



# Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

**EIGHTH ASSEMBLY**

**6 AUGUST 2015**

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**Thursday, 6 August 2015**

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

## **Petitions**

*The following petition was lodged for presentation, by **Mr Doszpot**, from 333 residents:*

### **Narrabundah—multi-unit development—petition No 11-15**

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

This petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly that in August 2014 the Community Services Directorate Housing ACT Division (CSD) lodged a Development Application No 201426052 (DA) with the Environment and Planning Directorate (EPD) for a multi-unit development in Narrabundah, with no community consultation.

The DA proposes demolition of four Old Canberra two-storey duplexes owned by ACT Housing and construction of eight units and an additional residence on an adjoining block. These new units on the corner of Boolimba Crescent and Mindarie Street would be collocated with an existing 10-unit ACT Housing development. This proposal would therefore create a cluster of ACT Housing in a residential neighbourhood that already has one of the highest representations of ACT Housing in Canberra and which the Australian Bureau of Statistics identifies as a pocket of disadvantage. Increasing the size of this social housing cluster in an area already disadvantaged, irrespective of community concerns, is inappropriate and at odds with the ACT government's stated 'salt & pepper' aim of reducing concentrations of disadvantage and decentralising ACT Housing properties by building in new and under-represented areas.

Further, the community has lodged an application for inclusion of the 1949 duplexes on the Heritage Register. Demolition of the duplexes would have a significant detrimental impact on the highly desirable landscape character of the area due to permanent loss of the intrinsic features of the streetscape and an unreasonable negative impact on neighbouring properties and the suburb as an historic whole.

Finally, we believe it is incumbent on CSD, as a developer of social housing, to conduct pre-application consultation with neighbours and community stakeholders with an interest in successful integration of new social housing into their area.

Your petitioners therefore request the Assembly to:

- Recommend the Minister for ACT Housing withdraw DA No 201426052 in light of strong community concerns

- Support the community application for Heritage listing of the subject duplexes
- Recommend CSD engage, as a matter of course, with the local community before lodging DAs relating to future multi-unit social housing developments

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

### **Ministerial response**

**The Clerk:** The following response to petitions has been lodged by a minister:

By **Mr Gentleman**, Minister for Planning, dated 4 August 2015, in response to petitions lodged by Mr Rattenbury on 7 May 2015 concerning the Dickson shopping centre development.

The terms of the response will be recorded in *Hansard*.

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

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

*The response read as follows:*

Thank you for your letter of 7 May 2015 about E-petition No. 4-15 lodged by Mr Rattenbury MLA on behalf of 123 Australian Capital Territory residents and Petition No. 5-15 lodged by Mr Rattenbury MLA on behalf of 1142 Australian Capital Territory residents.

I understand that both petitions draw to the attention of the Assembly that immediate action needs to be taken to protect the Dickson shopping centre and Dickson library, together with associated health/postal/banking and other services, and halt all planned development activity in the shopping centre's main car park (Block 21 Section 30) and the heritage buffer that surrounds the adjoining library.

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

The planning and land authority is an independent planning body whose role is to undertake independent assessments of all development applications. As the proposed development is a Merit Track application there is no legislative requirement or obligation to undertake an impact assessment. The planning and land authority rigorously assesses Merit track applications and considers the impacts during the assessment. On this basis the planning and land authority's process is consistent with the petition statement.

Section 120 of the Planning and Development Act 2007 requires the planning and land authority to consider each public representation received, and the probable impact of the proposed development.

Subsequent to the submission of the petition, on 20 May 2015, after extensive assessment and consideration of representations, the planning and land authority refused the development application.

The proponent now has the opportunity to lodge a reconsideration application, or to appeal the decision of the planning and land authority.

I appreciate the concerns raised through this petition, and I trust that the planning and land authority's decision demonstrates to the citizens of the Australian Capital Territory that the concerns of representors, and the probable impacts of a development of this nature, are indeed considered carefully.

## **Leave of absence**

Motion (by **Dr Bourke**) agreed to:

That leave of absence be granted to Ms Porter for today's sitting due to illness.

## **Narrabundah—multi-unit development Statement by member**

**MR DOSZPOT** (Molonglo): I seek leave to speak to the petition.

Leave granted.

**MR DOSZPOT**: I have been asked by certain residents of Narrabundah and members of the Old Narrabundah Community Council to present this petition to the Assembly. The petition draws to the attention of the Assembly that in August last year Housing ACT made a decision to lodge a development application with the Environment and Planning Directorate for a multi-unit development on the corner of Boolimba Crescent and Mindarie Street, Narrabundah.

Urban renewal is an activity attracting a bit of focus and every effort by this government. As a general principle, the Canberra Liberals have no objection to the government wishing to upgrade and improve Canberra suburbs for the overall betterment of this city. However, this government is becoming identified with developments in this city that provide no, or at best token, opportunities for community consultation. Too often communities learn about changes to their suburb through the media or through trawling government websites. I could list a raft of examples of where this government has failed to engage with the community.

One issue that is fast becoming the standard for lack of community consultation is the debacle currently unrolling in Manuka. The ceaseless and casual manner in which this government approaches community engagement is typified in this relocation issue. It would seem that this petition has been motivated for exactly the same reason. The community—

**Mr Gentleman:** Madam Speaker, point of order.

**MADAM SPEAKER:** Have you got a point of order, Mr Gentleman?

**Mr Gentleman:** I do, Madam Speaker.

**MADAM SPEAKER:** Point of order.

**Mr Gentleman:** Mr Doszpot asked to speak to the petition. He is not speaking to the petition at the moment; he is speaking about general planning matters not to do with the location in the petition at all.

**MR DOSZPOT:** Incorrect. There was one sentence, Madam Speaker. I spoke about other related issues.

**MADAM SPEAKER:** I draw Mr Doszpot's attention to the fact that he has received leave from the Assembly to speak about the petition and remind him that he should stick to the issue at hand.

**MR DOSZPOT:** Sure, thank you. And so it would seem that this petition has been motivated for exactly the same reason. The community had no opportunity to consider the impact of the application, had no opportunity to make comment and to discuss alternatives with the government as to what might be a better use of the land, and were given no explanation as to why the existing duplexes needed to be bulldozed.

The Old Narrabundah Community Council are passionate about heritage and have watched with increasing concern how the streetscape of nearby suburbs has changed. They are concerned to make sure that their suburb does not suffer the same fate without the community having an opportunity for a say.

Canberra Liberals will always defend the right and opportunity for people to be engaged and consulted about changes to their community. At the heart of this petition is the threat to that. I applaud the Narrabundah community for the concern and support they continue to show for their suburb.

**MS BERRY** (Ginninderra—Minister for Housing, Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Community Services, Minister for Multicultural Affairs, Minister for Women and Minister assisting the Chief Minister on Social Inclusion and Equality): I seek leave to speak on the petition.

Leave granted.

**MS BERRY:** I want to make a couple of points on Housing ACT's proposed developments in Narrabundah. It is important to acknowledge the work of Housing ACT and the urban renewal task force in building better homes for Housing ACT residents across the city, Narrabundah being one of the suburbs that will get new public housing.

The public housing development in Narrabundah is for nine new public housing dwellings. As part of that public housing renewal program, there will be some 70 public housing dwellings that no longer suit people's needs that will be removed, demolished, out of the Narrabundah suburb. I understand that this was one of the concerns that the old Narrabundah community raised. If their concern is the density of public housing in Narrabundah, it does not make any sense when you do the math: we are putting nine in and demolishing 72 in 2017-18. I wanted to bring that to the attention of the Assembly and to the attention of Mr Doszpot.

## **Child development service**

### **Ministerial statement**

**MS BURCH** (Brindabella—Minister for Education and Training, Minister for Police and Emergency Services, Minister for Disability, Minister for Racing and Gaming and Minister for the Arts) (10.07): I am pleased to address the Assembly today about the ACT government's plans to support children with developmental delay and disability in the ACT. Since the national disability insurance scheme commenced on 1 July last year, it is influencing significant change in service delivery to the benefit of people with a disability in the ACT. The NDIS is providing funds for people with a diagnosed disability and children with developmental delays in one or more areas, such as delays in communication or mobility skills. This funding is based on principles of reasonable and necessary support for each individual with goals and aspirations to lead a fulfilling life.

The ACT government supports the need for greater choice and control for people with a disability. Each individual and their family who experience disability knows best what they need, when they need it and how they wish to access those services. With individually controlled NDIS funding packages, people are encouraged to look beyond traditional support service providers. Individuals no longer have to ask how they fit into the service system. Now it is a case of how they can build personal and tailored supports to meet their needs and aspirations.

As members would be aware, to assist in this transition and to ensure that all individuals with a disability and their families and carers have maximum support, the ACT government has made this decision to gradually withdraw from service delivery. The transition will include Therapy ACT, which will continue to deliver services until December 2016.

The ACT government is taking a gradual approach to withdrawing government therapy services in line with the phasing of participants to the NDIS. Therapy ACT is working with children and their families for their planning discussions with the NDIA and also assisting families to transition to other service providers. Therapy ACT is also working to develop the therapy sector and advising government where further growth is needed.

By gradually withdrawing from government therapy and early intervention services, the ACT government is creating a space for non-government organisations to deliver



a wider choice of services. We are witnessing that expansion now, with about 30 early intervention and therapy providers now registered with the NDIA.

The NDIS is about more than funding people to purchase specialised services and supports. The scheme is driving social change in our community. It is changing our understanding of the services available for people with disability and what they want to make their life better. The scheme reinforces all service delivery systems to improve the lives of people with disability, in line with the national disability strategy. This responsibility rests with all mainstream services, not just specialised services for people with disability.

Mainstream services have a responsibility to make reasonable adjustments to enable community members, regardless of ability, to access them. The ACT government is responsible for mainstream services, including health and education services, information provision and referral, and assessment of children who are at risk of developmental delay. In the ACT secondary and tertiary services such as developmental assessments are provided separately by community paediatricians and child health medical officers in Health, by educational psychologists in Education and Training, and by allied health professionals in Therapy ACT.

Since 2012 the Community Services and ACT Health directorates have been collaborating to streamline assessment services for children who access both Therapy ACT and health services. The goal has been to make it easier to access appropriate and coordinated assessment services for families. Today I am proud to announce the result of this collaboration. A new mainstream service, the ACT child development service, will be available from January next year.

The ACT child development service is a redesign of existing services from the Community Services Directorate, Education and Training and ACT Health. Parents will have access to allied health and medical assessments for children who are ACT residents and at risk of developmental delay and who require referral to appropriate services, including the NDIS.

The child development service is a model of intervention and supports for children not eligible for the NDIS, including group programs and parent supports. Depending on the assessed need this may include time limited, episodic intervention or referral to mainstream services such as playgroups or parenting programs for children at risk of developmental delay.

Evidence shows that early identification and intervention improves the health, developmental and social trajectories of children into adulthood and is better than intervention and investment in later years. According to the research the best time to intervene is in the first five years for children with diagnosed disability and those at risk of developmental delays due to a range of influences, including biological or environmental factors.

That is why the ACT child development service will be concerned with the physical and emotional development of children and their families. The service will focus on early identification, screening and assessment for children aged zero to six years, for

children aged seven to eight years with complex needs who have no previous diagnosis, and autism assessment of children up to the age of 12 years.

Families will have the opportunity to check on their child's development through access to a range of health professionals. The popular speech pathology and physiotherapy drop-in clinics will continue to be available as part of the service. The service will be administered by the Community Services Directorate and based at the Therapy ACT building at Holder. It is likely that many of the clinicians will be former Therapy ACT staff.

The new service will not replicate existing services offered in the child development system. Its focus will be effective referral to relevant services through collaboration and partnership. The ACT child development service model is consistent with the human services blueprint—providing a service that is person-centred, capacity building, strengths based and focused on improving a child's developmental trajectory and future life outcomes. It will take a better services approach, with a lead worker facilitating referrals to appropriate interventions, whether this is the NDIS or another mainstream service.

The service is designed so that clients will provide their details once. Although all three directorates are working together within the service, there will be a single service interface with the clients. The service will be simple to access and navigate. It will evolve with international best practice and as community needs change. The service will form a hub of diverse expertise not previously available in the ACT under one roof that other jurisdictions, I believe, will envy.

Priority will be given to those who cannot access other services, including the NDIS, or those who have particular vulnerabilities, including cultural, social and financial differences. The service will engage groups that may not seek out services by providing services where these groups meet, such as the child and family centres, schools and in non-government services. Most importantly, families who have concerns for their child's development will be able to access specialists who can assist them on the path to early intervention.

I consider the new ACT child development service will serve us well in helping families identify developmental delay and disability and receive the services they need to improve outcomes for their children. By assisting families, the service will enable children to reach their full potential and help every child to participate in the social and economic life of our community. I look forward to the ACT child development service commencing in January 2016. I present the following paper:

Supporting children at risk of developmental delay in the ACT: The new ACT Child Development Service—Ministerial statement, 6 August 2015.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

## **Improving educational outcomes for children in care and on youth justice orders**

### **Ministerial statement**

**MR GENTLEMAN** (Brindabella—Minister for Planning, Minister for Roads and Parking, Minister for Workplace Safety and Industrial Relations, Minister for Children and Young People and Minister for Ageing) (10.17): I would like to talk about education possibilities for our children in care. For most of us, Canberra is a great place to live; a city full of brilliant possibilities waiting to be realised. But not everyone is able to make the most of these opportunities. Some children and young people face challenges many of us cannot imagine.

As is the case nationally, the ACT community faces many challenges providing out of home care services for vulnerable children and young people. We know outcomes for children and young people who have been in care are generally poorer than the broader community, whether socially, in education or in employment. We know young people who exit the care system are less likely to be employed and are at greater risk of mental illness, drug and alcohol abuse and domestic violence as adults. Most concerning, though, is that adults who have experienced out of home care are more likely to have children who are subjected to abuse, trauma and neglect.

As I have said, the ACT is not alone—these challenges are faced by out of home care service providers across Australia. To give children and young people a chance to transform their lives, we know we need to step up for kids to improve their educational outcomes. We are doing this across the system in partnership with the community. We are providing educational opportunities and focusing on the educational needs of our most vulnerable children and young people. I thank the Assembly for the opportunity today to outline how we are stepping up to improve educational outcomes for children and young people in care and youth justice.

The ACT government's new \$16 million strategy, a step up for our kids—one step can make lifetime of difference, will transform our support for the community's most vulnerable. At the heart of this strategy is a simple aim, which is to give children in care better lives. We are investing in a range of new services for vulnerable children and young people to give children the most stable, productive lives possible and truly putting their needs at the centre.

There are many initiatives within a step up for our kids: creating a continuum of care; providing training to carers and professionals to better understand the trauma children and young people have endured; and placing more of an emphasis on securing permanent homes for children and young people. We have listened to the community and based our approach on sound research. One of the most significant developments will be creating a system that is much more stable and, in fact, allows a child or young person to be supported by the same service provider throughout their time in care. This stability will be key in providing opportunities for children and young people to thrive, as it is for anyone.

We recognise that after family, a teacher is often the most important person in a child or young person's life. Schools and teachers play a pivotal role in supporting children and young people in care. Improving education, training and employment outcomes for children and young people is a fundamental aim for a step up for our kids. That is why we are working closely with the Education and Training Directorate and our community service providers to support the education and training needs of our community's most vulnerable children and young people. We want to ensure that all children and young people in care have the opportunity to have their potential realised and receive the support they need to pursue their own education, career or life goals.

In parallel to the step up for our kids, the Education and Training Directorate have published the engaging schools framework and have developed the network student engagement teams. Under this framework, the Education and Training Directorate have committed to develop appropriate responses for all children and young people in ACT government schools.

Alignment between the strategy and the engaging students framework presented an opportunity to consolidate efforts and to work together to achieve improved educational outcomes for children and young people. This work is being progressed through the establishment of a new improving educational outcomes committee. This committee will work on maturing existing systems to improve the educational outcomes for children and young people in out of home care or on youth justice orders.

The committee will support appropriate communications between key sectors, including the statutory system, educational institutions and out of home care providers. The committee will also form operational working groups for those students not engaged in mainstream education to consider specific individual requests for assistance, for engagement and for flexible learning options. The committee has senior representatives from the Community Services Directorate, the Education and Training Directorate and key non-government out of home care providers.

The operational working groups provide a pathway for staff to escalate matters which are unable to be resolved at the operational level. The working groups will be tasked with troubleshooting issues, facilitating flexible learning options for individual students, and mobilising resources to provide a holistic, coordinated response to children and young people who are not engaged in mainstream education.

Schools will also play a greater role in understanding and recognising the impact of trauma on children and young people in care. Under a step up for our kids, children and young people will undergo a therapeutic assessment aimed at providing a holistic response to their needs across a wide range of areas in a child's life. A child's therapeutic care team will work collaboratively to implement the case plan to address these needs. A child or young person's educational professional may be a member of this team and will be an integral part of the process.

On 1 July I launched the new Child and Youth Protection Services. This service is a result of combining care and protection services and youth justice services. Bringing together youth justice and child protection will help us to work better with our

community and sector partners and make it easier for children and young people to access the support they need at the right time for the right duration.

We are improving our services to ensure better information sharing and continuity of case management, removing duplication and barriers to effective service. Our emphasis is on working collaboratively with the community to achieve positive outcomes for our children and young people through the child protection, out of home care and youth justice systems.

As part of the new Child and Youth Protection Services, a new case management framework has been developed to provide a consistent approach to case planning with the young person and their care team. This increased focus on addressing therapeutic need through collaboration and participation includes the input of the education provider as part of the case planning process to hear the young person's voice and assist them to achieve their goals and increase their community participation. This will ensure that the educational needs of each young person are addressed as part of a holistic response to support them.

We know young people in detention are at a particular risk of poorer life outcomes. Providing young people in youth detention with positive and meaningful educational experiences is important to their transition and positive ongoing engagement in the community. The Bimberi Youth Justice Centre is a unique youth justice centre compared with many other Australian jurisdictions. The centre caters for a diverse cohort of young offenders, including young people aged between 10 and 21 years, males and females and young offenders sentenced and on remand. This in itself presents challenges to providing appropriate and effective educational and vocational training programs and opportunities in a custodial setting.

Bimberi Youth Justice Centre and the Murrumbidgee Education and Training Centre work collaboratively to provide an individualised program to meet the identified needs of each young person. The Murrumbidgee Education and Training Centre conduct an assessment with every young person to identify their academic level, learning style, and education or vocational goals. A pathways plan is developed, which is incorporated in the young person's case plan, and Bimberi Youth Justice Centre and the Murrumbidgee Education and Training Centre work to support each young person to achieve their goals.

The young people in the centre at the time will have a diverse range of academic skills, literacy and numeracy, and/or employment experiences available to them. The Murrumbidgee Education and Training Centre provides a flexible suite of programs developed to meet the needs of each young person. Programs offered include a certificate II in adult general education, years 11 and 12 studies and specialised programs for young people with low literacy and numeracy skills. In addition, the Murrumbidgee Education and Training Centre delivers a variety of vocational training programs. These include certificate II in hospitality, certificate II in business administration, certificate II in construction and certificates III and IV in fitness as well.

Murrumbidgee Education and Training Centre provides other employment-related programs such as road ready, white card and asbestos training qualifications, responsible service of alcohol and responsible gambling and industry skills to diversity the skill and educational opportunities for the young people in the centre. The Murrumbidgee Education and Training Centre has two transition officers whose role is to reconnect young people back into education or training and create pathways to employment.

I am pleased to note that the Bendora through-care unit received additional funding in 2015-16 in the budget. The Bendora through-care unit focuses on the young person taking responsibility for their day-to-day care and actively participating in programs and activities to assist them in their rehabilitation and transition back into the community. For some young people in the Bendora through-care unit, their plan may be to return to education while for others it may be to pursue employment. Young people in the Bendora through-care unit can participate in vocational training courses in the community and work experience and/or employment.

Minister Berry and I were at Bimberi only recently and were able to experience the cooking skills learned by young people in Bendora engaged in project dinnertime. Murrumbidgee Education and Training Centre and Bimberi staff work collaboratively to support the young people with training in living skills associated with living independently and maintaining employment. I am pleased to say we have designed a system that not only provides a place to live, but a place to grow and learn as well.

The Community Services Directorate is working with the Education and Training Directorate to make sure our most vulnerable children and young people do not miss out on the opportunities they need to learn, grow and develop. A step up for our kids will break the intergenerational cycle of disadvantage for the next generation of care leavers, providing them with an educational foundation for a productive adulthood.

A good education can open up so many opportunities. I thank the teachers and other staff for their hard work and dedication in extending educational opportunity to our most vulnerable children and young people. I present a copy of the statement:

Improving educational outcomes for children in care and on youth justice orders—Ministerial statement, 6 August 2015.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

## **Retirement Villages Act 2012—review**

### **Ministerial statement**

**MR RATTENBURY** (Molonglo—Minister for Territory and Municipal Services, Minister for Justice, Minister for Sport and Recreation and Minister assisting the Chief Minister on Transport Reform) (10.29): I rise to make a statement on the review

of the Retirement Villages Act, and I make this statement to inform members of the Assembly about the government's review of the Retirement Villages Act 2012 and to advise the Assembly that I will not be able to table the review within the three-month statutory time frame.

The Retirement Villages Act commenced on 4 March 2013. Section 265 of the act requires the minister to review the act as soon as practical after the end of its second year of operation. The purpose of the review is to see whether the act is operating effectively. Section 265 also states that the minister must present a report of the review to the Assembly within three months after the day the review is started.

I am pleased to inform members that the preliminary work on the review of the Retirement Villages Act is underway. I have convened a review advisory group to assist the government both in consulting the community and in providing expert policy advice. The advisory group consists of representatives of owners and operators of retirement villages, residents of retirement villages, advocacy groups, the property industry, the Human Rights Commission, the Law Society, the ACT Chinese Australian Association and the Lesbian, Gay, Bisexual, Transgender, Intersex and Queer Ministerial Advisory Council.

I would like to take a moment to give a brief overview of the Retirement Villages Act which regulates retirement villages in the ACT. The act replaced the old retirement villages industry code of practice which had been made under the Fair Trading (Australian Consumer Law) Act 1992. The act created a new regulatory scheme for retirement villages based on the New South Wales model. The act does not regulate aged care facilities as these are covered by the Commonwealth Aged Care Act 1997.

The act has a number of objects which set out the following rights of residents and operators: regulating the disclosure of information to prospective residents, requiring contracts that contain full details of the parties' rights and obligations, providing for residents to participate in the management of retirement villages if they choose to do so, providing mechanisms for resolving disputes between residents and operators and providing best practice management standards for the retirement industry. This act is a genuine example of grassroots reform.

The bill was developed after extensive community consultation with an informed and engaged Canberra community. In addition representatives of the retirement village industry and individual residents and operators of retirement villages gave the government information and advice on the bill. It is now time for the government to review the act. We are, once again, calling on this informed and engaged community to help us with this task. The review advisory group will assist the government to conduct thorough public consultation on the operation of the act.

Madam Speaker, I have received feedback from members of the advisory group about the need for a public consultation period that is longer than the usual six weeks. Having carefully considered this feedback I will be extending the public consultation period to 10 weeks. Following this public consultation the government will need time to work with the review advisory group to consider the results and formulate recommendations. For this to be done properly the review is likely to go past the three

months specified in the act. I anticipate that I will be able to present the report of the review of the act within six months after the review commences.

I would like to assure members that the review of the act is on track. The review advisory group is informing the development of the terms of reference and a background paper for discussion. The extended public consultation period will optimise engagement with the Canberra community.

It is important that any potential amendments to the act truly reflect best possible regulation of retirement villages for current and future residents, their families and village operators. I believe that three months is too short a period to achieve this but that six months is sufficient time to allow the government to draw on the expertise of the review advisory group and prepare quality final recommendations.

Madam Speaker, the Retirement Villages Act is an important piece of legislation affecting the lives of many Canberrans. The retirement villages industry is an important industry for the ACT and means a great deal to older Canberrans. This review will equip the government to ensure the act continues to properly balance the interests of everyone involved.

I present the following paper:

*Retirement Villages Act 2012—Review—Ministerial statement, 6 August 2015.*

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

## **Estimates 2015-2016—Select Committee Report**

Debate resumed from 4 August 2015, on motion by **Mr Smyth**:

That the report be noted.

**MS FITZHARRIS** (Molonglo) (10.34): I am proud to be part of the government that delivered this year's budget which clearly reflects Labor's priorities. It delivers on our commitment to quality schools, roads, hospitals, public transport and community services. It includes, for the first time, a social inclusion and equality statement and a domestic violence statement further underlining this government's priorities. And it does this despite the hit to our economy by the Abbott government's two recent federal budgets and the impact of the asbestos eradication scheme. Both have put significant pressure on the territory's economy and our finances.

This is also a budget that continues to diversify the ACT economy and encourage job creation. Transforming Canberra through major infrastructure projects such as the



capital metro project and housing renewal will generate thousands of jobs for Canberrans, stimulate the ACT economy and help reduce the impact of the past commonwealth budget contraction.

As I have often spoken about in the Assembly, Gungahlin is Canberra's fastest growing region. One of my top priorities for the region I live in and represent is to ensure that the infrastructure and resources provided to our schools keep pace with the demands placed upon them. This budget delivers just that with \$31.3 million for new schools. That is \$30.3 million for a new north Gungahlin primary school planned to open in 2019 and \$1 million for a feasibility study to determine where a new north Gungahlin high school will go.

Additionally, important road infrastructure needs to accommodate our rapidly growing population and in this budget \$31.2 million has been committed to start the important duplication of Gundaroo Drive and \$17 million for upgrades and the part duplication along with \$1 million for the design work for the full duplication of Horse Park Drive.

As always, government budgets are about juggling priorities. We are not in a position to fund or, indeed, build everything right now but I am confident that this funding meets the balance my community needs to continue to evolve and thrive. In addition, a further \$8 million has been invested for more frequent suburb maintenance. This funding will help Canberrans see the pride they feel in our city reflected in the way our suburbs look and feel. Our burgeoning suburbs in the north will also receive more attention with an extra mow every year and our waterways will get a spruce up with the cleaning of Yerrabi and Gungahlin ponds.

Madam Speaker, this has been my first ACT estimates as an MLA and it has been enlightening to see just how much work and passion are invested by ministers, directorates, agencies and community organisations in supporting our community to thrive. Canberra is widely regarded as one of the most progressive and livable communities in the world and it is in no small part down to the work of the various bodies that appeared before our committee.

I would like to particularly acknowledge all the ministers for the time they gave to the committee. In no other Australian jurisdiction are ministers responsible for so many portfolios and in no other jurisdiction do they spend so much time before an estimates committee. While the estimates timetable is demanding I do believe that the process is important in providing the level of transparency Canberrans deserve from their Assembly.

I also thank my colleagues, in particular Dr Chris Bourke, Brendan Smyth, Chair, and Ms Nicole Lawder, for their approach to the committee proceedings throughout the period. And, of course, I also thank the committee secretariat. I am very impressed by the professionalism and organisation of the group. Through a mass of evidence, transcripts and draft reports the team, led by Nicola Kosseck, supported by Hamish Finlay, Brian Lloyd, Andrew Snedden and Sarah Redden, retained a sense of composure and willing assistance that has impressed us all.

If I could turn to the recommendations, there were a number of matters arising during the estimates process that I would like to draw your attention to and speak to a few of the 148 recommendations made by the committee. Recommendation 38 is on tax reform. During the hearing the Chief Minister and Treasurer, Mr Barr, was quizzed on the government's priorities and strategy regarding its significant tax reform agenda. He explained that his objectives are to have the lowest stamp duty in the country and assist low and middle income households into the housing market. In that context much of the work so far has been at the more affordable end of the housing market.

The Treasurer also explained that due to the long-term nature of the reform it can be difficult to give a definitive timetable for the abolition of stamp duty given that future governments will be required to complete the process. However, he also acknowledged that Canberrans will want to know where the government intends to go with tax reform over the next five years and in this context the committee recommends that the ACT government report on the first five-year phase of tax reform and outline its plan for the next five-year phase, in particular its commitment to the principle of revenue neutrality and the long-term goal of abolishing stamp duty over two decades. I am confident that this mechanism will allow prospective buyers and sellers more certainty in coming years.

Recommendation 57 is on Access Canberra. The Chief Minister was asked to outline the purpose and composition of this new organisation, Access Canberra. Access Canberra is an initiative bringing together ACT regulatory services and the former Canberra Connect, allowing Canberrans a single point of engagement with the ACT government.

The committee welcomed the establishment of Access Canberra and acknowledged that such a significant organisational and service delivery reform will present significant opportunities and some risks. In light of this the committee recommended that the government closely monitor the first 12 months of operation and report to the Assembly. This will allow the government to finetune the workings of the operation of the organisation and provide Canberrans with the best service delivery possible. So far I have had many positive reports of Access Canberra's operations bringing together our hardworking public servants across a range of different functions with a willingness to find a way through problems, to apply common sense, and to help groups, individuals and businesses really get things done. I particularly commend this new initiative.

Recommendation 42 is on Winyu House. In keeping with the theme of service delivery for Canberrans, the committee made inquiries about the recent move of ACT Shared Services to Winyu House in Gungahlin. The executive director explained that the move was well organised with minimal loss of productivity, with staff reporting they were very happy with the new work space. I was pleased to join the Chief Minister at the opening of Winyu House and can say that it appears to be an incredible environment to visit and work in. I particularly also enjoyed my visit to the new onsite childcare centre run by the YWCA. And I also know firsthand from speaking with small business operators in the Gungahlin business district that they have welcomed

the influx of 650 new employees into the area during the day. I commend the ACT government for this significant investment in the Gungahlin town centre.

Recommendation 104 is on sustainable health funding. During the hearings we heard from the Minister for Health and the chief financial officer of the Health Directorate about the impact on our healthcare system of the cuts in commonwealth funding. The cuts will particularly affect the ACT in the 2016-17 financial year when the current funding agreement comes to an end. The new agreement moves from activity-based to population-based funding that has no regard for the level of acuity in the community or how sick people are. The budget estimates account for \$228 million less funding over the next three years than would have been received under the current agreement.

The Abbott government cuts will have a disastrous effect on our elective surgery rates, our emergency departments and a whole range of other activities. Our state and territory colleagues, no matter their political allegiance, agree. To this effect, the committee recommends that the government continue to work with all first ministers and the commonwealth to ensure sustainable health funding so that we can continue to deliver the high quality health services our community requires.

Recommendation 118 is on child and family friendly space at Clare Holland House. A particular concern raised with me recently is the way that we accommodate and care for paediatric respite patients. At present Clare Holland House does not have a specific paediatric room although families are encouraged to amend the room to make it as comfortable as they wish. The committee notes that there is an opportunity to create a more child and family friendly space and provide specialist paediatric staff at the centre at least when children are being treated. We made a recommendation to that effect.

I have two families in my electorate that have raised these issues with me in my time as an MLA and I know how important it is to these families during such a difficult time. I would like to particularly acknowledge the Anthoney and Wills families for their insight and thoughts on these issues and their commitment to their children, Dainere and Benny, both lost tragically through cancer. Their memories are passionately lived on through the work of the Wills and Anthoney families, and I hope that this recommendation can be agreed to and some work can continue on this front.

Recommendation 132 is on school zones and road safety. School zone safety is an ongoing concern and was highlighted by the Chief Minister, the Minister for Police and Emergency Services and the minister for education again earlier this week at Ainslie school. Minister Burch with both her hats on, as minister for police and also minister for education, outlined the government's focus on improving road safety in school zones in the recent ACT Policing ministerial direction. Driving behaviours such as the use of mobile phones, not wearing seatbelts and responding inappropriately to parking frustrations can create unsafe conditions for our children around schools.

The minister has advised that there will be a stronger ACT Policing presence around school zones. The committee welcomes this and in response recommends that the

government update the Assembly on the outcomes of its revised focus at the start of the next school year.

Recommendation 138, traffic around Burgmann Anglican School, is related to the previous recommendation. The committee also noted that the government should work closely with Burgmann Anglican School in Gungahlin regarding the issues relating to traffic and pedestrian safety around the school. I regularly travel past this school at drop-off and pick-up times and have witnessed the range of issues they face from its proximity to one of the major arterial roads in Gungahlin and the car park across the busy Valley Avenue. I hope that a suitable arrangement can be found soon.

On recommendation 137, Horse Park Drive, the committee explored the issue of road projects relating to land releases. The director-general said that capital works and procurement processes were becoming more integrated across government and cost savings had been seen. This was welcomed.

With regard to the planned suburb of Throsby in Gungahlin, the committee recommended that the government consider beginning the duplication of Horse Park Drive from Majura Parkway to Well Station Drive in conjunction with the duplication funded in this year's budget between Well Station Drive and Anthony Rolfe Avenue. Notwithstanding that road projects are hugely expensive and must be graduated, it is hoped that efficiencies achieved by combining the projects will allow for the as yet unfunded segment to proceed sooner rather than later.

Recommendation 145 is on playground spaces. Last but not least I highlight this recommendation made by the committee for the government to engage with the community around playground spaces. Public spaces work best when there is community engagement and I hope that this recommendation will encourage a conversation about how we can develop these playgrounds in more innovative ways. We could look at community involvement in the maintenance and possibly the funding of these spaces and new natural playground looks.

As I mentioned at the outset there are 148 recommendations made by the committee and many of these recommendations contain sensible suggestions that complement the existing budget. They touch upon some important economic development issues such as digital investment and serious social issues such as funding for domestic violence victims support.

I commend the budget and hope that some of the recommendations contained in this report are able to be incorporated into future government policy planning and funding and I look forward to the response next week and to the subsequent following debate. Again, I would like to thank my colleagues, all ministers, public servants, and the work of the committee secretariat in this endeavour.

**MS LAWDER** (Brindabella) (10.47): I would like to express at the outset my thanks to my fellow members of the committee. I start by acknowledging the chair, Mr Brendan Smyth. I was fortunate to benefit from his long-term knowledge of the budget process and long-term service over many years on estimates committees. Thank you also to Ms Meegan Fitzharris and Dr Bourke for their consideration and

for the generally collaborative and constructive dialogue and deliberations that we had. I would like to express my appreciation to the committee secretary, Ms Nicola Kosseck, who remained calm, supportive and very professional throughout the process, and to all others who assisted, including Dr Brian Lloyd, Mr Hamish Finlay, Mr Andrew Snedden, Ms Sarah Redden, Ms Lydia Chung and Ms Jenny Mundy.

As this was my first time on an estimates committee, I found it a fascinating experience. In my previous working life I had appeared in front of some parliamentary committees, but this was quite a different experience.

I think it is a very important part of the process to have community groups appearing. They raised very important issues for us to consider. Thank you to those groups who appeared, including National Seniors ACT, the Childers Group, the Conservation Council ACT Region, UnitingCare Kippax, the Youth Coalition of the ACT, RSPCA ACT, YWCA of Canberra, and the Aboriginal and Torres Strait Islander Elected Body.

The committee appointed CIE as budget adviser. I found their report very helpful. It was useful to refer to, especially in the early part of the estimates process. It is probably correct to say that, as you go through the process, after a couple of days it becomes much more apparent how it all goes through, but in the first couple of days I especially relied on the CIE report and it provided me with one of my most enjoyable moments of the estimates process when I referred to the CIE report whilst the Treasurer was appearing. The Treasurer commented that he had not seen the report, to which I replied, "Now you know how we feel." This was a reference to the fact that the government generally have access to a whole heap of information that they do not release to the opposition.

