Debates

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Thursday, 11 February 2016

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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.

Victims of Crime (Financial Assistance) Bill 2016

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

Title read by Clerk.

MR CORBELL (Molonglo—Deputy Chief Minister, Attorney-General, Minister for Capital Metro, Minister for Health, Minister for Police and Emergency Services and Minister for the Environment and Climate Change) (10.01): I move:

> That this bill be agreed to in principle.

I am pleased to present the Victims of Crime (Financial Assistance) Bill 2016. The government recognises that crime can take an enormous physical, financial and emotional toll on victims. The purpose of this bill is to introduce a new victims of crime financial assistance scheme to provide more equitable access to a wider range of victims of crime. The new scheme is an important reform which greatly improves the support we as a community provide to victims of crime.

The current victims of crime financial assistance scheme has been the subject of criticism and concern since its inception for providing assistance to only a limited range of victims and for providing inequitable access to special assistance payments. The structure of the current court-based scheme has also been criticised, including by the Ombudsman, for being difficult to navigate and failing to meet the needs of victims in a timely way.

The bill addresses these concerns. The new scheme resolves them by providing more equitable support to a larger number of victims of crime and creating an administratively based scheme, with applications assessed by government officials rather than being submitted to a court. I would like to outline some of the main elements of the new administrative structure of the scheme.

Firstly, the new scheme will be administered by the Victims of Crime Commissioner. As head of Victim Support ACT, the commissioner is supported by professional case managers from a range of disciplines, including social workers and counsellors. Giving the commissioner responsibility for administering the scheme will better meet the needs of victims of crime. It recognises the multiple impacts of crime, streamlining the availability of support from other areas of Victim Support ACT, and reducing the administrative burdens and hurdles faced by victims of crime.

Holistic case management processes will support applicants to progress their applications and receive assistance when they need it. The new scheme will also reduce barriers for victims of crime by removing the burden of attending court, avoiding complex legal processes and reducing reliance on legal representation.

Decision-makers under the new scheme will also be subject to clear guidelines and decision-making standards to ensure transparency, predictability and consistency. Victims of crime will also have access to external review of decisions by the ACT Civil and Administrative Tribunal.

Madam Speaker, I might now outline some of the things victims of crime are eligible for under the new scheme. Primary victims of crime will be able to apply for a maximum total of $50,000 of financial assistance. This amount can be made up of a combination of an immediate needs payment, an economic loss payment and a recognition payment. The new scheme also provides assistance for the relatives of people who die as a result of a homicide. These related victims will be eligible to apply for a maximum total of financial assistance of between $10,000 and $30,000 depending upon their relationship with the deceased person.

Homicide witnesses who are injured as a result of the crime will also be eligible to apply for up to $10,000 of financial assistance. Homicide witnesses will be able to access financial assistance for the first time under this scheme. The structure of the new scheme is based on extensive consultation and responds to concerns about the number of people who were unable to access assistance under the current scheme, including many victims of domestic violence, witnesses of violent crimes and victims who suffer extremely serious but not necessarily permanent injuries.

Under the new scheme, victims who have been injured as a result of a wide range of offences will be eligible for financial assistance. More victims of domestic violence will be able to access support under the new scheme. For example, victims of property crime in a domestic violence context, including where a protection order is breached, will be able to apply for up to $10,000 for payments including the cost of safety measures for personal security or relocation costs. These domestic violence victims are currently not eligible for any payments under the current scheme. Victims of crime who suffer extremely serious but not necessarily permanent injuries will be eligible for a recognition payment, based on the offence involved.

Importantly, the new scheme provides four categories of assistance for victims of crime: immediate need payments; economic loss payments; recognition payments; and funeral expense payments. For the first time victims of crime will be able to access immediate need payments to ensure they receive support when they actually need it most. Immediate need payments are a capped amount of financial assistance available for specific expenses that victims incur or may require urgently.

The purpose of these payments is to promote the applicant's recovery, prevent further harm and limit further threats to the safety of the person. Victims of crime will be able to access urgent financial assistance for costs such as emergency medical treatment, security measures to ensure their safety and relocation costs. Financial assistance to cover the costs of cleaning the scene of a homicide will also be available.

Practically, this means that someone who is assaulted and requires urgent dental treatment but cannot afford to pay for it could apply for an immediate need payment. The commissioner will be able to pay the dentist directly, allowing the person to have the treatment they need when they need it, without having to find the money to pay providers up-front and seek reimbursement. Paying providers directly also enhances the scheme's accountability.

The commissioner will also be able to pay to have home security installed for a victim of domestic violence who has been threatened with further harm by the perpetrator. The bill requires the commissioner to give priority to applications for immediate need payments. Simplified application processes will also apply to immediate need payments to ensure those payments are made as quickly as possible and when a victim needs it most.

The second type of payment available under the new scheme is an economic loss payment. These payments will be available to cover a wide range of expenses incurred by a victim of crime as a result of the offence. These payments include medical and dental expenses, expenses for counselling and other psychological support, justice related expenses and the loss of actual earnings incurred as a result of the crime.

For example, a person who requires surgery as a result of an attack will be able to apply for an economic loss payment to cover medical expenses. A person who was sexually assaulted and needs a significant amount of psychological support as a result will be able to seek an economic loss payment for those expenses.

The third type of assistance available is a recognition payment. The current scheme provides special assistance payments to a very limited range of victims, being police or emergency services personnel, sexual assault victims or other victims so badly injured that their injury is permanent and has a significant impact on their quality of life.

A high threshold is applied to determine whether the injury is permanent, and only two to three payments are made under the permanent injury criteria each year. The inequitable distribution of payments under the current scheme means that many victims of crime are not eligible for special assistance payments.

For example, under the existing threshold, people in the following situations do not meet the criteria for a recognition payment: a man who was stabbed and suffered significant back pain that prevented him from sitting for long periods, sleeping properly or bending. His existing depression was also aggravated by the offence. Or a woman who suffered injuries to her eye socket and face as the result of an assault. She had to have multiple surgeries and developed depression that prevented her from working. Or a woman who was seriously assaulted with a weapon by her ex-partner, suffered multiple broken bones and ongoing significant pain that prevents her from returning to work.

None of these people met the criteria for special assistance under the current scheme, and that was simply unfair. The new scheme will be able to assist all of these people. All of these people would be able to access financial assistance including a recognition payment to acknowledge the impact that the crime has had upon their lives.

The bill also introduces recognition payments which are available to a broader range of victims of crime. This approach is consistent with modern schemes interstate. The purpose of recognition payments is to acknowledge the trauma suffered by a victim as a result of violent crime. The new recognition payments also provide consistency of payments across the types of offences, while also responding to the individual circumstances of the victims of crime.

The new scheme provides six levels of lump sum recognition payments based on the type of offence that injured the victim. The general recognition payment amounts range from $20,000 for dependants of a homicide victim to $1,000 for victims of less serious offences such as common assault. The categories of offences provided are based on the objective level of harm that is likely to be caused to the victim, informed by the maximum penalty for the offence. Each category is assigned a non-discretionary lump sum payment. The carefully defined levels of recognition payments ensure consistency and provide victims of crime with a clear indication of the amount for which they are eligible.

The bill provides for circumstances of aggravation that increase the lump sum amount by a specified percentage. The circumstances of aggravation relate to the vulnerability of the victim, the extent of the injury sustained or the circumstances of the offence. For example, a victim injured by an assault occasioning grievous bodily harm would receive a recognition payment of $8,000. If the victim was under 18 years of age at the time of the offence, one circumstance of aggravation would be present, and the recognition payment would be increased to $10,000. If an offensive weapon was used to commit the offence, a second circumstance of aggravation would be present and the payment would be increased to $12,000. Finally, if the injury suffered by the victim amounted to a very serious permanent injury, the recognition payment would be increased to $14,000.

This approach provides certainty and consistency of decision-making to victims of crime, whilst ensuring that the individual circumstances of the offence are taken into account. The amounts of recognition payments are significantly higher than similar payments in New South Wales, Victoria and Queensland, where the maximum amounts available are $15,000 or $10,000, compared with the $26,250 in the ACT for the highest level of recognition payment with aggravating factors present.

The lump sum recognition payments will be subject to annual CPI indexation to ensure they maintain their value over the life of the scheme. The average recognition payment amount for the three limited categories of victims who are eligible for special assistance under the current law will be less under the new scheme. The bill provides a fairer scheme which, instead of making larger payments available to a very small pool of victims, provides more modest payments to a much wider pool of victims.

