (3) Which areas of the department or each agency were responsible for drafting each statement.
- (4) What economic analysis, if any, has been performed by the department or each agency in (a) 2008-09 and (b) 2009-10 to date.
- (5) What was the cost of undertaking the analysis referred to in part (4).

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

- 1) Three.
- 2) This function is a part of core departmental business, and the specific information is not collected separately and is therefore not available.
- 3) Policy and Organisational Services and the Office for Children, Youth and Family Services.
- 4) This function is a part of core departmental business, and the specific information is not collected separately and is therefore not available.

- 5) This function is a part of core departmental business, and the specific information is not collected separately and is therefore not available.
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**Government—advertising  
(Question No 969)**

**Mr Coe** asked the Minister for Transport, upon notice, on 25 March 2010:

- (1) How much has been spent on advertising in 2009-10 to date for the Minister's department and each agency within the Minister's portfolio.
- (2) On what campaigns was the money referred to in part (1) spent.
- (3) What form of media was employed to undertake the advertising.
- (4) Which businesses were employed to undertake, or consult on, each campaign.
- (5) How many of these are small businesses from the ACT.

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

- (1-5) I am advised that this request would take a considerable amount of time to complete. I am not prepared to divert resources from important core tasks.
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## Questions without notice taken on notice

### Family and youth services—Wednesday, 5 May 2010

**MS BURCH:** During question time yesterday I was asked a question by Ms Bresnan in relation to the Family Services Program and Youth Services Program and when the timeline for tendering information will become available.

The sector was advised at a meeting with the Department in August 2009 that funding of current services would continue until new agreements are in place. This meeting was the first step in a process of consultation. 27 organisations were represented on this occasion at which a presentation was given by the Department and organisations were able to ask questions. The extension of funding agreements was confirmed in a letter to all the funded organisations in October 2009.

A monthly newsletter is sent to all the funded organisations in the Youth and Family Support Programs updating on the process. The latest edition of this newsletter also confirmed the extension of funding. Letters are currently being prepared for distribution in the next week which advise organisations that agreements are to be extended from June 2010 for up to 12 months to allow for the consultation and procurement process to be finalised.

In addition a number of organisations are being written to advising them that they will be subject to a single select process which will coincide with the tendering of the rest of the program. These are organisations that are highly specialised in their service provision.

The period for written submissions to the consultation discussion paper was extended at the request of some of the organisations and closed on 22 March 2010. 16 submissions were received, representing the views of 32 services. In addition to this, four forums were held in February 2010 to which funded organisations were invited. 84 people attended representing 25 Non-Government organisations. The views represented through this process are diverse and sometimes contradictory. The Department is currently analysing the feedback.

The Department is now considering the need for an extended period of consultation to allow for discussion of a new framework of services which recognises and allows for flexible funding and service provision in relation to both young people and families. The combined funding for the Youth and Family Support Program is \$8.5 Million. These programs have not been comprehensively reviewed for a number of years, and it is important that any changes to the pattern of services to vulnerable Canberrans be subject to careful consideration. The aim of this process is to achieve the best outcomes possible for vulnerable families and young people within the available resources.

Following this consultation, a draft framework will be developed and circulated to the sector to obtain feedback. The procurement process will be commenced. It is the aim of the Department to have new funding agreements in place early in 2011.

### **Housing—OwnPlace—Tuesday, 22 June 2010**

**Mr STANHOPE:** I refer to your question in the Legislative Assembly on 22 June 2010 during Question Time regarding high levels of rental rebates in the ACT. I attach a copy of the relevant Hansard.

I am advised by Housing ACT that the ACT Government Policy framework for social and affordable housing is articulated in the Affordable Housing Action Plan. This plan recognises the important role played by public and community housing in the Canberra rental market. The plan also supports the expansion of affordable housing.

Canberra has the second highest median rent of all capital cities in the country (REIA December 2009 data).

A flow on effect of the high rental market is the high rate of rental rebate subsidy provided by Housing ACT. The 2010 Report on Government Services, indicates that the average rental subsidy in the ACT is \$206.22 per household (compared to a national average of \$120.70).

The 2010 Report data for 'new allocations to those in greatest need', shows that the ACT has been successful in targeting public housing to those most in need, with 91.4% of new allocations being made to those in greatest need. This compares with a national average of 66%. An inevitable result of such targeting strategies is a high rate of rental subsidy.

Housing ACT projects the amount of rental subsidies to be provided on an annual basis and includes this amount in its budget projections. The amount of annual subsidies informs the longer term financial and asset management approach adopted by Housing ACT.