A number of important recommendations were made. There were 148 in total. I hope the government gives them the consideration they deserve. They range from high-level recommendations relating to the territory as a whole to much more local and specific issues. I would like to mention a couple of those.

There was a lot of discussion, as you can imagine, about the tax reform agenda. It was quite revealing to hear the Treasurer speak about the move from previous rhetoric of abolishing stamp duty over 20 years to apparently now having an aspiration to have the lowest stamp duty in the country. Of course, that is cold comfort for those with rising rate bills.

We spoke quite a bit about Mr Fluffy and the asbestos eradication scheme, about light rail, about housing and about public housing renewal. There was a lot of discussion and there were some recommendations relating to Access Canberra and working with vulnerable people checks; weeds management; NOWaste targets; the smell from Mugga Lane tip; the importance of consultation with the community sector, especially with regard to the community sector reform levy; domestic and family violence and respectful relationships; Auslan courses at CIT; renewable energy; shopping centre renewal; road duplication in Tuggeranong, specifically relating to Ashley Drive; and bike path signage. Madam Speaker, you can see from that the wide-ranging recommendations that the committee made.

In closing, I would like to thank all members of the Assembly who participated, whether as a minister or a shadow minister, and thank directorate officials for their preparation and participation. This is an important part of the transparency of our government. Thank you.

**DR BOURKE** (Ginninderra) (10.51): Illegal graffiti currently costs the ACT government around \$500,000 a year. It remains a popular form of vandalism and is frequently seen in highly visible public spaces. Maintenance crews regularly undertake the removal and cleaning of graffiti defacing our city. However, this service does not extend to private fences facing public spaces, as the cost of maintaining a fence is the responsibility of the private owner.

Illegal graffiti tagging a property owner's fence without their permission is common. It serves little purpose other than to deface property. Fences facing open space are easy to reach, are highly visible and have limited natural surveillance, and tagging graffiti can be applied quickly.

Graffiti vandalism is not just an issue that affects the property targeted. It impacts on the whole community. It gives the impression that the property and public space are not properly cared for or respected. People worry that unsightly graffiti lends their community an air of decline and is a sign of unlawfulness. These are the concerns that my constituents in Belconnen have raised with me.

Legal graffiti sites are available in Canberra as a strategy to deflect graffiti away from illegal sites, and there are plans for more. They are available for graffiti art, and also tagging. However, large areas of tagging are painted out to allow for the ongoing use of art. Under the legal graffiti practice site guidelines, these sites are located where there are a limited number of private residences with a direct line of sight. Property owners are consulted, and the site will not proceed if objections are raised and persist after discussions. High visibility is a major attraction of tagging sites. Given that legal graffiti sites limit tagging and visibility, private property owners are unlikely to see a marked drop in the levels of property damage.

The committee recommends, at recommendation 146, that the ACT government should consider additional strategies to remove graffiti on private property. I note that the budget is providing for a review of the government's graffiti management strategy, and I call upon the review to consider this recommendation. In closing, I thank my fellow committee members and the secretariat for all their hard work in preparing this report.

**MR SMYTH** (Brindabella) (10.54), in reply: To close, Madam Speaker, again I thank my colleagues for their words. Obviously I failed as the chair of the estimates committee if Ms Lawder actually had an enjoyable moment there. We will have to rectify that; one must take the estimates process seriously. Maybe there are mitigating circumstances in that it was at the expense of the Chief Minister, so I will let her off this time. Sometimes committees do not work—we have all been there—and sometimes committees work very well. I am grateful to Ms Fitzharris, Dr Bourke and Ms Lawder for making this work.

To finish, Chief Minister, to you and your ministers, thank you for your attendance. Questions do not always get answered in the way we would like but at least the dialogue is there. And with constituents who come to us, the people in the ACT who come to us and have questions, their questions get aired as well as the questions politicians want answered, and that is a good thing.

That the community groups appear is always important. In particular the Youth Coalition and the RSPCA highlighted problems that they see that need rectification. There was particularly the visit from UnitingCare Kippax and the individual they brought with them who gave testimony on his life and paid testament particularly to the services offered by Kippax and how they have assisted him to turn his life around. So there was that human face. A five with nine noughts after it is incomprehensible for most people, but to hear a man speak of how Kippax, through the funds that the government provided, enabled him to connect with his family, keep in touch with his kids and support his kids puts the real face on what a budget is all about. It is about people, it is about their wellbeing, it is about where they live and it is about making sure that there is a community dividend from the budget.

It is easy for us to throw around the billion dollar lines: “This is a \$5 billion budget. Isn’t it good that we spent this money?” At the end of the day it is about people. It should be about people, where they live. It should be about their wellbeing. It is about improving their environment, whether it is the built or the natural environment, and having a way to pay for it. In that regard, the process is good in allowing those groups and individuals to get their questions up.

Turning to the participating members, Mr Coe turned up, and Mr Doszpot, Mr Hanson and Mr Wall came and asked their questions. It is great that the committee enables that. I have always been of the view that all who attend get treated equally: although the members do the work, any member of the Assembly that turns up should be able to ask their questions. I will always run the committee in that way. I know we all cannot wait for 10 o’clock next Tuesday so that we can start the budget debate. How exciting it will be, as always.

Through you, Madam Speaker, to the Clerk, and through the Clerk to the secretariat, particularly, we would like to send our thanks—to Lydia Chung and Jenny Mundy, to the writers. People do not appreciate how much effort goes in. You can see the size of the report—some 330 pages now, and it grows, and 148 recs, and it grows. To Hamish Finlay, Nicola Kosseck, Dr Brian Lloyd, Ms Sarah Redden and Andrew Snedden, thank you for the way you have been able to distil what was said and put it into a readable format. To the clerks who helped Hamish Finlay, Nicola Kosseck, Brian Lloyd and Andrew Snedden, well done to you.

But the real thanks goes to the secretary of the committee, Ms Nicola Kosseck, and the assistant clerk, Ms Sarah Redden, who were there throughout the process. It is pleasing that Nicola is here with us in the chamber today. It is not an easy job herding 17 MLAs, five ministers, a couple of hundred officials and a swag of—

**Mr Barr:** Six ministers.

**MR SMYTH:** Sorry, six ministers. You might assume I said herding five. One of them might have been compliant. But you are right. None of them were particularly compliant, Chief Minister; they all needed herding, as they always do. And there are the numerous community groups and all the support staff who helped.

Nicola, congratulations on your effort. The report is as much as tribute to you as to the hard work done by the members. As the chair, I am personally grateful for your assistance in doing all of that organisation. With that, Madam Speaker, we can shut this debate and all wait until 10 o'clock next Tuesday to start the estimates debate and have it all over again.

**MADAM SPEAKER:** The question is that the report be noted, noting that the Speaker did not need to be herded.

Question resolved in the affirmative.

## **Leave of absence**

Motion (by **Dr Bourke**) agreed to:

That leave of absence be granted to Mr Corbell for this sitting due to his attendance at a Health Ministers' conference.

## **Health (Patient Privacy) Amendment Bill 2015—exposure draft Papers and statement by member**

**MR RATTENBURY** (Molonglo), by leave: I present the following papers:

Health (Patient Privacy) Amendment Bill 2015—

Exposure draft.

Draft explanatory statement.

Image of precinct.

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

Leave granted.

**MR RATTENBURY:** Members, today I am pleased to be tabling the ACT Greens exposure draft of the Health (Patient Privacy) Amendment Bill 2015, the explanatory statement for the Assembly's interest as well as a map. The exposure draft bill is in response to a longstanding issue affecting women's access to safe and legal health services. The intent is to ensure that women can access medical abortions without running a gauntlet of prejudice and unwarranted judgement. It has been drafted to support a basic human right to seek and receive medical treatment unhindered and unimpeded.

For those members who may be unaware, the health facility that provides abortion services has for many years been the regular site of a small and persistent gathering of



people, some of whom are anti-abortion, some of whom are pro-choice. The style of the protests has varied over time. Sometimes they have included emotive placards and sometimes single viewpoint pamphlets have been handed out. Irrespective of the precise nature of the protest, the fact remains that for a woman to access the medical facility on any given day may mean she is required to walk past what can only be described as a daunting and unnecessary gathering of people. I can think of no other example where this happens when people access any other legal and safe medical procedure and can see no reason why it should happen when women seek to access to an abortion.

The ACT Greens believe women should have right of entry to safe, accessible and legal abortions. It is alarming that in 2015 some women do not have access to safe and legal abortions in some states across Australia and that abortions are still considered in the criminal code in New South Wales and Queensland. Here in the ACT abortions are legal. However, consistent protests outside the ACT Health building mean that women accessing abortion services are regularly subjected to judgement, intimidation and a lack of privacy.

In March this year I announced that the ACT Greens would introduce legislation to create privacy zones around fertility control and reproductive health clinics. This came about after the archbishop joined the anti-abortion vigils that regularly take place at the ACT Health building, raising the profile and drawing unnecessary and increased attention to the building and its services. My reflection at the time—and now—is that we need to deal with this issue with finality to avoid any such future escalations. I firmly believe the archbishop and any others who disagree about a woman's right to choose should be free to speak about their beliefs, but not where that impinges on a person's right to access a legally available healthcare service. Necessarily, this means not outside the entrance of the health facility where women are seeking the medical services they are legally entitled to. Women—in fact, all people—have a right to medical privacy and a human right to make decisions about their own health without interference or harassment.

I strongly support the right to protest. I am sure members will make the observation when we come to the discussion that I have spent many years protesting against the exploitation and degradation of our environment. I encourage and welcome a diversity of views and opinions on issues of public interest. However, these rights are not absolute. Just as we believe in the right to free speech but not hate speech, we must defend the right to protest but not in a way that infringes on an individual's right to access services for her own health.

In the ACT the law supports a woman's right to choose an abortion. The services to access abortions are provided by a healthcare provider. An abortion is a health service, and all people have the right to access their health services freely and without harassment or pressure. Protecting that right is what the ACT Greens' privacy zones legislation seeks to achieve. It seeks to do that while protecting the right to protest for those who wish to make known their views on abortion. Protecting both those rights is a balancing act, and I believe this bill gets this balance right.

The Health (Patient Privacy) Amendment Bill 2015 proposes defining a specified area called a privacy zone around an approved medical facility within which protests and other public displays regarding abortion will be prohibited. The bill aims to prevent certain actions within a defined area and defined times around relevant declared medical facilities. These actions may act to increase emotional distress or, in a worst case scenario, discourage a woman from accessing a legal medical procedure. The bill does not seek to engage in debate regarding a woman's right to access abortion services. Safe and medically supervised abortions were made legal in the ACT many years ago. This bill is about a woman's right to access those services with privacy and dignity and free from the intimidating conduct of others.

Importantly, this bill seeks to create a completely service-specific protest-free zone meaning that all forms of protest, by any means and from any side of the debate, will be prohibited. The intention of the bill is to ensure that both staff and patients may enter and exit the facility without interference. The limitations, however, only apply to specific subject matter relating to abortion and related health services. The extent of the restriction on people's right to assemble created by the privacy zone in the bill would be minor as they are site specific and apply only to a small geographic area. This declaration would be made by the responsible minister under criteria that mean the area must be the smallest necessary to allow women to access the health service unimpeded. As I indicated earlier, I have provided a copy of a proposed map as an example of the declaration.

I strongly reject the notion that this bill curtails free speech. I believe the bill is a proportional response to the issue, and the aim is to achieve its outcomes with the most minimal limitations on people's human rights. The privacy zone declaration will not interfere with a person's more general right to protest in relation to abortions or make their objections known to others in the community. People will remain free to protest anywhere else they choose across the city or right across the ACT subject to other lawful limitations created by other acts which, of course, put some limitations on the right to protest for a range of reasons.

The ability to keep protesting could occur either through a physical protest—for example, outside the Legislative Assembly—which may be considered more appropriate as the seat of parliament responsible for approving the policy in law, or by otherwise engaging in public debate—for example, by writing letters to newspapers or other publications. Further, the privacy zone would apply only within a defined period to coincide with the opening hours of the facility—that is, 8 am to 5.30 pm. This would allow staff and patients to access the facility in privacy. Of course, if people want to protest outside of those hours, that would be fine under this proposal.

To be honest I would prefer that we did not have to legislate and that people could consider voicing their objections in more appropriate areas, but as that has not been the case to this point, I have prepared what I believe is the most sensible response. In the short time since the Greens released this exposure draft we have received a lot of correspondence. As may be expected, the issue has raised passions and created considerable community debate. But it is fair to say that the majority of comments

have been either supportive and seeking further clarification regarding certain sections of the bill or offering constructive feedback.

I welcome all responses from the community as the consultation period is designed to illicit exactly these thoughts. One clear practical consideration has been raised in regards to the capturing of visual data. The comments indicate that the current draft of the bill may have unnecessarily broad scope and implications for those who may genuinely seek to take images of the area for other purposes, such as photographing the sculpture adjunct to the entry. I appreciate the desire of supporters of the bill to ensure that we are offering the least restrictive approach as possible, and I will be reviewing these issues and all the other comments we receive as I finalise the bill for tabling in the Assembly in the coming months.

I close with a comment from someone who has recently written to me and who summarised the underlying rationale for this bill very effectively:

Democracy is not just about rights but also responsibilities, which includes I believe responsibility to contribute to a civil, respectful, cohesive society and do no harm to others. So while I welcome the right to protest and express opinions, this must be tempered by the respect for those on the other side of the fence, in this case women seeking/about to have an abortion. We do not know their stories. Intimidating, harassing, threatening, abusive behaviour, or filming and obstructing the path of these women outside clinics, at a very emotional and vulnerable time, is not respectful. Protesters should make their views felt to law and policy makers, politicians, media.

In advance of debating the bill later in the year, I invite all members to contact my office if they require further information, would like a detailed discussion or have comments to make on the content of the legislation for that matter. I look forward to tabling the final bill and to the Assembly implementing a regime that protects a woman's right to access health care privately, safely and without judgement.

## **Executive business—precedence**

*Ordered that executive business be called on.*

## **First Home Owner Grant Amendment Bill 2015**

Debate resumed from 4 June 2015, on motion by **Mr Barr**:

That this bill be agreed to in principle.

**MR SMYTH** (Brindabella) (11.10): The opposition will be supporting this bill. It is consistent with how we deal with the mechanism in which to change rates or numbers or fees or fines that are set. Most of them are now done by disallowable instrument, and this will extend that to the first home owners grant scheme. The real question is, as outlined on page 75 of budget paper 3, how the community will view the dropping of the grant from \$12,500 to \$10,000 on 1 January this year, and then \$7,000 on 1 January 2017. But that debate may occur when the disallowable instrument is delivered.

**MR RATTENBURY** (Molonglo) (11.11): This is a very simple bill, and it allows the minister to make a disallowable instrument to set the first home owners grant. At the moment the legislation prescribes what the amount should be, which is \$12,500 currently. The intention of the Treasurer is to reduce the grant to \$10,000 next January and to \$7,000 the following January in 2017, as outlined in the budget papers.

The history of the grant is interesting, as it was originally introduced as a commonwealth scheme in July 2000 to coincide with the introduction of the GST to be administered by the ACT government. It was then \$7,000. Realistically, that seemed to be about the amount to cover the cost of stamp duty. What happened, though, is that the first home owner grant was seen to be falsely pushing up house prices and not achieving what it was intended to do. The grant has since been increased to \$12,500 in 2013 and reduced to only apply to new houses or substantially renovated properties, and thus form more of a subsidy to developers rather than a boost for first homebuyers. Although it was being used clearly as a stimulus for construction activity—so it was achieving what it was intended in that way—it was not necessarily helping low income first homebuyers.

The Greens have found this grant scheme to be dubious in this case, and we are pleased to see it is now being reduced in this way. This is the type of grant that would be better if it were means tested or targeted to particular types of housing. The Greens support initiatives that assist people to move into home ownership, and we would like very much to see a comprehensive plan that is effective, efficient, targeted, proportionate, and able to assist people improve their circumstances and enjoy the benefits of home ownership.

The ACT already has a much more targeted and effective assistance scheme, and this is the stamp duty concession scheme. The scheme is capped at the median price and is means tested, and we believe this is a much more effective way of providing assistance. As members are aware, the government is also working to considerably reduce stamp duty, which the Greens support as part of the overall changes to the taxation scheme. I believe that is a better approach than the one provided through the first home owners grant. On behalf of the Greens, I will be supporting this bill today.

**MR BARR** (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Urban Renewal and Minister for Tourism and Events) (11.13), in reply: I thank the shadow treasurer and Minister Rattenbury for their support of the bill. It is, as they have alluded to, quite straightforward. The only observation to make is that the government's intention is to continue to monitor the effectiveness and the take-up of the grant in the context of the performance of the economy and the housing market over the longer term.

Mr Rattenbury has gone to the history of the grant; it has moved between \$7,000 and \$12,500 reflecting different points in the housing and economic cycle. The government will continue to monitor where we are in those respective cycles in making decisions about future levels for the grant. I thank members for their support of this bill.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

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

Debate resumed from 7 May 2015, on motion by **Ms Burch**:

That this bill be agreed to in principle.

**MR DOSZPOT** (Molonglo) (11.14): It is not my intention to delay the Assembly unnecessarily by talking on each clause of this legislation. I believe the intent of this bill has been outlined well in the explanatory statement and also by the minister in her quite detailed tabling speech.

The bill before the Assembly essentially addresses some minor changes to better reflect current circumstances in the board's make-up and activities and to ensure the Board of Senior Secondary Studies Act 1997 reflects those changes.

On the issue of expansion of the board, the bill includes a clause to increase the number of board members by the appointment of an additional member after consultation with the Australian Catholic University. It would seem appropriate that a representative of the Australian Catholic University is eligible for inclusion on the board. The ACU educates a significant number of students through their Bachelor of Education courses and takes an active interest in educational outcomes in the territory and beyond.

On the question of the changes to allow for proxy voting, again, such an inclusion reflects modern board practice. It also recognises that board members have other professional activities they need to attend to and it is not always possible for people to be in physical attendance. As the minister pointed out, this provision makes it easier and more efficient for the board to operate and is widely accepted practice in other areas of business and government. That said, I would hope that all the usual and appropriate safeguards are in place to ensure proxies are directed and vote at meetings according to the wishes of the board member, and that there are also limits in place as to how frequently a proxy can substitute for the full board member.

The provision that allows for additional overseas schools to be included if they meet certain criteria will be of benefit to the ACT. In an economy that has no major natural resources from which to draw revenue, provision of education services to the significant number of international students who come to Canberra is an important revenue stream. However, I am not sure that too many people know that education is also a major export for the ACT.

On other aspects of the bill, there is the change to reflect the merging of the old Canberra Business Council with the ACT and Region Chamber of Commerce. This is just another basic change to reflect changing circumstances. The Canberra Liberals will be supporting this bill.

**MR RATTENBURY** (Molonglo) (11.17): I will be supporting the bill that is before us today. The bill is designed simply to modernise the existing act, and is in line with a raft of minor bills and legislation tidy-ups that the government has been undertaking in recent months. Minister Burch noted the key amendments contained in the bill in her introductory remarks. Mr Doszpot has touched on those as well today. I am happy to support these changes, which I believe will increase consultation and engagement with the educational sector.

**MS BURCH** (Brindabella—Minister for Education and Training, Minister for Police and Emergency Services, Minister for Disability, Minister for Racing and Gaming and Minister for the Arts) (11.18), in reply: I thank members for their contributions and support this morning. The work of the Board of Senior Secondary Studies is central to the future opportunities for our young adults and, in turn, the continued wellbeing of our community. I take this opportunity to thank the existing and previous members of the Board of Senior Secondary Studies for the work that they do for our community and for our education system.

This bill, when enacted, will contribute to the work done by the board to provide improved educational outcomes for young adults in the Canberra community. I want to emphasise to members the two main focuses of the bill: the bill strengthens the governance of the board and places the board's relationship with overseas schools on a firm legislative foundation.

The Board of Senior Secondary Studies is a truly cross-sectoral board and ensures that all schools and all students are treated equally with regard to senior secondary education in terms of the provision of curriculum, assessment and certification. I am especially pleased to see the membership of the board increase from 14 to 15, with the inclusion of a member drawn from the Canberra campus of the Australian Catholic University. The ACU is a major destination for many of our ACT secondary graduates, and inclusion on the board will broaden the representation from the tertiary sector to four members, with the ACU member joining colleagues from the ANU, CIT and UC.

I also commend widening of the field from which a business representative on the board can be drawn. Input from the business sector provides the board with a valued lens when considering recommendations on curriculum, assessment and certification.

The bill improves the functionality of the board by providing for proxy voting when a member is absent. Given the nature of the people who are often selected to the board, it is sometimes not possible for them to attend all meetings. This amendment will enable the board to continue functioning and provide for all board members to have input into decisions.

The inclusion of a specific provision for service delivery to overseas schools cements the relationship the board currently has with overseas schools. The bill provides that relationship with a clear basis in legislation. The inclusion of this provision is timely. I am pleased to announce that the board, at its meeting in June, approved an application from the Weifang Hanting No 1 High School from Shandong province in China to commence the operation of an international program leading to the ACT senior secondary certificate for a small group of students at their school.

Education is, as has been noted, a major export for the ACT. Teachers from the seven overseas schools which currently deliver our curriculum visit Canberra twice a year for moderation days and also take the opportunity to visit our colleges. The opportunity for ACT teachers to engage with teachers from different cultures and to form links with overseas schools is also beneficial. The proposal to strengthen the act by referring to the services provided for these schools will endorse this endeavour.

The combined effect of these amendments is to strengthen the governance of the board and to recognise the importance of the role of overseas schools in providing additional cultural diversity to our senior secondary system. I thank members for their support of the bill.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

## **Veterinary Surgeons Bill 2015**

Debate resumed from 14 May 2015, on motion by **Mr Rattenbury**:

That this bill be agreed to in principle.

**MR HANSON** (Molonglo—Leader of the Opposition) (11.22): I indicate at the outset that the Canberra Liberals will not be opposing this legislation but that we do have a number of concerns with it, a number of which have come from the veterinary profession and their representatives. To understand the reason for the need for this bill and its urgency, it is useful to understand a little bit of history. This history provides an insight into the priorities of the Labor-Greens government when it comes to dealing with the real-life issues facing real businesses and professions in this territory. It also highlights the lazy approach of this government to law reform and reduction in red tape.

From 2004 all of the 17 medical-type professional boards including doctors, nurses and veterinary surgeons in the ACT were covered by the Health Professionals Act, or the HPA, as I will refer to it. A similar arrangement existed in each state, which is partly why I am speaking on this bill as opposed to Mr Coe. This was a cumbersome and clumsy state-based registration system around Australia and added to the red tape

costs of all medical and veterinary professions. One effect was that medical professionals often had multiple registrations. For example, a vet or nurse registered in Canberra also had to be registered, at their additional cost, in New South Wales to work in Queanbeyan.

In 2006, and separate from other medical professionals, a model for national registration for veterinary surgeons was agreed to at the Council of Australian Governments primary industries ministerial council, with a target for completion of 2008. All Australian states except WA, but not the ACT, have enacted legislation enabling the national registration for veterinary surgeons.

In 2008 COAG agreed to the intergovernmental agreement for a national registration and accreditation scheme for all health professions, which committed to a national scheme of registration and accreditation for health professionals—but not vets—in Australia by 1 July 2010. In 2010 all health professionals, except veterinary surgeons, were moved into a nationally harmonised scheme with local enabling legislation. This included all health professionals in the ACT in 2010.

From 2010 the ACT was then left with only veterinary surgeons under the old Health Professionals Act. This was and is a clumsy and inefficient arrangement. Five years later this is where the registration of veterinary surgeons languishes today. Perhaps in frustration, and to help legislators, the Australian Veterinary Association, the AVA, produced an 11-page guide for writing Australian veterinary practice acts.

Canberra veterinary surgeons have long wanted a new, stand-alone veterinary act. They have also wanted it to closely align with the AVA national guidelines. The Australian Veterinary Association has also called for legislation to enable national recognition of veterinary surgeons in the ACT as “a high priority and should be expedited at the earliest opportunity”.

In 2015 the government’s response is the Veterinary Surgeons Bill which is before us today. The new bill proposes that veterinary surgeons have stand-alone legislation with some of the complexity and structures of the old HPA removed. This is a start. The bill also repeals the HPA but creates a new act which is really only a stripped down version of the HPA.

The scrutiny committee had all sorts of issues with this bill. It raised seven pages of questions and drew more than 15 matters to the attention of the Assembly. I will not go into the details of all those concerns; they are there for members to read at their leisure. Given that the bill is a stripped down version of the soon-to-be repealed act, it has many internal inconsistencies, especially in regard to the complaints mechanisms. The scrutiny committee identified many of these. Any attempt to improve the bill piecemeal would be complex and could have all sorts of new and unintended consequences. All of this is a reflection of the history of the bill being a cobbled together version of the stripped down HPA.

In fact, the explanatory notes for the bill admit that this bill “creates legislation which mirrors the current arrangements under which the board operates”. Ambitiously, perhaps, the explanatory statement goes on to say that the bill:



... aims to modernise and update to reflect current drafting standards and also to streamline the broader provisions of the HPA to be profession specific.

There is no mention that the bill provides for national recognition as called for by the AVA; nor does it say that this is aligned with the principles of the AVA model veterinary practice acts. It merely “mirrors” the current arrangements.

Without being prescriptive, the question is: what should be in the bill? I believe it should not just have modernised language to suit 2015 but that it should be a bill that is purpose written to address the current and future needs of the veterinary surgeons profession.

I believe the bill should at least contain high level objectives similar to those applying to medical practitioners, perhaps including: to provide for the protection of the public by ensuring that only veterinary surgeons who are suitably trained and qualified to practise in a competent and ethical manner are registered; to facilitate workforce mobility across Australia by reducing the administrative burden for veterinary surgeons wishing to move between participating jurisdictions or to practise in more than one participating jurisdiction; to facilitate the provision of high quality education and training of health practitioners; to facilitate the rigorous and responsive assessment of overseas-trained veterinary practitioners; to facilitate access to services provided by veterinary surgeons in accordance with the public interest; and to enable the continuous development of a flexible, responsive and sustainable Australian veterinary workforce.

This government has failed to address many of the needs of veterinary surgeons, who are an important profession and an important part of the business community in the territory. So the bill that is before us has some significant problems. It is a bill which creates a new 111-page act based on a stripped down version of an act that is going to be repealed. It is a bill that is riddled with complexity and contradictions. It is a bill about which the scrutiny committee raised significant issues. It is a bill that does not deliver the basic request of the profession that should be the subject of this bill. And it has tried and failed, in part at least, to resolve issues that have been outstanding since 2008.

Under most circumstances I would be inclined not to support such legislation, but we have consulted with industry and with the Veterinary Association, and we are aware that they support the need for stand-alone legislation despite the shortcomings of the legislation that will be passed today.

I think there is a recognition that this is not ideal but it is better than where we are. So on the understanding that this is a stopgap and a step towards a comprehensive review of the legislation, we will support the legislation today. But this could have been done a lot better, and I encourage the government to continue to work with industry to make sure that the legislation passed in this place provides the best framework for veterinary surgeons in the ACT.

**MR RATTENBURY** (Molonglo—Minister for Territory and Municipal Services, Minister for Justice, Minister for Sport and Recreation and Minister assisting the Chief Minister on Transport Reform) (11.31), in reply: The issue of animal welfare is a matter close to my heart, as members know. In the last few years this Assembly has passed important and leading-edge legislation to protect animals. The recent passage of amendments to the Domestic Animals Act will change laws to protect both animals and consumers from the sins of intensive breeding of animals for the pet industry.

In addition, the Animal Welfare (Factory Farming) Amendment Bill passed in 2014. It protects pigs and their offspring against the use of sow stalls and improves the environment for commercial egg producing hens by regulating the use of cages and in effect banning battery farming of eggs. These statutory changes are in step with community expectations.

No matter how the law supports the protection and wellbeing of animals, these initiatives would fail if the people who are specifically charged with the general wellbeing, health and care of sick and injured animals were not meeting the professional standards and behaviour of their calling as veterinary surgeons or, as they are more commonly known in the community, veterinarians.

The legislation we are discussing today, which I introduced in April, is the Veterinary Surgeons Bill 2015. This is the law which will allow for a body of peers to manage and provide regulatory and professional oversight of the profession in the territory.

As you will see in clause 6 of the bill, the first object of the legislation is the provision of veterinary services for the welfare and protection of animals. There is a common understanding that overseeing the work of veterinary surgeons is an important element in a rational decision to protect animals from harm.

In an era which actively encourages the reduction of government red tape and regulation, it may be challenging to think that regulation of the profession is necessary. However, one of the roles of government is to ensure that certain standards are met and, through regulation, reasonably mitigate risk where there is potential for harm. To this end, the second object of the act is that veterinary services are professionally and competently delivered.

Two areas of veterinary practice which are open to malpractice are the prescribed use of pharmaceutical drugs and the competent operation of dangerous equipment—for example, machines that use radiation and other potentially harmful processes. I do not want to dwell on the ways in which such access can be abused or recklessly dealt with, but veterinary surgeons are no different from other health practitioners in this regard. The great majority do not breach their duties or standards of professional care. But whether it is through mistake or carelessness, lack of training or diligence, or because of illness, things can, and unfortunately do, go wrong.

Public protection from the harm of such mistakes or deliberate breaches of professional standards is no less important than the potential harm to animals. The community, if through nothing else but their consumer rights, would expect that the

profession is sensibly and properly regulated to achieve this outcome. This is underpinned by the third and final object of the act, which is to ensure that there are occupational discipline mechanisms for a veterinary surgeon found to have acted unprofessionally or incompetently.

As I covered in my introductory speech, the veterinary surgeons profession in the ACT is currently regulated under the Health Professionals Act 2004. The act covered all health professionals in the ACT until a new national scheme was introduced to regulate health professions, with the exception of veterinary surgeons. It is no longer appropriate that veterinary surgeons continue to be covered in the territory by the Health Professionals Act, which is now largely redundant legislation. With only one board, the Veterinary Surgeons Board, operating under the act, many of the act's provisions—indeed, whole parts of the act—are no longer relevant or necessary. The Veterinary Surgeons Bill creates legislation which mirrors the current arrangements under which the board operates. It is improved by recognising only veterinary surgeons and by addressing the specifics of the current operation of the Veterinary Surgeons Board.

To return to the bill's object of providing occupational discipline mechanisms, the occupational discipline process captured by the bill remains the same as that contained in the Health Professionals Act. As I stated when the bill was introduced, the Human Rights Commission, through the Health Services Commissioner function, continues to have a role in the review process relating to complaints; personal assessment and professional standards panels remain a feature of the system; and the role of the ACT Civil and Administrative Tribunal, ACAT, remains and includes a role in determining the removal or suspension of a registered veterinary surgeon.

As stated, the bill provides for a peer board to cover the regulation of veterinary surgeons. The board has seven members, and all except the community representatives are trained in veterinary science and are registered veterinary surgeons. Three of the members are elected by the membership of registered veterinary surgeons in the ACT. The other four members are appointed by the minister. Appointments include a specific appointment to the role of president and also to that of community representative. This arrangement reflects the current organisation of the board under the Health Professionals Act. The functions of the board also remain as they are, as do the powers and authority to make fees, approve forms and the like. The bill will not change the operation or scheme under which the board operates.

Other features of the bill provide that all resident veterinary surgeons must be registered; registered veterinary surgeons must have, and maintain, qualifications to practice; there are requirements for ensuring that the register of veterinary surgeons is accurate, up to date and available to the public; and terminology has been updated and provisions modernised to take account of current drafting styles. In addition, the bill repeals the Health Professionals Act 2004 and associated legislation as no longer being required to support a territory scheme for health professional regulation.

I would like to briefly touch on comments made by the Standing Committee on Justice and Community Safety in its legislative scrutiny role. I thank the committee for its comments. I trust these have been adequately addressed in my written

comments to the committee. One of the themes of the committee's comments is the role of the Human Rights Commission. I believe that it is worth reiterating my comments in this place to ensure there is a common understanding of the relationship between the board and the commission.

The role of the Human Rights Commission is carried out by the Health Services Commissioner. This role is well established and is a role that, under the Health Professionals Act, operated in relation to all health professional boards. The Health Services Commissioner continues to have a role in the regulation of health practitioners under the national laws.

Chapter 7 and division 5.3 of the bill provide clarification regarding the interaction between the Veterinary Surgeons Board and the commission. In effect, the commission and the board must consult with each other on any complaints received by either entity in relation to veterinary surgeons. The entities must agree to a way forward consistent with any legislation; if they cannot agree, the most serious action chosen by the board or commission prevails.

This is no different from the regime that has operated under the Health Professionals Act 2004 and that the Veterinary Surgeons Board came into in 2007. It is well understood by both the commission and the board and it recognises the different skills and considerations that are brought to bear in assessing complaints and determining further action. Because of this interaction, the system has inbuilt checks and balances, enhancing, rather than detracting from, the management of the profession and complaints.

The other matter that I want to touch on is the committee's question as to whether the granting of complaint rights was too broad. It is a fair question to consider. Under the bill, complaint rights are provided to people beyond the user of the service. It is clear that while a user should be able to complain about a health service, it is often others who are better placed to identify the malpractice. The bill provides that despite any other professional or legislative restraints, a person can make a complaint about a veterinary surgeon where there is a question of professional competence or breaching of standards.

A veterinary surgeon is a person who, due to their professional standing and qualifications, is held to a high level of accountability. As I stated in my response to the committee, limitations placed on a veterinary surgeon's personal rights and liberties in their professional capacity are justifiable, being outweighed by the overarching need to protect public health and safety. As health professionals, they are accountable, through the board, to the community, particularly where there is a reasonable question of malpractice. This bill reflects this position.

I now table a revised explanatory statement to include clarification on a number of issues raised by the committee. This does not change the substantive consideration of the bill contained in the explanatory statement.

Lastly, the bill contains transitional provisions which will ensure smooth running and the transition of the existing board to the new act. This includes carrying over

registrations of veterinary surgeons and seamlessly progressing any complaints and investigations which were made or commenced under the Health Professionals Act. In particular, the transitional arrangements will ensure that the current members of the board will see out their terms of appointment, whether appointed by me as minister or as elected members. This is, I believe, appropriate.

I turn to some of the points raised by Mr Hanson in his remarks today. Let me first address the issue of national recognition of veterinary registration. The government is aware of the requirements to implement changes to progress national recognition of veterinary registration as agreed by Australian states and territories. Changes to ACT legislation have not previously been made because of the particular characteristics of the ACT where practice registration for veterinary surgeons was tied to the generic legislation of health professionals.

In consulting with the ACT Veterinary Surgeons Board in preparation for this bill, I am advised that there were some related issues that the board wished to examine before committing to legislative change on this matter. Nonetheless, both the board and the government are committed to ensuring that the ACT works towards implementing changes that will promote national recognition of registered veterinary surgeons. The regulations under the new act, for example, will recognise interstate registration by providing a streamlined registration process for veterinary surgeons registered in other Australian jurisdictions. It will do this by reducing the paperwork and evidence needed to substantiate registration.

Those remarks about national recognition go to the specifics of the national scheme and why specific implementation has not been done. But they also go to some of the broader issues that Mr Hanson raised about other amendments that might be made to the regulation of veterinary surgeons in the ACT. I believe I made these comments in my introductory remarks, but certainly this is not the end of the road when it comes to work in this area. It is quite clear that what we are seeking to do is simply move, in a fairly basic way, out of the Health Professionals Act, which is now clearly outdated, to the creation of a standalone veterinary surgeons system.