The bill provides a range of recognition payments for victims of sexual assault when circumstances of aggravation are included. Payments available are between $2,000 and $26,250 depending upon the type of offence and whether any circumstances of aggravation exist. While this is lower than the current payments for victims of sexual assault, the amounts for recognition payments remain substantially higher than corresponding amounts in similar schemes in New South Wales, Queensland and Victoria. Victims of sexual assault will retain eligibility for a maximum total of $50,000 per applicant comprising payments for expenses and loss of wages in addition to recognition payments.

Changes to recognition payment amounts have been made to provide more equitable support to a broader range of victims of crime. As a more user friendly scheme, the new scheme meets a variety of needs of victims of sexual assault and other applicants. For example, the recognition payment amount a victim of sexual assault is eligible for is now closely defined by reference to the maximum penalty for the offence by which the applicant was injured. This allows the applicant to predict with greater certainty what the outcome will be and reduces the need for psychological reports detailing the extent of the applicant's injury.

Decision-makers under the new scheme will rely on evidence from a variety of sources to be satisfied that an act of violence occurred, and which level of recognition payment applies, including reports from an applicant's counsellor or psychologist. Psychological reports may be required to decide whether the recognition payment amount should be increased by a circumstance of aggravation relating to a very serious or permanent injury.

The new scheme recognises that some victims of sexual assault face significant barriers to reporting the offence to police and therefore do not receive assistance. A primary victim of a sexual offence will be eligible for immediate need payments and economic loss payments if they have not reported the offence to police. The applicant will be required to demonstrate that they have reported the offence to other professionals who provide support to victims of crime. Recognition payments are not available unless the offence has been reported to the police.

This will support the role of the police in the criminal justice system and ensure the scheme does not reinforce non-reporting. An individual victim of sexual assault will be able to access assistance to improve their immediate safety, pay medical bills and receive ongoing psychological support while considering reporting the offence.

All other victims of crime are required to report the offence to police unless an exception applies. The exception applies to special reporting class victims, who are known to be less likely to report to police, for example, because the primary victim was under the age of 18 years when the offence occurred, or is being intimidated by another person.

Under the new scheme, an applicant must make their application within three years from when the offence occurred or three years after the applicant turns 18. This is two years longer than the current requirement of 12 months. The new scheme also

removes the requirement to apply for an extension of time through a public court process. The Victims of Crime Commissioner will instead have the ability to extend the time limit in the interests of fairness, having regard to the circumstances of the applicant, the circumstances of the offence and whether the extension of time will prevent a fair consideration of the application. The government believes that these elements will greatly improve the accessibility of the scheme for victims of sexual assault, as well as all other victims.

I would now like to turn to outlining the fourth new element of the new scheme. In addition to the types of payments I have outlined already, any person who has paid or is required to pay for the funeral of a person deceased as the result of homicide is eligible for a funeral expense payment of up to $8,000. It is not necessary to show a family or personal relationship with the deceased person to be eligible for this payment.

The scheme will pay funeral expenses resulting from a homicide to demonstrate that the ACT community finds taking another person's life unacceptable and to ensure that people close to the victim do not bear the burden of paying for a funeral. The new scheme will continue to be a scheme of last resort and to complement other support services and avenues of redress. If an applicant receives a payment from another source that covers the same harm or loss as the financial assistance is intended to cover, the amount of financial assistance will be reduced. Other payments include awards of damages in civil proceedings, a workers compensation payment or an insurance payment.

The bill also requires the amount of financial assistance to be reduced if the applicant contributed to the injury suffered or participated in the offence. The bill also requires offenders who have been convicted of an offence for which financial assistance was paid to pay back the amount given as financial assistance. This requires the offender to contribute to the financial cost of the scheme as a result of the harm caused to their victim. The Victims of Crime Commissioner will be responsible for issuing recovery notices and seeking payment.

Two stages of review are included in the process to ensure that offenders have the opportunity to object on the grounds available and for the offender's circumstances to be taken into account. The Victims of Crime Commissioner is also required to consult with the person who received the financial assistance before contacting the offender to ensure any safety concerns are considered. It is expected that the new scheme will commence on 1 July this year. *(Extension of time granted.)*

Changes to eligibility will not be applied retrospectively. Applications already lodged with the court will continue to be determined under the existing scheme. Victims eligible to apply under the existing scheme who have not done so will have 12 months from the commencement of the new scheme to apply to the court. This ensures that victims who wish to have their application determined by the court have an opportunity to do so within 12 months. The court must assess these applications under the old scheme.

All applications lodged after 12 months from commencement will be determined by the Victims of Crime Commissioner under the new scheme. However, for offences that occurred prior to commencement of the new scheme the amounts of special assistance available for victims of sexual assault and victims who incur an extremely serious and permanent injury will remain the amounts available under the old scheme.

For example, a victim of sexual assault who is injured before commencement of the new scheme but who has not made an application 12 months after commencement will need to apply to the Victims of Crime Commissioner under the new scheme but will still be eligible for a maximum recognition payment of $50,000. A victim of crime who incurs an extremely serious and permanent injury before commencement, but who has not made an application 12 months after commencement, will need to apply to the Victims of Crime Commissioner under the new scheme but will still be eligible for a maximum recognition payment of $30,000 as well as immediate need and economic loss payments up to the total maximum payable to any victim of $50,000.

The transitional provisions ensure that certain victims of crime who were injured before the commencement date and were eligible for larger amounts than under the new scheme do not have their eligibility changed significantly and that there is a clear point at which applications to the court are no longer possible.

To ensure the new scheme is working well the bill requires the government to review the act after its third year of operation. Subsequent reviews at five-year intervals will also be conducted to maintain oversight. In summary, the new scheme will greatly improve the support we as a community provide to victims of crime, ensuring that more victims of crime are eligible for financial assistance. I commend this bill to the Assembly.

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

Domestic Violence and Protection Orders Amendment Bill 2016

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

Title read by Clerk.

MR CORBELL (Molonglo—Deputy Chief Minister, Attorney-General, Minister for Capital Metro, Minister for Health, Minister for Police and Emergency Services and Minister for the Environment and Climate Change) (10.25): I move:

> That this bill be agreed to in principle.

I am pleased to present the Domestic Violence and Protection Orders Amendment Bill 2016. This bill reinforces the government's commitment to better protecting victims of domestic and family violence. It makes technical amendments to the Domestic Violence and Protection Orders Act 2008 to reduce red tape and address operational

issues that have arisen from the introduction of the new special interim domestic violence order scheme.

On 27 October 2015 the Crimes (Domestic and Family Violence) Legislation Amendment Act was passed. That act introduced a special interim domestic violence order scheme. The special interim order scheme provides the court with the ability to extend interim domestic violence orders when there are current, related criminal charges. The special interim domestic violence order scheme commenced on 5 November last year. After commencement, stakeholders requested a number of critical amendments not previously raised that will assist the courts to use the scheme effectively. The purpose of this bill is primarily to reduce red tape and to ensure that a streamlined domestic violence order scheme is in place.

The amendments proposed by this bill will amend the Domestic Violence and Protection Orders Act 2008, the DVPO act, and the Domestic Violence and Protection Orders Regulation 2009, the DVPO regulation, to clarify and streamline the operation of domestic violence and protection orders in the ACT. Due to the technical nature of the bill, the amendments do not engage human rights. Today I will provide members with an overview of the proposed amendments.

In relation to preliminary conferences the bill will clarify that a return date can be set for the purpose of a preliminary conference for any domestic violence order, including special interim domestic violence orders. A preliminary conference is an important case management tool used by the court to give parties an opportunity to consent to orders. The bill will amend the DVPO act so that the legislation clearly provides that preliminary conferences can be used when a special interim order is in place.

In relation to dismissing matters where parties fail to appear, another important case management tool is the ability of the court to dismiss applications for special interim DVOs if one or more parties fail to appear. This currently occurs in relation to general interim DVOs and the bill will extend that practice to provide for efficient case management of all interim DVOs.

In relation to service, the bill will repeal section 65 of the DVPO act to ensure that the Legislation Act 2001 applies to non-personal service of DVOs. This will allow greater flexibility for the courts when serving documents and will maximise the likelihood that all parties will be served, particularly when a long period of time has passed between the original application being filed and the finalisation of related criminal charges.