I agree with Mr Hanson that there is further work to be done, but I took a deliberate decision to do this in a staged way. We need to move past what was quite a clunky situation where the vets were covered under something that was rather more generic. We have now taken the first step in improving the situation, in having dedicated legislation. There is room for further reform. That is where I am keen for the Veterinary Surgeons Board to play a role and to undertake further consultation. But I did form the view that to have done both in one step would have been rather more complicated and would have delayed taking this first step, a step that I believed needed to be taken as soon as possible.

I can assure members that further work does need to be done, and will be done. But today this was about creating a mechanism to ensure that vets have their occupational specific legislation and regulatory powers that are targeted to the profession. It heralds a new recognition of the veterinary surgeon profession in the ACT. It provides an appropriate avenue for complaints and a framework for investigation of occupational discipline. It will protect the public, users of veterinary services and animals.

Importantly, it will fulfil the purpose of the legislation as expressed through clause 6, which details the statutory object of the bill—to ensure that veterinary services focus on the welfare and protection of animals, ensure the provision of professional and competent services and ensure that occupational discipline mechanisms are in place to address acts of unprofessional or incompetent conduct. These are important steps. Future steps, I agree, will be needed. I look forward to discussion of those with the Assembly when that progress is made—as well as in consultation with the profession.

I commend the bill to the Assembly.

Question resolved in the affirmative.

Leave granted to dispense with the detail stage.

Bill agreed to in principle.

## **Road Transport Legislation Amendment Bill 2015**

Debate resumed from 14 May 2015, on motion by **Mr Rattenbury**:

That this bill be agreed to in principle.

**MR HANSON** (Molonglo—Leader of the Opposition) (11.45): I indicate at the outset that the opposition will be supporting this bill in principle but we have a concern with one part of this bill and will not be supporting the late notice amendment that the minister has circulated. The Road Transport Legislation Amendment Bill 2015 makes a number of amendments to the ACT road transport legislation and the Crimes Act 1900 to improve road safety and improve the administration and enforcement of the road transport legislation. That is the aim.

The bill does a number of things. It creates a new offence for drinking alcohol while driving a vehicle. It amends the offence relating to burnouts to include other similar antisocial or dangerous driving behaviours, exempts police recruits undergoing driver training from having to comply with specified aspects of the road transport legislation to allow police recruits to receive necessary driver training, and allows for seizure of vehicles by notice to surrender—this will provide a more flexible and efficient means by which vehicles are subject to existing seizure provisions.

It provides for an alternative verdict for the offence of culpable driving of a motor vehicle, to enable a finding of guilt for a lesser driving offence. It allows certificate evidence about whether an area is a road or a road-related area, which will support a more efficient criminal justice system by avoiding the need for the owner or manager of land to attend court in person to provide evidence that the land is or is not used for driving, riding or parking of vehicles. It bans the use of bicycles powered by an internal combustion engine on a road or road-related area. I indicate this is the area that we are concerned about.

Finally, as I mentioned, the government has circulated and advised a late notice amendment to the bill that provides that the Road Transport Authority is prevented

from providing information about registered vehicles by a court process of discovery for the purpose of a car park operator charging car park fees. We will not be supporting that amendment.

I will turn first to the offence of drinking alcohol while driving. The new offence of drinking alcohol while driving a vehicle amends the Road Transport (Alcohol and Drugs) Act to include a new strict liability offence for consuming alcohol while driving. This is a piece of legislation probably that many people thought already existed. It is certainly not logical that when sending a message to drivers about not drinking and driving it would be legal to drink whilst driving. This amendment supports all the road safety messages about responsible driving, including the “drink or drive” road safety message.

I turn to another aspect of the bill, relating to burnouts. Canberrans who suffer the noise, disruption and danger caused by “hoon” behaviour in motor vehicles will be pleased to see that this amendment has been brought into law. The problem in the past has been that this sort of driving has been defined by describing the types of driving activities—for example, burnouts, handbrake turns, wheelies, drifting and J-turns. The new clause 17 replaces the existing definition of burnout with a definition of “improper use of a motor vehicle”. The content of the definition has not been substantially altered and continues to refer to operating the vehicle in a way that causes the vehicle to undergo sustained loss of traction by one or more of the vehicle’s wheels. We will be supporting this aspect.

There is a clause that exempts police recruits undergoing driver training from having to comply with specified aspects of the road transport legislation. This allows police recruits to receive necessary driver training which involves departure from the road rules. This allows them to be trained in the same way as sworn officers are without breaking the law.

There is a clause that allows for seizure of vehicles by notice to surrender. ACT police officers can currently seize and impound a motor vehicle if an officer believes that the vehicle is being or has been used by a person in committing any of certain specified offences. This bill provides a power for an ACT police officer, who believes on reasonable grounds that a vehicle is being or has been used in committing a relevant offence, to issue a surrender notice to the responsible person for the vehicle.

The amendments essentially support greater efficiency for police as they will not be required to arrange for the towing of a seized vehicle immediately, nor remain with the vehicle until it has been towed away. They will not have to account for and make inventories of all property in the seized vehicle. It will also make it substantially easier for those who are surrendering their vehicle. I think it is a positive outcome.

There is a provision to allow for an alternative verdict for the offence of culpable driving of a motor vehicle. This amendment will enable a finding of guilty for a lesser driving offence where a court is not satisfied that the offence of culpable driving is made out. It provides an opportunity for an alternative verdict for someone charged but not found guilty of culpable driving.

To achieve this conviction, the courts currently have to find a driver guilty of gross negligence. There have been cases where death or grievous bodily harm has been the result, but the driver has not shown gross negligence. With the ability to be found guilty of the lesser offence of negligent driving, the courts will be able to find a driver guilty where the actions were not as bad as gross negligence. That makes sense, and we will be supporting that provision.

The provision allowing for certificate evidence about whether an area is a road or road-related area provides support for a more efficient criminal justice system by avoiding the need for the owner or manager of land to attend court in person to provide evidence that the land is or is not used for driving, riding or parking of vehicles. I think that would be a welcome relief, as it is an unnecessary waste of time for third-party members of the public in these cases.

An area of concern that we do have—it will require us to go to the detail stage and we will not be supporting this element—is a ban on the use of bicycles powered by an internal combustion engine on a road or road-related area. This amendment bans the use in public places of bikes modified with motors—that is, internal combustion motors. Currently pushbikes designed to be pedalled cannot be registered if they have an auxiliary motor of more than 200 watts. That is contained in the Road Transport (Vehicle Registration) Regulation 2000, section 20. This is the same as the current Australian road rules adopted by other states and territories. The Australian road rules define a bicycle as:

**bicycle** means a vehicle with 2 or more wheels that is built to be propelled by human power through a belt, chain or gears (whether or not it has an auxiliary motor), and:

- (a) includes a pedicab, penny-farthing and tricycle; but
- (b) does not include a wheelchair, wheeled recreational device, wheeled toy, or any vehicle with an auxiliary motor capable of generating a power output over 200 watts ...

That is the current definition. It seems to be an appropriate definition and it limits the power of an engine that can be legally added to a standard pushbike. This is certainly the case perhaps for more elderly people who are still keen to ride a bike but do need some element of auxiliary power, be it from an electric motor or from a small combustion motor.

There are currently small combustion motors, rotary motors, that are available, that comply with the Australian road rules, that comply with the ACT legislation and that have this effect. I have mentioned this to the minister. I have advised him of the website where you can see that these motors are available. These provide assistance in exactly the same way as electric motors do, with the requirement that they do not provide more than 200 watts. So these motors are available.

Currently under the legislation you cannot strap a lawnmower motor to your pushbike and comply with the law. You would not get that registered. It seems, based on the



briefings that my staff have taken, that the legislation being enacted is in response to one incident, a very sad incident, in which an individual crashed a motorised bike and sadly died. It was reported in the press that that individual was not wearing a helmet. Certainly the sort of engine that that individual had on his pushbike would not have been compliant under the existing legislation. So the problem is not with the legislation. That would not have been a registrable bicycle. So it would not have been compliant under ACT legislation. It would not have been compliant under the Australian road rules.

I do understand that the intention of this is to make it easier on the ground for police to monitor and say, "If you ban all petrol engines it makes it easier for us to not have to worry about determining whether it's under 200 watts or over 200 watts. Let's just ban them all." The problem with that is that those devices are already banned, so you are not going to change those sorts of behaviours. It will pick up anybody who is currently working within the rules, within the guidelines, with a small rotary engine perhaps, that provides less than 200 watts, doing the right thing and doing exactly what the electric motors currently provide.

It seems that, for whatever reason, if you have an electric motor, the government is saying it is okay. If you have a petrol engine, it is not okay. This would make our laws inconsistent with the Australian road rules. The only argument that seems to be put forward is that it will make it easier on the ground to determine whether something is above or under 200 watts. That is not a good enough reason. It should be pretty evident, I would have thought, on inspection by police or any other authority as to whether it is a small rotary engine under 200 watts or whether it is some retrofitted lawnmower engine. I do not think that is the sort of complexity that is going to bother a police officer on the ground.

Given that, I see no compelling argument to change this legislation when it is in response to something that is already not legal in the ACT. It is essentially punitive and is outlawing something that would still be permissible with an electric motor. The case has not been made. We want to encourage bike use. We want to encourage it particularly for older Canberrans who might need that sort of assistance from a small motor. I do not know how many people are using that assistance, but if there are any, we will be saying to those people, "You can't do that anymore. Get off your bike." I cannot imagine why Mr Rattenbury, who often talks about wanting to encourage bike use in the ACT, would now be introducing legislation that would make that illegal in the ACT.

I foreshadow that we will not be supporting the amendment that has been provided at late notice. I do acknowledge that there are reasons for the late notice, and I do acknowledge that my staff received a brief on this. But the reality is that this is coming in at late notice. This is about preventing the Road Transport Authority from releasing private information to car park owners. Any business has the right to legally recover its debts through any legal means. Making it harder, or indeed impossible, for a business to legally recover debt is something that needs to be approached very cautiously. In this case it is entirely arguable that without this process businesses of this sort will not be able to recover debts without either substantially or expensively altering their business model or involving the government's time and resources.

In the worst cases this may lead to businesses resorting to practices such as wheel clamping as their only real way of recovering debt. That would not be a satisfactory outcome for both the operator, who is incurring significant new expense, or I am sure for the motorists. I know that there may have been instances of unscrupulous practices in other jurisdictions, but this is not apparently the case here. I have not had any allegation or assertion that that is the case here. Removing the right of a legitimate business to that possibility is itself a substantial risk.

I would be intrigued as to what the scrutiny committee would make of this, but this has not been through scrutiny. When we are restricting the rights of individuals or businesses, for something like this not to have come through scrutiny gives me no comfort in having an ability to support it.

This bill fundamentally alters the right of discovery for one single group of businesses. The legal means that we have established in our society have been long-thought-out and refined over many years and in many cases to provide equality before the law and access to its processes. This would plainly create an unequal application of the law where certain businesses have their right to discover curtailed in ways that others do not.

In terms of the urgent need for this amendment, I am advised by my staff who have received a briefing that this is in response to a court case currently on foot. I need hardly remind this chamber that kneejerk, rushed legislation in response to a single case is not a good way to make law. This is especially so when the urgent amendment alters both a fundamental business right and a broad right to the utilisation of legal processes.

At the very least, if such a change were to be considered, it would have to be in a properly examined manner. We would like this to go through scrutiny and not be rushed through at the last minute in order to block one company in one case. That is not the way to enact law in any parliament. I foreshadow that we will not be supporting that amendment when it is moved by the minister.

In summary, there are some good things in this bill that the opposition is pleased to support. Indeed there are some areas that will make it easier for people on our roads; there are some areas that will make it safer for people on our roads. And we support that. But the element that will make it illegal for people who are doing something that is currently pretty safe—it is consistent with the Australian road rules and consistent with what can be done with an electric motor—is unfair and punitive. The case has not been made out. Simply doing it as a blanket ban, outlawing something that is currently legal, is an illogical argument. We will not be supporting the amendment that will be moved by Mr Rattenbury for the reasons that I have outlined.

**MR RATTENBURY** (Molonglo—Minister for Territory and Municipal Services, Minister for Justice, Minister for Sport and Recreation and Minister assisting the Chief Minister on Transport Reform) (12.04), in reply: I thank Mr Hanson for his contribution to the debate. This government is committed to improving road safety in the ACT and in particular to reducing the number of senseless deaths and injuries that

occur on our roads. The Road Transport Legislation Amendment Bill 2015 will enhance the effectiveness of the road transport legislation and the Crimes Act, which provide our legal framework for achieving road safety. These amendments will improve the administration and enforcement of the road transport legislation.

I table a revised explanatory statement for the bill. This revised statement addresses comments on the bill, helpfully provided by the Standing Committee on Justice and Community Safety in its scrutiny committee role. The main changes in the explanatory statement include an expanded discussion of the human rights potentially engaged by the vehicle seizure provisions in the road transport legislation. The revised statement also rectifies some incorrect numbering references in the previous statement.

I also notify members that I have written to the Leader of the Opposition to advise of my intention to move an additional amendment at the detail stage of debate. Mr Hanson has provided some comments on that already. I intend to make my comments in the detail stage and focus just on the broader bill at this time. Let me focus for the moment on the amendments made by the current bill. As I say, I will turn to the issues around the late amendment during the detail stage.

Members would be aware of the ACT's road safety message "Drink or drive". The first amendment made by the bill supports this message by creating a new offence of drinking alcohol while driving a vehicle. For many years the ACT has had laws which prohibit driving while having over a certain blood alcohol concentration. However, there is an anomaly in our laws in that it is still legal for people to consume alcoholic drinks while they are driving. This is clearly inconsistent with the need to separate drinking and driving and the "Drink or drive" message.

This amendment fixes this gap in the law and reiterates to the community that drinking alcohol and driving do not mix, can lead to devastating consequences and that there must be a clear separation between the two. The amendment will also align the ACT with other jurisdictions which have similar offences including New South Wales, Victoria and Queensland.

The bill's second amendment is to amend the current offence relating to burnouts so that it includes other potentially dangerous driving behaviours such as wheelies, drifting and handbrake turns. The current offence has been interpreted narrowly by the courts, meaning that some drivers who deliberately engage in these behaviours are not being sanctioned. The amendment will ensure that the focus is on driving behaviours that involve the loss of traction of driving wheels, rather than simply on burnouts. This will give effect to the Legislative Assembly's original intent.

The existing defence applying to a driver's accidental loss of traction will continue to apply to the amended offence. This will also support police enforcement of safe driver behaviour and better reflects the position adopted by other jurisdictions, with similar approaches applying in both New South Wales and Victoria.

The third amendment made by the bill will exempt police recruits undergoing driving and rider training from having to comply with particular aspects of the road transport legislation. Driver and rider training is an essential part of a police officer's training

and involves departures from the road rules and other provisions of the road transport legislation in order for police to develop their skills in high-speed driving, pursuits and escort duty. The road transport legislation currently provides an exemption for sworn police officers undergoing driver and rider training. However, it does not cover police recruits and it is essential for police driver and rider training to be undertaken by police recruits before they are sworn in so that they have the skills and abilities required of sworn officers.

The next amendment in the bill relates to the ACT's existing vehicle seizure and impoundment scheme. Currently an ACT police officer may seize and impound a motor vehicle if the officer believes on reasonable grounds that the vehicle is being or has been used by a person in committing particular offences against the ACT's road transport legislation. These offences include menacing driving, speed trials and attempts on speed records. This bill will provide ACT police officers with the power in these circumstances to issue a notice of surrender for the vehicle. The notice will be issued as an alternative to police exercising a currently available power to immediately seize the vehicle and will require the responsible person for the vehicle to surrender the vehicle for impounding by a certain date and time.

This amendment does not change the underlying vehicle seizure scheme but merely provides a more flexible alternative by which a vehicle can be surrendered to police. It will also reduce the immediate burden on the person responsible for the vehicle by allowing him or her an opportunity to remove personal items and make other transport arrangements before the vehicle is surrendered.

Having considered the comments on the bill made by the scrutiny committee, the revised explanatory statement further explains how any human rights limitations that potentially arise from this amendment and from the vehicle seizure scheme itself are necessary and proportionate given the harm that could be caused by the offending behaviours. These behaviours both pose a significant road safety risk and insofar as they often create unpleasant noises and smoke are likely to disturb or distress other members of the community.

The fifth amendment in the bill provides for an alternative verdict for the offence of culpable driving of a motor vehicle. The amendment will provide that the offence of negligent driving occasioning death or grievous bodily harm is an alternative verdict to the offence of culpable driving. This will allow a jury which is not satisfied that a defendant is guilty of the offence of culpable driving but is satisfied that the accused is guilty of the offence of negligent driving occasioning death or grievous bodily harm to find the accused guilty of the alternative offence. This will ensure drivers are appropriately sanctioned for serious driving misconduct that kills or seriously injures other road users and will deliver efficiencies in the judicial process.

The sixth amendment made by this bill is an evidential reform. In many proceedings under the road transport legislation it must be demonstrated that the conduct in question occurred on land that is a road or road-related area. Currently, owners of the land in question often have to attend court in person to give evidence about whether their land is or is not a road and whether or not an area of land is open to or used by the public for driving, riding or parking vehicles. The amendment allows for an

evidentiary certificate to be issued by an owner or a representative of the owner to state these matters. Information presented in the certificate is evidence of the proof of the matter stated unless there is evidence to the contrary. Allowing owners of land to provide evidence by evidentiary certificate reduces the inconvenience to those people as they will no longer have to attend court in person to give evidence.

The seventh and final amendment made by the bill prohibits bicycles powered by internal combustion engines being used on the ACT's roads or on road-related areas. These bicycles are currently treated by the road transport legislation as a regular bicycle and can legally be used in the ACT provided the power output of the engine does not exceed 200 watts. In reality, it is not possible for internal combustion engines of 200 watts or less to provide enough torque to actually move a bicycle.

ACT Policing regularly come across standard bicycles that have been modified by adding motors taken from lawnmowers and other engine-powered items that significantly exceed the 200 watt limit. However, the brakes, the body, the drive train and the wheels of standard bicycles are not designed to deal with the stresses and forces produced by this type of engine.

Sadly, a number of users of these bicycles have been killed or seriously injured, including in the ACT. People using these bicycles also pose risks to the safety of other road users. These road safety risks have led both Queensland and New South Wales to ban the use of these devices. Once modified in this way, standard bicycles essentially become motorbikes and this change ensures that they will now be treated as motorbikes. Anyone who wishes to ride one of these bicycles on the ACT's roads or road-related areas will need to first ensure the bicycle is registered as a motorbike.

In reality it is very unlikely that these modified bicycles would be able to comply with the relevant motorbike safety and design rules that would allow them to be registered as motorbikes. The view of bicycle retailers, cycling clubs and representative bodies such as Pedal Power were sought on this amendment and all supported the proposed ban.

I did listen to Mr Hanson's comments on this today and I was surprised that he did not support this amendment. Firstly, this bill has been on the table for some months now and there has certainly been plenty of opportunity to have a further discussion about this. Mr Hanson, in some earlier remarks, said that he has seen a particular engine that he thinks could be safe and could fit within the rules. There might be a discussion to be had there but that could have been easily done any time in the past two months since this bill was tabled. I am not even sure that that is, in fact, the case because this bill is all about safety for the community. It is intended to prevent deaths and injury.

There are a number of points that I think can be made that counter the observations made by Mr Hanson today. Firstly, and most importantly I think, combustion engines do not cut out power at certain speeds as the pedelec bikes do. I believe Mr Hanson in his remarks said that they behave exactly the same. That is clearly not the case. The pedelec bikes do have a speed limiter built into them. For most models it is at 25 kilometres an hour and what that means is that you cannot deliver the excessive speeds that some of these modified or homemade versions can generate. As I said,

certainly New South Wales and Queensland have both gone down the path that we are proposing.

It is also worth reflecting on work that has been done by experts in the field. For example, the New South Wales Centre for Road Safety did a number of tests on motorised bicycles in 2014. During these tests the centre found that engines used in petrol-powered bicycles produced more than 200 watts of power, that some are sold with a limiting device that restricts their power output and that these may be marketed as complying with the 200-watt limit. The centre found that this restricting device could easily be removed or bypassed in less than five minutes resulting in the engine producing well over the 200-watt threshold.

As I observed earlier, the advice I have is that you would need more than 200 watts to generally power a bicycle. People, of course, are going to want to have more than 200 watts of power. Clearly there is going to be a strong motivation there to exceed the existing rules. It is also worth noting that the New South Wales Centre for Road Safety, in relation to engines retrofitted to standard bicycles, found:

Overall, the fact that the petrol engine and components are retrofitted to standard bicycles rather than petrol-powered bicycles being manufactured as a discrete unit has resulted in many of the parts not being properly housed, which either means they pose a risk to the rider during normal activities or there can be damage to such an extent that they represent a risk to the rider, for example, if the fuel hose becomes punctured due to localised contact with heat and the engine drive chain that rotates at a considerable speed is fully exposed.

They also said:

The risks associated with retrofitting petrol engines onto standard bicycles is not confined to vehicles sold as petrol-powered bicycles as most suppliers also supply the engine assemblies for personal fitting to a bicycle. Indeed, this can compound the risks as most people retrofitting an engine to a standard bicycle are unlikely to have done the operation regularly and may not have developed the necessary skills to fit one properly.

I think we see a number of genuine safety issues here that are about providing a level of safety to our community and a level of standards that seeks to avoid dangerous situations from, I guess, backyard efforts at rigging up something. It looks like a lot of fun but is in fact quite unsafe.

I did note Mr Hanson's throwaway line about my motivation to get more people cycling. I think that is quite the case and that is why we are making efforts. The government has passed regulations to allow more pedelec bikes to come into the ACT. I think that most older people are going to be looking for that safer version and certainly since those regulations have passed we have seen a real takeoff in the use of electric-assisted bikes in the ACT, because more models are coming into the market and also through just generally increasing popularity. I think we are doing plenty to facilitate the usage of those whilst at the same time trying to strike that balance of taking the much more dangerous models off the road.

Overall, this bill makes a number of amendments to the road transport legislation. The changes are consistent with government policy to reduce the number of deaths and life-changing accidents on our roads. While the vast majority of Canberrans do the right thing, there does remain a small minority of road users who behave dangerously and threaten the safety of themselves and others. These changes will assist enforcement efforts and continue the government's ongoing efforts to increase road safety for all Canberrans. I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

### **Detail stage**

Clauses 1 to 11, by leave, taken together and agreed to.

Proposed new clause 11A.

**MR RATTENBURY** (Molonglo—Minister for Territory and Municipal Services, Minister for Justice, Minister for Sport and Recreation and Minister assisting the Chief Minister on Transport Reform) (12.19), by leave: I move amendment No 1 circulated in my name and a supplementary explanatory statement [*see schedule 1 at page 2485*].

As Mr Hanson foreshadowed in his remarks, I am proposing an amendment to the Road Transport (General) Act 1999 to insert a new provision preventing the Road Transport Authority from being compelled by any preliminary discovery process to disclose information about registrable vehicles and registered operators of registrable vehicles if the purpose of the preliminary discovery process is to recover private car park fees. I am moving this amendment urgently and seeking the Assembly's agreement because the ACT government is aware of a private car park operator seeking to use the preliminary discovery process to obtain the names and addresses of a large number of operators of ACT registered vehicles, essentially Canberra drivers. I am therefore seeking at the earliest possible opportunity to update the law and prevent the use of preliminary discovery for this purpose.

Given that the road transport legislation bill is currently before the Assembly, this is an opportunity to respond to this issue immediately to protect the personal information of a large number of ACT residents. It is important that the government makes this amendment to ensure the protection of personal information provided by members of the community to the government for vehicle registration and related purposes under the road transport legislation. There is a real and legitimate expectation by the community that government will protect such information and ensure that it is not disclosed to and exploited by commercial entities.

The amendment also aims to discourage car park operators from adopting business models that rely upon the large-scale disclosure of personal information held by government. Road transport authorities across Australia are agencies with extremely

comprehensive and current holdings of personal information. It is not appropriate for commercial entities to base their business models on extensive access to personal information held by these agencies, particularly when there are a number of other business models available that do not rely upon government disclosure.

Private car park operators can, for example, use boom gates to prevent customers from leaving without paying. The government also authorises private car parking operators to be parking authorities, and in these cases the government will conduct enforcement operations for the private operator. Unfortunately, it appears to be the situation that some car parking operators have decided that they do not want to use these methods to conduct enforcement at their car parking operations. Instead, they want to set up a model that relies upon constant access to the government's database of residents' registration information. This is not a practice this government supports.

That is important to reflect on, and I have thought carefully about the two tensions that operate here—the right of private car park operators to run a legitimate business and to be able to collect their parking fees versus the rights of personal privacy and the personal privacy principles that the government is subjected to. There are a number of legitimate business models that people can operate—and plenty of private car park operators do with boom gates and the like—that mean the government can go down this path and private car park operators can still operate legitimately.

Mr Hanson flagged the prospect of wheel clamping. Yes, that is an option that is available. There are certainly far better options available, and if a private car park operator chooses to go down that path, they will have to deal with community expectations and they may find their car park rather empty.

Road transport authorities across Australia are agencies with extremely comprehensive and current holdings of personal information, as I have said, and there is a need to protect this information and ensure it is not liable to disclosure to and exploitation by commercial entities. We should not support commercial business models based on large-scale access to personal information held by government. This is certainly not what residents in the ACT want or would expect.

Looking to other jurisdictions reveals how this situation can unfold. It results in serious consumer protection issues. Firstly, around Australia private car park operators have been found by various courts and tribunals to have issued documents closely resembling or purporting to be infringement notices. These notices are, in fact, claims for liquidated damages based on a reported breach of contract. The notices have been held to be both misleading, in that the documents deliberately resemble government-issued infringement notices, and as a matter of contract law unenforceable as the claimed damages have no connection to the actual losses suffered by the car park operator.

When considering a similar amendment to Victoria's Road Safety Act 1986, the Special Minister of State noted that there is a legitimate interest in restricting the ability of private car park operators to issue demands for excessive liquidated damages which, if contested, are likely to be declared unenforceable. The Special Minister of State further noted that although certain Victorian operators were lodging



bulk requests for preliminary discovery, very few matters were proceeding to court. It appears that some operators instead used the preliminary discovery process not with a genuine intention to seek damages through the courts but instead to support a business model of posting mass demands to customers and relying on a proportion of them paying.

Before passing similar legislation, New South Wales had to hand over tens of thousands of registration details to private firms. What are the firms doing with these details now? We do not know. They may be shared with other companies. Certainly many people received pseudo infringement notices from car parking companies in an effort to recover money. I am told that in Victoria the ability of private companies to obtain private data saw the emergence of essentially rogue car parking operators who would advertise free three-hour parking but with fine print that charged exorbitant prices if someone overstayed by even one minute. A car with a camera drives around scanning every numberplate and entering them into a database and presumably uses discovery later to access personal details and send fines to the registered owners. This is not the kind of practice we would accept in the ACT.

Mr Hanson also made the observation that this proposed amendment has not been to the scrutiny committee, and I have been very open in acknowledging that. Because of the late-breaking nature of this issue, it has not been possible to draft it in time to have it sent to the scrutiny committee. However, I note that it went to the scrutiny committee in Victoria where no comment was made.

That is relevant because Victoria is a human rights jurisdiction, as is the ACT. We address the human rights issues in the explanatory statement, and we have made that information available to the opposition as well in seeking to be up-front about the fact that this is being introduced at late notice but for quite important reasons, as I have outlined in my remarks today.

I conclude by saying that this amendment is about ensuring community confidence in the ability of the government to protect personal information, discouraging undesirable and in some cases unscrupulous business models and strengthening consumer protection more generally in the territory. These are important objectives that this amendment seeks to deliver. I commend the amendment to the Assembly to make sure that the ACT is on the front foot with this so our citizens do not suddenly find as a result of court action that the government has been unable to protect their private information.

**MR HANSON** (Molonglo—Leader of the Opposition) (12.27): I refer members to the comments I made in the in-principle stage. The opposition will not be supporting this late-notice amendment.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 7

Noes 6

Mr Barr  
Ms Berry  
Dr Bourke  
Ms Burch

Ms Fitzharris  
Mr Gentleman  
Mr Rattenbury

Mr Coe  
Mr Doszpot  
Mrs Dunne  
Mr Hanson

Ms Lawder  
Mr Wall

Question so resolved in the affirmative.

Clauses 12 to 42, by leave, taken together and agreed to.

Part 9 (clauses 43 and 44).

**MR HANSON** (Molonglo—Leader of the Opposition) (12.30): I have already outlined the opposition's concerns about this part of the bill in the in-principle debate, and I refer members to those comments. We will not be supporting part 9, including clauses 43 and 44.

Question put:

That part 9 (including clauses 43 and 44) be agreed to.

The Assembly voted—

Ayes 7

Noes 6

Mr Barr  
Ms Berry  
Dr Bourke  
Ms Burch

Ms Fitzharris  
Mr Gentleman  
Mr Rattenbury

Mr Coe  
Mr Doszpot  
Mrs Dunne  
Mr Hanson

Ms Lawder  
Mr Wall

Question so resolved in the affirmative.

Title agreed to.

Bill, as amended, agreed to.

**Sitting suspended from 12.33 to 2.30 pm.**

## **Ministerial arrangements**

**MR BARR** (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Urban Renewal and Minister for Tourism and Events): Madam Speaker, the Deputy Chief Minister will be absent from question time today as he is attending a meeting of health ministers in the Northern Territory. I will endeavour to assist members with any questions in the Deputy Chief Minister's portfolios.

**Questions without notice**  
**Planning—Manuka precinct**

**MR HANSON:** My question is to the Chief Minister. Chief Minister, are you aware of the 2002 master plan for the Manuka Oval precinct; and if you are aware of it, what is the status of this plan?

**MR BARR:** The 2002 master plan has been superseded by the 2012-13 master plan.

**MADAM SPEAKER:** Supplementary question, Mr Hanson.

**MR HANSON:** Was this master plan or any of its content ever incorporated into the territory plan?

**MR BARR:** There may have been some elements of work conducted 15 years ago or thereabouts that were incorporated in the territory plan at that time. The work on the new master plan for Manuka Oval began in 2009, so some six years ago, and was the subject of considerable discussion—a number of community fora and interested stakeholders—particularly focused on users of the facility.

In recent times, as a result of co-funding from the commonwealth government, we have been able to install lights at Manuka Oval and undertake a series of upgrades to the facility that now see the venue able to host, for example, the Australian cricket team on a regular basis, together with regular AFL content. In recent times, just in the last few weeks, nearly 15,000 people attended a match, I think the second or third highest crowd ever in the history of Manuka Oval.

The upgrades to the venue in recent times have been very strongly supported by the community, and it is the government's intention to continue to invest in Manuka Oval in order to improve amenity for spectators and ensure that Canberra continues to be able to host world-class cricket events and continues to be a major host of AFL football.

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

**MR DOSZPOT:** Minister, how was the 2002 redevelopment plan involving the building of a hotel on the Services Club site going to proceed, given it had a heritage listing at the time?

**MR BARR:** The range of issues associated with development in and around the Manuka Oval precinct were considered as part of the master planning exercise that took place particularly in the period 2009 to 2012-13.

**MADAM SPEAKER:** Supplementary question, Mr Doszpot.

**MR DOSZPOT:** Chief Minister, is it still the intention to build a hotel on the old Services Club site?

**MR BARR:** That is one possible option but by no means the only option for redevelopment associated with upgrades of Manuka Oval.

### **Schools—Telopea Park**

**MRS JONES:** My question is to the Minister for Education and Training. Minister, what communication have you had with the Telopea Park School parent community and the Manuka occasional childcare association parents to explain the need for the removal of land from Telopea Park School to erect a new childcare centre?

**MS BURCH:** I met with representatives of the Telopea Park P&C and the board.

**MADAM SPEAKER:** Supplementary question, Mrs Jones.

**MRS JONES:** Minister, in those communications, has any explanation been provided as to what steps could be taken when Telopea exceeds its capacity to accept enrolments from its priority enrolment areas, given it will have less land?

**MS BURCH:** Certainly the school is a very popular school. It is a local area school and priority area applies to the high school. Entry into the primary school is based on the bilingual program. We had discussions when I met with the P&C and board reps about that, and they will manage capacity. The school, like any other school that has priority areas, is committed to accepting all high school students in that area. It has a very proud tradition of following its primary school students through into the high school years. We believe that the school has the capacity and that it can manage the capacity, as do other schools across our system.

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

**MR DOSZPOT:** Minister, what assurances have you provided to Telopea Park School that tennis lessons will not be disrupted and will be allowed to continue until new courts are erected?

**MS BURCH:** The commitment to Telopea Park has been that if those tennis courts are indeed reconfigured into a childcare centre there will be an \$800,000 investment to Telopea school for the Telopea school precinct. The discussion with the school community is now in play about what that investment would realise and what it would look like. I encourage the school community to have input into that so that the \$800,000 invested on their school site provides what they are desiring.

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

**MR DOSZPOT:** Minister, have you consulted with the community services minister to ensure that the construction of a new childcare centre, if indeed it does go ahead, does not adversely impact on Telopea Park School's activities?

**MS BURCH:** I have regular conversations with all my cabinet colleagues.

**Economy—innovation**

**MS FITZHARRIS:** My question is to the Minister for Economic Development. Minister, could you update the Assembly on what practical steps the government is taking to accelerate innovation and create wealth and jobs?

**MR BARR:** I thank Ms Fitzharris for the question and for her ongoing interest in the support of wealth creation and job creation in this city. There is no doubt that a strong and growing economy is essential for this community. It is essential to meet the needs of Canberrans now and into the future. Our economy continues to grow and we continue to create jobs and wealth by accelerating our city's innovation sector and building on our city's strengths in higher education and particularly in service exports.

Our government, through the renewed business development strategy, is continuing to put in place the policies that create the right business environment and use our city's competitive strengths to accelerate innovation but, most importantly, to create jobs in Canberra.

One of our three strategic priorities outlined in the business development strategy is the acceleration of innovation. As part of this, we are providing additional funding to the CRB Innovation Network to support the growth of high-growth businesses, including the establishment of a new business incubator program known as the KILN incubator. The KILN program is a business program that aims to support budding Canberra entrepreneurs through a range of services, including coaching, mentoring, business advice and access to office space.

Today marks the opening of the 2015 competitive funding round for the CBR innovation development fund. The fund has been designed to support a range of initiatives aimed at developing capability and investment across the territory's innovation ecosystem. The fund offers \$700,000 for initiatives that build capacity and capability in the innovation ecosystem, demonstrate sustainable economic growth and, most importantly, promote local job development.

In 2016-17, the funding round will be increased to \$1.45 million. It is a working example of the government's commitment to the diversification of the territory economy by creating the right business environment, by accelerating innovation to create wealth and jobs and, importantly, by supporting investment in future growth areas.

Our city's higher education and research sector contributes \$2.7 billion annually to Canberra's economy and creates 16,000 full-time equivalent jobs for the Canberra community. That is why our government has funded a number of innovation programs such as the innovation connect grants that will be delivered in conjunction with the Australian National University and the University of Canberra's discovery translation fund.

Canberra's higher education sector has made a strong commitment to the CBR Innovation Network and recognises that a dynamic innovation ecosystem will assist

these institutions to achieve their goal of turning their high quality public research into commercial outcomes.

We only have to look at the range of successful Canberra companies such as FEI Australia, SmartWard, Enabled Employment and Aspen Medical to see that such innovation is vital to strengthening and diversifying our city's economy. My government's goal is to create more companies like these, which is why the government has decided to back our city's innovation sector.