There are also a number of other more minor, technical amendments. These will be made to ensure that the special interim DVO scheme complies with existing practice for the courts when processing and administering DVOs generally. These include (a) allowing parties to a special interim DVO to file endorsement copies for the DVO; (b) extending some provisions in the DVPO regulation to ensure its consistency within the DVO scheme generally; and (c) clarifying the notice and information that needs to be given to the parties who are involved in the special interim DVO. These minor amendments will reduce red tape and ensure the DVPO act remains relevant and effective now and into the future.

In closing, I note that the government is acting swiftly to remedy these issues raised in connection with the special interim order scheme and ensure that the legislation can be implemented as intended to better protect victims of domestic and family violence.

I draw to the attention of members that I have written to the Leader of the Opposition and to Mr Rattenbury indicating the government's intention to progress passage of this legislation as an urgent bill during the current sitting fortnight to ensure that these issues are remedied in a timely way. I look forward to members' cooperation in this regard. I commend the bill to the Assembly.

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

Youth suicide—proposed select committee

MRS JONES (Molonglo) (10.30) I move:

That this Assembly:

(1) notes that, according to the ABS' last recorded data from "Causes of Death" in 2013:

(a) a third of young people aged 15-25 who died in the ACT in 2013 died as a result of suicide;

(b) in 2013, suicide was the leading cause of death of children between 5 and 17 years of age;

(c) intentional self-harm is one of the top ten leading causes of death in males;

(d) 37 persons died due to suicide in the ACT in 2013, which is a 54% increase on the previous year;

(e) there was a 13% increase of persons aged 15-19 dying from suicide in Australia in 2013 compared to 2012;

(f) between 2011 and 2013, there were more deaths by suicide in the ACT than there were in transport accidents;

(g) intentional self-harm is the leading cause of death among Australian children and young people aged 15-24 years;

(h) as at November 2014, one child under 18 years of age takes their own life every week, and 18 227 children and young people were hospitalised in Australia for intentional self-harm over the last five years;

(i) between 50 and 60 children every week are admitted to hospital for self- harming incidents in Australia; and

(j) there has been a 650% increase in deaths from self-harm, when

comparing 12 and 13 year olds with 14 and 15 year olds from 2007 to 2012;

(2) resolves to establish a select committee on youth suicide in the ACT;

(3) that the committee will be comprised of two members of the Government and two members of the Opposition, with proposed members to be nominated to the Speaker by 4pm this sitting day; and

(4) the committee report by the last sitting day of this term.

I stand today to speak to the motion on the notice paper in my name regarding the issue of mental health and young people here in Canberra, with particular concern regarding the issue of youth suicide. I have moved that the Assembly notes that according to the ABS latest data about causes of death, which is a little outdated now, from 2013, a third of young people aged 15 to 25 who died in the ACT in 2013 died as a result of suicide. In 2013 suicide was the leading cause of death of children between five and 17 years of age. Intentional self-harm is one of the top 10 leading causes of death in males. Thirty-seven persons died due to suicide in the ACT in 2013, which was a 54 per cent increase on the previous year.

There was a 13 per cent increase of persons aged 15 to 19 dying from suicide in Australia in 2013 compared to 2012. Between 2011 and 2013 there were more deaths by suicide in the ACT than there were transport deaths, intentional self-harm being the leading cause of death among Australian children and young people aged 15 to 24 years. As at November 2014 one child under 18 years of age took their own life every week and 18,227 children and young people were hospitalised in Australia for intentional self-harm over the last five years.

Between 50 and 60 children every week are admitted to hospital for self-harming incidents in Australia and there has been a 650 per cent increase in deaths from self-harm, when comparing 12 and 13-year olds with 14 and 15-year olds, between 2007 and 2012. And I am asking that we establish a select committee comprising members of the government and the opposition to look into this matter.

We need to learn a great new skill as a society. When I was a young person at school we learned, in response to fire, the three-word response "stop, drop and roll" to teach kids how to respond to being on fire. But if someone is suffering from life-threatening or potentially life-threatening mental distress or the beginnings of such a situation, what do we do? How do we notice or find out? How then do we respond? We have a lot to learn regarding mental health.

We really are only the first generation, in a way, to speak openly about mental health, and mental health with regard to children is something that I think most people are not overly across. My vision is that eventually we will be in a situation where we are able to get out ahead of crisis—a mental health cleanout for younger people or learning how to notice the early onset of mental health concerns.

As a community, in many ways only those of us who have been either directly affected or very closely involved with young people in crisis, as I have been with kids in crisis especially, know what to do. Those who have not been involved in that do not have a lot of information about how to deal with the situation or how to even

recognise such a situation occurring before their very eyes. So I would like to see us get to the point that we have a "stop, drop and roll" for kids' mental health and probably a similar response for adults so that we can get out ahead of crisis and know what we are dealing with when it comes.

The issue of suicide prevention and care within our Canberra community has been dealt with here in the Assembly with sensitivity, respect and general agreement across all parties to this point and today I hope my motion will be supported. Back in March 2012 Greens member Amanda Bresnan brought a motion to this Assembly calling for aspirational targets for suicide reduction by 2020 and for a biannual statement on the figures of suicide within the ACT. I am not necessarily advocating very specific targets in a small jurisdiction but I do think that we need to be working towards dealing with despair and mental distress challenges that some in our community face. I think it is vital that we continue to have this conversation.

In late 2014 Ms Gallagher as the health minister presented the suicide statistics for the ACT. Ms Gallagher also committed to a joint research project between the ANU Medical School and ACT Health with a focus on factors contributing to people completing suicide attempts and the health services with which they had been in contact over the five years prior. We are yet to see the outcome of this research but I do hope that when it does come to the Assembly—and perhaps this is a reminder that that is on the way—perhaps we will find a way forward in addressing suicide and creating a preventive strategy. How we provide suitable support for those within our community is important for those who are grappling with the issues or have loved ones grappling with the issues.

The statistics on youth suicide are sometimes alarming. Across Australia for young people in the 15 to 19 years of age bracket there has been an increase of 13 per cent from suicide in 2013 compared to 2012 and I am told the situation is much the same here in Canberra and ongoing in that direction. Between 2001 and 2013 there were more deaths from suicide than there were from car accidents in Canberra.

In my role as shadow minister for mental health I have spoken to many families and friends of those who have been either directly or indirectly impacted by the issue. They tell me of their experiences. One parent explained to me that her daughter recognises that she is extremely unwell and is crying out for help; yet she does not understand why she is not receiving it. She said, "What is it going to take? Most likely her death or the death of countless other teens that desperately need help. We have no facility in Canberra for mentally ill children." That was her statement. She said that the Child and Adolescent Mental Health Service resources are quite stretched and underqualified, in her view, to help. It is only due to her sheer persistence, she says, and willingness to continually battle the medical system that her daughter is still alive.

I was in Canberra Hospital emergency probably about two or three months ago and as I arrived a mother was melting down because she had spent a total of, I think, 20 or 21 hours, she was saying, across two emergency departments, from Calvary to TCH, with her daughter who was threatening to kill herself. I was shocked that it would take two emergency departments and that length of time and the mother was actually getting to the point where she was considering taking her daughter home because she

herself could not cope mentally with waiting any longer and she was melting down quite severely in the emergency area. I think we all have to ask ourselves the question: even though there are services in Canberra, how can that be happening?

Another parent told me, "Our experience of mental health has been for the most part pretty appalling. We have tried to navigate our way through the public health system. Our experience was not a good one. Overwhelmingly, it is painfully obvious that there is a real problem in this town." Another parent said, "Things are not improving in the ACT and there are particular barriers to assessing effective treatments here."

I have also spoken to a number of healthcare professionals—nurses and so on—who have also reinforced that, and here are some of their comments: "People think you don't get a mental illness until adulthood." I am not saying that is people here in the Assembly but it obviously is something that that healthcare professional has dealt with. "There needs to be investment in nonclinical work" was another comment. "It is important that those suffering with mental health issues are able to seek help when they are in a lucid phase, not when they hit crisis." I thought that was a pretty useful comment. "Kids don't know how to have a healthy mind" was the comment of another healthcare professional to me.

I have spoken with several high school principals and teachers who have told me that they are also spending more and more time addressing mental health issues in their students, be it self-harm, depression, anxiety, eating disorders or youth suicide.

Before becoming a member of this place I was involved in research into the sexualisation of young girls and the way that young women are—what is the right word? Suggestions are made in our society about how young women should view themselves and the use of their bodies and the way that their bodies are designed to be, and we have more and more focus on unrealistic expectations and models of existence that are airbrushed and that do not normally exist. I think there is a great deal of misinformation as well in that zone about what our bodies are for and how to be happy with them. That is not directly just a youth suicide matter. That is about self-image. I think in the broader community that is something that lots of people would like to understand how better to deal with. But it can impact on people who are becoming suicidal.

Is the current situation with young people partly a product of busier families or are there a range of causes? Are there things that we could be doing? Do we need to learn about early intervention more? These are all the matters which I would like a select committee to delve into. I think it would be very important also for MLAs in this place to know more and more about this matter so that we are able to delve more into solutions in our policies that we bring forward in coming years. People in this space have told me about the far-reaching impact that suicide has, how there are second and third-order effects within the school community as well as the broader community—not just suicide but attempted suicide as well.

I am not here today to dictate details of how to improve the situation or to pretend that I am an expert. I am here to recommend that we take some next steps. I believe it is time to see established a select committee to thoroughly investigate all the issues and

supports surrounding youth suicide, what we are able to do on the matter, and I am confident that as a compassionate group of people we can work towards better outcomes for the health and wellbeing of young people.

I commend this motion to the Assembly.

MR CORBELL (Molonglo—Deputy Chief Minister, Attorney-General, Minister for Capital Metro, Minister for Health, Minister for Police and Emergency Services and Minister for the Environment and Climate Change) (10.42): I move the amendment to Mrs Jones's motion that I have circulated in my name:

> Omit all words after "(2)", substitute:
>
> "(2) resolves to refer the issues related to youth suicide and self harm to the Standing Committee on Health, Ageing, Community and Social Services to examine the extent and impact of these in the ACT, having regard to:
>
> (a) ACT Government and Commonwealth Government roles and responsibilities in regard to youth mental health and suicide prevention, particularly in relation to the recently announced Commonwealth response to the National Mental Health Commission Report and the mental health and suicide commissioning role for the Primary Healthcare Networks as it affects the ACT;
>
> (b) any gaps or duplicate roles and responsibilities;
>
> (c) whether there are unique factors contributing to youth suicide in the ACT, taking into account the small number of young people who have died by suicide in the ACT in recent years, and the impact public investigation may have on families and close friends, that can be identified through submissions and expert witnesses; and
>
> (d) ACT government-funded services, agencies and institutions, including schools, youth centres, and specialist housing service providers' role in promoting resilience and responding to mental health issues in children and young people; and
>
> the Standing Committee on Health, Ageing, Community and Social Services will report back to the Legislative Assembly by the last sitting day of 2016.".

First of all, I thank Mrs Jones for bringing this motion on this morning. There is nothing potentially more important than the mental health of children and young people in our community. Mental illness is very common and it affects around one in five Australians every year. As such, that is nearly 80,000 Canberrans who experience a mental illness each and every year. Most of these people will have a mild to moderate form of mental illness that will respond well to interventions and support at a primary health level. However, there are probably about 10,000 people each year who require treatment and support through publicly funded hospital or community

sector mental health services.

On average, 35 Canberrans die by suicide each year. In addition, many friends, family members and colleagues are indirectly affected by mental illness, the impacts of suicide or self-harm. Poor mental health negatively impacts on the individual, on families, on the community and on our economy. It causes distress, leads to isolation and it can even see discrimination. These are some of the many compelling reasons to invest in mental health and wellbeing and to reduce the risk factors associated with mental illness, suicide and self-harm.

Poor mental health is a contributing factor to people taking their own lives. Other factors can include the experience of bullying, social isolation and loneliness, the recent loss of a life partner, a relationship breakdown, alcohol misuse, release from detention, chronic or physical illness and, for some young people, difficulties connected with establishing identity and belonging, for example, their sexual or gender identity.

There is strong evidence that some population groups are at a higher risk of developing mental ill health because they experience additional stresses, discriminations or stigma, and these groups can include people from an Aboriginal and Torres Strait Islander background, those from culturally and linguistically diverse backgrounds, people who identify as gay, lesbian, bisexual, transgendered or intersex, people with an existing mental illness, victims of violence, those who have been incarcerated, those who have witnessed violence, people who are homeless, young people, children of parents who have a mental illness, carers, and people with a substance use disorder.

When you look at the statistics for suicide, they do not make for light reading. Over the past 10 years of reported data, the average number of deaths attributed to suicide in our own territory was around 33 each year. In 2013 there were 37 deaths attributed to suicide, a 54 per cent increase from the previous year, albeit in overall small figures. In 2013 the ACT five-year age standardised rate of death by suicide per 100,000 people was 9.1. This was, fortunately, the equal lowest rate in Australia, but each and every one of those deaths was and is a tragedy.

The number of deaths attributed to suicide in 2013 was a substantial increase from the number in 2012. However, the number in 2012 was particularly low in comparison to previous years. In its 2014 publication *Suicide and hospitalised self-harm in Australia: trends and analysis* the Australian Institute of Health and Welfare found that the suicide rate between 1980 and 2010 in the ACT and all other jurisdictions except the Northern Territory had remained stable or fallen slightly.

Despite this, as a government we remain absolutely committed to improving access to mental health services for people of all ages, including young people and children. We know that being able to access programs and services that enhance protective factors and reduce risks early in life through access to maternal support, parenting programs and early education programs are powerful prevention strategies, especially for those who are in lower socioeconomic groups. For example, home visiting programs during the postnatal period have been demonstrated to show improvements in mental health outcomes for mothers and newborns and to facilitate improvement of parenting skills and mother-child interaction.

These programs positively influence child health priorities such as child behaviour, language and literacy. Peri-natal mental health programs effect a positive influence on parental mental health, and minimise the likelihood of child abuse. The key service here in the ACT that specifically targets our young peoples' mental health and wellbeing is the Child and Adolescent Mental Health Service, or CAMHS. This service essentially provides clinical and therapeutic mental health services for children and young people in the ACT.

The child and adolescent mental health redesign project was recently completed in 2012, and this led to a new model of care being developed following extensive consultation with stakeholders, including young people, carers, clinicians, senior managers, and was driven by contemporary evidence-based practice.

The model of care was implemented during 2014-15. This has seen a number of new services being delivered or established, including a new primary school mental health early intervention program, which will deliver the CAMHS and education early action program to primary school aged children; the commencement of open groups at the CAMHS cottage, a program to provide additional support for CAMHS young people; the introduction of e-mental health within CAMHS and the acquisition of iPads to assist with the delivery of therapeutic counselling sessions; and a staffing increase of five full-time health professionals to the peri-natal and infant mental health consultation service as part of the growth funding the government was provided in the 2014-15 mental health growth budget.

A new initiative as part of the 2015-16 mental health community growth budget is being established within CAMHS also focused on primary school aged early mental health. This program target is five to 12-year-old children with emerging mental illness or disorder. It will work in partnership with education and other community organisations, such as our child and family centres.

The key elements of the program are: the early identification and treatment of children presenting with emerging mental illness and disorder; mental health secondary consultation and in-reach into primary health services targeted at kids; and an early intervention school-based, group work program for primary aged school kids is under development with the education directorate and the Australian National University Research School of Psychology and its clinical arm.

The ACT government is also supporting current research into suicide in the ACT that is being undertaken by the ANU Medical School Academic Unit of Psychiatry and Addiction Medicine. Professor Bev Raphael is leading the research team and will be providing a research report by December this year.

We also have the mental health community policing initiative which provides mental health clinical expertise within the ACT Policing operations centre to assist police to work better with members of the public affected by mental illness. In the 2014-15 budget the government increased the initiative funding to enable specialised youth mental health expertise to be added to the resources available to police. Also as part of the most recent budget, there is now a coronial counselling service supporting

people bereaved by traumatic death including deaths by suicide that are under investigation by the coroner.