**MADAM SPEAKER:** Supplementary question, Ms Fitzharris.

**MS FITZHARRIS:** Chief Minister, how does the KILN incubator provide business support services for potential high-growth companies?

**MR BARR:** I recently joined with the CBR Innovation Network, Entry 29, the Griffin Accelerator and ATP Innovations to launch the KILN incubator program to help grow innovative and high-growth potential Canberra companies. It has been designed in consultation with the local innovation community. The incubator is a business program that supports budding entrepreneurs and provides a range of services: mentoring, business advisory, coaching and, of course, office space. By working with budding Canberra companies the kiln incubator provides business support, resources and services, needs-based mentoring and technical assistance.

The incubator addresses issues such as isolation, lack of knowledge and funding difficulties by providing companies with links to mentors and expertise as well as important links to sources of capital. KILN incubator aligns with my government's priorities around accelerating local innovation to create wealth and jobs. This was outlined in detail in the government's 2015 business development strategy.

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

**DR BOURKE:** Chief Minister, how is the ACT government partnering with the university sector through collaborative research projects to track how the ACT economy is performing in key areas?

**MR BARR:** The government has outlined a transparent process to measure the success of our commitment to diversifying Canberra's economy through the business development strategy. This includes looking at a range of issues that contribute to economic development and diversification and covers such areas as the general business environment, innovation and commercialisation, and trade and investment through transparent reporting.

I have recently signed an MOU on measuring success with the University of Canberra. This MOU, which has a five-year life, will provide an opportunity to develop collaborative projects between the University of Canberra, the CBR Innovation Network and the territory government to measure the development and performance of our city's economy and the impact of the government's business development strategies. The first project under this MOU will focus on developing a framework for

measuring our city's economic competitiveness and then benchmark Canberra's performances against similar cities in Australia and overseas.

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

**DR BOURKE:** Chief Minister, can you inform the Assembly about successful Canberra companies that demonstrate why the government is taking these important steps to accelerate innovation?

**MR BARR:** There are numerous examples of high growth companies that have benefited from support available within our city's innovation ecosystem, and these include Enabled Employment, FEI Australia and Aspen Medical. The government's innovation agenda aims to create even more of these companies by ensuring that services are available to support them to create jobs and to support them to diversify our city's economy.

I am pleased to be able to inform the Assembly that tomorrow I will officially open SmartWard's new, expanded office. It was only three years ago that my predecessor, Katy Gallagher, opened SmartWard's first office in Hall and it is fantastic to be able to attend the opening of their new and expanded office. SmartWard is a successful, innovative Canberra-born starter developing cutting edge technology for the health sector and now employing 15 staff.

SmartWard technology automates patient care management and recordkeeping, providing protection against errors in medication delivery. Deloitte Access Economics has estimated that the adoption of SmartWard technology would save hospitals \$50,000 per bed per annum and if this was applied across our country's public health sector it would save \$4.4 billion per annum.

We know that entrepreneurs and smart businesses are essential to expanding Canberra's economic base, diversifying our economy but, most importantly, creating the new jobs for the future. My government's commitment to innovation in Canberra will seek to build on this innovation ecosystem to support the growth of more companies like SmartWard.

### **Planning—Manuka precinct**

**MR DOSZPOT:** My question is to the Chief Minister. However, before I do that, Madam Speaker, am I entitled to welcome the community here this afternoon?

**MADAM SPEAKER:** I suppose by way of preamble. It is an opening question. Yes, Mr Doszpot.

**MR DOSZPOT:** We are pleased to welcome here this afternoon members of the Telopea Park community, Mocca and other community groups in the Manuka and surrounding areas.

Chief Minister, not long after the loss of the Canberra Services Club building in a fire, senior club officials talked about the Canberra Services Club breaking ground in 2012

with a new building that would have strong architectural links to the one lost in the fire, and that the new club site would have links to the Manuka Oval redevelopment. A minimum budget for construction was suggested of between \$5 million and \$7 million, with potential additional funding sources from the Australian Federal Police Association. On 18 May 2014 the club president talked about a possible land swap deal adjacent to Mocca that would allow a much larger club and a residential complex to be constructed by DHA. This was to allow the ACT government access to the site as part of the potential upgrade of Manuka Oval. Given this idea has been discussed since early 2014, why was Mocca not informed?

**MR BARR:** I thank Mr Doszpot for the question. Discussions that have been undertaken by the Services Club needed to go through their membership. I understand that they also involved the membership of the former Canberra Club that was located in the CBD. Once a firm proposal was put forward, information was made available.

**MADAM SPEAKER:** Supplementary question, Mr Doszpot.

**MR DOSZPOT:** Chief Minister, when was Montgomery Oval considered a suitable site for construction of a childcare centre?

**MR BARR:** Areas of ACT government have sought to examine potential sites for additional childcare facilities in the inner south. As is evident to everyone, there are limited opportunities. Land is scarce; certainly suitably zoned land is very scarce within the inner south. A number of sites were investigated that have subsequently been re-investigated in relation to this matter. That was one site that was considered suitable.

**MADAM SPEAKER:** Supplementary question, Ms Lawder.

**MS LAWDER:** Chief Minister, when did the government know that Mocca was not in a financial position to rebuild or relocate?

**MR BARR:** The government had discussions with Mocca when it became apparent that a potential land swap was a way forward. It has sought to work with the board of Mocca to look at a variety of different options—either purchase of a block of land or being a tenant—

**Ms Lawder:** A point of order, Madam Speaker, the question was directly about when did the government know.

**MADAM SPEAKER:** I draw the Chief Minister's attention to the provisions of the standing order that the answer should be concise and directly relevant to the subject matter. It was a time-based question of when.

**MR BARR:** Thank you, Madam Speaker. In the last fiscal year.

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



**MS LAWDER:** Chief Minister, why did Telopea school only learn of the loss of their grounds in early 2015 when it was apparently known to the Services Club much earlier than this?

**MR BARR:** I reject the premise of the question from Ms Lawder. There has been no loss; no decision has been taken at this point. There are a range of options that are before the government. Information was provided to the school community through the school board—

*Opposition members interjecting—*

**MADAM SPEAKER:** Order!

**MR BARR:** and through engagement with the education directorate.

### **Planning—Manuka precinct**

**MS LAWDER:** My question is to the Chief Minister. Chief Minister, what discussions has the ACT government had with Defence Housing Australia over their desire to construct apartments on the site currently occupied by Mocca?

**MR BARR:** Defence Housing Australia are, of course, looking to expand their portfolio in various locations around the city as there is demand within the defence community, within the Australian defence forces, for more accommodation in the ACT. They have sought discussions with the territory government in relation to the construction of housing in joint ventures on a number of different sites across the ACT including this one.

**MADAM SPEAKER:** Supplementary question, Ms Lawder.

**MS LAWDER:** Chief Minister, what is the current maximum height restriction for residential dwellings in the Manuka shopping precinct?

**MR BARR:** I will need to check the detail of that, but one would imagine two to three storeys.

**MADAM SPEAKER:** Supplementary question, Mr Doszpot.

**MR DOSZPOT:** Chief Minister, will the Land Development Agency or another ACT government entity conduct community consultations on the construction of apartments and licensed premises in the Manuka shopping precinct?

**MR BARR:** Were such a proposal to be put forward, the proponents would, in this circumstance, be the partnership between the Services Club, the Canberra Club and Defence Housing Australia. They would lodge a development application and there would be consultation in relation to that development application. The development application would be lodged to the planning directorate.

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

**MR DOSZPOT:** Minister, when is a decision to be made on the construction of apartments and a licensed club on this site? The community seems to know more about this through word of mouth, but we would like to know when this decision is going to be made on the construction of apartments and a licensed club on this site.

**MR BARR:** A development application would need to be lodged. That would be the point at which construction would take place. I can make the following observations, though. There will be no move of Mocca until a new facility is constructed. So one would anticipate, given the time frames associated with the construction of new facilities, that this would be a number of years away; a number of years away.

### **Planning—Manuka precinct**

**MR SMYTH:** My question is to the Chief Minister. Chief Minister, on 10 July, on Chief Minister talkback on ABC radio, you stated that land swap arrangements were occurring because the Canberra Services Club lacks the capacity to rebuild its club on the existing site. Why is the Mocca site a more affordable and financially viable option?

**MR BARR:** Because its development partners and its location within the Manuka group centre would allow for a different style of development.

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

**MR SMYTH:** Chief Minister, what consideration was given to rebuilding the Services Club on its existing site under the same financial arrangements that are planned for the club on the Mocca site?

**MR BARR:** That is largely a question for the Services Club but my understanding is that the type of development and the development partnership that they are seeking with Defence Housing Australia would not be able to be constructed on the former site of the Services Club.

**MADAM SPEAKER:** Supplementary question, Mr Doszpot.

**MR DOSZPOT:** Chief Minister, why was the relocation of the Services Club a higher priority than the inevitable bankruptcy of a longstanding community childcare organisation and reduction of a school's playing fields?

**MR BARR:** I reject the premise of your question, Mr Doszpot; that is not what the government is seeking to do. The government is seeking to work with a number of different community organisations to achieve the following goals: a new home for the Services Club that was tragically destroyed by a fire more than four years ago now; recognition that there is increased demand for child care in the inner south of Canberra and that new and expanded childcare facilities will need to be created; and to ensure that the future development of Manuka Oval can occur.

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

**MR DOSZPOT:** Chief Minister, when will public consultation take place on the redevelopment of the Services Club site?

**MR BARR:** That will depend on the nature of any development application that is lodged and it will, of course, depend on who the proponent is in relation to any specific development on that site. Once there is a proposal that would involve an actual development, as opposed to the concept of development, there will be consultation on the specific proposal. But the Manuka Oval master plan consultation went for four years, from 2009 to about 2013.

### **Schools—Telopea Park**

**MR WALL:** My question is to the Minister for Education and Training. Minister, why are you satisfied that Telopea school's footprint should be reduced, and was the school principal instructed not to advise the school community when the land transfer was being processed?

**MS BURCH:** As part of this arrangement, should it proceed, we will see an investment of \$800,000 in new sporting and recreational facilities on the Telopea school site. At the moment I think there are about 12 sessions a week that are using the tennis courts. The master plan may support, and the school may support, bringing tennis courts onto the school precinct.

**MADAM SPEAKER:** Supplementary question, Mr Wall.

**MR WALL:** Again I ask the minister why she is satisfied that Telopea school's footprint should be reduced? Was the school principal instructed not to advise the school community about the land transfer process? Does the minister have plans to reduce the priority enrolment area for the school, remove the French school or construct demountables on the already reduced playing area when the school reaches capacity enrolment?

**Mr Doszpot:** Supplementaries?

**MADAM SPEAKER:** Wait for it, Mr Doszpot; wait for it.

**Mr Barr:** Let the minister answer the question first.

**MS BURCH:** I am quite happy to go to the supplementaries—

**MADAM SPEAKER:** Maybe Mr Doszpot knows the answer to the question, or maybe he thinks he does. But he does not get to answer the question. Minister Burch, you do.

**MS BURCH:** Certainly the use of demountables is common practice across our schools to accommodate the ebb and flow of growth in and movement of student

numbers. It has been discussed about the size of the school and whether it has a student-to-land ratio area. It is not the school with the highest population. We can accommodate this. I understand that the school does not want to lose its tennis courts, which is why this government has made a commitment of \$800,000 to invest in new recreational facilities. Not every child at Telopea school accesses the tennis courts. There are 12 classes, as I understand, per week. That is a lot of students who are not using the tennis courts. There are a lot of schools across our community that would welcome an \$800,000 investment.

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

**MR DOSZPOT:** Minister, I will ask again. Mr Wall's question was: was the school principal instructed to not advise the school community when the transfer was being processed? That is the question we are asking you.

**MS BURCH:** That is not my understanding.

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

**MR DOSZPOT:** Minister, what alternative options do parents have if their children cannot attend Telopea school?

**MS BURCH:** If they are primary school students, they can access the other grand public education schools that are available. Red Hill and Forrest are open to parents in the area, Mr Doszpot.

### **Planning—Dickson**

**MR COE:** My question is to the Minister for Planning. The *Canberra Times*, on 24 July, reported that a development in Dickson section 72 will be going ahead, with a draft territory plan variation to be released shortly for consultation. A letter in the *Canberra Times* on 28 July from Caroline Le Couteur of Downer said the LDA had implied to community representatives that the territory plan variation was "months away". Minister, when will the draft territory plan variation be released?

**MR GENTLEMAN:** I thank Mr Coe for his question. It is a very topical subject for Dickson and north Canberra residents. As you are aware, the territory plan variation consultation started some time ago. The directorate has been involved—both LDA and EPD have been involved—with the community over at least a year now in consultation with what should occur at the site of section 72 in Dickson.

As you would remember, it was part of an old club and there was also some urban open space. The rezoning of the 72 section is to include residential use. That is to be included as part of the first omnibus territory plan variation, and that began last year as well. The community council was talked to in August last year as part of the community drop-off. In both instances, the consultation was deemed ineffective due to overriding concern that a temporary car park was needed for that area near the pool.

It was agreed to remove section 72 in the first place from the omnibus territory plan variation and deal with it separately. Now, as soon as that consultation has gone forward, the information from that is being dealt with and determined within the directorate. I can advise that it is not imminent.

The directorate have advised me that they intend to take the comments from north Canberra community residents on board. Indeed, they have changed many of the original components of the original variation to conform with some of the comments from the North Canberra Community Council. They will take those comments on board. They will then go back and, I believe it was either this week or next week, do another letterbox drop to residents around the area. From that, they will come forward with the variation.

**MADAM SPEAKER:** Supplementary question, Mr Coe.

**MR COE:** Minister, why was it implied to community representatives that the process was months away when the *Canberra Times* was told that the draft variation will be released soon.

**MR GENTLEMAN:** I saw the comments in the *Canberra Times* as well, and they contradict what was advised to me by the directorate. My understanding is that they have worked well with community residents, they have taken their comments on board and the variation is quite some time away.

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

**MR DOSZPOT:** Minister, what communication have you had with the CFMEU or the Tradies about the proposal and the project?

**MR GENTLEMAN:** None at all.

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

**MR DOSZPOT:** Minister, what consultation took place with the community prior to the territory plan variation being released?

**MR GENTLEMAN:** I understand that the Land Development Agency had consultations with the community prior to the preparation of the territory plan. I do not have the details of those consultations with me as it is not in my directorate, but I am happy to get those details and come back to the Assembly with them.

### **Children and young people—child and family centres**

**DR BOURKE:** My question is to the Minister for Children and Young People. First, like Mr Doszpot, I welcome the visitors to the gallery this afternoon. Thank you for coming along, because you have certainly reduced the opposition's interjections this afternoon to what is, in my experience, an all-time low.

*Mr Hanson interjecting—*

**MADAM SPEAKER:** Order, Mr Hanson! I know Dr Bourke may have asked for that, but it is still disorderly. Do you have a question, Dr Bourke?

**DR BOURKE:** I do, Madam Speaker. Minister, can you inform the Assembly about the work of the ACT's child and family centres?

**MR GENTLEMAN:** I thank Dr Bourke for his interest in our child and family centres across the ACT. The ACT's three child and family centres are located at Gungahlin, Tuggeranong and west Belconnen. They provide holistic, universal and targeted community-based services for children aged zero to 12 years and their families. The child and family centre staff employed by the Community Services Directorate are highly skilled, experienced and qualified practitioners with health, welfare or education qualifications. Other partners at the centres include staff from ACT Health and a variety of community agencies.

Child and family centres have an established service delivery model that provides a range of universal and targeted services based on the needs of children and their families. There is a strong emphasis on outreach services in homes, schools and the community. In addition to assisting parents with information and support, child and family centre workers provide case management and therapeutic support to vulnerable children and their families. There are currently over 20 programs specifically delivered by child and family centre staff. These programs cover areas such as early intervention and mental health, parenting programs, early learning and community development.

Child and family centres currently work in partnership with a range of community-based organisations to deliver an additional 30 services and programs. Community partners include Gungahlin Youth Aboriginal Corporation, Winnunga Nimmityjah Aboriginal Health Service, Playgroups ACT, the Smith Family, Relationships Australia, Belconnen Community Services, Marymead and the Migrant and Refugee Settlement Service.

In early 2015 the Community Services Directorate implemented a redesign of the child and family centre service model. This has strengthened the existing service model through an enhanced focus on partnerships with community and other organisations to meet community need and better align the child and family centre service offering with strategic priorities such as the human services blueprint and a step up for our kids.

Key principles of the refreshed service model are collaboration, building community capacity, a consistent approach to practice, early intervention to prevent escalation to more intrusive statutory services and strengthened governance arrangements. This work has resulted in the centres being well positioned to build on their strong community profile and mature service partnerships in order to continue to meet the needs of our community.

To illustrate the key principles of the redesigned model, I will talk about the work undertaken by the Tuggeranong Child and Family Centre in relation to domestic violence, an issue of high importance within our community. Tuggeranong Child and Family Centre is becoming a focal point in the local community for supporting children and families who have experienced domestic violence. The centre has undertaken extensive cross-agency work with the Domestic Violence Crisis Service, Relationships Australia, the Australian Federal Police, the Health Directorate's Women's Health Service, Legal Aid ACT, Housing ACT and Child and Youth Protection Services in the Community Services Directorate to improve service connectedness, provide case management, support and referrals.

In response to local need, the Domestic Violence Crisis Service now attends the Tuggeranong Child and Family Centre to provide a fortnightly service to women who are experiencing domestic violence. The Domestic Violence Crisis Service also delivers programs at the centre to women and children who have left violent relationships and require further support. As trust in the child and family centre staff increases, clients are able to discuss their relationships and build the confidence needed to be linked into those services.

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

**DR BOURKE:** Minister, how do the child and family centres work in partnership with the community sector and other government agencies?

**MR GENTLEMAN:** The provision of universal and targeted services and programs in the one location and in partnership with external agencies is central to the child and family centre service model. Co-location of services provides for greater access, predicated on the assumption that all the services that a child or family require are located at the one site and the location of the centre itself is accessible. Co-location also supports ease of referral between services and a common understanding of each service's referral processes and eligibility criteria, thus enhancing access for vulnerable families and children to a broader range of support services and programs required.

I would like to outline the government's services which operate clinics, drop-ins, outreach services and group programs at child and family centres. They include maternal and child health; Therapy ACT; Housing ACT; adult mental health; women, youth and children community health; the Canberra Hospital and Calvary hospital's midwifery and antenatal programs; and the women's information service. There are also a wide range of established partnerships with the non-government sector, which provide additional services including playgroups, parent education programs, counselling services, specific services for Aboriginal and Torres Strait Islander children and families, refugee and migrant support programs, and community education and health programs.

Some of these partner agencies include Relationships Australia, Belconnen Community Services, Companion House, the Smith Family, ACT Playgroups Association, Communities@Work, Marymead, UnitingCare Kippax, Gugan Gulwan,

and the Domestic Violence Crisis Service. A recent example of a successful new partnership is the developing kids program, a supported playgroup where parents and children learn strategies to assist them in addressing their developmental delays.

**MADAM SPEAKER:** Supplementary question, Ms Fitzharris.

**MS FITZHARRIS:** Minister, can you inform the Assembly about the child and family centres circle of security program and the outcomes it achieves?

**MR GENTLEMAN:** I thank Ms Fitzharris for her question. The circle of security is a relationship-based early intervention program designed to enhance attachment security between parents and their children. It is an eight-week program designed for parents and carers of children from prenatal to eight years of age.

The program is currently delivered at all three child and family centres. The program can be used with individuals or couples in a group setting or through individual home visits. However, children are not present during the group sessions. The program will benefit any parent, but in particular it will assist in situations of attachment disruption where there has been a history of abuse and neglect.

The program focuses on children's needs and caregivers' state of mind rather than the children's behaviours. By focusing on meeting children's needs, there tends to be an enhancement in caregivers' empathy and responsiveness.

The program aims to reduce parenting difficulties and associated stress and to reduce child emotional and behavioural problems, and parents' perceptions that these are problems. The program seeks to improve parental empathy for the child, improve parental capacity to better understand and respond to the child's needs and improve parental capacity to better understand and regulate their own emotional state and behaviour in their relationships with their child.

Parents have been referred into the program through self-referral, Child and Youth Protection Services, drop-in or case management—that group at a child and family centre can also refer—and other community organisations or local schools. The program outcomes include an increase in carers' overall sense of self-esteem, an increase in carers' parenting self-efficacy, an increase in carers' satisfaction derived from parenting and levels of carers' reflective functioning, and a reduction in the risk of insecure attachment.

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

**MS FITZHARRIS:** Minister, can you outline any other programs offered by the child and family centres that support Canberra's families?

**MR GENTLEMAN:** I thank Ms Fitzharris again for her interest in this area. The child and family centres provide a range of programs that support families and children in the ACT. These include early intervention and mental health, parenting programs, early learning and community development.



Some of the programs are delivered across all centres. For example, all centres currently deliver the parents as teachers program, known as PAT. PAT is a key initiative in prevention and early intervention responses for vulnerable children and their families. The PAT program is a sustained home visiting and group program that can begin during the prenatal period and continue until the child turns three. Parent educators provide practical information and guidance that supports parents to develop their child's thinking, curiosity, language, motor and social skills.

Other family programs are developed specifically in response to an identified local need. At Gungahlin Child and Family Centre the Atfaal playgroup has been established for Muslim women and their children. It helps Muslim families with children from birth to five years in Gungahlin and Belconnen to support their child's development through play, improve access to parenting information and strengthen links to the local community. Services that have attended the playgroup include the women's health service, maternal and child health and Relationships Australia. Belconnen Community Services currently provide transport to the playgroup.

Another key family program is growing healthy families, which is a community development initiative that focuses on parents' strengths, health, education, parenting and family support. Currently delivered at west Belconnen and Gungahlin child and family centres, this program provides a range of events, groups and services for the Aboriginal and Torres Strait Islander community. In 2015 this program will be expanded to include the Tuggeranong Child and Family Centre. (*Time expired.*)

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

### **Supplementary answers to questions without notice ACT State Emergency Service—Chief Officer**

**MS BURCH:** I want to give a brief update from yesterday. Mrs Jones asked about female participation. My response was that it was around six per cent. In actual fact, across the ESA it is 18.7 per cent female participation. In Fire & Rescue it is 2.5 per cent.

### **Roads—Horse Park Drive**

**MR GENTLEMAN:** Yesterday during question time Mr Coe and Mrs Jones asked me a number of questions regarding funding and future works on Horse Park Drive. With regard to those questions, I can confirm that most of the work currently proposed for Horse Park Drive will be funded and completed not by my directorate but by the economic development directorate. This includes \$17.1 million identified in the 2015-16 budget for the duplication of Horse Park Drive between Anthony Rolfe Avenue and Well Station Drive. This has been appropriated by the economic development directorate and is associated with the Throsby residential development.

As far as work funded by my directorate is concerned, the preliminary design work for Horse Park Drive between Mulligans Flat Road and Gundaroo Drive funded as

part of the 2012-13 budget has been completed and now will be considered in a future budget for construction funding. The design work cost \$308,000.

Mrs Jones asked a supplementary question about the duplication of Horse Park Drive. I can report that the feasibility study funding announced in this year's budget, with funds of \$500,000 available in both 2015-16 and 2016-17, will cover the sections of Horse Park Drive which have had no upgrade assessments undertaken to date. This includes the section of Horse Park Drive between Gundaroo Drive and Anthony Rolfe Avenue and the section of Horse Park Drive from Well Station Drive to the Majura Parkway. This feasibility work is currently in the process of being commissioned.

## **Public Accounts—Standing Committee Report 7—government response**

**MR BARR** (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Urban Renewal and Minister for Tourism and Events) (3:18): For the information of members, I present the following paper:

Public Accounts—Standing Committee—Report 7—*Review of Auditor-General's Report No. 2 of 2014: The Water and Sewerage Pricing Process*—Government response.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

## **Auditor-General's report No 8 of 2013—government response Paper and statement by minister**

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

Auditor-General's Act—Auditor-General's Report No. 8/2013—*Management of Funding for Community Services*—Government response, dated August 2015.

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

Leave granted.

**MR BARR:** I am pleased to present to the Assembly the government's response to Auditor-General's report No 8 of 2013, *Management of Funding for Community Services*. The audit examined whether the health, community services and economic development directorates had effective controls and procedures for managing funding for community services; appropriate governance arrangements were in place for the services and programs audited; there was integration of the required outcomes and deliverables of funding agreements with policy or legislative requirements; and

funding administration arrangements are in place to support the achievement of value of money objectives.

At the time of the report, government directorates reported funding of \$139 million for community services through grants, assistance and sponsorship, with \$131 million being managed by the community services, health and economic development directorates.

The report by the Auditor-General presented 10 recommendations for the management of service funding agreements and grants across the territory government, including Economic Development within the Chief Minister, Treasury and Economic Development Directorate, the Community Services Directorate and the Health Directorate.

The government welcomes the report by the Auditor-General and, in the response tabled today, agrees with six recommendations, agrees in principle with one and notes the remaining three. The response also notes the improvements that have been made and continue to be made in relation to the management of funding for community services. This includes extending the funding managers network across government; exploring standardisation of reporting in service funding agreements across directorates with community service funding responsibilities; assessing the appropriateness of extending the use of a web-based grant program to manage all grant applications across the ACT government; and developing risk assessments of grant recipients in Health Directorate grants procedures.

Government grants play an important role in delivering valuable services to the Canberra community. We recognise that making improvements in management processes and technology are, therefore, important. It provides a more streamlined experience for recipient organisations, thereby improving service delivery.

The Auditor-General's report demonstrated that the government's management of funding for community services is sound and includes effective checks and balances that minimise risk and ensure good outcomes for the ACT community. Nonetheless, our response highlights that we remain committed to making further improvements where we believe it is possible and effective to do so.

## Papers

**Mr Rattenbury** presented the following papers:

Rail Safety National Law (South Australia) Act—

Rail Safety National Law National Regulations (Fees) Variation Regulations 2015 (2015 No 317).

Rail Safety National Law National Regulations Variation Regulations 2015 (2015 No 318).

**Mr Gentleman** presented the following paper:

Planning and Development Act, pursuant to subsection 242(2)—Schedule—Leases granted for the period 1 April to 30 June 2015.

## **Schools—road safety and traffic**

### **Ministerial statement**

**MS BURCH** (Brindabella—Minister for Education and Training, Minister for Police and Emergency Services, Minister for Disability, Minister for Racing and Gaming and Minister for the Arts) (3.22): While it sometimes should be obvious, it is nonetheless important to point out that schools are central to our community as both places of learning and, importantly, places of safety. This must extend to ensuring the wellbeing of our children going to and from school. Every day, schools are striving to improve upon this culture of safety. I know that teachers and other staff work hard to ensure that children are able to safely get between home and school. They know this is an important part of our students being able to actively participate in the high quality education system that we have in our beautiful city.

Just as we have been a high-performing education system for many years, our ACT school zones have been historically safe areas. And just as we have detailed plans to ensure continued improvement and success in education outcomes, this week we have been proud to highlight how the ACT government is keeping our school precincts safe. We treat this matter seriously and have a planned approach of working with every ACT school community in our desire to maintain our schools as safe precincts.

As every school and school community is unique, there is often no one-size-fits-all solution. All our strategies start with listening to schools and school communities about what they are experiencing. Our experts visit schools and investigate the cause of what is happening. We combine these observations with what is known about traffic safety to develop evidence-based solutions and to ensure that our school precincts are as safe as they can be.

Expert traffic safety advice and input on engineering solutions are provided by Roads ACT, who work closely with schools to undertake assessments and improvements to manage traffic safety around our schools. As part of the 2015-16 ACT budget, we have specified capital funding to undertake this important work.

The most holistic solution to improving traffic safety involves at least one of the four prongs in responding—education, encouragement, enforcement and engineering. Our road safety programs and curriculum offerings are important to educate our children on the importance of how students can keep themselves safe. We actively encourage parents in the community to be part of the solution to improve traffic safety. Where it is needed, we undertake appropriate enforcement by the police and/or Access Canberra parking inspectors. Finally, engineering solutions such as changes to parking, signage, pick-up and drop-off areas and crossings are undertaken where needed.

We have an extensive suite of programs in place across ACT government agencies to support traffic safety around our schools. An important government initiative in the area of traffic safety around schools is the active streets program being undertaken as a pilot at Latham primary, Macgregor primary, Macquarie primary and Mount Rogers Primary schools. The active streets program is an extension of the successful ride or

walk to school program. It is being undertaken as part of the government's healthy weight initiative. Particularly, the pilot will work with the schools to identify those activities that support increased active travel to school.

An important component of the pilot is the trial of a range of new engineering measures. I am pleased to announce that two of the schools will have new dragon's teeth road markings installed at the start of their 40-kilometre per hour school zone. These highly visible road markings will further raise driver awareness of entry to school zones and the importance of drivers slowing down and taking care.

Another new trial as part of the program will be 30-kilometre per hour speed zones at two of the pilot schools. This element will work hand in hand with facilitating increased numbers of students walking and riding to school at the pilot schools. Additionally, the pilot schools will be examined for further improvements to assist their students walking and riding to school. These will include the need for new pedestrian crossings and improvements to path and other travel signage. The pilot schools will also participate in additional active travel measures—for example, maps identifying active travel routes to schools, information on how families can plan their daily routes to support active travel to and from the school, and classroom and homework activities for school engagement.

An element of the active streets program pilot is the development of drop-off points in safe areas a short distance from the schools. These park and walk areas assist in reducing the traffic volume at the school while enabling children and their parents to walk or ride a short distance to school. Park and walk safe drop-off points are typically a few hundred metres from the school. Development of a park and walk drop-off point will be supported by signage and a footpath stencilling, identifying the ride and walk pathways to school.

The well-loved Constable Kenny Koala stay okay on the road program continues to be an important contributor to promoting road safety education and awareness messaging at schools and community events. Constable Kenny's messages are closely aligned with school-based learning in such areas as using safety equipment such as seatbelts and helmets, safe behaviours when walking or riding, and being aware of and using proper road rules. Over the year 2014-15 Constable Kenny has made more than 170 visits to our schools to share this message.

ACT Policing schedules targeted operations in school zones at the beginning of each school term and will target driving behaviour which places vulnerable road users at risk, including in and around our school precincts. Over recent years ACT Policing has conducted road operations at every school in every term. This important presence around our schools will continue into the future and will include high visibility patrols, unmarked patrols, monitoring and enforcement around speed, crossings and parking, and seatbelt compliance.

In addition to this programmed road safety approach, ACT Policing works closely with schools to conduct targeted operations in response to particular issues. I am proud that we are expanding our mobile camera sites to ACT schools so as to support our safe school precinct planning. The ACT road camera strategy, released in May of

this year, forecasts the expansion of mobile speed enforcement. We expect to be in new sites, including schools, by October of this year, and additional sites will be incrementally added to the program each year. A third of the sites identified for inclusion in the first stage of the rollout are schools. We have deliberately taken this approach to support our focus on improving road safety around schools and to address parent and school community concerns about road safety.

Parking safety around schools is also critical. Through the parking strategy, also released in May this year, the ACT government has committed to providing parking options at ACT schools that will support safe school environments and increase active travel to school. This includes activities being undertaken and resources being developed as part of the active streets pilot. In addition, the introduction of differential fines and demerit points for offences being committed in school zones is being examined. Demerit points would be attracted to offences posing safety risks to people and property.

Prior to the introduction of such a scheme, the Education and Training Directorate and other government agencies will work closely with school communities to identify safe parking options and active travel routes supported by fact sheets and maps. Ideally, we support those parking in and around schools to do the right thing—that is, the safe thing. A number of different models for school drop-off and pick-up arrangements have been developed. The Education and Training Directorate works with the schools to implement the model that best suits their needs.

Earlier I mentioned that parents and the wider school community are central to managing traffic and parking safety at our schools. Evidence and experience tell us that parents are critical to traffic safety in and around schools. This is why encouragement is such an important response to how we work with schools to manage traffic safely. We recognise that by encouraging the wider school community and encouraging a partnership to improve road safety we will have better outcomes at our schools. We will continue to work closely with the school community to inform and support positive change in parental driving behaviour through the provision of fact sheets, maps and educational material that make it easier to understand why and how parents can contribute to safe traffic behaviours.

We clearly acknowledge the importance of the safe driving behaviour that is needed around all our ACT schools. As a government, we look forward to continuing to work with school communities to ensure that our children benefit from this important initiative.

I present the following paper:

Road safety and traffic at ACT schools—Ministerial statement, 6 August 2015.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

**Public consultations****Discussion of matter of public importance**

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

The importance of genuine public consultations in the ACT.

**MR HANSON** (Molonglo—Leader of the Opposition) (3.33): I am delighted to be able to talk about this very important issue of consulting with our community here in the ACT. It is particularly relevant given the fact that we have members of the Mocca community here today, following on from the questions asked in question time. I know other members of the opposition are keen to speak about a variety of issues, including the very important issue of Mocca. It serves to highlight that if you do not participate as a government in genuine community consultation then you do not bring the community with you. You end up in a situation where the community is concerned, the level of angst increases, the level of confusion increases and there are no winners. The government does not win; the community does not win.

What we have seen, sadly, time and time again from this government is a failure in consultation—the inability of this government to understand the fundamental requirement of the importance of bringing the community with you. The community will not always agree, but if they feel they have had their fair say, if they feel they have been heard, if they feel that, where possible, their suggestions, their ideas and their legitimate concerns have been listened to, you are more likely to get a better outcome all around.

It is clear that when it comes to the issue of Mocca the community feel they have not been properly consulted. There are many media articles to this effect, and question time today exemplified that. If he gets time, Mr Doszpot will again highlight some of those issues today.

Before I go to some more topical issues, I indicate that this government has a very dismal track record. I will give you some of the greatest hits—the important issues. On the eve of the 2004 election Ms Gallagher’s spokesman went out into the community and said that there would no school closures by this government. Within days of that election, what happened? This Labor government started the process of shutting 23 schools. It went to an election denying it; immediately after the election it started it.

They did it again at the next election. They went to the election—again it was Ms Gallagher—and said, “All our plans are on the table.” But we know that at the time that was not true because behind closed doors there were secret negotiations occurring between Calvary, as in the Little Company of Mary Health Care, and the

government to sell off Clare Holland House and buy Calvary. That may or may not have been a good idea. Ultimately we decided it was not.

I think a large part of why that all went to custard under this government's watch was because it was seen as sneaky that this government had not properly communicated or properly consulted with the relevant communities and had tried to stitch it up. It was clear from that process, as it was from the school closures, that consultation was a sham. It was described by the participants as a sham. It was a PR exercise after the decision had been made.

Members of the Mocca community at Telopea Park probably feel the same way—that this has all been stitched up. I commend members of that community, and I commend Mr Doszpot for fighting back and saying, “Hang on. We’re not going to allow you as a government to roll over the top of us.”

In 2012 we remember the significant debate about tax reform—the triple your rates campaign that we all remember. That was brought in in that budget by Andrew Barr—a massive reform that was introduced. The government basically put out a line saying, “Your rates are never going to triple. Trust us; your rates will never triple, not in our lifetime.” That is what Mr Barr said. But we now know from everybody who has been getting a rates bill since that election and before that rates are going up on average across this town by 10 per cent a year, and in many cases by much more. Our rates are tripling. The people of Canberra were lied to, pure and simple.