I recognise the importance of this proposed referral. The amendment that I have moved seeks to establish more formalised terms of reference, which I think are entirely consistent with the aims, objectives and concerns Mrs Jones has raised in her substantive motion. It makes the proposed change that the terms of reference in my amendment form the basis of a referral to the Standing Committee on Health, Ageing, Community and Social Services to look into the matter that I have outlined in my amendment. The purpose of this is to reflect the fact that we have a standing committee already established in this place. This is fundamentally a health matter and it is a great opportunity for the standing committee to undertake that work.

I anticipate that the standing committee, should this referral be made, would be able to report back to the Assembly by the last sitting day of this year. I think there may be a suggestion from Mrs Jones that that should be the last sitting day of this term. I would certainly have no objection to that if Mrs Jones wanted to make such a proposal. In practical terms that would probably be the reporting date in any event given that the committee will cease its membership with the election later this year.

I hope that out of this inquiry process we can continue to build confidence that, if we talk about suicide more openly, if we encourage help-seeking behaviour, if we build individual and community connectedness and resilience and if we have better access to better services, we are all contributing to suicide prevention. Government can only be one part of the solution; it needs fundamentally to be a whole-of-community response striving to be inclusive of diversity, building resilience and connectedness. All of these things help to prevent the tragedy that is suicide. I commend the amendment to the Assembly.

MR RATTENBURY (Molonglo) (10.54): I thank Mrs Jones for bringing this motion forward today. It is a welcome opportunity to discuss this very important and yet confronting issue in our community. What I have learned in recent years in talking to many of the service providers around town and people who are involved in these issues is that too often the issue of suicide is not discussed, that it has been a taboo issue that people have found difficult to talk about.

I think one of the very positive developments in recent years has been an increasing willingness for people to speak about this, particularly people who have suffered from mental health problems who have contemplated suicide or perhaps have even attempted it and who have spoken about their experiences. That very brave act has helped other people develop a greater appreciation or perhaps seek support as the case may be. That is a positive thing and I think having a community like this is part of that growing discussion that will help us confront this very challenging issue.

Mental health is certainly a growing concern in our community; for young people in particular it is an increasingly complex area of social, biological and environmental factors. Similarly, mental health funding is a complicated mix of state and federal moneys mixed in often with other community service programs, again, particularly in the case of youth issues.

In the ACT we are lucky to have Headspace ACT, child and adolescent mental health services, a range of non-government providers in generalist youth services, and homelessness, education and care and protection sectors who all play an essential role in supporting young people, often up to 25 years of age, who may be struggling with anxiety, borderline personality problems and depression or other common mental health concerns.

Perhaps the most obvious missing piece in our fairly well-established collection of service responses to these issues is a stand-alone youth-specific mental health unit as an adjunct to the existing mental health unit, which I understand provides the best possible support it can under the circumstances that are available to them to those under 18-year-olds who do present.

There is a range of other areas where I am sure there is room for improvement in the way we coordinate services, and certainly a committee like this is a very good opportunity to hear from a range of witnesses, to have them come before the Assembly and share with members their experiences and observations from the front line of where things do work. I am sure there are many things that do work and occasions where things do not work, and I think the value of a committee like this is to look at the both the positives—things that can perhaps be rolled out even further—and those areas where there are problems.

Certainly in the education portfolio for which I have now taken responsibility we are seeing a marked increase in students with a medical diagnosis of anxiety, depression and schizophrenia, and the directorate is seeking to respond with better training and support to teachers and school communities through programs such as mindmatters and enhanced screening tools.

I think the ACT is well placed to be a leader in reducing suicide and self-harm incidents with our solid approach to cross-sector collaboration and linked-up thinking, as evidenced by the new step up for our kids approach to care and protection and the blueprint for better services work being led by CSD but with input from all directorates. In plain English—we are a small town and we should be able to sort these things out in a relatively small community.

The key to this inquiry being successful then will rely on whole-of-government understanding and coordination to ensure our funded services are meeting the needs of young people at the right time, in the right places and for the right length of time. In relation to funding, I will particularly look forward to the committee's report on the impact of the new commonwealth directions and the allocation of resources and coordination powers to the local primary healthcare networks and the broader national conversations about the need for specific service targets for young Aboriginal and Torres Strait islander people.

Youth self-harm and suicide, while at times linked, can be quite separate issues for many young people. As far as services on the front lines are concerned, in terms of clinical interventions they often require a differentiated response. This is something

that the committee will need to contemplate as they examine these issues, and I am sure that will be a point that will be drawn out by some of the witnesses that come before the committee.

Madam Speaker, I intend to support Mr Corbell's amendment. I think there is some value in going to the health services committee rather than creating a different committee. I note that Mr Corbell has proposed some terms of reference as none was originally proposed when this motion was put forward. I have not heard anything to the contrary that says that this is not an agreeable way forward. The question of when the committee reports is one on which I have an open mind. It does seem perhaps better to have it at the end of this term, but I am happy to work with other members to find a suitable outcome noting the uncertainty on that point.

Overall, I think this is a very important issue for the Assembly to look at. I look forward to both following some of the witness presentations when the committee calls witnesses and reading the final report of the committee.

MS BERRY (Ginninderra—Minister for Housing, Community Services and Social Inclusion, Minister for Multicultural and Youth Affairs, Minister for Sport and Recreation and Minister for Women) (10.59): I too would like to thank Mrs Jones for bringing this motion to the Assembly today. As minister for youth and inclusion, it is a privilege to rise today to support the referral of this important matter to the health committee, as has been proposed by Minister Corbell. Minister Corbell has spoken about mental health as an issue high on the government's agenda for youth, and it is timely for the health committee to explore this issue at greater length.

As minister for inclusion, I would like to take a moment to reflect on the impact suicide has on groups that are all too often marginalised and stigmatised in our community. We know that the rate of suicide and self-harm amongst young Aboriginal and Torres Strait Islander people, amongst survivors of torture and trauma and amongst young people who identify as LGBTIQ, is significantly higher than that of their peers.

Last year, after an excellent speech at the Youth Coalition's just sayin' event, Joel Wilson, a young trans advocate, took the time to talk to me about the impact of social exclusion on the mental health of trans people in our community. He told me about how the small ways our society still misunderstands the issues faced by young trans people add up and undermine their dignity. He told me that, shockingly, one in five young trans people experience suicidal ideation. We need to make sure that there are services available to individuals experiencing mental health issues and supports for young people considering suicide but, as this motion indicates, we also have a responsibility to look at the broader cultural factors that exclude some of our young people and put them at risk.

Mrs Jones talked about the way society packages up body image for women and girls. I can only imagine what a young trans person would be feeling having that society also putting pressure on them about who they should identify as, what their sexual identity is. As a government and a community we need to be vigilant to ensure that our institutions—schools, hospitals, housing providers and youth services—support

the identities of all our young people and promote resilience and respect between all of them, regardless of their sexual identity or how they identify themselves. There are organisations already doing this work. I am a proud supporter of the Safe Schools Coalition, which is working with schools and community partners, including Headspace, Sexual Health and Family Planning ACT and A Gender Agenda, to create better practices and cultures in our schools for LGBTIQ students.

I have also spoken in this place about my support for the say no to racism project that my colleague Joy Burch rolled out in schools on the advice of the ACT government's excellent and dedicated youth advisory panel. These preventive projects work to tackle the causes of social stigma and shame that we know have an unacceptable impact on the health of many young Canberrans.

As minister for youth, I particularly support the referral of this inquiry to a committee process where young people themselves will have the opportunity to have their voices heard on this important issue. The strength of Assembly committees is their ability to bring the stories and experiences of Canberrans into the work of the Assembly. For young people, the ability to influence the decision-making on such an important issue is empowering.

I have heard from the Youth Coalition that both their youth advocates and the youth advisory panel are committed to advocacy on mental health and wellbeing. I hope the committee process will be structured to allow as many of them as possible to make a significant contribution and have their voices heard and respected by the decision-makers in this place.

MR WALL (Brindabella) (11.04): I am pleased to support my colleague Mrs Jones today in her calls to establish this committee inquiry. We need to get a better understanding of the drivers behind youth suicide and make sure that we as a community are properly equipped and placed to deal with young people as they approach crisis point. The Youth Coalition of the ACT has done a great deal of work around the mental health and wellbeing of young people and continues to do so. Last year the Youth Coalition released a report titled *Mental health: perspectives of young people aged 12-25 in the ACT*. This report was the culmination of findings of conversations with young people aged between 12 and 25 which explored why mental health is one of the top issues for young people in Canberra.

In the report conducted by the Youth Coalition, mental health and wellbeing are rated as among the top five issues selected as most important to young people. Feeling sad or anxious is also rated in the top five. I think that in itself speaks volumes about some of the challenges young people face today. I would like to quote an excerpt from the Youth Coalition's report. In the section titled "Mental health as a significant issue of concern for young people" it says:

> The focus group consultations confirmed that mental health is a significant issue of concern for young people. Participants identified that as young people they face certain pressures that means mental health is a top priority for them and their peers. They reported that expectations associated with school and extracurricular activities, such as sporting teams, can be a significant source of stress for many young people.

Participants in the survey have inserted a few quotes, and I will read those. One participant said:

> As you get older, new expectations and responsibilities are put on you.

Another said:

> At school there is a big focus on getting good grades, more assignments and the time needed to spend on study at home. Sometimes it gets to the point where you worry about whether or not it's all worth the stress.

Another participant said:

> There's no such thing as school-life balance, there is work-life balance, but not when it comes to school.

Some of those quotes from young people I think are quite telling of the challenges that they face and probably indicate that we as a community are not equipping our young people well enough to handle some of the challenges that later teen life brings. The report also states:

> Some of the participants, however, warned that stereotypes of young people, particularly labels like "moody teenager", can be problematic when it comes to mental health. Stereotypes can make it difficult for young people and those around them to recognise the difference between "normal" highs and lows, and when they might be needing help. They highlighted the need for a better understanding of how to identify and address mental health issues, as well as an increased awareness about ways to promote good mental health and wellbeing.

Youth mental health is also a key priority for Indigenous service providers. I work quite closely and talk regularly with providers such as Gugan Gulwan and the team at Winnungah Nimmityjah. As in most negative statistics about Aboriginal and Torres Strait Islander closing the gap measures, our Indigenous community often rate all too high on the issue of youth suicide and mental health issues. These organisations are doing great work in our community to address the issues presented to them, but there is no doubt that demands for services and assistance will always outstrip supply.

Again I would like to commend Mrs Jones for her attention to this matter. I look forward to the robust and informative inquiry that is sure to follow.

I will touch on Mr Rattenbury's remarks. I think it is one of those rare instances where I will agree with him and say that it is a great step that we as an Assembly are actually raising an issue which is often a social taboo. The issue of suicide is seldom talked about for fear that it might spark copycat acts or plant ideas in the minds of people who are in a vulnerable state. The work we do in this Assembly often has an opportunity to make a difference in the community, and this is an issue where much change needs to occur. If the outcome of this inquiry helps prevent one young person from going down the road of taking their own life then the work will be a success, and I look forward to being part of it.

MRS JONES (Molonglo) (11.08): The Liberals will support the amendment put by Minister Corbell. Most importantly, the matter will be looked into. The exact method by which that is undertaken is not of huge concern to me.

To sum up: I thank Minister Corbell for his input and the information that 10,000 people per year are supported through government agencies in Canberra dealing with these and other mental health concerns and that our suicide rate seems to be around 35 persons per year. Obviously that does not exactly capture suicide attempts or ideation. Minister Rattenbury brought information to the debate about the different services that exist and the community groups that are playing a big part. Over previous Assemblies his party has brought the matter of suicide to the Assembly's attention.

MADAM DEPUTY SPEAKER: Mrs Jones, can I just interrupt you for one second. I believe you have another amendment?

MRS JONES: Yes.

MADAM DEPUTY SPEAKER: Could you move the amendment?

MRS JONES: Just to clarify, we are supporting Minister Corbell's amendment. I have an amendment to the amendment to clarify the reporting date. I move:

> Omit "the last sitting day of 2016", substitute "the last sitting day of this Assembly".

Mrs Jones's amendment to **Mr Corbell's** proposed amendment agreed to.

Mr Corbell's amendment, as amended, agreed to.

MADAM DEPUTY SPEAKER: Now, Mrs Jones, you can close.

MRS JONES: Thank you, Madam Deputy Speaker. Just going back to the track that I was on before, we dealt with the technical side of the debate. I was saying that it was a good thing that Minister Rattenbury's party had brought this to the Assembly's attention in previous Assemblies. I thank him for his contribution to the debate.

I thank Minister Berry for her focus on youth in the debate, in particular her passion for the bi, lesbian, gay, transgender and intersex community. I also suggest that in the matter of youth we should not lose sight of those who are living with disability or who come from ethnic minorities and whose identities are from other differentiated or minority groups. We should also not lose sight of the fact that mainstream young people—whatever you might like to call them—who do not necessarily identify as something different or particularly special can suffer enormously in this area as well.

I believe that as a result of the amendments that we have passed we will be defining the federal government's versus the local government's current state of

responsibilities in this area and any gaps or duplicate roles in responsibilities that exist so that we can be very clear about where our areas of responsibility lie. We will also be looking at the ACT's specific situation, if there are any specifics to the way that people live in the ACT or the services that they have access to that make them specifically vulnerable or stronger than elsewhere. We will also be looking at ACT government-funded services.

As I stressed in the debate, hopefully the health committee will pay particular attention to how our emergency departments deal with the most severe cases that turn up on their doorsteps. As I say, I was quite disturbed to witness the experience late last year of a mum deciding whether she could any longer survive staying at the emergency room with her daughter who was threatening to harm herself. The nurse was asking her, "If you leave, do you think she will be safe?" The mother said, "No, I don't, but I just can't cope anymore with standing and sitting around here," when it had been over 20 hours. We do not know if people in emergency departments have money for food and those sorts of things and what else is going on in their lives as they sit there and wait. They may have other children or other people in their homes that need care as well. I would really love it if the committee could pay some attention to that issue which I have personally witnessed in recent times.

We know that in the private health realm in the ACT there is a wait time of about six weeks to see a psychologist. That is after the point that someone comes to terms with the idea of seeing a psychologist. We know that there are still many parents and carers who are afraid of the idea of young people going to a psychologist. They are worried about the intensity of that or whether it really will help. As somebody who has had a couple of my kids at the psychologist's from time to time, I can say that these people really are experts who deal on a daily basis with the kinds of things that your kids are going through and they really do know the parameters of normal recovery.

It being 45 minutes after the commencement of Assembly business, the debate was interrupted in accordance with standing order 77. Ordered that the time allotted to Assembly business be extended by 30 minutes.

MRS JONES: My advice to the Assembly and to the broader community is that we must learn to be less afraid of psychologists. That might seem like a strange statement to make, but I know from my own experience that we have all had to learn that these are professionals who also perhaps have been stigmatised in the past by conversations in our community. But they deal on a daily basis with issues of mental health and normal recovery: what recovery looks like and what treatment looks like. In the meantime, while our community catches up with information that we are not all across, we should open up and talk about the fact that professionals like this are very important to the wellbeing of our children. I thank the Assembly for its support in this debate. I hope that the outcomes of the committee's report are really robust and give us a way forward.

Motion, as amended, agreed to.

Planning and Development Act 2007—variation No 343 to the territory plan
Motion to reject

MR COE (Ginninderra) (11.17): I move:

> That, in accordance with subsection 80(2) of the *Planning and Development Act 2007*, this Assembly rejects Variation No. 343 to the Territory Plan—Residential blocks surrendered under the loose fill asbestos insulation eradication scheme.

The Canberra Liberals oppose variation 343 because it is bad planning. Variation 343 changes the planning rules for the Mr Fluffy blocks that the government has purchased as part of its buyback scheme. The provisions of variation 343 allow unit titling for dual occupancy development on blocks in the RZ1 zone. This would apply to Mr Fluffy blocks that are over 700 square metres. The current requirement is that blocks must be 800 square metres for unit titling to be allowed. The variation also changes the height limits and plot ratio allowances for dual occupancies.

Variation 343 is unfair and has no planning rationale. It is not fair to do a spot rezoning of a small number of blocks scattered through the territory. There is nothing to differentiate these blocks from any other blocks, except for the fact that historically there was a house on them that had problems. There is nothing inherently different about these blocks, so it is not fair to treat them any differently. It is no wonder that one witness appearing before the planning committee's inquiry described it as throwing darts at a map of Canberra in terms of how the planning is being done.

People want certainty in a good planning system. They want to know that if a block is in a certain area, it will be zoned in a certain way and the same conditions will apply to that block as to any other block that is zoned in that way. They may not necessarily like the way the block is zoned, but they want to be sure that the conditions that are attached to it are, indeed, consistent.