The biggest of them all, perhaps, is light rail. The government have a chance to get this right. What they can do is go to the next election and say, “We want to build light rail. These are our arguments and these are our concerns. This is why we want to do it, and we want to bring the community with us.” It can say, “Come with us, community,” and the people can have their decision. The way they can do that is at the 2016 election. If this government decide, “No, screw the community,” as they did at the previous three elections, then the choice they have is to sign the contracts. If they decide that, rather than allow the people of the ACT to have their say, they are going to sign contracts against the will of this community, they will pay the price. Again, this government are denying the people of the ACT the ability to have their say. They are arrogant, out of touch and bloody minded.

**Mr Rattenbury:** You’d recognise “arrogant” when you saw it.

**MR HANSON:** I note the interjections from Mr Rattenbury have started because he feels particularly precious about this issue, and we know he does.

**Mr Rattenbury:** No, it’s your rank double standard, Mr Hanson, that I am responding to.

**MR HANSON:** He feels very precious about this issue. He is interjecting and he is getting antsy because he knows he is the one almost directly responsible for the fact that the people of the ACT will have this contract signed by this government without them having their say. And I can tell you that the response will be significant. If you want to do that, you will do it at your own peril. I plead with you again not to do it.



But for your own sakes, because I know that you are mostly motivated by what is best for you and your CFMEU mates, what I would recommend to you is to not sign these contracts prior to the election. Are you denying that you are mates? You were hugging them yesterday, members, weren't you? Let us take this to an election. What we know when it comes to the light rail issue is that what this government did—

*Members interjecting—*

**MR ASSISTANT SPEAKER** (Dr Bourke): Mr Hanson, sit down. Stop the clock. Mr Doszpot and Mr Wall, persistent interjections are unparliamentary. Mr Hanson, continue.

**MR HANSON:** He could not have heard Mr Rattenbury's interjections, I am sure. He is deaf to Mr Rattenbury's interjections, as he is deaf to the rest of the members of this community.

**MR ASSISTANT SPEAKER:** Mr Hanson, sit down. Mr Hanson, you have been reflecting upon the chair. That is extremely unparliamentary. You will withdraw.

**MR HANSON:** I withdraw, Mr Assistant Speaker.

**MR ASSISTANT SPEAKER:** Continue.

**MR HANSON:** This government are so nervous about light rail and knowing they are trying to steamroll it through that they brought in specific, fast-tracked legislation to deny people in the community being able to object to any of the planning going along the light rail route. Do you remember the fast-tracked legislation? I think it was Mr Gentleman who brought that in, was it not? It was legislation specifically to steamroll this through, to deny the people the ability to have their say and bring in their objections. What did the ACT Heritage Council say? I quote:

The ACT Heritage Council is concerned that heritage nominations over buildings on either side of Northbourne Avenue will be effectively annulled once planning laws are passed by the ACT Assembly next week ...

The Northbourne Avenue corridor looks set to be declared a special precinct to allow the Capital Metro rail link from Gungahlin to the city to be fast-tracked.

They can build the light rail track, rip up the trees, demolish all the trees, do whatever they want on Northbourne and spend a billion dollars of our money; it will be easier for them to do that without objections than for people out in the community to put on a carport. That is the sort of legislation they are trying to develop in this place because they are so sensitive about the tram. The government are saying, "There's one rule for us, for a billion dollar tram and to rip up Northbourne," but if you want to do something out there in the community, there is a different rule.

**MR ASSISTANT SPEAKER:** Mr Hanson, address your remarks through the chair.

**MR HANSON:** We have also seen the lack of consultation about the Melbourne Building car park as part of this light rail fiasco. All of the businesses there are going

to see that car park shut, and it will have a tragic effect on their businesses. The residents of Northbourne are concerned about what is going to happen to them as they are all evicted to make way for light rail. An article headed “No consultation with residents in Northbourne Avenue public housing” states:

Public housing residents on Northbourne Avenue say that they haven’t been consulted by the government or the ACT Heritage Council about the [debate over the future of the housing precinct](#).

So rip it all up, spend a billion dollars, evict all the tenants, close all the car parks, and then say, “Don’t worry, because we’ve got our legislation that means that we’re immune. But you lot out there, no, you’re not.” There are many articles and many comments relating to that.

Across just about every sector of what this government do we see a lack of consultation. Even when we have consultation it is a sham. What about the University of Canberra hospital? “Two hundred beds,” they said. But we now know that it is actually 140. The Australian Nursing and Midwifery Federation were rightly appalled to have a “significant departure” from the original 2011 proposal. They said:

The ANMF is very concerned that it would now appear that, rather than an additional 200 sub acute in-patient bed spaces being made available, only 140 beds will be delivered ...

They sought urgent clarification. So all the way along it was a matter of saying, “No, 200 beds; 200 beds,” and then it was a matter of sneaking in 140. Even when this government purport to be doing consultation, we know they will just do what they want anyway. That is what we have seen with Mocca, that is what we have seen with light rail, and that is what we have seen with the University of Canberra.

I know other members want to have their say, so I will make sure that I rip through a few issues. I think Mr Fluffy is one that deserves attention. With the Mr Fluffy home owners, how did the government contact them and how did it consult with them? It was through a letter to “the householder”. On a most significant health issue that was going to be of significant concern to these people, it was addressed to “the householder”. As people put in their submissions and as people asked about the design of the program, they were largely ignored. Even members of this Assembly were ignored by this government when they put in a report to the government through the PA committee. The government ignored the vast bulk of those recommendations and pleas. We are seeing that now flow over into the dual occupancies and the way it has been handled. I commend Mr Coe for making sure that elements of that have gone to the committee.

I could go on and on: Uriarra. I commend Mr Wall for the great work he did after the people at Uriarra were being hoodwinked about the consultation there. I could still go on and on, but I know there are others who want to talk about some very specific issues, so I will end my comments there. Again I say to this government: if you want to bring the community with you, consult and engage, and let the people have their say. You will then bring people with you; otherwise you will face the backlash.

**MR GENTLEMAN** (Brindabella—Minister for Planning, Minister for Roads and Parking, Minister for Workplace Safety and Industrial Relations, Minister for Children and Young People and Minister for Ageing) (3.46): I am pleased to have the opportunity to speak today on the importance of genuine consultation in the ACT. The ACT government is committed to engaging the Canberra community in the development and delivery of government policies, programs, public works and services. We understand that the Canberra community expects to be engaged and that engagement, when done well, enhances democracy and places the community at the centre of the governance process. It is this overarching commitment to the principles of open government that underpins the government's approach to engaging with the Canberra community.

The ACT government uses engaging Canberrans, a guide to community engagement, as an overarching framework to community engagement activities and is also continually developing and implementing a range of digital initiatives to effectively engage with all Canberrans including those who are time poor and cannot participate in traditional public meetings and engagement. It is this inclusive approach to government that encourages the involvement of our community more than ever and can be demonstrated by our focus on further development of online and social media tools. We currently have nine open consultations and in the last financial year there were 57 consultations across government.

Mr Assistant Speaker, I am very pleased to be able to table for the information of the Assembly a full list of those consultations undertaken across government during the last financial year as set out on the time to talk website. I present the following paper:

Consultations by ACT government 2014-15—from Time to Talk.

As part of these consultations we use a range of mechanisms to engage with the Canberra community, including the ACT government digital mail service, an emailing outreach service which commenced in February 2014, to provide government information in a more timely and targeted way and the time to talk Canberra website where Canberrans can have their say on local issues by posting online, completing surveys or using other social media. The time to talk website has received more than 103,000 page views in the past financial year and has grown in its average number of visits per month from around 2,300 in 2013-14 to 8,600 in 2014-15.

The *Our city, our community* weekly e-newsletter updates the community on ACT government projects and initiatives and is distributed through the ACT government digital mail service twice yearly. The *Canberra Times* community noticeboard, which includes information on events, upcoming consultations and road closures, is published in the Saturday edition of the *Canberra Times* and is also distributed as part of the *Our city, our community* weekly e-newsletter.

Mr Assistant Speaker, it is our priority to get out and listen to Canberrans and provide the services they need and I am pleased to be able to speak in detail about some of the more recent engagements. The Capital Metro Agency has set a high standard for its community engagement activities ensuring that there are ongoing mechanisms for the

community to provide input and feedback on the project. This includes consultation activities on the early design, the urban design and most recently the draft environmental impact statement. An example of a recent cap metro engagement initiative is the place manager program which commenced on 8 July and is ongoing.

Capital metro has engaged business and community through the establishment and engagement of business and community reference groups. Throughout July nominations were open for people interested in becoming a member of the community or business reference group for the light rail project and the Capital Metro Agency received an overwhelming response from people wishing to be involved in a light rail reference group with more than 70 nominations received.

Mr Assistant Speaker, the engagement activities that the asbestos response task force is carrying out as part of the demolition of houses affected by Mr Fluffy is perhaps our most intensive engagement on a single issue ever undertaken by this government, underway since the establishment of the task force on 25 June 2014. The task force has used all forms and channels of communication for engagement: social, web, doorknocking, forums, emails, meetings, direct phone calls, stakeholder presentations, home owner morning teas and face-to-face meetings with home owners.

Some of the examples of engagement include the case model approach which uses a dedicated and experienced personal support team; direct meetings with members of the task force, actually thousands since 25 June 2015; home owner specific forums meeting across the community, 568 since the start of this year and this allowed owners to meet the task force in their areas; specific engagement of and support from ACT Medicare Local; neighbour-specific forums. They have conducted letterbox drops to those in cluster areas of 1,000 and over and conducted letterbox drops to neighbours around the next 30 houses to be demolished, 800-plus across 24 suburbs, with a targeted information pack included.

Around the five pilot demolition properties, the task force undertook door-to-door doorknocking of neighbours four times at each stage of the process to inform them and seek feedback on information provided to target broader communications and engagement. There were 660 direct contacts during that process; 24,818 users engaged in online forums and engagement activities; 36 e-newsletters emailed directly to 2,580 subscribers for each issue; 912 followers on Facebook and 228 proactive posts; nine videos explaining the processes on YouTube; nine public forums held to date with early ones attracting 400 people; 14 community council meetings attended by task force staff with a total of 295 people in attendance at all.

As Minister for Planning in the ACT, let me say that there is an engaged community with an interest in planning matters across the territory and it is a consultation process which is at the core focus of my directorate. Since the beginning of this year consultations have included those on the minister's statement of planning intent. I personally attended six stakeholder workshops held with peak community groups, peak industry and business groups, academia and the heads of government agencies, children and young people, and older persons. We had over 100 people attend the workshops, and over 50 written submissions and feedback forms were received.

Over 80 submissions and 200 have-your-say cards were received on the Belconnen town centre master plan stage 1. Engagement activities were reaching the general community, in particular the wider Belconnen community and stakeholder groups. Over 120 submissions and feedback forms were received on the Woden town centre draft master plan and over 100 written submissions and feedback forms were received on the Mawson group centre draft master plan.

On Curtin, there have been over 200 feedback forms so far. On Calwell, 60 feedback forms were received. I attended Calwell shops personally and spoke to residents there. On cap metro more than 1,300 people were engaged by EPD and cap metro to gain feedback on corridor options including views sought on trees, cycle and pedestrian paths. 5,300 people visited the interactive website with 97 participating in online forums. On city to Northbourne Avenue, two workshops were held with key stakeholders including community representatives.

I am acutely aware of the interest the public shows, of course, in decisions on roads and parking. The government, through Roads ACT, highly values the views of stakeholders and members of the public on all decisions made on road infrastructure informing Roads ACT decisions and planning. Major consultation processes in 2015 have resulted in nearly 3,000 pieces of feedback from the community.

In Gungahlin that includes 416 responses; a local area traffic management study on Copland Drive and surrounding streets in Evatt, Melba and Spence received 1,111 pieces of feedback; on Belconnen and Weston Creek, over 300; evaluation of the Tuggeranong traffic management scheme, 650 pieces of feedback; on Forde heritage car park, 55; on the 40k speed zone in group centres, 286 pieces of feedback; on Gundaroo Drive duplication, 14 pieces of feedback; and on community services—I know I am running out of time, Mr Assistant Speaker—we do highly engage with key stakeholders and the broader community with a number of significant reforms underway, particularly around the implementation of a step up for our kids.

We have engaged over 250 stakeholders to seek views on operational aspects of implementation, and those have been had through roundtables, meetings, think tanks, correspondence and face-to-face meetings as well. So you can see that the government does engage well. I will take on board some of the comments that Mr Hanson made. You can see, from those numbers that I have spelt out, that Mr Hanson's comments are just a furphy. (*Time expired.*)

**MR RATTENBURY** (Molonglo) (3.56): When it comes to community consultation I think that the key issues really is that one of the best ways that community views can be integrated into decision making is to engage with the community early and endeavour to do so when there is still scope for change to a decision, whether that is a planning decision, which is perhaps where this topic most commonly comes up, or in a range of policy development areas that governments undertake on a regular basis.

Certainly the Greens have long advocated for a range of improvements to community consultation and brought many examples to this place where we have put ideas forward, including legislation, to improve consultation processes. In Canberra, this

most often comes up in light of development decisions. We are lucky to live in a highly planned city and we are lucky to have a range of excellent amenities in our suburbs. I think it is for that reason, as the population grows and Canberra changes, that some of these issues really do come to the fore.

When it comes to planning decisions, as I say, getting engaged early is perhaps where you can make community consultation most effective, because at that point a developer has not locked themselves in to a particular pathway and there is more scope for change. And that, I think, is when things work best.

The Greens have certainly tried to carry that forward into this place on a number of occasions. For example, we developed legislation to try and improve Canberra's planning system through our planning notification bill, which was debated in the Assembly in 2010. The bill would have ensured that when ACTPLA notifies the public about development proposals they are accurately described.

It also would have allowed ACTPLA and ACAT to consider a broad range of issues when reviewing DA decisions such as territory plan zoning and objectives. It would also have increased standing so that community members were better able to appeal DA decisions. The Greens were very disappointed that neither the Labor Party nor the Liberal Party supported this bill that would have improved planning outcomes for people in the community like Mr Hanson.

It is worth reflecting on this, because we have just heard Mr Hanson stand up and rattle off a whole series of examples, but the fact is that when we brought this legislation before the Assembly in 2010—and Mr Hanson was a member of this place at that time—he voted against that legislation. He had a chance to support improved community consultation. You can give all the speeches you like in this place, but what really counts is how you vote. And when it came to that, Mr Hanson voted against these measures. He voted against them.

I have never met one person so willing to say one thing and do something different when it is politically expedient for them. But that is the story of Mr Hanson's track record in this place, voting against these sorts of measures when he was given a concrete opportunity to vote with the Greens on a range of measures that would have improved planning laws in this town and improve community consultation and notification. But he voted against them. It is worth making that point in light of the tirade he just delivered in this place today.

**Mr Hanson:** You are a bit sensitive, aren't you?

**MR RATTENBURY:** No. It is just about putting the facts on the table, Mr Hanson. It is about what you do, not what you say. And it is worth reflecting on that, because you cannot just stand up here and say what you like and conveniently forget the things that you actually did when you had the opportunity to make a difference.

*Members interjecting—*

**MR ASSISTANT SPEAKER** (Dr Bourke): Sit down, Mr Rattenbury. Stop the clocks. Members, interjecting and continuously interrupting the member is disorderly.

*Mr Hanson interjecting—*

**MR ASSISTANT SPEAKER:** Mr Hanson, your conversation across the chamber when I am speaking is unhelpful. Continue, Mr Rattenbury.

**MR RATTENBURY:** Thank you, Mr Assistant Speaker. Fortunately, the government has since taken on board the notification parts of the bill that was brought forward at the time and there are now improved notification processes. The government's planning and building legislation amendment bill, or PABLAB, was amended by the Greens to further improve notification requirements as well as the pre-development application community consultation process.

The final bill made the pre-development application consultation process mandatory for larger developments, giving developers and the community an opportunity to work together to improve proposals. It also required signage in advance to notify nearby residents of upcoming building work and improved signage for DAs for lease variations. In May 2012 the Assembly passed amendments to increase public notification for draft variations to the territory plan, deconcessionalisation, and new houses in older suburbs. These amendments were based on the Planning and Development (Public Notification) Amendment Bill introduced by the Greens to the Assembly. The bill improves notification in three key areas. It requires deconcessionalisation proposals to have pre-DA consultation in the same way as major developments, it requires written notification of draft variations to the territory plan to houses within adjoining sections, and it requires proponents of knock down, rebuilds to give written notice and plans to residents of adjoining properties.

The Planning and Development (Territory Plan Variations) Amendment Bill 2013, which the Greens supported, extended consultation times for draft territory plan variations, technical amendments and estate development plans. For full variations, the minimum required time was increased from 15 to 30 working days. For technical variations, the minimum consultation was increased from 15 to 20 working days. For estate development plans in a future urban area the consultation was lengthened from 10 to 20 working days while for non-future urban areas the period was lengthened from 15 to 20 working days. Again, they are practical examples of voting on measures in this place that make it easier and better for the community to be involved in key planning decisions.

Members will also recall legislation I brought forward in this place as a private member's bill when it came to call-ins and the requirement for pre-DA consultation. As you will recall from the comments I made at that time, the reason I brought that forward was because, again, our experience is that when there is pre-DA consultation generally there are better outcomes because proponents are less locked in and there is less of a sense of the community being railroaded. People have more open and more productive consultations, and our experience of the various episodes and cases we have observed is that pre-DA consultation is a very positive thing for getting better outcomes in the community.

In a discussion like this and in light of some of the examples Mr Hanson highlighted today, it is fair to say that government does not always get it right and government can do better. That is certainly something as a minister I am constantly seeking to do—that is, work with my directorates to ensure decisions we are making or things that need to be put in place are done better to make sure there is improved engagement with the community, being honest with the community and drawing out those occasions where consultation is taking place or where notification takes place.

There are occasions when it is simply about informing the community that something is going to happen. It might be something that does not warrant consultation or there might be an urgent or pressing or specific need for something to take place. One of the things I have tried to instil in the directorates I work with is to be clear about those things so there is a sense of the community knowing when they are being consulted and when it is simply a case of notification.

I have heard people come forward and say, “I haven’t been consulted,” or, “There hasn’t been enough consultation.” I have seen examples where there has been quite a bit of consultation and someone still does not agree with the outcome. We need to be honest in reflecting on those circumstances. I have seen people who feel like they have not been consulted, but the bottom line is that they put their view and their view simply was not taken on board. That needs to be recognised on some occasions.

It is worth having ongoing conversations about public consultation because there are certainly constant improvements to be made. I am keen to see more delivery of democracy-style opportunities used where there is a stronger opportunity for people to be involved early in the discussion and being involved at a point where the problem is identified and the question is what might the solutions be. It is often the case that a lot of work goes on inside government in recognition of a problem and a solution is then put forward to the community. I think a lot of people are bewildered by that at times because they have not been involved in thinking about what the problem is.

There is a lot more opportunity for government to start at a point of going to the community and saying, “This is the problem. What responses might we come up with,” and being open to hearing what some of the community solutions could be. There is a lot of knowledge in the community and a lot of willingness to participate in trying to identify solutions. Sometimes it is through a genuine sense of public servants doing their job. They think their job is to come up with solutions and fix things for the community. Whilst there is some truth in that it is often like, “We can get it done faster if we just prepare the options and bring it forward.” Some of these matters turn into protracted disputes. A lot of time could be saved by asking more questions up-front and being better at hearing some of the ideas that come forward and tapping into that community knowledge.

The Greens will continue to advocate for improved public consultation. I welcome the support of members of this place when we bring some of those legislative ideas forward, and I welcome continuing discussions on how we can do it better going forward.



**MS LAWDER** (Brindabella) (4.07): I have a number of items I would like to cover. I thank Mr Rattenbury for mentioning that it is important to engage the community early. I absolutely agree with Mr Rattenbury—that does not happen all that often—but it is not enough just to engage the community early; the idea is to understand the community's concerns and make them believe their concerns have been heard and addressed in some way or at least reflected back as to why what the community say they want cannot be allocated. What we are looking for in genuine public consultation is discussion, dialogue, discourse, debate and deliberation.

I will use nine examples this afternoon—I will do so quickly because I know others want to speak—that I have encountered over the past six to 12 months as a result of constituents or my shadow portfolio responsibilities that have highlighted to me where there has been a lack of consultation or, at the very least, a lack of genuine public consultation.

The first one I mention is about Theodore shops upgrade. Fabulous—thank you very much for the work done at Theodore shops, but in the consultation process what residents said they wanted, amongst a couple of other things, was a barbecue for their community gatherings at Theodore shops. As we talked about during the estimates process, they did not get a barbecue but quite a large brick sign saying “Theodore shops”. Of course, the residents have pointed out that the bricks used in that sign could have been very well used to build a barbecue. That is one example where the community clearly articulated what they were after and it was completely ignored and something else was done instead.

Second, Chisholm public housing. A number of constituents have contacted me to say that they have not been engaged in any public consultation about that. We have talked before in the Assembly about the fact that this government appears to have just gone for any available land space. They have not engaged with the community and have not analysed what else was required.

The third example happened earlier this year—the closure of Tharwa Drive for roadworks. No-one was suggesting it was not important to build the new emergency services station in south Tuggeranong. What they were annoyed about was the lack of communication and consultation about the road closure.

Fourth, Mocca and Telopea Park School. I will not talk about that because I know my colleague Mr Doszpot is keen to talk about that. Fifth, Northbourne Avenue precinct. There have been some improvements in more recent times, and I express my appreciation to the Minister for Housing for that, but remember in the early days we had a lot of discussion and a lot of talk from residents of Owen Flats and other flats about confusion around the dates and either a lack of communication or conflicting communication and information.

During estimates I gave the example of one resident who had a letter from the Chief Minister, Mr Barr, a letter from the Minister for Housing, Ms Berry, and then a relocation newsletter, and all three of them said different things in the same month. It is no wonder residents of Owen Flats and some of the other properties on the

Northbourne Avenue precinct were feeling uncertain and confused about what was going on.

When we talk about consultation specifically on the Northbourne Avenue precinct, another fabulous example is the so-called public consultation about the heritage precinct. We see in today's *Canberra Times* that the Supreme Court has set aside the previous ruling. This now means that any change will get in the way of demolition plans, as the government looks to relocate public housing and sell the land to private developers to fund the light rail line to Gungahlin.

Remember that the Heritage Council closed the consultation on 20 October when it is my understanding that the public advertisement said it would close on 22 October. It was a typo, if you like, but the Supreme Court has now decided that the ACT Heritage Council must set aside the protection order for the Northbourne Avenue public housing precinct. Another example of public consultation gone terribly wrong in the ACT.

Sixth, Nicholls new public housing. Again we have talked in the Assembly about engaging with the community about what is going to happen on land in this suburb. Seventh, Narrabundah public housing development. I have had a number of letters from constituents about this development and I know Mr Doszpot has as well.

Eighth—Mr Hanson has already mentioned this—Uriarra. No-one was opposed to the solar farm; it was the location right next to houses that people did not like. Well done to Mr Wall for the work he did with residents which resulted in a change at Uriarra on the solar farm.

The last one I will discuss has come to my attention lately. Earlier this week we talked about the energy efficiency improvement scheme. I have an email from the energy efficiency improvement scheme team:

Dear energy efficiency stakeholder, this email is your invitation to a stakeholder forum on the ACT Energy Efficiency Improvement Scheme. Following recent consultation and three years of successful energy savings work is underway to extend—

blah, blah, blah. It is inviting stakeholders to a forum and it says that at the forum:

You will:

- learn what the EEIS has delivered so far
- find out about opportunities for retailers and new abatement providers
- help to shape the scheme's future by contributing your ideas in workshops.

I will repeat that:

- help to shape the scheme's future by contributing your ideas in workshops.

You may recall we discussed this on Tuesday and the bill was passed. This workshop the invitation refers to takes place on 3 September! This is the government's view of consultation—get stakeholders views on how to shape the scheme's future after the bill has been passed. That is not genuine public consultation.

We seem to get less discussion and more directive; less dialogue and more diatribe; less debate and more decree. We would like to see a deliberative democracy, as Mr Rattenbury suggested earlier. That is certainly not what we have here today.

**MS FITZHARRIS** (Molonglo) (4.15): I thank Mr Hanson for raising this issue today. I am very pleased to be able to speak on the importance of genuine public consultation in the ACT, something that is important to me as both a citizen and a member of the Legislative Assembly. It is something that is central to this government's way of governing and this parliament's way of functioning.

Certainly the Canberra community is one of the most politically engaged communities in Australia. We have a strong advocacy at a grassroots level all the way up to our federal representatives on the hill. When it comes to local politics, the ACT government has a special responsibility—acting as both a local and state government. Our Chief Minister is both the premier and a mayor, and our ministers are charged with managing everything from public transport and hospitals to garbage disposal and lawn mowing.

It is important to reiterate that the people elect a government to govern, to do things and improve our way of life. How we go about that, the details, will sometimes be the source of disagreement, and that is, of course, when we realise the full benefit engaging with the public, presenting all the facts and working together for the best outcome. Canberra is a place we all love and we are all proud of. Most of us, I believe, want to preserve and improve the lifestyle we have here, renew our urban areas and protect our beautiful natural environment. I know I want my children to grow up in a city that is flourishing, fun and full of opportunity. How we do that must involve public consultation and engagement if we are going to work out the best ways to achieve our aims.

You only need to look at the time to talk website and listen to Minister Gentleman on the range of issues the government consults on every day, every week to see the wide range of issues this government is talking to the community about. Time to talk is a great initiative and highlights how committed this government is to engaging the Canberra community in the development and delivery of its policies, programs, public works and services. It is the place to have your say online on local issues that affect or interest you. It provides a variety of ways to do this, including posting a comment, sending in a submission, participating in a discussion, completing a survey or using Twitter and Facebook.

Some of the issues currently up for consultation on time to talk include a survey about lakes and waterways to help improve the region's water quality, a package of draft variations for individual sites across the territory to support our public housing renewal program, a draft biosecurity strategy, the proposed location and setup of

outdoor fitness stations in Gungahlin and Phillip, the upgrade of play space equipment at Point Hut Pond District Park and reforms to reduce the incidence of alcohol-related harms, to name a few.

As you can see, this is a wide-ranging list of issues the ACT government is currently working towards and that the community is asked to provide input on. Some recent public consultations have included the potential health risks of e-cigarettes, the strategic bushfire management plan review, Canberra brickworks development and the visionary West Basin waterfront plan. The West Basin plan for an enlivened waterfront on the western banks of Lake Burley Griffin was released for public comment on 5 June 2015, and it is a central component of the broader city to lake project.

The community have been invited to provide feedback on the revised design, have their say on the types of commercial activities, community facilities and events they would like to see at West Basin in the future. The feedback received during the community engagement process will inform the design of the West Basin waterfront and assist in developing a strategy for the wider precinct. The consultation period used qualitative and quantitative social research methods. New consultation tools were used to engage with the target audience, such as providing feedback over and through social media or posting comments directly on to the design using an interactive map. (*Time expired.*)

Discussion concluded.

## Adjournment

Motion (by **Ms Burch**) proposed:

That the Assembly do now adjourn.

## Hiroshima bombing—70th anniversary

**MR RATTENBURY** (Molonglo) (4.19): I rise today to reflect that it is the 70th anniversary of the bombing of Hiroshima, the first use of a nuclear weapon. Today in Civic Square the Women's International League for Peace and Freedom ACT branch held a commemoration ceremony. I was pleased to see both Ms Fitzharris and Ms Berry drop by during what was a very moving ceremony.

A key part of that ceremony was the reading of a poem called *Boy with a Flute* by local poet Jane Vaughan Donnelly, who lives in Curtin. I would like to share that poem with members because I think it was very beautifully written and one that encapsulates the issue very well:

In a temple, in a garden, on an island in a lake,  
Hideki and his mother stand, heads bowed.  
It's late July. There are the gentle sounds  
Of insect hum and quiet conversations  
Among birds, but under all that, the stillness  
Is profound. It is a place of peace.

They need comfort, and a gathering of strength,  
For they are going to his grandfather's house  
Where the old man lies dying.  
They arrive.

Greeted tenderly by his grandmother, the boy sees  
In her face dazed disbelief, great weariness, and a hint  
Of relief. She takes them in.  
It's near the end.  
With shock the child sees in the old man's eyes  
The gathering film which he saw on his pet bird's  
As life left it. His grandfather raises  
A claw-like hand in signal, and his wife  
Brings and places in Hideki's hands  
A wooden box with a delicious smell.  
Covered in carvings of tendrils, flowers, fruits.  
The boy's heart swells. He knows what is inside.  
His grandmother whispers, 'He knows you wish  
To study music. He wants you to have the flute.  
It's his most precious thing.' The boy turns shining eyes  
Towards the bed. It may be the last thing  
The old man sees. His face relaxes, is blank.

Some two weeks later, on a fine August morning  
They rise early, for they have a way to travel  
To the great city where, for the first time  
Hideki will meet his teacher. He carries his instrument  
With great care, wrapped up in a clean cloth,  
For the carved box, too, is a treasure.  
His mother is worried. Because of the war  
Travel is always subject to delays  
And she dreads the discourtesy of lateness  
At the very first lesson. But for the boy  
This tension is overlaid by waves  
Of joy and expectation. He sees himself  
Playing a flute outside a temple, in a garden  
On an island in a lake and from his instrument  
The still and poised sounds will flow out  
Around the world, mending sorrow, with comfort  
For sick and suffering people. Everywhere.  
'Don't dawdle, Hideki,' his anxious mother says.  
They hear a plane, but after the first start,  
Take no further notice. It's a single aircraft,  
Not a raid, and they've been informed  
There's usually one reconnaissance plane about now.  
'Do hurry, sweetheart. We are past the time.'  
And so they are walking quickly together  
Along a street in central Hiroshima.

As I say, I thank the Women's International League for Peace and Freedom for holding this commemoration ceremony in Civic Square today at the statue of Ethos to ensure that, as a Canberra community, we are reminded of the terrible consequences of that day in 1945 when the world's first nuclear weapon was detonated in an act of

war. It took many lives, and the legacy continues to this day. It is a reminder to all of us of the necessity of nuclear disarmament and the need to strive for peace, even in this day and age.

### **Landcare ACT**

**MS LAWDER** (Brindabella) (4.23): Earlier this year, on 13 June, I managed to attend the launch of Landcare ACT. Many of you would have heard of Landcare. In the ACT Landcare are an independent peak body for community land care. They address issues including soil degradation, animal pests, weeds, vegetation loss, stream bank erosion, water quality and urban land degradation. As the new peak body, Landcare ACT's membership will include the diversity of land carers in the ACT, such as catchment groups, rural landholders and Aboriginal traditional custodians.

I was pleased to learn that there are more than 60 groups in the ACT region, about 1,500 individuals, who undertake Landcare activities. That includes urban landcare, parkcare groups, rural, junior and Aboriginal landcare groups and waterwatch and frogwatch volunteers.

I thank Glenys Patulny for inviting me to launch Landcare ACT and for their worthwhile work. I look forward to seeing them continue to make a difference in our region. Also at the launch was the north Belconnen junior landcare band, who played as people gathered. We heard from the CEO of the national Landcare network and Landcare New South Wales. People from TAMS and the environment department were there and a number of other catchment management groups et cetera.

We went for a walk up on the hill, planted some trees, and it was a fabulous event. They even had a really fantastic cake decorated with native animals and plants. Once again, congratulations to everyone involved and well done to Landcare ACT on taking their first steps towards providing an umbrella body for landcare groups within the ACT.

### **Australian Labor Party—national conference**

**MS FITZHARRIS** (Molonglo) (4.26): I rise today to talk about the achievements of the recent 47th national conference of the Australian Labor Party. I had the privilege of attending the conference and giving the ACT an important voice on the major policy issues we discussed, ranging from the environment, to marriage equality, to equal opportunities for women. We are a democratic party. We are a party that has its debates in the public eye, and we are a party that is open to contributions from people of all backgrounds.

Looking at the hundreds of observers you did not just see Labor members; you saw a wide range of progressive activists and interested people wanting to see democracy in action. When Bill Shorten made his opening speech, when we discussed the tough issues of immigration and when we moved forward with our commitment to marriage equality, the conference hall was packed with hundreds of people there to hear what Labor stands for. We are able to discuss the tough issues in public because that is

what political parties should do. I believe Labor's commitment to transparent policy making is what keeps us in tune with the wider community.

I was pleased to be there when the ALP renewed its commitment to take serious action on climate change. By 2030 our federal Labor counterparts have promised that 50 per cent of electricity will be provided for by renewable energy and that Labor will introduce an emissions trading scheme. Labor is the only party that has consistently supported action on climate change and is the only party both able and willing to take the steps needed to tackle climate change. The ACT government remains committed to 90 per cent renewable energy by 2020, and this move by federal Labor shows that we are on the right track.

ACT Labor also has some of the highest levels of female representation in the country: 40 per cent of our current ministers are women, 50 per cent of our MLAs are women and 66 per cent—two out of three—of our federal representatives are women. Labor has been leading the way, and now federal Labor is committed to 50 per cent women's representation in parliament by 2025. While Tony Abbott cannot even find a woman to be his minister for women, Labor is leading the way by promoting diversity amongst our representatives.

Another of the major achievements was a progressive policy on marriage equality. I stand with my colleague and friend Andrew Barr and the rest of the ACT Labor delegation and the Labor caucus when I say that any two people who love one another should be able to marry regardless of gender. The attitudes of the current federal government are holding back the ACT and other jurisdictions from bringing marriage equality to our country and our city. Within 100 days of a Shorten federal Labor government being elected, marriage equality will be legislated for. This is well overdue. It is time to make this change.

Whilst it will be a somewhat smaller affair, I am also looking forward to attending the ACT Labor conference later this month. Just like our federal counterparts, ACT Labor is the only party in Canberra which conducts its debates in public. Hundreds of activists from the Labor Party and the labour movement will meet to discuss how we can grow a strong, diverse and inclusive Canberra. I will be backing the Chief Minister's vision to ensure that Canberra remains a great place to live, work, study and do business.

### **Planning—consultation**

**MR DOSZPOT** (Molonglo) (4.29): This afternoon Mr Hanson brought a matter of public importance to the Assembly—the importance of genuine public consultation. As anyone who listened to question time today will realise, for the constituents in Molonglo there could be no better example of how this government rates the importance of public consultation than what is fast becoming the pea and thimble trick affecting a school, a childcare centre, a community organisation and Canberra's veterans. I refer, of course, to the almost secret decision of this government to take land from a school that ultimately only benefits a hotel chain.

Here we have a school that was deliberately kept in the dark about losing their tennis courts, a school whose principal was forbidden by this government to advise her school community of what was happening. We have a childcare centre that has successfully delivered a popular and affordable service to generations of Canberra families for over 50 years but was told that it would have to move even though the government knew or should have reasonably known that not-for-profit community organisations such as Mocca could not afford to rebuild. We have a services club who perhaps was the only entity in this debacle to have been spoken with. They told members last year that they had a new site to build on and that it involved a land swap.

When a minister, albeit a Greens minister, also starts to question the lack of information exchange and the poor public consultation process, you know the system is clearly not working. The Chief Minister told the estimates committee that when circumstances change he reserves the right to change his mind. But in relation to Telopea Park School, the only circumstances that changed were because he decided to change them. The school did not want to lose their tennis courts. Mocca did not ask for a new childcare centre. Yes, the Services Club was keen to rebuild their club but were they demanding to move to another site, and what conversation did they have with government about moving Mocca out?