Indeed, this is not even a matter of actually changing the zoning; there will still be RZ1. So there will be considerable confusion in years to come where one block has dual occupancy rights and the one next door does not, because it is not going to be clearly listed. Someone will buy a block and not necessarily know that perhaps their neighbour did have the opportunity to do a dual occupancy. How will the public and future land owners and neighbours be informed that some blocks in their street may or may not have dual occupancy rights? This is especially the case if a dual occupancy is not built immediately. If someone buys one of these blocks and then in 10, 20 or 30 years time decides to put a dual occupancy on this block, you can rest assured that the neighbours there are not going to be aware of that right, and the neighbours would have bought into something they did not know existed.

Variation 343 is yet another example of this government's running a two-track planning system. The government has one rule for Canberrans—that is, the rule for taxpayers and ratepayers—and another, more favourable, rule for itself. When the government finds the planning rules too restrictive, it just changes them to make life

easier for itself. We have seen this approach time and time again. The government did not like the planning rules when it came to the secure mental health facility, development at UC or the light rail project, so it changed them. In every case, the planning rules have been swept aside to allow the government to do what it likes. This is unacceptable. By definition, this is not planning policy. It is inappropriate for the government to constantly change the rules for themselves. People want certainty in the planning system. They want to know what the rules are and that they are consistent. We owe that to all Canberrans. We owe that to the neighbourhoods of Canberra.

Another inconsistency in this variation is the fact that only blocks purchased by the government can be unit titled. Home owners and developers are not able to do the same thing. This means that home owners are basically forced to sign up for the government's scheme.

Variation 343 has nothing to do with good planning for the ACT. It is all about revenue raising. It is all about the government making money from the Mr Fluffy blocks. However, the government does not even know how much money the rezoning will actually raise. It is possible that subdividing Mr Fluffy blocks will actually raise less revenue for the government than selling them complete, but the government cannot tell us because it does not know, despite repeated questions. You would really expect that a competent government, with a spot rezoning policy like this, would have properly costed the buyback program, and that the sale value for blocks would form part of that costing. But that is not the case with this government.

Variation 343 also has the potential to lead to problems of negative equity. The government assumes that Mr Fluffy blocks will sell for a premium when they are rezoned for dual occupancy. However, if the government decides to rezone surrounding properties in the future, the premium paid for these blocks could very well be eroded. Therefore people buying into these blocks, perhaps deliberately so for the additional rights of dual occupancies, may have that eroded if, down the track, everybody else is afforded that same opportunity.

Variation 343 is random. The government is rezoning a number of blocks but there is no planning rationale for the rezoning. This is a terrible precedent to set. If the government wants to allow dual occupancy on these blocks just because they are Mr Fluffy blocks then it should properly rezone them, and not continue to claim that they are RZ1 when they have extra rights—RZ1-plus or RZ1 2.0. This would provide more certainty to the community, at least in terms of what rights are actually afforded to these blocks in the future.

The personal circumstances of one former Mr Fluffy owner were published in the paper just last week. The story of Christina Pilkington and her three-bedroom Ainslie home was reported in the *Canberra Times*. The story reads:

> Christina Pilkington said she was paid $735,000 for her Chisholm Street home in October 2014 under the Fluffy buyback. Now the house has been demolished, the government has offered her the land back, still with a garage and asbestos- contaminated shed on site, for $725,000.

It goes on to say:

> She was "shattered" … She felt tricked by the land rent changes after being assured early last year the rules wouldn't change … "But I just can't face not going home," she said. "It's shattering. We've been moving towards going home. That's the only thing that's been getting us through."

This is the reality of this policy. This policy is all about government revenue, which cannot be quantified because they have not done the work.

If the government were able to make a clear case as to how we are going to be financially better off, at least the community could understand the benefits to the community at large. But the government cannot. The government cannot say whether they are going to be better off or worse off as a result of this change. What we can say definitively is that neighbourhoods across Canberra are being torn apart, and indeed families are being torn apart. As Ms Pilkington said to the paper:

> "But I just can't face not going home," she said. "It's shattering. We've been moving towards going home. That's the only thing that's been getting us through."

The emotional presentations to the planning committee were further evidence of just how tumultuous this policy is on the ground. The process surrounding variation 343 is frustrating. It is clear that the government had already made up its mind before consultation and the committee inquiry started. Not only that; despite pretty much having no witnesses in favour of furthering variation 343, the government, after the committee inquiry, took variation 343 even further from where it was at the time that the committee inquiry kicked off.

If this government were genuinely interested in the community's opinion, they would have given serious consideration to the sensible suggestions by witnesses at the inquiry. Planning experts and people who will actually be affected by these changes considered the variation and made suggestions about ways to improve the planning outcomes and make it fairer for everyone. The government have ignored them all and arrogantly pressed on with the variation as they originally wanted.

The opposition is more than happy to have a discussion about dual occupancies in Canberra. I think there is a need for more dual occupancies in Canberra. But let us not do so by throwing darts at a map. Let us do so by having a properly informed discussion, let us do so by having properly informed community debate, and let us do so by getting the experts involved to tell us how we can best do this in Canberra.

Instead we have a shoddy approach from a government that simply do not care about the neighbourhoods they are meant to represent. This rezoning is unfair to former owners, to neighbours and to the community as a whole. It brings long-term uncertainty to the planning system, and may lead to inappropriate developments, but it definitely will lead to the breaking up of many communities and the feeling of belonging that Canberrans have. Once again the government have one rule for

themselves and another rule for everyone else. This is unacceptable, and that is why the Canberra Liberals do not support this approach and have moved for disallowance.

MR GENTLEMAN (Brindabella—Minister for Planning and Land Management, Minister for Racing and Gaming and Minister for Workplace Safety and Industrial Relations) (11.27): The government will not be supporting Mr Coe's motion. The primary purpose of territory plan variation No 343 is to assist in the redevelopment of blocks surrendered under the asbestos eradication scheme. While the variation itself only proposes modest changes to the territory plan, it is intended to increase housing opportunities and choices for the affected blocks.

The Mr Fluffy legacy presented a unique set of circumstances. The ACT government stated from the outset that it intends to draw a line under the asbestos insulation issue once and for all. For this reason, I have constantly stated that I wanted variation 343 to remain entirely focused on asbestos-affected blocks. The government is committed to urban renewal, increasing housing choices and diversity, and a whole gamut of other residential policy considerations. However, variation 343 is not the tool to accomplish this task.

I would like to set the record straight on what variation 343 will and will not do. The variation will not result in a large-scale change to the established residential areas of Canberra. The variation applies to a total of 743 blocks in the residential RZ1 suburban zone. This constitutes less than one per cent of the total blocks in the RZ1 suburban zone.

The affected blocks are spread throughout some 56 established suburbs. Of the blocks affected by variation 343, more than 500 blocks are over 800 square metres in size, and can already be redeveloped for dual occupancy. This means that variation 343 actually only increases dual occupancy options for development on some 200 of the affected blocks.

The provisions introduced by variation 343 are not mandatory. In this regard I do not anticipate that all of the blocks will necessarily be feasible or attractive for dual occupancy development. For this reason, we do not know the exact number of blocks that will be redeveloped for dual occupancy development. I believe that variation 343 contains the necessary provisions to manage any potential impacts of dual occupancy development within the affected areas.

Variation 343 reduces the minimum block size for dual occupancy from 800 square metres to 700 square metres on the affected blocks. Plot ratios have been amended to accommodate the reduction in block sizes. Variation 343 introduces an option for unit titling of the dual occupancy dwellings on the affected blocks. This is new to the RZ1 suburban zone and is an incentive to increase dual occupancy development on these blocks.

Notwithstanding this incentive, the variation includes provisions to minimise any potential impacts of dual occupancy development. There is a single-storey height limit for all dual occupancy development where both dwellings do not front the street. This is intended to protect the residential amenity of the surrounding neighbours. There is

also a design criterion to minimise potential impacts of dual occupancy development on the residential character of the streets in which they are located. In addition, and to remove any doubt, the existing residential RZ1 suburban zone provisions will apply to dual occupancy development on these blocks. This means that any dual occupancy development will also need to comply with RZ1 zone requirements for setbacks, solar access, private open space and the like.