The disruption to parents and the Mocca community about where they will go and whether the association will even survive has been traumatic and damaging. It is not how governments should treat community organisations. Why were Mocca not considered worthy to receive proper and informed discussion about changes to zonings and repurposing of the land they have occupied for over 50 years without complaint? Why were they not provided with an opportunity before it became almost a done deal to look for or consider alternative options? It was only after the community decided they were not going to take it quietly that things started to change late, but better late than never. I would like to think my intervention with Mr Rattenbury prompted him to take notice, because he, too, has realised that community consultation has been poor and that the whole matter has not been well managed.

This lack of consultation is no better demonstrated than in the FOI request that Telopea Park School P&C president lodged on 7 May this year with the Chief Minister's own directorate. As we know, response to an FOI must be given within 30 days or an extension to that must be sought by agreement and notification to the requester. Yesterday I was advised that the P&C president is yet to hear a word—no response, no explanation, no request for a delay. While my recent FOI requests to the Education and Training Directorate have delivered almost nothing and were late, I at least got a reply. That same courtesy has not been extended to the Telopea Park community, and they deserve an apology and an explanation. If that is the standard of consultation being delivered by the Chief Minister's own directorate, it does not say much for the level of respect and interest in community views.

We see the same accusations being made by Griffith residents about not being consulted. They have learned through the media that an alternative site in Griffith was being considered for a childcare centre. Is that an alternative location for Mocca? Hill



that suit current Mocca clients? Is that an additional childcare centre? Does that mean the tennis courts can stay with Telopea Park School?

If the Services Club is built on the Mocca site apparently with the assistance of Defence Housing, how will that impact on current traffic and parking pressures at Manuka? Has the Manuka business community been consulted, and exactly what is happening on the old Services Club site? Has a hotel development been given the nod? Some locals suggest one has. What will that do to parking pressures on even mid-size crowds at Manuka Oval? What discussions has the government had with the community over the Manuka Oval master plan that may or may not necessitate further resumption of Manuka Oval, another rumour doing the rounds in the absence of genuine and open dialogue with the community?

When you realise that all of this is occurring in the Chief Minister's own electorate, you have to question the government's interest in and concern for what the community thinks. Is this complacency arising from being too long in government? I think it is, and so do increasing numbers of Molonglo residents. The respective school and childcare communities know they have right and fairness on their side, and they will not give up. Nor will the Canberra Liberals waiver in our support for them getting a fair go.

### **Radio Print Handicapped**

**DR BOURKE** (Ginninderra) (4.34): On 20 June I had the pleasure of joining the volunteers, members and supporters of Canberra's Radio Print Handicapped in celebrating 30 years of the service broadcasting to our community. Radio 1RPH "turns print into sound". The service gives print handicapped people access to newspapers, books and other printed material, read as it was written over the radio. Print handicapped people include, amongst others, those who are blind or vision impaired, those severely affected by arthritis, cerebral palsy, multiple sclerosis or dyslexia, and those from a non-English-speaking background who understand English but cannot read it.

1RPH has estimated that about 10 per cent of people in the Canberra region are print handicapped. Everybody wants to stay connected—connected with their community, connected with what is happening around them. The way in which we meet that need may differ from person to person, but for so many people it means picking up the daily paper or a magazine. That is why the work of Radio 1RPH is so valuable—it keeps people in our community in the loop, people who might otherwise struggle to get news and information independently.

Listeners can hear the original stories and opinion pieces as they were written by print journalists and other writers. These read pieces can have different angles and greater depth than similar topics covered by radio journalists, for example. For 30 years listeners have been able to access the local, national and international news of the day whilst also being kept abreast of other stories and information about their community. 1RPH delivers over 28 hours of live newspaper readings every week. But it also broadcasts regular book readings, including children's books, and a range of special theme programs. The station also broadcasts information about services of interest to the print handicapped, such as those provided by organisations for the vision impaired.

Radio 1RPH relies on the efforts of its volunteers—more than 100 of them, in fact—who take the time to present live and recorded radio programs and provide production and administration services. Some of them have been volunteering with the station for over 20 years. I take this opportunity to place on the record my appreciation and the appreciation of our broader community for the fantastic, dedicated and unique work that they do.

The ACT government is proud to support this outstanding community organisation so that it can continue to provide the Canberra region with accessible news and information. Congratulations to Radio 1RPH. I wish them many years of success to come.

### **Members of parliament—travel entitlements**

**MR COE** (Ginninderra) (4.36): This week there have been a number of issues which have been canvassed in the media regarding travel and entitlements. These are, indeed, issues that affect us all, perhaps in different ways. There is no doubt that there is some ambiguity about what is allowed, what is not allowed and what are the grey areas. However, one thing that is for sure is that we all need resolution and certainty going forward as to exactly what the rules are. To that end I commend the Speaker for establishing a way forward to finally give resolution to these concerns.

We as a collective need to resolve these issues. Those on the other side in the Labor Party have been mostly silent on this issue this week. I think that is largely to their credit. However, there is one person who has sought to gain political advantage through this process—that is, of course, Mr Rattenbury, who has done media on several occasions this week regarding the issue.

I think it is important that people in the Assembly realise that this truly is an issue which affects us all and is a concern of all. Therefore, I draw to the Assembly's attention some travel done by Mr Rattenbury on 13 and 14 June 2013. He attended a forum. The press release for this forum is headed "Greens keeping light rail on track" and it reads as follows:

Momentum behind the Hobart Light Rail project continues to build with the second roundtable meeting of stakeholders and supporters on Friday.

The release continues:

Roundtable convenor Anna Reynolds, Greens candidate for Denison, said this session would be an opportunity for over 30 organisations and businesses to show their support for the light rail project.

"Greens aren't about talk fests," Anna said.

It goes on:

"I'm pleased that the Greens' Minister from the ACT responsible for Canberra light rail is attending the meeting to explain how their project is progressing."

It then says who is organising this: Anna Reynolds, Greens candidate for Denison; and Dr Bob Brown, former leader of the Greens. This event cost the taxpayer \$1,457.76, of which \$385 was for travel allowance and \$1,072.76 was for air fares. What benefit did the people of Canberra get when a minister who was not responsible for light rail goes to a federal Greens candidate forum during an election campaign to spruik light rail? I would argue there is absolutely no benefit whatsoever to the ACT taxpayer for this event. \$1,457.76 for Mr Rattenbury to go to Hobart to support Anna Reynolds, the Greens candidate for Denison, and Dr Bob Brown, former leader of the Greens, at a forum organised by the Greens during a federal election campaign.

The point of raising this is that there may well be many other questions affecting members on each side of this chamber. However, we need to have an adult discussion about this. That is why I commend the Speaker for putting in place a path that will finally give us resolution on this matter. But I urge members to be responsible, to be considerate and to be very careful when contributing to this debate.

Question resolved in the affirmative.

**The Assembly adjourned at 4.41 pm until Tuesday, 11 August 2015, at 10 am.**

## Schedule of amendments

### Schedule 1

#### Road Transport Legislation Amendment Bill 2015

Amendment moved by the Minister for Justice

**1**

**Proposed new clause 11A**

**Page 8, line 9—**

*insert*

<b>11A</b>	<b>New section 236</b>
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*insert*

**236 Preliminary discovery for private car park fees**

- (1) The road transport authority cannot be required to comply with a preliminary discovery order if the purpose is—
- (a) to ascertain the identity or whereabouts of a person in order to start a proceeding against the person for the recovery of a private car park fee; or
  - (b) otherwise in connection with starting a proceeding for recovery of a private car park fee.
- (2) In this section:

***preliminary discovery order*** means an order made under the *Court Procedures Rules 2006*, division 2.8.6 or any requirement imposed for a similar purpose under any other law.

***private car park fee***—

- (a) means an amount alleged to be payable under the terms of a contract, arrangement or understanding for the use of a car park; but
  - (b) does not include an amount alleged to be payable under the terms of a written contract signed by the relevant parties.
-



## Answers to questions

### Finance—community council assistance (Question No 405)

**Mr Coe** asked the Treasurer, upon notice, on 5 May 2015:

- (1) How much money has been given to community councils each financial year since 2009-2010 broken down by community council.
- (2) What form has the money given to community councils taken.
- (3) What other non-monetary assistance has been offered to community councils.

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

1. The table below shows the funding provided by the Government to Community Councils since 2009-10.

Community Council	2009-10	2010-11	2011-12	2012-13	2013-14	Total
Belconnen	\$10,735	\$11,020	\$12,144	\$12,539	\$12,821	\$59,259
Tuggeranong	\$10,735	\$11,020	\$12,144	\$12,539	\$12,821	\$59,259
Gungahlin	\$10,735	\$11,020	\$12,144	\$12,539	\$12,821	\$59,259
Weston Creek	\$10,735	\$11,020	\$12,144	\$12,539	\$12,821	\$59,259
Inner South Canberra <sup>1</sup>	N/A	\$8,885	\$12,144	\$12,539	\$12,821	\$46,389
Woden Valley <sup>2</sup>	\$10,735	\$11,020	\$12,144	\$12,539	\$5,000	\$51,438
Inner North	\$10,735	\$11,020	\$12,144	\$12,539	\$12,821	\$59,259
<b>Total</b>	<b>\$64,410</b>	<b>\$75,005</b>	<b>\$85,008</b>	<b>\$87,773</b>	<b>\$81,926</b>	<b>\$394,122</b>

**Notes:**

1. The Inner South Canberra Community Council was formed in December 2010, so the funding it received in 2010-11 was pro-rated.
  2. The Woden Valley Community Council did not receive the full grant amount in 2013-14 due to unspent funds from the previous financial year's grant.
2. The Government provides annual funding to Community Councils through a deed of agreement to:
    - a. support participation by the community in council activities;
    - b. communicate the views of the community to the ACT Government; and
    - c. hold publicly advertised community meetings which are open to the public.
  3. Management of the Community Councils funding agreements is undertaken by Communications, Chief Minister, Treasury and Economic Development Directorate. A combined insurance policy covering Public Liability and Volunteer Insurance for all councils has been negotiated by the Directorate. This combined policy has the effect of standardising arrangements and insurance lowering premiums for each of the councils.

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### Housing ACT—properties (Question No 415)

**Ms Lawder** asked the Minister for Housing, upon notice, on 7 May 2015:

For each suburb in the ACT what is: (a) the number of Housing ACT properties; (b) the percentage of Housing ACT properties; (c) the number of Housing ACT dwellings;

(d) percentage of Housing ACT dwellings; (e) the number of properties Housing ACT head-leases from the private sector; (f) the percentage of properties that Housing ACT head-leases from the private sector; (g) the number of dwellings Housing ACT head-leases from the private sector; and (h) the percentage of dwellings that Housing ACT head-leases from the private sector.

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

(a) Refer to the Table at **Attachment A**.

(b) Refer to the Table at **Attachment A**.

(c) Refer to the Table at **Attachment A**.

For the purpose of the Report on Government Services (ROGS), a dwelling is the same as a living space for which there is one rental tenancy agreement. For example Havelock House - one property, but contains up to 105 dwellings.

(d) Refer to the Table at **Attachment A**. See also answer to (c).

(e) Nil

(f) Nil

(g) Nil

(h) Nil

#### ATTACHMENT A

District/ Suburb	Stock At 30 April 2015	Dwellings At 30 April 2015	% of Total Housing ACT Stock
<b>Tuggeranong</b>			
Banks	96	96	0.83%
Bonython	124	124	1.07%
Calwell	68	68	0.59%
Chisholm	156	156	1.35%
Conder	84	84	0.73%
Fadden	0	0	0.00%
Gilmore	116	119	1.01%
Gordon	186	189	1.61%
Gowrie	88	88	0.76%
Greenway	38	38	0.33%
Isabella Plains	57	57	0.49%
Kambah	632	635	5.48%
Macarthur	4	4	0.03%
Monash	59	59	0.51%
Oxley	84	84	0.73%
Richardson	174	174	1.51%
Theodore	105	105	0.91%
Tuggeranong	0	0	0.00%
Wanniassa	331	331	2.87%
<b>TOTALS</b>	<b>2,402</b>	<b>2,411</b>	<b>20.81%</b>

<b>Woden</b>			
Chifley	64	64	0.55%
Curtin	105	105	0.91%
Farrer	49	49	0.42%
Garran	51	51	0.44%
Hughes	94	94	0.81%
Isaacs	29	29	0.25%
Lyons	188	188	1.63%
Mawson	118	118	1.02%
O'Malley	0	0	0.00%
Pearce	59	59	0.51%
Phillip	122	122	1.06%
Torrens	71	71	0.62%
<b>TOTALS</b>	<b>950</b>	<b>950</b>	<b>8.23%</b>

<b>Belconnen</b>			
Aranda	23	23	0.20%
Belconnen T C	351	351	3.04%
Bruce	5	5	0.04%
Charnwood	220	220	1.91%
Cook	82	82	0.71%
Dunlop	156	156	1.35%
Evatt	131	131	1.13%
Florey	302	302	2.62%
Flynn	68	68	0.59%
Fraser	28	28	0.24%
Giralang	61	61	0.53%
Hawker	75	75	0.65%
Higgins	103	103	0.89%
Holt	198	198	1.72%
Kaleen	161	165	1.39%
Latham	107	107	0.93%
Lawson	0	0	0.00%
Macgregor	105	105	0.91%
Macquarie	162	162	1.40%
Mckellar	97	97	0.84%
Melba	109	109	0.94%
Page	93	93	0.81%
Scullin	147	147	1.27%
Spence	121	121	1.05%
Weetangera	1	1	0.01%
<b>TOTALS</b>	<b>2,906</b>	<b>2,910</b>	<b>25.18%</b>

<b>Gungahlin</b>			
Amaroo	60	60	0.52%
Bonner	31	31	0.27%
Casey	19	19	0.16%
Crace	0	0	0.00%
Forde	12	12	0.10%
Franklin	33	33	0.29%
Gunghalin	32	50	0.28%
Harrison	6	6	0.05%
Mitchell	0	0	0.00%
Jacka	5	5	0.04%
Ngunnawal	207	207	1.79%
Nicholls	48	48	0.42%
Palmerston	114	114	0.99%
<b>TOTALS</b>	<b>567</b>	<b>585</b>	<b>4.91%</b>



<b>Weston Creek</b>			
Chapman	26	34	0.23%
Duffy	107	107	0.93%
Fisher	64	64	0.55%
Holder	45	45	0.39%
Rivett	202	202	1.75%
Stirling	72	72	0.62%
Waramanga	170	170	1.47%
Weston	90	90	0.78%
<b>TOTALS</b>	<b>776</b>	<b>784</b>	<b>6.72%</b>

<b>Molonglo</b>			
Coombs	0	0	0.00%
<b>TOTALS</b>	<b>0</b>	<b>0</b>	<b>0.00%</b>

<b>Inner North</b>			
Acton	0	0	0.00%
Ainslie	429	437	3.72%
Braddon	422	422	3.66%
Campbell	20	230	0.17%
City	1	1	0.01%
Dickson	112	112	0.97%
Downer	158	158	1.37%
Hackett	90	90	0.78%
Lyneham	349	349	3.02%
O'Connor	283	287	2.45%
Reid	325	325	2.82%
Turner	306	403	2.65%
Watson	188	188	1.63%
<b>TOTALS</b>	<b>2,683</b>	<b>3,002</b>	<b>23.25%</b>

<b>Inner South</b>			
Barton/Parkes	0	0	0.00%
Deakin	61	61	0.53%
Forrest	11	11	0.10%
Fyshwick	0	0	0.00%
Griffith	294	294	2.55%
Kingston	72	72	0.62%
Narrabundah	437	437	3.79%
Oaks Estate	78	78	0.68%
Red Hill	171	171	1.48%
Yarralumla	95	95	0.82%
<b>TOTALS</b>	<b>1,219</b>	<b>1,219</b>	<b>10.56%</b>

<b>Other</b>			
Belconnen	1	1	0.01%
Booth	0	0	0.00%
Canberra Central	6	6	0.05%
Coree	12	12	0.10%
Cotter River	1	1	0.01%
Duffy	3	3	0.03%
Gunghalin	0	0	0.00%
Hall	9	9	0.08%
Kowan	2	2	0.02%
Majura	0	0	0.00%
Mitchell	0	0	0.00%
Murray	0	0	0.00%

Namadgi	0	0	0.00%
Paddys River	2	2	0.02%
Pialligo	0	0	0.00%
Stromlo	0	0	0.00%
Tennent	0	0	0.00%
Tharwa	1	1	0.01%
Tuggeranong	1	1	0.01%
Woden Valley	1	1	0.01%
<i>TOTALS</i>	<b>39</b>	<b>39</b>	<b>0.34%</b>
<b>TOTALS</b>	<b>11,542</b>	<b>11,900</b>	<b>100.00%</b>

### Capital metro—patronage projections (Question No 421)

**Mr Coe** asked the Minister for Capital Metro, upon notice, on 7 May 2015:

- (1) For Capital Metro's patronage projections listed on page 65 of the Capital Metro Full Business Case, what are the number of origin passengers at each of the following stops for any given weekday; (a) Gungahlin Town Centre Terminus; (b) Flemington Road/Manning Clark Crescent; (c) Flemington Road/Mapleton Avenue; (d) Flemington Road/Nullabor Avenue; (e) Flemington Road/Well Station Drive; (f) Flemington Road/Randwick Road; (g) Federal Highway/Phillip Avenue; (h) Swinden Street; (i) Dickson Interchange; (j) Northbourne Avenue/Macarthur Avenue; (k) Northbourne Avenue/Condamine Street; (l) Northbourne Avenue/Elouera Street; and (m) Alinga Street Terminus.
- (2) In relation to the responses to part (1); (a) to (m) listed above, how is the number of origin passengers broken down by; (a) Origin passengers between 6:00am to 9:00am; (b) Origin passengers between 9:01am and 4:00pm; (c) Origin passengers between 4:01pm and 6:00pm; and (d) Origin passengers between 6:01pm and 11:00pm.

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

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

### Compensation—workers compensation (Question No 424)

**Mr Smyth** asked the Minister for Workplace Safety and Industrial Relations, upon notice, on 13 May 2015:

In relation to ACT Workers Compensation:

- (1) What was the Comcare insurance premium paid by the ACT Government for each of the following financial years: (a) 2013-2014; (b) 2012-2013; (c) 2011-2012; (d) 2010-2011; and (e) 2009-2010.
- (2) How many ACT public sector workers (FTEs) were covered by Comcare for each of the following financial years: (a) 2013-2014; (b) 2012-2013; (c) 2011-2012; (d) 2010-2011; and (e) 2009-2010.

- (3) What was the total wages and salaries bill used for calculation of the ACT Government's Comcare workers compensation premium for each of the following financial years: (a) 2013-2014; (b) 2012-2013; (c) 2011-2012; (d) 2010-2011; and (e) 2009-2010.
- (4) What are the categories of injuries (or mechanism of incidents) and the percentage of accepted claims against each category made by ACT public sector workers for each of the following financial years: (a) 2013-2014; (b) 2012-2013; (c) 2011-2012; (d) 2010-2011; and (e) 2009-2010.
- (5) What is the average estimated cost per claim for each of the injury categories noted above for each of the following financial years: (a) 2013-2014; (b) 2012-2013; (c) 2011-2012; (d) 2010-2011; and (e) 2009-2010.
- (6) What enforcement activity (number and type) has Worksafe ACT taken in relation to ACT Government directorates for each of the following financial years: (a) 2013-2014; (b) 2012-2013; (c) 2011-2012; (d) 2010-2011; and (e) 2009-2010.
- (7) What enforcement activity (number and type) has Worksafe ACT taken in relation to private employers in the ACT for each of the following financial years: (a) 2013-2014; (b) 2012-2013; (c) 2011-2012; (d) 2010-2011; and (e) 2009-2010.
- (8) What are the administrative costs (including staff costs) of Worksafe ACT for each of the following financial years: (a) 2013-2014; (b) 2012-2013; (c) 2011-2012; (d) 2010-2011; and (e) 2009-2010.
- (9) What was the return to work rate for ACT Government employees for each of the following financial years: (a) 2013-2014; (b) 2012-2013; (c) 2011-2012; (d) 2010-2011; and (e) 2009-2010.
- (10) Will the ACT Government refer this policy change to a Legislative Assembly Committee so that the likely impact of any proposed changes can be comprehensively assessed.

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

**Questions (1), (2) and (3) are addressed in Table 1.**

**Table 1** - FTE, wages and salaries, and workers' compensation premium costs

	2009-2010	2010-2011	2011-2012	2012-2013	2013-2014
<b>FTE</b>	18,857	19,690	20,081	20,415	21,064
<b>Wages/salaries (\$M)</b>	\$1,477	\$1,555	\$1,679	\$1,761	\$1,857
<b>Total premium (\$M)</b>	\$41.0	\$47.6	\$58.0	\$69.9	\$81.1

**Questions (4) and (5) are addressed in Table 2.**

**Table 2** - Claim numbers and costs (including estimated future costs) for ACT Public Sector workers' compensation claims. Claims are grouped according to injury type and date of injury.

*Column A* number of claims with an injury date in that financial year

*Column B* average cost of claims (including estimated future costs) by injury category

	2009-2010		2010-2011		2011-2012		2012-2013		2013-2014	
	A	B	A	B	A	B	A	B	A	B
Musculoskeletal injury/disease	384	\$67,320	406	\$77,337	368	\$83,830	387	\$91,995	319	\$88,344
Psychological injury/disease	60	\$210,361	50	\$383,360	84	\$291,956	72	\$186,441	59	\$311,393
Other injuries/diseases	135	\$49,294	122	\$60,884	117	\$31,443	106	\$39,055	122	\$53,852
<b>Total</b>	<b>579</b>	<b>\$77,490</b>	<b>578</b>	<b>\$100,337</b>	<b>569</b>	<b>\$103,783</b>	<b>565</b>	<b>\$94,099</b>	<b>500</b>	<b>\$106,248</b>

**Question (6)**

The question enquires as to the number and type of workers' compensation regulatory compliance activities WorkSafe ACT has conducted in respect of ACT Government directorates. However WorkSafe ACT is not the workers' compensation regulator responsible for ACT Government directorates. Currently, the ACT Government's workers' compensation obligations arise from Commonwealth legislation and consequently the regulator is Comcare.

WorkSafe ACT does however regulate ACT government directorates' obligations under work health and safety law. In this respect it conducts education, awareness and enforcement activities. Furthermore, the Safety Support Team within the Chief Minister, Treasury and Economic Development Directorate provides a service to ACT Government directorates and agencies on all aspects of establishing and maintaining a safe place of work. They perform a range of activities including establishing risk profiles; involvement in safety audits and subsequent plans for improvement; assisting with the development of targeted risk reduction programs and maintaining the whole of Government Workplace Health and Safety Management System framework.

**Question (7) is address in Table 3****Table 3 – WorkSafe workers' compensation enforcement statistics**

	2009-2010	2010-2011	2011-2012	2012-2013	2013-2014
Workplace visits	464	405	718	656	588
Formal notices	43	13	0	0	0
Infringement notices	12	11	2	0	12
Matters initiated re lapsed policies	1,295	1,591	1,992	2,091	2,179
Default notices	3	2	32	9	23
Recovery notices	3	10	14	11	9
Amount of premium recovery issued	\$16,207.17	\$176,948.00	\$60,135.60	\$58,491.56	\$88,033.00

**Question (8) is address in Table 4****Table 4 - Work Safe Expenses (excluding ACT Health and Support Project and administrative on costs)**

	2009-2010*	2010-2011	2011-2012	2012-2013	2013-2014
Employee Expenses	NA*	\$3,945,916	\$3,310,588	\$3,983,731	\$4,184,953
Administrative Expenses	NA*	\$643,055	\$568,062	\$501,185	\$598,177
<b>Total</b>	<b>NA*</b>	<b>\$4,588,971</b>	<b>\$3,878,650</b>	<b>\$4,484,916</b>	<b>\$4,783,130</b>

\*prior to 2010-11 the 'WorkSafe' functions were part of a broader Compliance Branch, which was responsible for work safety, fair trading, parking review and other licensing functions. Consequently it is not practical to present financial information for the WorkSafe function in isolation for 2009-10.

**Question (9)**

The Territory's workers' compensation insurer reports on return to work performance by measuring continuance rates. Continuance rates describe the proportion of lost time claims which receive four weeks worth of incapacity payments that go on to continue receiving payments for longer periods. The results for the ACT public sector's 13 week workers' compensation continuance rate are shown in Table 5 below.

**Table 5** – ACT public sector Comcare 13 week claim continuance rate

	2009-2010	2010-2011	2011-2012	2012-2013	2013-2014
Claims reaching 4 weeks incapacity	182	221	200	228	227
Claims reaching 13 weeks incapacity	95	119	106	134	131
Continuance rate	52%	54%	53%	59%	58%

**Question (10)**

On 25 February 2015, I announced that the ACT Government would be consulting on the design of a new workers' compensation scheme aimed at providing improved outcomes for injured ACT Public Sector workers.

Consultation draft scheme design information was made available on 26 February 2015 to support a ten week public comment and consultation period, with submissions closing on 8 May 2015. This allowed ample opportunity for those wishing to make a submission, to do so.

Factsheets on the proposed scheme design were made available to ACTPS employees and key stakeholders including Unions ACT, Australian Lawyers Alliance, ACT Law Society and the Bar Association. In addition, staff forums were held with, or offered to, all directorates. Stakeholder meetings were conducted with both employer and employee representatives.

The Government is currently considering the feedback and submissions received.

Given the targeted consultation on the new scheme undertaken to date with all affected stakeholders, evidence provided in regard to the failings of the Comcare scheme in providing the best outcomes for our workers and the current and ongoing work with employee representatives on the creation of a new ACT Government, I do not consider a Legislative Assembly Committee review is warranted.

I can also advise a review process is also being created with the new scheme that will be embedded in its operational framework.

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**Alexander Maconochie Centre—contraband seizures  
(Question No 429)**

**Mr Wall** asked the Minister for Justice, upon notice, on 2 June 2015:

- (1) In relation to visitor entry to the facility, how many incidents of contraband seizures have occurred at the Alexander Maconochie Centre (AMC) in (a) 1 January to 31 March 2014; (b) 1 April to 30 June 2014; (c) 1 July to 30 September 2014; (d) 1 October to 31 December 2014; (e) 1 January to 31 March 2015.

- (2) How many of the seizures in part (1) were detected by (a) sniffer dogs, (b) x-ray machines or (c) physical search.
- (3) What type of contraband was seized in part (1).
- (4) What action was taken on each occasion identified in part (1).
- (5) How many incidents of contraband seizures have occurred within the AMC in (a) 1 January to 31 March 2014, (b) 1 April to 30 June 2014, (c) 1 July to 30 September 2014, (d) 1 October to 31 December 2014, (e) 1 January to 31 March 2015.
- (6) What type of contraband was seized in part (5).
- (7) What action was taken on each occasion identified in part (5).

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

The member has previously been provided with data around contraband found within the AMC from visitor entry for the periods 1 January to 31 March 2014 and 1 April to 30 June 2014, in response to a Question on Notice on 14 August 2014 (Question on Notice No. 321 of 2014).

Consequently, the data is provided for the remaining periods requested in part 1 of the Member's question in table 1. An additional quarter has also been provided to provide a complete financial year:

**Table 1 – Contraband detected on visitor entry**

1 July to 30 Sept 2014	1 October to 31 Dec 2014	1 January to 31 March 2015	1 April to 30 June 2015
4	3	7	3
			Total: 17

- (2)
- (a) Of the 17 contraband seizures between 1 July 2014 and 30 June 2015, the Passive Alert Detector (PAD) dogs were directly involved in nine of those seizures.
- (b) The x-ray machine at the AMC is used to search property (e.g. bags and other belongings) being brought into the AMC via the visitor entry point. No contraband seizures were made upon visitor entry to the AMC as a result of x-ray. It is ACT Corrective Services' experience that contraband tends to be concealed on a person as opposed to in their belongings.
- (c) The balance of finds were the result of either physical searches, observation by Corrections Officers of visitor behaviour or in response to information gathered by the Intelligence Unit in advance of a visit.

ACT Corrective Services is permitted to undertake physical searches of visitors to the AMC. Such searching methods typically involve, though are not limited to, frisk searches and scanning searches, as defined at s.147 and Part 9.4 of *Corrections Management Act 2007*. ACT Corrective Services is not permitted to undertake strip searches of visitors.

Contraband seizures from visitor entry can, and often are, a result of intelligence work by the ACT Corrective Services Intelligence Unit. Where visitors are identified as concealing contraband on their person it is typically voluntarily surrendered to ACT Corrective Services.

(3) The types of contraband seized were:

- cash;
- makeshift weapons;
- electronics (mobile phones/chargers/USBs);
- illicit substances; and
- cigarette lighters

(4) In accordance with the *Corrections Management (Possession of Prohibited Things) Policy 2012*, any person attempting to introduce a non-authorised prohibited thing into the AMC or found in the possession of a non-authorised prohibited thing, may be subject to confiscation of the item, denial of visit, removal from the correctional centre, referral to the police; with the penalty proportionate to the circumstances and prohibited item.

Various courses of action occurred in relation to the contraband seizures from visitor entry referenced in table 1. In each instance where a visitor was found to have an illicit substance on their person the matter was referred to ACT Policing.

To identify the course of action for each other occasion, for example in the instances of seizing cigarette lighters and/or cash, would require ACT Corrective Services to interrogate manual records, placing an unreasonable time and resource impost on the organisation.

(5) The Member was provided with the data requested for the period 1 January to 31 March 2014 and 1 April to 30 June 2014 in response to the Member's Question on Notice No. 321 of 2014. As such the data is provided for the remaining requested periods as outlined in table 3.

An additional quarter has also been provided to provide a complete financial year:

**Table 2 – Contraband seizures in the AMC**

<b>1 July to 30 Sept 2014</b>	<b>1 October to 31 Dec 2014</b>	<b>1 January to 31 March 2015</b>	<b>1 April to 30 June 2015</b>
142	66	78	82
Total: 368			

(6) As noted in response to part 4 of the Member's question, the items seized range from makeshift weapons, electronics, illicit substances, cigarette lighters but also includes items such as excess food, and unauthorised property (such as excess clothing or prescription medication).

(7) Detainees found to be in possession of contraband are subject to disciplinary action as set out in the *Corrections Management Act 2007*. Penalties applied can range from the withdrawal of privileges to separate confinement. More serious matters, such as instances where mobile phones or illicit substances are seized, may be referred to police. While ACT Corrective Services takes referral of these matters very seriously, it can be difficult to determine ownership of contraband to an individual detainee, for example where items are seized in a shared cell or in common areas of accommodation units, thus making it difficult for police to prosecute an offence.

Collated data in regard to what action was taken in respect of each of the 368 contraband seizures noted in table 3 is not readily available. To identify the course of action for each other occasion would require ACT Corrective Services to interrogate manual records, placing an unreasonable time and resource impost on the organisation.

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### **Hospitals—bed numbers (Question No 430)**

**Mr Hanson** asked the Minister for Health, upon notice, on 3 June 2015:

- (1) When was it discovered that the available bed numbers in Canberra public hospitals reported in 2007-08, 2008-09 and 2009-10 were incorrect, given that the number of available beds in Canberra hospitals were reported in answer to Question on Notice No 412, dated 6 May 2015, which corrected data listed in the 2013-14 ACT Health annual report and the ACT Health December 2014 quarterly report as follows:

	6 May 2015	December 2014
	Available beds	Available beds
(a) 2007-08	830	851
(b) 2008-09	876	875
(c) 2009-10	912	907

- (2) How was the error detected.
- (3) Has the new information been reported to Australian Institute and Welfare (AIHW) or other national data collecting agencies.
- (4) Has a report been provided explaining the error to AIHW or other national data collecting agencies.
- (5) What was the reason for the error.
- (6) What measures have been put into place to ensure that available bed reporting processes are accurate.
- (7) How are available bed numbers now calculated.
- (8) How are the number of reported available beds in ACT Health different from the definition used by AIHW.
- (9) Do currently reported available bed numbers include numbers that are not either physical beds or physical cots.
- (10) Do currently reported available beds include numbers that refer to chairs.
- (11) Do current available bed numbers only include overnight beds.
- (12) Are the number of “available beds” and the number of “overnight beds” the same; if not, what is the difference.



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

- (1) ACT Health's 2013-14 Annual report and December 2014 quarterly report bed numbers are correct and match the AIHW's national publications. The error occurred in response to QON 412 in relation to bed numbers for the years 2007-08, 2008-09 and 2009-10. This was subsequently amended and provided to the Assembly in June 2015.
- (2) ACT Health became aware of the error made in QON 412 when preparing and cross checking the response to QON 430.
- (3) There is no error in the figures provided to the AIHW or other national publications regarding bed numbers.
- (4) There is no error in the figures provided to the AIHW or other national publications regarding bed numbers. A report is not required.
- (5) No error was made for the mentioned ACT Health publications. The error was only made in response to QON 412. Improved internal processes have been introduced to ensure QON responses are more thoroughly critiqued.
- (6) Processes for reporting bed numbers for publicised reports are robust. However, improved internal processes have been introduced to ensure QON responses are more thoroughly critiqued.
- (7) When reporting bed numbers in ACT Health reports and to the AIHW, beds are counted in accordance with the AIHW definition.
- (8) The number of beds that ACT Health reports matches the number of beds reported by the AIHW for ACT Public Hospitals. However, ACT Health, for the purpose of operational reporting of bed occupancy rates, does use a different definition of "available beds" as per ACT Health's response to QON 380.
- (9) No.
- (10) No, ACT Health includes some same day beds in our total average available bed figures, as per the AIHW national definition. However, only overnight beds are factored into ACT Health's bed occupancy calculations.
- (11) For the purpose of reporting bed numbers to the AIHW, ACT Health counts for same day, and non-same day beds. ACT Health's total available bed figure consists of 167 same day beds and 901 overnight beds, a total of 1,068 average available beds for the 2014 15 financial year.
- (12) No, ACT Health includes some same day beds in our total average available bed figures, as per the AIHW national definition. However, only overnight beds are factored into ACT Health's bed occupancy calculations.

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**Hospitals—bed numbers  
(Question No 431)**

**Mr Hanson** asked the Minister for Health, upon notice, on 3 June 2015:

- (1) What have been the numbers of subacute beds at the Canberra Hospital this year and for the past four financial years, given that answer to Question on Notice No 411, dated 6 May 2015, stated that the estimated future subacute bed numbers for the Canberra Hospital over the next five financial years was (i) 2015-16, 67 beds and (ii) 2016-17, 67 beds and after that all are planned to be transferred to the new University of Canberra Public Hospital.
- (2) In relation to the Calvary Hospital, what (a) is the current number of acute beds and subacute beds, (b) is the projected number of acute beds and subacute beds for the next five financial years and (c) have been the numbers of subacute beds at the Calvary Hospital this year and for the past four financial years.
- (3) In relation to the Centenary Hospital for Women and Children, what is the (a) current number of acute beds and subacute beds and (b) projected number of acute beds and subacute beds for the next five financial years.
- (4) In relation to the Adult Mental Health Unit, what is the (a) current number of acute beds and subacute beds and (b) projected number of acute beds and subacute beds for the next five financial years.

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

- (1) In relation to numbers of subacute beds at the Canberra Hospital, ACT Health projects acute and subacute type inpatient activity (demand) and translates the activity to bed requirements at 85 per cent occupancy, for future planning purposes. ACT Health reports actual available beds as either overnight or same day beds. The beds available in our public hospitals accommodate a variety of differing care types and acuity levels. Whether the patients in our inpatient wards are acute or subacute is based on demand.

ACT Health currently has a total of 1,068 available beds in our public hospitals, 901 of which are considered to be overnight with the remaining 167 considered as same day beds.

Canberra Hospital currently has a total of 766 available beds.

The table below has previously been provided to the Assembly via the revised response to QON 412:

<b>ACT Public Hospitals Combined</b>	
Financial Year	Available Beds
2012-13	986
2011-12	939
2010-11	926
2009-10	907

- (2) In relation to Calvary Public Hospital:
  - (a) There are currently a total of 302 available beds.
  - (b) Projected numbers of acute and subacute beds at Calvary Public Hospital for the next five financial years are subject to decisions taken by the Government in the Budget process in response to Territory-wide planning based on projected need and master planning processes. These are currently being reviewed.

- (c) With regard to the numbers of subacute beds at the Calvary Hospital this year and for the past four financial years, the beds available in our public hospitals accommodate a variety of differing care types and acuity levels. Whether the patients in our inpatient wards are acute or subacute is based on demand.
- (3) In relation to the Centenary Hospital for Women and Children:
- (a) There are currently a total of 139 available beds.
- (b) There is built capacity for 146 acute beds in the Centenary Hospital for Women and Children. The number of beds available for the next five financial years will depend on demand and are subject to decisions taken by the Government in the Budget process.
- (4) In relation to the Adult Mental Health Unit:
- (a) There are currently a total of 35 available beds.
- (b) There is built capacity for 40 beds in the Adult Mental Health Unit. The number of beds available for the next five financial years will depend on demand and are subject to decisions taken by the Government in the Budget process.
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### **Hospitals—University of Canberra (Question No 432)**

**Mr Hanson** asked the Minister for Health, upon notice, on 3 June 2015:

Given that on 14 May 2015 it was reported that ACT Health stated that the new University of Canberra would have, in addition to 140 beds, 75 spaces for non-overnight services and that these were not traditional beds and that the treatment could occur in a pool, gym or in consulting rooms, how (a) has the figure of 75 spaces been calculated, (b) many consultation rooms are included in the calculation of 75 spaces, (c) is the pool included in the calculation of 75 spaces and (d) is the gym included in the calculation of 75 spaces.

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

- (a) The figure of 75 places in Day Services has been calculated from:
- 25 places for the mental health rehabilitation day service
  - 25 places for the aged care day service
  - 25 places for the adult rehabilitation day service.

The number of 25 places for each day service was proposed in the Report from the Subacute Hospital Planning Workshop held on 9 November 2012 (dated 4 January 2013) by Associate Professor Chris Poulos. This Report was tabled in the ACT Legislative Assembly on 4 June 2015.

- (b) The consultation rooms at the University of Canberra Public Hospital are not included in the calculation of the 75 Day Service places. Consultation rooms are spaces within which the treatment and/or therapy provided to patients (inpatients, Day Service patients, or outpatients) is delivered.

(c) No.

(d) No.

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**ACT Health—obesity clinic  
(Question No 433)**

**Mr Hanson** asked the Minister for Health, upon notice, on 3 June 2015:

- (1) What (a) services and (b) treatments are currently provided at the ACT Health Obesity Clinic.
- (2) How many staff are employed at the ACT Obesity Clinic.
- (3) What are the qualifications of the staff employed at the ACT Health Obesity Clinic.
- (4) How many patients are seen on a (a) weekly and (b) monthly basis at the ACT Health Obesity Clinic.
- (5) Is there a waiting list for obesity service/treatment at the ACT Health Obesity Clinic.
- (6) Are any of the services/referrals for obesity service/treatment at the ACT Health Obesity Clinic being provided by external service providers.
- (7) What equipment is used at the ACT Health Obesity Clinic.
- (8) What is the cost of providing obesity advice and treatment during the first six months of operation at the ACT Health Obesity Clinic.

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

- (1) (a) The services currently provided by the Obesity Management Service (OMS) each week are:
  - medical clinics
  - education groups
  - exercise groups
  - A dietitian clinic
  - An exercise physiology clinic
  - A psychologist clinic
  - Case management review sessions
- (b) Treatments the OMS currently provides are:
  - Medical assessment and review
  - Obesity management planning
  - Care coordination
  - Very low energy diet for rapid weight loss
  - Dialectical and cognitive behaviour therapy
  - Exercise physiologist-led physical conditioning

- (2) With regard to staffing levels, the OMS is currently fully staffed as follows:
- Full Time Equivalent (FTE) Health Professional level 4 (OMS Coordinator).
  - 2.0 FTE Registered Nurses.
  - 2.0 FTE Health Professionals level 3 (includes an Exercise Physiologist, Dietician and Psychologist).
  - 0.5 FTE Administrative Officer level 3.
  - 0.9 FTE Medical Staff Specialist.
- (3) The qualifications of staff are considered private and confidential information.
- (4) Currently twelve new patients are seen in the OMS per week, with forty eight patients seen per month.
- (5) The OMS does have a waiting list and the wait for patients seen recently has been nine months on average. These patients are waiting for an initial appointment with an OMS medical specialist.
- (6) All services provided by the OMS are provided by ACT Health. All referrals to the OMS are managed by ACT Health.
- (7) Equipment used at the OMS includes:
- Electrocardiogram (ECG) machine
  - Bariatric wheelchair scales and height measure
  - Blood pressure machines with suitable cuffs for target group
  - Bariatric chairs
  - Bariatric treatment beds
  - High capacity patient hoist
- (8) The cost of providing obesity advice and treatment during the first six months of operation was \$500,000, as per the ACT Government initiative to establish an OMS to improve the health of patients with severe obesity through coordinated intervention and prevention services.
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### **Health—breast screening (Question No 434)**

**Mr Hanson** asked the Minister for Health, upon notice, on 3 June 2015:

- (1) How many public breast screens were done in the ACT during the (a) 2010, (b) 2011, (c) 2012, (d) 2013 and (e) 2014 calendar years.
- (2) What was the cost of a public breast screen in the ACT during the (a) 2010, (b) 2011, (c) 2012, (d) 2013, and (e) 2014 calendar years.
- (3) What was the cost of providing public breast screening in the ACT during the (a) 2010, (b) 2011, (c) 2012, (d) 2013, and (e) 2014 calendar years.
- (4) What type of equipment is currently used to conduct public breast screening in the ACT.

- (5) What is the cost of the equipment used to conduct public breast screening.
- (6) What is the age of the current equipment used to conduct public breast screening.
- (7) What replacement plans are there for the current equipment is use today to conduct public breast screening.
- (8) What would be the cost of upgrading and replacing the current equipment in use today to conduct public breast screening.

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

- (1) The number of breastscreens undertaken in the ACT per calendar year was:
  - (a) 2010 – 11,784
  - (b) 2011 – 13,669
  - (c) 2012 – 13,850
  - (d) 2013 – 15,607
  - (e) 2014 – 15,513
- (2) The cost of a public breast screen in the ACT per calendar years was:
  - (a) 2010 – \$267
  - (b) 2011 – \$293
  - (c) 2012 – \$267
  - (d) 2013 – \$238
  - (e) 2014 – \$236
- (3) The cost of providing public breast screening in the ACT per calendar year was:
  - (a) 2010 – \$3,147,000
  - (b) 2011 – \$4,003,000
  - (c) 2012 – \$3,692,000
  - (d) 2013 – \$3,711,000
  - (e) 2014 – \$3,667,000
- (4) Three Phillips Microdose L30 digital mammography x-ray machines, two Phillips iU22 Ultrasound machines, and a SIEMENS biopsy (Mammotome) table and equipment.
- (5) The three Phillips Microdose L30 digital mammography x-ray machines were purchased in 2010 at a cost of \$341,250 each. Total cost of \$1,023,750.

One of the two Phillips iU22 Ultrasound machines was purchased in 2010 at a cost of \$117,248. The second was purchased in 2014 at a cost of \$84,100. Total cost of \$201,348.

The SIEMENS biopsy (Mammotome) table and equipment was purchased in 2008 at a cost of \$55,927.

- (6) The Phillips Microdose L30 digital mammography x-ray machines and associated hardware are five years old. The life expectancy of the equipment is 10 years.

One of the two Phillips iU22 Ultrasound machines is five years old, and the other is less than a year old. The life expectancy of an ultrasound machine is 10 years.

The SIEMENS biopsy (Mammotome) table and equipment is seven years old. The life expectancy is 10 years.

- (7) A new breast screening Digital Breast Tomosynthesis capable mammography machine will be purchased when services expand to the Belconnen Community Health Centre in the second half of 2015. This new machine is able to be utilised for screening, assessment and biopsy and will supersede the SIEMENS biopsy (Mammotome) table and equipment that is seven years old.

- (8) The cost of a new mammography machine, Philips L50, used for mammography screening is \$125,000. The total for three machines is \$375,000.

The cost of a Digital Breast Tomosynthesis capable machine used for screening, assessment and biopsy is \$469,000.

The cost of an ultrasound machine is \$84,100. The total cost for two machines is \$168,200.

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### **ACT Health—community care nurses (Question No 435)**

**Mr Hanson** asked the Minister for Health, upon notice, on 3 June 2015:

- (1) How many community care nurses does ACT Health employ.
- (2) Where are these ACT Health community care nurses located.
- (3) What type of services do ACT Health community care nurses offer and where are patients treated.
- (4) How many patients were treated by ACT Health community care nurses during the (a) 2010, (b) 2011, (c) 2012, (d) 2013 and (e) 2014 calendar years and where were they treated.
- (5) What is the cost of a ACT Health community nurse.
- (6) What is the cost of providing community care by ACT Health per annum.
- (7) What was the cost of providing ACT Health community care (excluding external providers) during the (a) 2010, (b) 2011, (c) 2012, (d) 2013 and (e) 2014 calendar years.

- (8) What was the cost of providing external community care in the ACT during the (a) 2010, (b) 2011, (c) 2012, (d) 2013 and (e) 2014 calendar years.
- (9) What service providers currently provide external community care in the ACT.

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

- (1) As at 20 May 2015, 99 FTE nurses were employed by ACT Health under the Community Care Program.
- (2) Community Care Nurses provide domiciliary and clinic based services out of the Belconnen, Civic, Gungahlin, Phillip and Tuggeranong Community Health Centres. The Community Nursing LINK Team is based in Garran. They provide services for emergency/domiciliary patients across the ACT, including two residential homes for patients on ventilators.
- (3) The Community Care Program provides community nursing services to ACT residents. Community based clinical nursing services include wound, catheter and drain management, medication administration and education and specialist wound, stoma, and catheter services. Community Nurses offer continence assessment and management of continence as well as group sessions for pre-prostatectomy patients. Self management of chronic conditions courses are run throughout the year. General ambulatory care clinics are located at each of the Community Health Centres listed above (2), while specialist services can be accessed at one or more health centres.

Access to Community Nursing services is via the Community Health Intake and referrals come from hospitals and other health service providers, such as general practitioner's as well as the patient themselves and/or their carer/family.

- (4) The occasions of service provided by ACT Health community care nurses during the (a) 2010, (b) 2011, (c) 2012, (d) 2013 and (e) 2014 calendar years are as follows:

<b>Community Occasions of Service Provided By Nurses by Calendar Year</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>
CCP - Community Care Program	79865	82684	86356	82217	81470

Patients are treated in the Community Health Centres and/or the patient's home.

- (5) The cost of a ACT Health Community nurse ranges between \$65,000 to \$148,000 per annum depending on the grade of nurse.
- (6) In 2013-14 financial year, the cost of providing community care by ACT Health was \$18,138,000.
- (7) The cost of providing ACT Health community care (excluding external providers) during the (a) 2010, (b) 2011, (c) 2012, (d) 2013 and (e) 2014 calendar years are as follows:

<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>
\$15,754,000	15,335,000	\$16,603,000	\$17,127,000	\$18,989,000

- (8) The cost of providing external community care in the ACT during the (a) 2010, (b) 2011, (c) 2012, (d) 2013 and (e) 2014 calendar years are as follow:



*Please note that NGO's are funded on a Financial Year basis*

2009-10*	\$ 25,561,733
2010-11*	\$ 28,046,798
2011-12*	\$ 29,204,345
2012-13**	\$ 15,326,940
2013-14**	\$ 15,741,180
2014-15**	\$ 14,922,363

\*combined total Home and Community Care Program, Department of Veterans Affairs (DVA) Project Agreement and Social and Community Services (SACs) award funds.

\*\*combined total ACT Home and Community Care (under 65) program, DVA Project Agreement (under 65) and SACs award funds.

*Please note that from 1 July 2012 the Australian Government assumed direct responsibility for the funding of HACC services for all clients over the age of 65 years and for Aboriginal and Torres Strait Islander people over 50 years. The ACT Government retains funding responsibility for community care services to people under age 65.*

- (9) The following service providers currently provide external community care in the ACT. These non government agencies are currently funded to provide community care services under the ACT Home and Community Care program.

ACTCOSS	Duo Services Australia Ltd
ADACAS Inc	Focus ACT Inc
Alzheimer's Australia ACT Inc	Just Better Care Community Canberra
Anglicare Canberra and Goulburn	Kincare Community Service Ltd
Australian Red Cross Society	Koomarri
Belconnen Community Services	LEAD Community Programs Association
Canberra Institute of Technology	Marymead Child and Family Centre
Carers ACT Inc	Mercy Health & Aged Care Inc
CatholicCare Canberra & Goulburn	Northside Community Service Ltd
Communities @ Work Limited	Sharing Places Inc
Community Connections Inc	Southside Community Services Inc
Community Options Inc	Woden Community Service

## **ACT Health—palliative care nurses (Question No 436)**

**Mr Hanson** asked the Minister for Health, upon notice, on 3 June 2015:

- (1) How many palliative care nurses does ACT Health employ.
- (2) Where are these ACT Health palliative care nurses located.
- (3) What type of services do ACT Health palliative care nurses offer and where are patients treated.
- (4) How many patients were treated by ACT Health palliative care nurses during the (a) 2010, (b) 2011, (c) 2012, (d) 2013 and (e) 2014 calendar years and where were they treated.

- (5) What is the cost of a ACT Health palliative care nurse.
- (6) What is the cost of providing palliative care by ACT Health per annum
- (7) What was the cost of providing ACT Health palliative care (excluding external providers) during the (a) 2010, (b) 2011, (c) 2012, (d) 2013 and (e) 2014 calendar years.
- (8) What was the cost of providing external palliative care in the ACT during the (a) 2010, (b) 2011, (c) 2012, (d) 2013 and (e) 2014 calendar years.
- (9) What service providers currently provide external palliative care in the ACT.

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

- (1) The total number of palliative care nurses employed by ACT Health in 2014-15 is 4.7 FTE. This equates to six nursing positions that form part of Canberra Hospital and Health Services Palliative Care Service.
- (2) The Palliative Care Service is based at Canberra Hospital. ACT Health also funds Calvary Health Care to provide palliative care services territory wide.
- (3) The Palliative Care Service provides a consultative nursing service to inpatient and outpatients across all areas of Canberra Hospital.

(4)

	<b>Inpatient Palliative Care</b>	<b>Canberra Hospital Community Palliative and Supportive Care Service</b>
<b>a- 2010</b>	227	171*
<b>b- 2011</b>	239	891
<b>c- 2012</b>	185	866
<b>d- 2013</b>	162	1884
<b>e- 2014</b>	176	1394

\* This service commenced in late 2010.

- (5) Classifications of nurses working within Palliative Care range from RN1 to RN4.2 (Nurse Practitioner). The cost ranges from \$100,000 to \$148,000 per annum.
- (6) The cost of providing palliative care services in the 2013-14 financial year was \$613,000.
- (7) The cost of providing palliative care (excluding external providers) per calendar year was:
  - (a) 2010 - \$347,000
  - (b) 2011 - \$502,000
  - (c) 2012 - \$554,000
  - (d) 2013 - \$630,000
  - (e) 2014 - \$519,000
- (8) The cost of providing palliative care in the ACT during the (a) 2010, (b) 2011, (c) 2012, (d) 2013 and (e) 2014 calendar years was:

- (a) 2010 - \$6,153,079
- (b) 2011 - \$6,481,657
- (c) 2012 - \$7,494,816
- (d) 2013 - \$7,752,697
- (e) 2014 - \$7,631,911

- (9) There are three external ACT service providers for palliative care:
- Calvary Health Care ACT Ltd;
  - Palliative Care ACT; and
  - Community Options

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### **Hospitals—security (Question No 437)**

**Mr Hanson** asked the Minister for Health, upon notice, on 3 June 2015:

- (1) Who provides security at (a) the Canberra Hospital and (b) Calvary Hospital.
- (2) Is there 24/7 security coverage on site at (a) the Canberra Hospital and (b) Calvary Hospital.
- (3) Who manages and oversees security personnel at (a) the Canberra Hospital and (b) Calvary Hospital.
- (4) Do security staff at (a) the Canberra Hospital and (b) Calvary Hospital have any specific powers under hospital guidelines, regulations or legislation.
- (5) What powers do security staff at (a) the Canberra Hospital and (b) Calvary Hospital have.
- (6) How do security staff at (a) the Canberra Hospital and (b) Calvary Hospital deal with aggression, violence, abuse, dangerous persons in the hospitals' building or on the grounds.
- (7) How many security incidents have occurred at (a) the Canberra Hospital and (b) Calvary Hospital during the (i) 2010, (ii) 2011, (iii) 2012, (iv) 2013 and (v) 2014, calendar years.
- (8) What kind of security incidents by category, class, type, or as recorded occurred at (a) the Canberra Hospital and (b) Calvary Hospital during the (i) 2010, (ii) 2011, (iii) 2012, (iv) 2013 and (v) 2014, calendar years.
- (9) Can the Minister list security incidents at (a) the Canberra Hospital and (b) Calvary Hospital committed by (i) male, (ii) female, (iii) children male or (iv) children female during the (i) 2010, (ii) 2011, (iii) 2012, (iv) 2013 and (v) 2014, calendar years.
- (10) Can the Minister list security incidents at (a) the Canberra Hospital and (b) Calvary Hospital where individuals were brought in by police or corrections staff/personnel.
- (11) What are the categories of security personnel and the number of security personnel employed (a) directly, (b) indirectly or (c) by contract at (i) the Canberra Hospital and (ii) Calvary Hospital.

- (12) What type of security infrastructure, equipment and hardware are used by security staff/personnel in or on (a) the Canberra Hospital and (b) Calvary Hospital buildings and grounds.
- (13) What was the cost of providing security at (a) the Canberra Hospital and (b) Calvary Hospital during the (i) 2010, (ii) 2011, (iii) 2012, (iv) 2013 and (v) 2014, calendar years.

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

- (1) (a) SNP, a contracted security company, provides security services at Canberra Hospital.
- (b) Calvary Hospital operates its own security services.
- (2) Yes, there is 24/7 security coverage on site at both Canberra Hospital and Calvary Hospital.
- (3) (a) The Senior Manager, Protective Security (who is also the ACT Health Agency Security Advisor) manages and oversees security personnel at Canberra Hospital.
- (b) The Security Manager manages the Calvary security team.
- (4) (a) Yes.
- (b) Security staff employed under the Calvary Master Licence have powers consistent with their Employee Licence as described in the *Security Industry Act 2003*.
- (5) (a) ACT Health Security staff at Canberra Hospital have authorities conferred upon them in accordance with the *ACT Crimes Act 1990* and the ACT Health Security Policy and Standard Operating Procedures. Such authorities are inclusive of issuing lawful direction to members of the public to leave the campus and powers to arrest for certain criminal offences under Section 218 of the *ACT Crimes Act 2003*. In addition to the above, SNP (the contracted security service provider to Canberra Hospital) hold an ACT Master Security Industry Licence and their staff also have authorities conferred upon them in accordance with the *Security Industry Act 2003*.
- (b) See point 4(b) above.
- (6) Security staff at both Canberra Hospital and Calvary Hospital are trained in the de-escalation of aggression, violence and abuse, and only engage with dangerous persons if it is safe to do so. If attempts to de-escalate the situation are unsuccessful, security staff will request assistance from ACT Policing to resolve the situation.
- (7) (a) The number of incidents of Violence and Aggression for financial years 2010/11 to 2014/15 include:

Year	Violence and Aggression Incidents at Canberra Hospital
2014-15	324
2013-14	355
2012-13	453
2011-12	509
2010-11	379

(b)

<b>Year</b>	<b>Violence and Aggression Incidents Calvary Bruce campus</b>
2014/2015	432
2013/2014	490
2012/2013	608
2011/2012	494
2010/2011	403

(8) A range of incidents that fall within security responsibilities that have occurred at both Canberra Hospital and Calvary Hospital between 2010 to 2015 calendar years include: violence and aggression, missing patients, cash escorts, patient escorts, alarm response, code response, suspicious items/packages, smoking, cautions and traffic management.

(9) (a) ACT Health does not compile data on security incidents at Canberra Hospital that are categorised by age or gender.

(b) Calvary Hospital does not compile data on security incidents categorised by age or gender.

(10) (a) ACT Health does not compile data on security incidents at Canberra Hospital that are grouped by individuals brought in by either police or corrections staff/personnel.

(b) Calvary Public Hospital does not compile data on security incidents categorised by patients being escorted by police or corrections personnel.

(11) (i) (a) There are two security managers employed by ACT Health.

(b) Nil.

(c) There are a range of security personnel engaged by SNP to fill the requirements of the contract. Due to security reasons detailed information cannot be provided. A private briefing can be arranged upon request if required.

(ii) Due to security reasons detailed information cannot be provided. A private briefing can be arranged upon request if required.

(12) Due to security reasons detailed information cannot be provided. A private briefing can be arranged upon request if required.

(13) (a) Figures provided regarding provision of SNP contracted security services across ACT Health, including Canberra Hospital and Community Health facilities, noting that 2014-15 is a YTD (as at 15 June 2015) are as follows:

<b>Year</b>	<b>Total Security Expenditure ACT Health</b>
2014-15	\$1,132,347.66
2013-14	\$1,064,753.02
2012-13	\$1,332,943.08
2011-12	\$1,487,064.24
2010-11	\$1,205,302.50

(b)

<b>Year</b>	<b>Total Expenditure for Security Services, Calvary Bruce Campus</b>
2014/2015	\$732,536
2013/2014	\$798,518
2012/2013	\$648,402
2011/2012	\$584,491
2010/2011	\$512,507

### **Housing—property rates (Question No 439)**

**Mr Coe** asked the Treasurer, upon notice, on 4 June 2015:

- (1) What would the current rates and 2015-16 rates be for the sample properties with the below attributes, assuming the Unimproved Value remains the same.

<b>Suburb</b>	<b>Address</b>	<b>Size (m<sup>2</sup>)</b>	<b>2013-14 Unimproved Value</b>
Amaroo	Shoalhaven Ave	604	\$ 293,000
Aranda	Bandjalong Crescent	718	\$ 428,000
Belconnen	Cabena Court	267	\$ 266,000
Bonner	Mabo Boulevard	774	\$ 277,000
Bruce	Crisp Circuit	812	\$ 465,000
Bruce	Jaeger Circuit	743	\$ 496,000
Bruce	Lampard Circuit	366	\$ 322,000
Casey	Overall Avenue	610	\$ 264,000
Charnwood	Bettington Circuit	633	\$ 285,000
Cook	Lyttleton Crescent	909	\$ 375,000
Crace	Chance Street	450	\$ 227,000
Dunlop	Lance Hill Ave	510	\$ 221,000
Evatt	Clancy Street	716	\$ 290,000
Florey	Ratcliffe Crescent	700	\$ 315,000
Flynn	Spalding Street	985	\$ 292,000
Forde	Doris Turner Street	558	\$ 231,000
Franklin	Oodgeroo Avenue	546	\$ 287,000
Fraser	Bingley Crescent	936	\$ 315,000
Giralang	Chuculba Crescent	741	\$ 285,000
Hall	Alexandra Street	1289	\$ 480,000
Harrison	Nullabor Avenue	777	\$ 298,000

Hawker	Murranji Street	826	\$ 379,000
Higgins	Fulagar Crescent	911	\$ 316,000
Holt	Beaurepaire Crescent	685	\$ 261,000
Kaleen	Maribyrnong Ave	287	\$ 321,000
Macgregor	Osburn Drive	824	\$ 243,000
Macquarie	Lachlan Street	811	\$ 380,000
McKellar	Dumas Street	777	\$ 476,000
Melba	Grainger Circuit	748	\$ 294,000
Ngunnawal	Yarrowonga Street	386	\$ 203,000
Nicholls	Kelleway Avenue	893	\$ 339,000
Page	Petterd Street	821	\$ 331,000
Palmerston	Grampians Street	735	\$ 294,000
Scullin	Ross Smith Crescent	884	\$ 290,000
Spence	Baddeley Crescent	862	\$ 283,000
Weetangera	Shumack Street	826	\$ 379,000
West Macgregor	Macfarlane Burnet Avenue	600	\$ 244,000

(2) What were the rates for the previous three financial years for the properties listed in part (1), assuming the Unimproved Value remained the same throughout.

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

Suburb	Address	Size (m <sup>2</sup> )	Unimproved Value <sup>1</sup>	2011-12	2012-13	2013-14	2014-15	2015-16
Amaroo	Shoalhaven Ave	604	\$293,000	1,309	1,339	1,435	1,568	1,693
Aranda	Bandjalong res	718	\$428,000	1,677	1,839	1,954	2,141	2,313
Belconnen	Cabena Court	267	\$266,000	1,235	1,254	1,348	1,471	1,589
Bonner	Mabo Boulevard	774	\$277,000	1,265	1,289	1,384	1,511	1,632
Bruce	Crisp Circuit	812	\$465,000	1,778	1,983	2,104	2,309	2,495
Bruce	Jaeger Circuit	743	\$496,000	1,863	2,111	2,238	2,460	2,660
Bruce	Lampard Circuit	366	\$322,000	1,388	1,443	1,543	1,687	1,822
Casey	Overall Avenue	610	\$264,000	1,230	1,248	1,341	1,464	1,582
Charnwood	Bettington Crt	633	\$285,000	1,287	1,314	1,409	1,539	1,663
Cook	Lytton Crest	909	\$375,000	1,533	1,641	1,749	1,914	2,068
Crace	Chance Street	450	\$227,000	1,129	1,132	1,221	1,332	1,439
Dunlop	Lance Hill Ave	510	\$221,000	1,113	1,113	1,202	1,311	1,416
Evatt	Clancy Street	716	\$290,000	1,301	1,329	1,426	1,557	1,682
Florey	Ratcliffe Cres	700	\$315,000	1,369	1,417	1,516	1,657	1,790
Flynn	Spalding Street	985	\$292,000	1,306	1,336	1,432	1,564	1,690
Forde	Doris Turner St	558	\$231,000	1,140	1,144	1,234	1,346	1,454
Franklin	Oodgeroo Ave	546	\$287,000	1,293	1,320	1,416	1,546	1,670
Fraser	Bingley Cres	936	\$315,000	1,369	1,417	1,516	1,657	1,790
Giralang	Chuculba Cres	741	\$285,000	1,287	1,314	1,409	1,539	1,663
Hall	Alexandra Street	1289	\$480,000	1,819	2,045	2,169	2,382	2,575
Harrison	Nullabor Avenue	777	\$298,000	1,323	1,355	1,452	1,586	1,713
Hawker	Murranji Street	826	\$379,000	1,544	1,656	1,764	1,931	2,086
Higgins	Fulagar Cres	911	\$316,000	1,372	1,421	1,520	1,661	1,795
Holt	Beaurepaire Cres	685	\$261,000	1,222	1,238	1,332	1,453	1,570
Kaleen	Maribyrnong Av	287	\$321,000	1,385	1,439	1,539	1,683	1,818
Macgregor	Osburn Drive	824	\$243,000	1,173	1,182	1,273	1,389	1,501
Macquarie	Lachlan Street	811	\$380,000	1,546	1,660	1,768	1,936	2,091
McKellar	Dumas Street	777	\$476,000	1,808	2,029	2,152	2,362	2,554
Melba	Grainger Circuit	748	\$294,000	1,312	1,342	1,439	1,571	1,697
Ngunnawal	Yarrowonga St	386	\$203,000	1,064	1,057	1,144	1,246	1,346
Nicholls	Kelleway Av	893	\$339,000	1,434	1,507	1,609	1,760	1,901
Page	Petterd Street	821	\$331,000	1,413	1,477	1,578	1,726	1,864

Palmerston	Grampians St	735	\$294,000	1,312	1,342	1,439	1,571	1,697
Scullin	Ross Smith Cres	884	\$290,000	1,301	1,329	1,426	1,557	1,682
Spence	Baddeley Crest	862	\$283,000	1,282	1,307	1,403	1,532	1,655
Weetangera	Shumack Street	826	\$379,000	1,544	1,656	1,764	1,931	2,086
West Macgregor	Macfarlane Burnet Avenue	600	\$244,000	1,175	1,185	1,277	1,393	1,504

<sup>1</sup>Note: General Rates are calculated using Average Unimproved Values, however, the Member has requested General Rates calculations based on provided and constant Unimproved Values.

## Housing—values (Question No 440)

**Mr Coe** asked the Treasurer, upon notice, on 4 June 2015:

What was the average percentage increase in UAV and AUV for 2015-16 for (a) single dwellings and (b) units in the suburbs/areas of (i) Amaroo, (ii) Aranda, (iii) Belconnen, (iv) Bonner, (v) Bruce, (vi) Casey, (vii) Charnwood, (viii) Cook, (ix) Crace, (x) Dunlop, (xi) Evatt, (xii) Florey, (xiii) Flynn, (xiv) Forde, (xv) Franklin, (xvi) Fraser, (xvii) Giralang, (xviii) Gungahlin, (xix) Hall, (xx) Harrison, (xxi) Hawker, (xxii) Higgins, (xxiii) Holt, (xxiv) Kaleen, (xxv) Macgregor, (xxvi) Macquarie, (xxvii) McKellar, (xxviii) Melba, (xxix) Ngunnawal, (xxx) Nicholls, (xxxi) Page, (xxxii) Palmerston, (xxxiii) Scullin, (xxxiv) Spence, (xxxv) Weetangera and (xxxvi) West Macgregor.

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

The table below shows the average percentage change in the Average Unimproved Values (AUV) and Unimproved Values (UV) for houses and units for the requested suburbs over the period 2014-15 to 2015-16.

	Houses		Units	
	UV %	AUV %	UV %	AUV %
AMAROO	4.2	0.4	0.1	0.6
ARANDA	0.3	2.9	0.0	2.8
BELCONNEN	-2.2	-1.5	0.0	1.2
BONNER	10.1	1.4	0.9	0.4
BRUCE	3.2	2.2	0.0	1.2
CASEY	5.0	3.6	0.1	0.1
CHARWOOD	2.4	0.8	0.1	0.8
COOK	2.8	0.3	0.1	1.5
CRACE	5.1	3.0	-	-
DUNLOP	0.5	2.6	0.1	0.7
EVATT	2.8	-0.1	1.2	0.6
FLOREY	2.5	-0.1	0.1	1.4
FLYNN	5.2	0.0	2.1	0.7
FORDE	5.0	3.0	0.4	0.2
FRANKLIN	5.0	3.9	0.0	-3.4
FRASER	4.7	1.7	1.6	0.7
GIRALANG	2.7	1.9	0.5	1.4
GUNGAHLIN	3.7	1.2	0.9	0.6
HALL	2.5	0.8	-	-
HARRISON	4.7	1.8	0.9	0.3



HAWKER	0.4	-0.9	0.0	1.2
HIGGINS	0.0	0.6	0.0	1.3
HOLT	1.9	0.2	0.0	1.3
KALEEN	2.4	2.1	1.3	1.6
MACGREGOR	5.0	3.1	0.1	0.4
MACQUARIE	2.6	1.8	1.0	1.3
MCKELLAR	0.0	-1.2	0.0	1.5
MELBA	5.2	0.6	0.4	1.5
NGUNNAWAL	4.6	4.1	0.4	1.7
NICHOLLS	4.6	-0.3	0.1	1.1
PAGE	2.4	0.9	0.3	1.3
PALMERSTON	3.1	1.0	0.3	1.6
SCULLIN	2.4	0.9	0.1	1.5
SPENCE	2.5	0.1	1.3	0.3
WEETANGERA	4.0	2.1	1.5	1.4

Notes:

Data for Macgregor includes West Macgregor.

A small unit complex in Hall was changed from residential to commercial in 2014-15.

## Housing—property rates (Question No 441)

**Mr Coe** asked the Treasurer, upon notice, on 4 June 2015:

What were the average rates for the past six years and the rates for the next financial year for (a) single dwellings and (b) units, for each suburb in Canberra.

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

a) The table below shows, for each suburb in Canberra, the average rates for the past six years and the rates for the next financial year for single dwellings.

Houses							
Average Rates	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
<b>INNER NORTH</b>							
LYNEHAM	\$1,438	\$1,467	\$1,511	\$1,717	\$1,907	\$2,106	\$2,309
DICKSON	\$1,419	\$1,481	\$1,569	\$1,862	\$2,033	\$2,240	\$2,462
O'CONNOR	\$1,859	\$1,904	\$1,933	\$2,353	\$2,530	\$2,823	\$3,120
AINSLIE	\$1,725	\$1,800	\$1,876	\$2,305	\$2,505	\$2,756	\$3,041
TURNER	\$2,327	\$2,301	\$2,332	\$2,996	\$3,306	\$3,751	\$4,222
BRADDON	\$1,988	\$2,001	\$2,037	\$2,503	\$2,733	\$3,001	\$3,303
CITY	-	-	-	-	-	-	-
REID	\$2,564	\$2,470	\$2,473	\$3,183	\$3,459	\$3,840	\$4,222
CAMPBELL	\$2,210	\$2,193	\$2,216	\$2,624	\$2,990	\$3,287	\$3,621
DOWNER	\$1,454	\$1,485	\$1,528	\$1,741	\$1,929	\$2,169	\$2,446
WATSON	\$1,383	\$1,430	\$1,481	\$1,660	\$1,786	\$1,986	\$2,192
HACKETT	\$1,519	\$1,554	\$1,620	\$1,913	\$2,109	\$2,334	\$2,565
<b>INNER SOUTH</b>							
YARRALUMLA	\$2,661	\$2,617	\$2,584	\$3,313	\$3,548	\$3,949	\$4,366
BARTON	\$3,149	\$3,098	\$3,003	\$3,896	\$4,098	\$4,563	\$5,040
DEAKIN	\$2,458	\$2,476	\$2,471	\$3,135	\$3,355	\$3,723	\$4,046
FORREST	\$4,813	\$4,757	\$4,701	\$6,486	\$6,793	\$7,478	\$8,226
KINGSTON	\$1,789	\$1,765	\$1,779	\$2,126	\$2,323	\$2,611	\$2,917
NARRABUNDAH	\$1,741	\$1,796	\$1,834	\$2,198	\$2,392	\$2,635	\$2,858
GRIFFITH	\$2,673	\$2,676	\$2,659	\$3,440	\$3,674	\$4,086	\$4,433

RED HILL	\$2,952	\$2,958	\$2,909	\$3,743	\$3,950	\$4,387	\$4,823
PIALLIGO	\$1,883	\$2,043	\$1,999	\$2,477	\$2,601	\$3,522	\$4,530
<b>WODEN DISTRICT</b>							
HUGHES	\$1,677	\$1,726	\$1,775	\$2,136	\$2,330	\$2,566	\$2,777
CURTIN	\$1,610	\$1,674	\$1,723	\$2,049	\$2,237	\$2,460	\$2,660
LYONS	\$1,492	\$1,575	\$1,632	\$1,897	\$2,039	\$2,201	\$2,367
GARRAN	\$1,943	\$1,973	\$1,983	\$2,436	\$2,678	\$3,007	\$3,266
PEARCE	\$1,560	\$1,649	\$1,721	\$1,996	\$2,152	\$2,362	\$2,548
TORRENS	\$1,451	\$1,532	\$1,584	\$1,812	\$1,956	\$2,145	\$2,318
MAWSON	\$1,552	\$1,611	\$1,639	\$1,855	\$2,032	\$2,257	\$2,465
FARRER	\$1,570	\$1,632	\$1,680	\$1,964	\$2,141	\$2,342	\$2,524
O'MALLEY	\$2,328	\$2,313	\$2,316	\$2,939	\$3,185	\$3,556	\$3,889
ISAACS	\$1,487	\$1,525	\$1,570	\$1,836	\$2,030	\$2,236	\$2,398
CHIFLEY	\$1,469	\$1,541	\$1,600	\$1,803	\$1,958	\$2,149	\$2,356
PHILLIP	\$1,108	\$1,129	\$1,179	\$1,279	\$1,428	\$1,562	\$1,704
<b>WESTON DISTRICT</b>							
WESTON	\$1,281	\$1,327	\$1,384	\$1,552	\$1,720	\$1,880	\$2,028
WARAMANGA	\$1,182	\$1,244	\$1,323	\$1,490	\$1,660	\$1,807	\$1,970
FISHER	\$1,251	\$1,281	\$1,349	\$1,514	\$1,698	\$1,866	\$2,047
CHAPMAN	\$1,534	\$1,596	\$1,654	\$1,914	\$2,062	\$2,268	\$2,490
RIVETT	\$1,156	\$1,215	\$1,278	\$1,405	\$1,562	\$1,711	\$1,875
DUFFY	\$1,257	\$1,294	\$1,361	\$1,531	\$1,720	\$1,892	\$2,067
HOLDER	\$1,179	\$1,240	\$1,315	\$1,476	\$1,652	\$1,814	\$1,988
STIRLING	\$1,310	\$1,340	\$1,377	\$1,508	\$1,652	\$1,814	\$1,985
<b>BELCONNEN DISTRICT</b>							
GIRALANG	\$1,158	\$1,204	\$1,244	\$1,334	\$1,472	\$1,621	\$1,776
KALEEN	\$1,205	\$1,262	\$1,314	\$1,426	\$1,563	\$1,726	\$1,896
BRUCE	\$1,534	\$1,545	\$1,551	\$1,734	\$1,880	\$2,083	\$2,298
ARANDA	\$1,545	\$1,580	\$1,641	\$1,919	\$2,139	\$2,412	\$2,679
COOK	\$1,328	\$1,381	\$1,483	\$1,741	\$1,953	\$2,130	\$2,308
MACQUARIE	\$1,277	\$1,301	\$1,371	\$1,553	\$1,767	\$1,949	\$2,138
BELCONNEN	\$1,035	\$1,092	\$1,180	\$1,324	\$1,480	\$1,609	\$1,773
FLOREY	\$1,130	\$1,180	\$1,252	\$1,385	\$1,532	\$1,663	\$1,794
PAGE	\$1,171	\$1,220	\$1,285	\$1,422	\$1,592	\$1,742	\$1,897
WEETANGERA	\$1,446	\$1,500	\$1,571	\$1,846	\$2,114	\$2,337	\$2,576
HAWKER	\$1,510	\$1,553	\$1,635	\$1,946	\$2,174	\$2,368	\$2,539
SCULLIN	\$1,133	\$1,151	\$1,213	\$1,319	\$1,487	\$1,626	\$1,767
LATHAM	\$1,058	\$1,105	\$1,159	\$1,240	\$1,379	\$1,508	\$1,641
HIGGINS	\$1,114	\$1,151	\$1,225	\$1,334	\$1,506	\$1,653	\$1,793
HOLT	\$1,041	\$1,081	\$1,132	\$1,204	\$1,348	\$1,467	\$1,587
MACGREGOR	\$1,052	\$1,075	\$1,091	\$1,099	\$1,204	\$1,324	\$1,455
CHARNWOOD	\$974	\$1,034	\$1,082	\$1,142	\$1,256	\$1,370	\$1,487
FLYNN	\$1,147	\$1,200	\$1,241	\$1,334	\$1,459	\$1,575	\$1,701
MELBA	\$1,180	\$1,223	\$1,258	\$1,374	\$1,521	\$1,671	\$1,814
EVATT	\$1,159	\$1,207	\$1,246	\$1,327	\$1,453	\$1,576	\$1,700
MCKELLAR	\$1,179	\$1,213	\$1,252	\$1,382	\$1,557	\$1,728	\$1,848
SPENCE	\$1,095	\$1,150	\$1,199	\$1,290	\$1,424	\$1,557	\$1,685
FRASER	\$1,123	\$1,186	\$1,223	\$1,313	\$1,432	\$1,572	\$1,719
DUNLOP	\$1,018	\$1,063	\$1,085	\$1,108	\$1,231	\$1,364	\$1,497
<b>TUGGERANONG DISTRICT</b>							
KAMBAH	\$1,118	\$1,173	\$1,229	\$1,332	\$1,458	\$1,600	\$1,744
WANNIASSA	\$1,146	\$1,230	\$1,296	\$1,413	\$1,537	\$1,694	\$1,836
MONASH	\$1,124	\$1,204	\$1,265	\$1,365	\$1,486	\$1,637	\$1,789
GOWRIE	\$1,035	\$1,101	\$1,167	\$1,246	\$1,368	\$1,505	\$1,644
FADDEN	\$1,177	\$1,276	\$1,364	\$1,522	\$1,666	\$1,805	\$1,938
MACARTHUR	\$1,131	\$1,207	\$1,278	\$1,395	\$1,524	\$1,671	\$1,813
RICHARDSON	\$1,014	\$1,086	\$1,151	\$1,224	\$1,343	\$1,478	\$1,606
GILMORE	\$1,048	\$1,131	\$1,207	\$1,287	\$1,427	\$1,570	\$1,715
CHISHOLM	\$1,060	\$1,161	\$1,251	\$1,355	\$1,484	\$1,609	\$1,728
THEODORE	\$1,046	\$1,104	\$1,162	\$1,241	\$1,356	\$1,486	\$1,605
CALWELL	\$1,068	\$1,145	\$1,214	\$1,301	\$1,431	\$1,580	\$1,723
ISABELLA PLAINS	\$1,007	\$1,080	\$1,145	\$1,220	\$1,339	\$1,471	\$1,602

CONDER	\$1,079	\$1,151	\$1,205	\$1,277	\$1,387	\$1,503	\$1,623
BANKS	\$1,024	\$1,116	\$1,189	\$1,264	\$1,381	\$1,507	\$1,623
GREENWAY	\$1,052	\$1,086	\$1,135	\$1,197	\$1,315	\$1,439	\$1,771
GORDON	\$1,062	\$1,123	\$1,188	\$1,254	\$1,390	\$1,522	\$1,645
BONYTHON	\$1,063	\$1,152	\$1,217	\$1,289	\$1,403	\$1,546	\$1,686
OXLEY	\$1,121	\$1,203	\$1,277	\$1,395	\$1,529	\$1,659	\$1,790
THARWA	\$1,083	\$1,066	\$1,073	\$1,086	\$1,206	\$1,328	\$1,490
<b>GUNGAHLIN - HALL DISTRICT</b>							
CASEY	-	-	-	\$1,047	\$1,188	\$1,328	\$1,441
NGUNNAWAL	\$947	\$988	\$1,030	\$1,074	\$1,218	\$1,367	\$1,509
AMAROO	\$1,053	\$1,097	\$1,159	\$1,248	\$1,384	\$1,500	\$1,620
NICHOLLS	\$1,219	\$1,258	\$1,317	\$1,454	\$1,602	\$1,729	\$1,866
PALMERSTON	\$1,053	\$1,098	\$1,143	\$1,226	\$1,361	\$1,503	\$1,634
GUNGAHLIN	\$1,036	\$1,059	\$1,105	\$1,182	\$1,331	\$1,469	\$1,598
HARRISON	\$1,059	\$1,084	\$1,110	\$1,169	\$1,309	\$1,457	\$1,594
CRACE	\$926	\$994	\$1,009	\$1,038	\$1,192	\$1,331	\$1,532
FRANKLIN	\$982	\$1,001	\$1,051	\$1,116	\$1,284	\$1,449	\$1,615
FORDE	\$1,156	\$1,119	\$1,127	\$1,177	\$1,297	\$1,443	\$1,587
JACKA					\$1,185	\$1,282	\$1,391
BONNER	\$969	\$986	\$985	\$1,024	\$1,132	\$1,233	\$1,350
HALL	\$1,950	\$1,936	\$1,950	\$2,364	\$2,585	\$2,853	\$3,117
<b>MOLONGLO</b>							
WRIGHT	-	-	-	\$1,636	\$1,746	\$1,913	\$2,025
COOMBS	-	-	-	-	-	-	\$1,981

Note: The average general rate payment for each suburb is calculated by dividing the sum of the rates for each house in the suburb by the number of all houses in the suburb.

b) The table below shows, for each suburb in Canberra, the average rates for the past six years and the rates for the next financial year for units.

Average Rates	Units						
	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
<b>INNER NORTH</b>							
LYNEHAM	\$698	\$726	\$751	\$766	\$850	\$925	\$1,001
DICKSON	\$748	\$778	\$813	\$842	\$931	\$1,014	\$1,090
O'CONNOR	\$895	\$924	\$952	\$1,010	\$1,111	\$1,216	\$1,298
AINSLIE	\$1,166	\$1,223	\$1,271	\$1,383	\$1,517	\$1,659	\$1,828
TURNER	\$750	\$782	\$812	\$839	\$932	\$1,017	\$1,103
BRADDON	\$727	\$752	\$781	\$810	\$895	\$972	\$1,029
CITY	\$612	\$637	\$659	\$686	\$762	\$826	\$882
REID	\$815	\$845	\$876	\$912	\$1,014	\$1,110	\$1,209
CAMPBELL	\$844	\$875	\$912	\$931	\$1,031	\$1,125	\$1,230
DOWNER	\$847	\$880	\$912	\$932	\$1,035	\$1,137	\$1,230
WATSON	\$656	\$689	\$736	\$751	\$840	\$913	\$981
HACKETT	\$799	\$837	\$871	\$881	\$980	\$1,073	\$1,170
<b>INNER SOUTH</b>							
YARRALUMLA	\$1,474	\$1,490	\$1,509	\$1,721	\$1,888	\$2,091	\$2,191
BARTON	\$904	\$903	\$896	\$954	\$1,013	\$1,104	\$1,194
DEAKIN	\$972	\$945	\$967	\$1,095	\$1,140	\$1,241	\$1,342
FORREST	\$1,135	\$1,124	\$1,139	\$1,301	\$1,425	\$1,566	\$1,649
KINGSTON	\$888	\$889	\$894	\$926	\$999	\$1,092	\$1,148
NARRABUNDAH	\$816	\$832	\$858	\$899	\$996	\$1,088	\$1,154
GRIFFITH	\$821	\$844	\$868	\$893	\$990	\$1,082	\$1,168
RED HILL	\$1,336	\$1,367	\$1,379	\$1,559	\$1,690	\$1,865	\$2,040
PIALLIGO	-	-	-	-	-	-	-
<b>WODEN DISTRICT</b>							
HUGHES	\$805	\$838	\$877	\$917	\$1,022	\$1,116	\$1,213
CURTIN	\$787	\$823	\$863	\$894	\$1,001	\$1,093	\$1,193
LYONS	\$752	\$784	\$821	\$849	\$951	\$1,035	\$1,067
GARRAN	\$740	\$771	\$807	\$849	\$952	\$1,037	\$1,138
PEARCE	\$790	\$821	\$865	\$887	\$999	\$1,093	\$1,187

TORRENS	\$842	\$878	\$921	\$931	\$1,061	\$1,160	\$1,259
MAWSON	\$782	\$814	\$854	\$876	\$987	\$1,080	\$1,180
FARRER	\$838	\$868	\$912	\$929	\$1,055	\$1,156	\$1,258
O'MALLEY	\$1,245	\$1,271	\$1,340	\$1,517	\$1,731	\$1,913	\$2,087
ISAACS	\$947	\$977	\$1,028	\$1,081	\$1,228	\$1,352	\$1,472
CHIFLEY	\$809	\$852	\$892	\$907	\$1,016	\$1,109	\$1,218
PHILLIP	\$740	\$753	\$792	\$829	\$918	\$1,003	\$1,090
<b>WESTON DISTRICT</b>							
WESTON	\$750	\$783	\$826	\$846	\$952	\$1,041	\$1,132
WARAMANGA	\$771	\$812	\$866	\$892	\$1,003	\$1,094	\$1,200
FISHER	\$689	\$720	\$761	\$799	\$901	\$983	\$1,069
CHAPMAN	\$1,156	\$1,148	\$1,182	\$1,331	\$1,444	\$1,578	\$1,616
RIVETT	\$775	\$810	\$857	\$883	\$997	\$1,089	\$1,183
DUFFY	\$768	\$801	\$847	\$879	\$990	\$1,082	\$1,174
HOLDER	\$756	\$791	\$837	\$859	\$968	\$1,058	\$1,149
STIRLING	\$738	\$771	\$815	\$839	\$945	\$1,032	\$1,119
<b>BELCONNEN DISTRICT</b>							
GIRALANG	\$792	\$828	\$870	\$888	\$996	\$1,090	\$1,187
KALEEN	\$758	\$793	\$832	\$861	\$959	\$1,048	\$1,140
BRUCE	\$717	\$728	\$761	\$828	\$922	\$1,006	\$1,053
ARANDA	\$931	\$966	\$1,012	\$1,053	\$1,181	\$1,310	\$1,457
COOK	\$813	\$849	\$895	\$914	\$1,032	\$1,132	\$1,233
MACQUARIE	\$771	\$812	\$859	\$889	\$996	\$1,089	\$1,104
BELCONNEN	\$661	\$667	\$700	\$752	\$845	\$921	\$950
FLOREY	\$766	\$800	\$843	\$863	\$972	\$1,063	\$1,156
PAGE	\$782	\$817	\$859	\$868	\$985	\$1,077	\$1,168
WEETANGERA	\$892	\$922	\$982	\$1,024	\$1,143	\$1,253	\$1,378
HAWKER	\$796	\$830	\$872	\$901	\$1,012	\$1,107	\$1,203
SCULLIN	\$749	\$782	\$823	\$840	\$945	\$1,033	\$1,122
LATHAM	\$754	\$784	\$823	\$842	\$943	\$1,029	\$1,116
HIGGINS	\$820	\$852	\$898	\$916	\$1,036	\$1,135	\$1,235
HOLT	\$660	\$693	\$730	\$755	\$848	\$923	\$995
MACGREGOR	\$709	\$746	\$799	\$810	\$900	\$979	\$1,059
CHARNWOOD	\$685	\$716	\$754	\$778	\$872	\$948	\$1,027
FLYNN	\$802	\$839	\$880	\$906	\$1,011	\$1,099	\$1,190
MELBA	\$770	\$805	\$847	\$866	\$973	\$1,065	\$1,158
EVATT	\$725	\$762	\$795	\$815	\$908	\$986	\$1,070
MCKELLAR	\$805	\$840	\$885	\$900	\$1,018	\$1,117	\$1,217
SPENCE	\$856	\$889	\$917	\$954	\$1,064	\$1,164	\$1,216
FRASER	\$764	\$808	\$847	\$839	\$956	\$1,040	\$1,137
DUNLOP	\$717	\$750	\$787	\$803	\$898	\$978	\$1,059
<b>TUGGERANONG DISTRICT</b>							
KAMBAH	\$730	\$768	\$811	\$832	\$932	\$1,018	\$1,106
WANNIASSA	\$761	\$806	\$856	\$875	\$979	\$1,071	\$1,159
MONASH	\$706	\$744	\$787	\$811	\$909	\$993	\$1,079
GOWRIE	\$794	\$842	\$892	\$914	\$1,021	\$1,113	\$1,208
FADDEN	\$865	\$909	\$964	\$1,005	\$1,133	\$1,242	\$1,350
MACARTHUR	\$747	\$787	\$833	\$851	\$953	\$1,042	\$1,132
RICHARDSON	\$703	\$744	\$787	\$810	\$905	\$989	\$1,073
GILMORE	\$780	\$832	\$878	\$890	\$992	\$1,083	\$1,173
CHISHOLM	\$729	\$776	\$825	\$845	\$942	\$1,025	\$1,112
THEODORE	\$687	\$722	\$763	\$786	\$879	\$957	\$1,039
CALWELL	\$680	\$716	\$757	\$781	\$876	\$955	\$1,037
ISABELLA PLAINS	\$684	\$721	\$763	\$788	\$884	\$964	\$1,047
CONDER	\$727	\$768	\$810	\$832	\$926	\$1,006	\$1,090
BANKS	\$776	\$826	\$876	\$906	\$1,009	\$1,099	\$1,186
GREENWAY	\$709	\$743	\$783	\$860	\$966	\$1,055	\$1,081
GORDON	\$686	\$722	\$764	\$790	\$886	\$965	\$1,046
BONYTHON	\$726	\$764	\$807	\$827	\$926	\$1,011	\$1,097
OXLEY	\$742	\$780	\$827	\$846	\$950	\$1,039	\$1,129
THARWA	-	-	-	-	-	-	-
<b>GUNGAHLIN - HALL DISTRICT</b>							
CASEY	\$749	\$709	\$732	\$795	\$874	\$939	\$964

NGUNNAWAL	\$694	\$723	\$762	\$784	\$883	\$964	\$1,048
AMAROO	\$803	\$833	\$878	\$906	\$1,021	\$1,113	\$1,205
NICHOLLS	\$811	\$840	\$886	\$910	\$1,029	\$1,126	\$1,223
PALMERSTON	\$820	\$851	\$896	\$919	\$1,043	\$1,145	\$1,247
GUNGAHLIN	\$670	\$686	\$718	\$754	\$847	\$921	\$985
HARRISON	\$624	\$657	\$681	\$866	\$868	\$946	\$915
CRACE	-	-	-	-	-	-	\$901
FRANKLIN	\$567	\$590	\$617	\$651	\$726	\$785	\$843
FORDE	\$795	\$800	\$822	\$833	\$914	\$977	\$1,046
JACKA	-	-	-	-	-	-	\$946
BONNER	\$776	\$754	\$764	\$784	\$843	\$916	\$991
HALL*	\$695	\$716	\$735	\$746	\$832	\$907	-
<b>MOLONGLO</b>							
WRIGHT	-	-	-	-	-	-	\$1,217
COOMBS	-	-	-	-	-	-	-

Note: The average general rate payment for each suburb is calculated by dividing the sum of the rates for each residential unit in the suburb by the number of all residential units in the suburb.

A small unit complex in Hall was changed from residential to commercial in 2014 15.

### Land—releases (Question No 442)

**Mr Coe** asked the Minister for Urban Renewal, upon notice, on 4 June 2015:

Can the Minister provide details in relation to land release as shown in Table 2: Key Performance Indicators (non-financial) – Land Release in the Land Development Agency Statement of Intent, broken down by (a) residential (i) detached, (ii) attached and (iii) apartments (A) Land Release Program and (B) Asset Recycling Initiative, (b) commercial, (c) industrial and (d) community land release, for (i) 2015-16, (ii) 2016-17, (iii) 2017-18 and (iv) 2018-19.

**Mr Barr:** The answer to the member's question is in Attachment A:

#### Attachment A

##### Land Release in the Land Development Agency Statement of Intent

2015 – 2016 Indicative Land Release Program				Total
RESIDENTIAL (Number of Dwelling Sites)	Detached		1,580	3,513
	Attached		490	
	Apartments	Land Release Program	823	
		Asset Recycling Initiative	620	
COMMERCIAL (Gross Floor Area)				57,194m <sup>2</sup>
INDUSTRIAL (Gross Floor Area)				64,485m <sup>2</sup>
COMMUNITY (Gross Floor Area)				57,154m <sup>2</sup>

2016 – 2017 Indicative Land Release Program				Total
RESIDENTIAL (Number of Dwelling Sites)	Detached		1,176	3,713
	Attached		768	
	Apartments	Land Release Program	1,001	
		Asset Recycling Initiative	768	

COMMERCIAL (Gross Floor Area)	58,615m <sup>2</sup>
INDUSTRIAL (Gross Floor Area)	76,250m <sup>2</sup>
COMMUNITY (Gross Floor Area)	53,535m <sup>2</sup>

2017 – 2018 Indicative Land Release Program				Total
RESIDENTIAL (Number of Dwelling Sites)	Detached		690	4,566
	Attached		340	
	Apartments	Land Release Program	1,900	
		Asset Recycling Initiative	1,636	
COMMERCIAL (Gross Floor Area)				103,739m <sup>2</sup>
INDUSTRIAL (Gross Floor Area)				41,930m <sup>2</sup>
COMMUNITY (Gross Floor Area)				50,000m <sup>2</sup>

2018 – 2019 Indicative Land Release Program				Total
RESIDENTIAL (Number of Dwelling Sites)	Detached		1,480	5,398
	Attached		370	
	Apartments	Land Release Program	1,699	
		Asset Recycling Initiative	1,849	
COMMERCIAL (Gross Floor Area)				27,964m <sup>2</sup>
INDUSTRIAL (Gross Floor Area)				47,618m <sup>2</sup>
COMMUNITY (Gross Floor Area)				40,503m <sup>2</sup>

### Capital metro—business case (Question No 443)

**Mr Coe** asked the Minister for Capital Metro, upon notice, on 4 June 2015:

How is the figure provided in the Minister's response to Question on Notice No 426 relating to operating fare revenue broken down for each financial year from the financial year ending 30 June 2019 to the financial year ending 30 June 2038.

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

- (1) The breakdown of the operating fare revenue for Capital Metro is shown in Figure 31 on page 137 of the Capital Metro Business Case, and is further shown in the table below, from the financial year ending 30 June 2019 (partial year) to the financial year ending 30 June 2038.

2019	2020	2021	2022	2023	2024	2025
1,283,033	5,494,188	5,816,430	6,152,241	6,507,440	6,883,147	7,280,545
2026	2027	2028	2029	2030	2031	2032
7,700,886	8,145,496	8,615,776	9,113,207	9,639,357	10,195,884	10,784,542
2033	2034	2035	2036	2037	2038	
11,407,187	12,065,780	12,762,396	13,499,232	14,278,609	15,102,983	

It should be noted that the figures above are based on a conservative assumed fare of \$1.01, which is an aggregate fare that will take into account the various concessions. Also, the Business Case assumes some revenue in 2018/19, however exact timing will remain unknown until proposals are received from shortlisted respondents.

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**ACTION bus service—patronage  
(Question No 444)**

**Mr Coe** asked the Minister for Territory and Municipal Services, upon notice, on 4 June 2015:

- (1) What was the average number of passengers who, from Monday, 18 May 2015 to Monday, 1 June 2015 boarded ACTION route service 251 between 6am and 9am in Nicholls and departed the service (a) before the Gungahlin Town Centre, (b) at the Gungahlin Town Centre, (c) between the Gungahlin Town Centre and the City Bus Interchange, (d) at the City Bus Interchange, (e) between the City Bus Interchange and Russell Offices, (f) at Russell Offices, (g) between Russell Offices and the Barton Bus Station, (h) at the Barton Bus Station, (i) between the Barton Bus Station and the Canberra Railway Station and (j) at the Canberra Railway Station.
- (2) What was the average number of passengers who, from Monday, 18 May 2015 to Monday, 1 June 2015 boarded ACTION route service 251 between 6am and 9am in Casey and departed the service (a) before the Gungahlin Town Centre, (b) at the Gungahlin Town Centre, (c) between the Gungahlin Town Centre and the City Bus Interchange, (d) at the City Bus Interchange, (e) between the City Bus Interchange and Russell Offices, (f) at Russell Offices, (g) between Russell Offices and the Barton Bus Station, (h) at the Barton Bus Station, (i) between the Barton Bus Station and the Canberra Railway Station and (j) at the Canberra Railway Station.
- (3) What was the average number of passengers who, from Monday, 18 May 2015 to Monday, 1 June 2015 boarded ACTION route service 251 between 6am and 9am in Ngunnawal and departed the service (a) before the Gungahlin Town Centre, (b) at the Gungahlin Town Centre, (c) between the Gungahlin Town Centre and the City Bus Interchange, (d) at the City Bus Interchange, (e) between the City Bus Interchange and Russell Offices, (f) at Russell Offices, (g) between Russell Offices and the Barton Bus Station, (h) at the Barton Bus Station, (i) between the Barton Bus Station and the Canberra Railway Station and (j) at the Canberra Railway Station.
- (4) What was the average number of passengers who, from Monday, 18 May 2015 to Monday, 1 June 2015 boarded ACTION route service 251 between 6am and 9am in Amaroo and departed the service (a) before the Gungahlin Town Centre, (b) at the Gungahlin Town Centre, (c) between the Gungahlin Town Centre and the City Bus Interchange, (d) at the City Bus Interchange, (e) between the City Bus Interchange and Russell Offices, (f) at Russell Offices, (g) between Russell Offices and the Barton Bus Station, (h) at the Barton Bus Station, (i) between the Barton Bus Station and the Canberra Railway Station and (j) at the Canberra Railway Station.
- (5) What was the average number of passengers who, from Monday, 18 May 2015 to Monday, 1 June 2015 boarded ACTION route service 252 between 6am and 9am in Nicholls and departed the service (a) before the Gungahlin Town Centre, (b) at the Gungahlin Town Centre, (c) between the Gungahlin Town Centre and the City Bus

Interchange, (d) at the City Bus Interchange, (e) between the City Bus Interchange and Russell Offices, (f) at Russell Offices, (g) between Russell Offices and the Barton Bus Station, (h) at the Barton Bus Station, (i) between the Barton Bus Station and the Canberra Railway Station, (j) at the Canberra Railway Station, (k) between the Canberra Railway Station and the Canberra Outlet Centre and (l) at the Canberra Outlet Centre.

- (6) What was the average number of passengers who, from Monday, 18 May 2015 to Monday, 1 June 2015 boarded ACTION route service 252 between 6am and 9am in Ngunnawal and departed the service (a) before the Gungahlin Town Centre, (b) at the Gungahlin Town Centre, (c) between the Gungahlin Town Centre and the City Bus Interchange, (d) at the City Bus Interchange, (e) between the City Bus Interchange and Russell Offices, (f) at Russell Offices, (g) between Russell Offices and the Barton Bus Station, (h) at the Barton Bus Station, (i) between the Barton Bus Station and the Canberra Railway Station, (j) at the Canberra Railway Station, (k) between the Canberra Railway Station and the Canberra Outlet Centre and (l) at the Canberra Outlet Centre.
- (7) What was the average number of passengers who, from Monday, 18 May 2015 to Monday, 1 June 2015 boarded ACTION route service 252 between 6am and 9am in Amaroo and departed the service (a) before the Gungahlin Town Centre, (b) at the Gungahlin Town Centre, (c) between the Gungahlin Town Centre and the City Bus Interchange, (d) at the City Bus Interchange, (e) between the City Bus Interchange and Russell Offices, (f) at Russell Offices, (g) between Russell Offices and the Barton Bus Station, (h) at the Barton Bus Station, (i) between the Barton Bus Station and the Canberra Railway Station, (j) at the Canberra Railway Station, (k) between the Canberra Railway Station and the Canberra Outlet Centre and (l) at the Canberra Outlet Centre.
- (8) What was the average number of passengers who, from Monday, 18 May 2015 to Monday, 1 June 2015 boarded ACTION route service 255 between 6am and 9am in Bonner and departed the service (a) before the Gungahlin Town Centre, (b) at the Gungahlin Town Centre, (c) between the Gungahlin Town Centre and the City Bus Interchange, (d) at the City Bus Interchange, (e) between the City Bus Interchange and Russell Offices, (f) at Russell Offices, (g) between Russell Offices and the Barton Bus Station, (h) at the Barton Bus Station, (i) between the Barton Bus Station and the Canberra Railway Station and (j) at the Canberra Railway Station.
- (9) What was the average number of passengers who, from Monday, 18 May 2015 to Monday, 1 June 2015 boarded ACTION route service 255 between 6am and 9am in Forde and departed the service (a) before the Gungahlin Town Centre, (b) at the Gungahlin Town Centre, (c) between the Gungahlin Town Centre and the City Bus Interchange, (d) at the City Bus Interchange, (e) between the City Bus Interchange and Russell Offices, (f) at Russell Offices, (g) between Russell Offices and the Barton Bus Station, (h) at the Barton Bus Station, (i) between the Barton Bus Station and the Canberra Railway Station and (j) at the Canberra Railway Station.
- (10) What was the average number of passengers who, from Monday, 18 May 2015 to Monday, 1 June 2015 boarded ACTION route service 259 between 6am and 9am in Amaroo and departed the service (a) before the Gungahlin Town Centre, (b) at the Gungahlin Town Centre, (c) between the Gungahlin Town Centre and the City Bus Interchange, (d) at the City Bus Interchange, (e) between the City Bus Interchange and Russell Offices, (f) at Russell Offices, (g) between Russell Offices and the Barton Bus Station, (h) at the Barton Bus Station, (i) between the Barton Bus Station and the Canberra Railway Station and (j) at the Canberra Railway Station.



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

1. 

(a)	1
(b)	2
(c)	2
(d)	1
(e)	1
(f)	0
(g)	0
(h)	0
(i)	0
(j)	0
2. 

(a)	3
(b)	8
(c)	12
(d)	25
(e)	3
(f)	1
(g)	0
(h)	2
(i)	0
(j)	1
3. 

(a)	2
(b)	9
(c)	16
(d)	43
(e)	6
(f)	4
(g)	2
(h)	2
(i)	1
(j)	0
4. 

(a)	0
(b)	2
(c)	3
(d)	8
(e)	1
(f)	1
(g)	1
(h)	1
(i)	1
(j)	0
5. 

(a)	4
(b)	13
(c)	10
(d)	17
(e)	1
(f)	4
(g)	1

- |    |     |    |
|----|-----|----|
|    | (h) | 0  |
|    | (i) | 0  |
|    | (j) | 0  |
|    | (k) | 0  |
|    | (l) | 0  |
| 6. | (a) | 1  |
|    | (b) | 16 |
|    | (c) | 15 |
|    | (d) | 30 |
|    | (e) | 4  |
|    | (f) | 2  |
|    | (g) | 1  |
|    | (h) | 2  |
|    | (i) | 1  |
|    | (j) | 2  |
|    | (k) | 0  |
|    | (l) | 0  |
| 7. | (a) | 0  |
|    | (b) | 2  |
|    | (c) | 3  |
|    | (d) | 12 |
|    | (e) | 2  |
|    | (f) | 0  |
|    | (g) | 0  |
|    | (h) | 1  |
|    | (i) | 0  |
|    | (j) | 0  |
|    | (k) | 0  |
|    | (l) | 0  |
| 8. | (a) | 2  |
|    | (b) | 29 |
|    | (c) | 25 |
|    | (d) | 44 |
|    | (e) | 9  |
|    | (f) | 3  |
|    | (g) | 2  |
|    | (h) | 5  |
|    | (i) | 2  |
|    | (j) | 0  |
| 9. | (a) | 1  |
|    | (b) | 17 |
|    | (c) | 23 |
|    | (d) | 39 |
|    | (e) | 2  |
|    | (f) | 1  |
|    | (g) | 2  |
|    | (h) | 3  |
|    | (i) | 0  |
|    | (j) | 1  |

- |     |     |    |
|-----|-----|----|
| 10. | (a) | 3  |
|     | (b) | 24 |
|     | (c) | 14 |
|     | (d) | 40 |
|     | (e) | 7  |
|     | (f) | 4  |
|     | (g) | 2  |
|     | (h) | 4  |
|     | (i) | 0  |
|     | (j) | 1  |

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### **Housing—conveyances (Question No 445)**

**Mr Hanson** asked the Treasurer, upon notice, on 4 June 2015:

- (1) What is the breakdown in conveyances (stamp duty) revenue between existing dwellings and anticipated new dwellings for each year in the forward estimates of the 2015-16 ACT Budget.
- (2) What is the total net reduction in conveyances (stamp duty) revenue by year as a result of the Government's tax reform agenda for each year in the forward estimates of the 2015-16 ACT Budget.

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

- (1) Residential conveyance duty is forecast at an aggregate level. A breakdown between existing dwellings and anticipated new dwellings over the forward estimates of the 2015-16 Budget is unavailable.
- (2) Calculating the net reduction in conveyance duty as a result of tax reform over the forward estimates period requires a number of assumptions to be made. Different answers are possible depending on the assumptions chosen.

Assumptions need to be made about the revenue expected from conveyance duty over the forward estimates. While these estimates have been announced in the 2015-16 Budget papers, and reflect the best information available at the time of forecasting, they are unlikely to match actual conveyance duty revenue outcomes. This reflects the volatile nature of conveyance duty revenue and the difficulty in producing accurate forecasts, particularly over a four year period. Any calculations produced now on the revenue lost due to tax reform will be subject to revision as actual collections are obtained and estimates over the forward years of the budget are updated.

Assumptions also need to be made for the amount of revenue that would have been collected from conveyance duties in the absence of tax reform.

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### **Questions without notice taken on notice**

#### **ACT Emergency Services Agency—properties**

**Ms Burch** (*in reply to a question and a supplementary question by Mr Smyth on Thursday, 14 May 2015*): The term of the contract was extended by written agreement

of the Territory and the Contractor. The latest variation extends the contract from 31 May 2015 to 30 November 2015 and thereafter on a month by month basis as required.

The procurement process for the current contract was undertaken in 2008 through an open tender.

### **Roads—Ashley Drive**

**Mr Gentleman** (*in reply to a question and a supplementary question by Mr Smyth on Wednesday, 3 June 2015*): The cost to continue the duplication of Ashley Drive between Ellerston Avenue and Johnson Drive has been estimated at \$4.2m in 2015 dollars.

### **Roads—Horse Park Drive**

**Mr Gentleman** (*in reply to a supplementary question by Mr Smyth on Thursday, 4 June 2015*): The Government has committed \$1.0m as part of the recent budget to complete the design and programming for the duplication of Horse Park Drive between Mulligans Flat Road and the Federal Highway. This work will establish the project cost estimates and recommendations for the staging and timing of the future works. It is expected that this information will be available by June 2016.

### **ACT Emergency Services Agency—properties**

**Ms Burch** (*in reply to supplementary questions by Mr Coe on Thursday, 14 May 2015*): The annual cost of the contract from its execution in 2008-09 is reported in the Justice and Community Safety Directorate's annual report as follows:

<b>Financial year</b>	<b>Annual cost \$</b>	<b>Annual report references</b>
2008-09	91,296.35*	Vol 1, page 113
2009-10	402,575.47	Vol 1, page 142
2010-11	233,559.85	Vol 1, page 192
2011-12	247,306.66	Vol 1, page 239
2012-13	224,768.00	Vol 1, page 270
2013-14	259,074.34	Vol 1, page 140

\*The contract commenced part way through the 2008-09 financial year.

The ESA and the Directorate undertook planning for approaching the market. In April 2015 the Government decided to implement a Whole of Government approach to procurement of facilities maintenance. Accordingly the ESA extended the existing contract, pending implementation of the Whole of Government arrangements.

There were no reports relating to the Directorate's decisions regarding facilities management at the ESA. The Directorate is working to progress documentation as part of the Whole of Government arrangement.