Redevelopment of the Mr Fluffy blocks will result in change regardless of whether they are redeveloped with single dwellings or whether they are redeveloped with dual occupancies. While we cannot prevent this change, we can minimise the potential impacts on residential amenity and character, and that is what we have done in variation 343.

Notwithstanding all that variation 343 seeks to achieve, I acknowledge the concerns raised in many of the 124 public submissions about the need to protect residential amenity and character in the residential RZ1 suburban zone, and I have responded accordingly. The ACT planning system is comprehensive, inclusive and open. I made sure that territory plan variation 343 went through every stage of the statutory planning process, and much more.

Mr Coe raised an issue for future purchasers in these areas. How will they know whether or not there is dual occupancy available in that suburb? As we do now, with all purchases or changes, people apply to the planning directorate to see what those conditions are.

The draft variation was placed on statutory public consultation between 10 April and 25 May 2015. During this time, public consultation sessions were held in conjunction with the Asbestos Response Taskforce. The draft variation was the subject of an inquiry by the standing committee, as we have heard. The inquiry involved public submissions and hearings. After all of that time and scrutiny, the opposition now sees fit to move a disallowance motion on variation 343.

Mr Coe interjecting—

MR GENTLEMAN: I am extremely disappointed that the opposition did not raise its concerns through the standing committee inquiry process. There was not one recommendation from the opposition, either in support of or against draft variation 343, in standing committee report No 10 of October last year—not one.

Mr Coe interjecting—

MR GENTLEMAN: Many territory plan variations are complex and controversial. DV343—

Mr Coe interjecting—

MADAM DEPUTY SPEAKER: Mr Gentleman, sit down, please. Stop the clock, please. We are deteriorating into a conversation across the chamber again. Listen to Mr Gentleman in silence. Mr Gentleman.

MR GENTLEMAN: Thank you, Madam Deputy Speaker. As I said, those variations are complex and controversial. DV343 is no exception. For this reason, I considered that the public's best interests would be served by referring DV343 to the committee.

Mr Coe has questioned the planning basis for variation 343. He said:

> It is simply an ad hoc cash grab by the government that will do a disservice to our community.

I strongly disagree.

Mr Coe interjecting—

MADAM DEPUTY SPEAKER: Mr Coe!

MR GENTLEMAN: Firstly, I can only reiterate that there will be no profits—

Mr Coe interjecting—

MADAM DEPUTY SPEAKER: Mr Coe!

MR GENTLEMAN: Firstly, I can reiterate that there will be no profits from the asbestos eradication scheme. The government would be remiss not to explore options to minimise costs.

Mr Coe interjecting—

MADAM DEPUTY SPEAKER: Mr Coe, I warn you. Carry on, Mr Gentleman.

MR GENTLEMAN: The government would be remiss not to explore options to minimise costs wherever possible. However, I would not have supported variation 343 if it did not have planning merit.

We all know how the blocks subject to variation 343 were chosen. The impetus for the variation did not arise from a specific planning issue relating to these blocks. There are no neat patterns of affected properties. They were simply selected by the insulation in their roofs. However, this does not prevent us from looking at some good planning outcomes from this unique situation.

The asbestos eradication scheme will result in over 1,000 cleared blocks in established residential areas. Variation 343 provides options, voluntary options, for the affected lessees of some 743 blocks to redevelop their blocks for dual occupancy dwellings if they so desire. Variation 343 also achieved a good planning outcome by increasing housing options in Canberra suburbs. We have an ageing population who are increasingly looking to downsize without relocating from their neighbourhood or their community of interest. Dual occupancy development provides an option for those who want to have a smaller dwelling and a garden but do not want to move to a unit or an apartment.

If we wanted to maximise revenue for the territory, we would have considered options such as a rezoning of blocks to higher density zones. If we wanted to maximise revenue for the territory, we would have considered allowing consolidation of blocks for redevelopment for townhouses and the like. As financially attractive as these options may have been, I needed to ensure that the potential impacts on residential amenity and character of the RZ1 suburban zone could be minimised.

Mr Coe indicates that variation 343 represents a series of spot rezonings. I can only reiterate that the provisions contained in variation 343 expand on existing development rights in the residential RZ1 suburban zone. Blocks currently 800 square metres or larger can already be redeveloped for dual occupancy.

I am committed to increasing housing choice in the RZ1 zone, but not at the expense of residential amenity and character. To this end, I believe that the range of provisions contained in variation 343, applied along with the existing RZ1 zone provisions, will achieve this balance.

In speaking on the standing committee report on 27 October last year, Mr Coe raised concerns about two sets of planning rules applying to similar, if not identical, residential blocks, as would be the case under 343. Wherever possible, logical boundaries are identified to delineate different planning provisions and requirements. However, the lines need to be drawn somewhere. There are many examples where similar blocks side by side have different planning provisions applying. In the existing residential RZ1 suburban zone, blocks side by side, one 799 square metres and the other 800 square metres, have different rules applying. One can build a dual occupancy and the other cannot.

There are also many residential blocks at the interface of the RZ1 suburban zone and the residential RZ2 suburban zone. The RZ2 zoning boundaries were broadly delineated by blocks that are within 200 to 300 metres of local shops. These blocks may be side by side but have substantially different development rights from their neighbours. Variation 343 was never intended to open up the RZ1 zone to dual occupancy development. Broadscale changes to residential policy are most appropriately undertaken as part of a strategic review of the residential zones. So this is an important decision that we need to have. However, it is an entirely separate issue from the government's response, the Mr Fluffy challenge.

The ACT government is investigating options to increase housing choice across all residential zones. In this regard, I would welcome Mr Coe's hopefully more positive input into the broader discussion of residential planning policies affecting housing choices and suburban character. I would expect a comprehensive review of residential policies to come up with a suite of recommendations for increasing housing choices. I would also expect any future territory plan variations to increase housing choice, but also seek to achieve a balance by considering the implications for residential amenity and character in the various residential zones.

Mr Coe raised the issue of an individual's interaction, if you like, with the task force, and her issues. I can advise the Assembly that this individual's block is not subject to this variation. The block is smaller than 700 square metres.

To summarise, I am focused on ensuring that variation 343 is commenced. I would like the variation to achieve its stated goals of increasing housing choice on less than one per cent of the residential RZ1 blocks across the city as part of the asbestos eradication scheme. If that also results in reducing the costs of the eradication scheme to the ACT community, it will be a very good outcome.

MR RATTENBURY (Molonglo) (11.41): Draft variation 343 applies to Mr Fluffy blocks surrendered through the buyback program in residential zone 1, RZ1, that are over 700 square metres, and enables dual occupancy to be built. It is worth noting at this point that for blocks that are 800 square metres or larger in RZ1 dual occupancy is already permitted. What we are talking about here, and Mr Gentleman pointed this out in his remarks, is a difference for particularly those 200 or so key blocks that fall between 700 square metres and 800 square metres. The variation will not result in large-scale changes to the established residential areas of Canberra, in my view.

What is going to happen, what is causing a large-scale change, is the whole Mr Fluffy issue. When Mr Coe made his remarks, I think he used expressions like "upheaval in the suburbs" and similar sorts of remarks. There is going to be change in the suburbs, driven by the fact that the government has taken a decision, and I have supported this, to once and for all deal with the Mr Fluffy issue in this city. That is going to result in the demolition of around 1,000 properties across the city. That, of course, will have an impact. No-one can deny that. No-one can come into this place and say that demolishing 1,000 homes across the city is not going to be noticeable.

That is an important piece of context that Mr Coe skated around in his remarks to the chamber today. That is the real context that we are operating in. I fully understand that this process is going to have an impact on our community. We know that. It is playing out in all sorts of ways. It is playing out in the very obvious physical demolition of those properties. It is playing out on the impact that it is having on many people across the community—on the people who currently live in the homes and with the psychological concerns that are playing out for some people who formerly lived in those homes, who have lived in those homes at different times. This is rippling throughout our community in a way that I am pretty sure every member in this place has some appreciation of—certainly of the different angles that are there.

So I do not doubt that this is a challenge. But today Mr Coe has ascribed a lot of things to the draft variation that are not directly linked to the draft variation. They are linked to the broader issue of the impact the Mr Fluffy situation has had on this city and the historical legacy that this current generation has inherited and has to deal with. That is what we are doing. At the end of the day, for me the most important thing is that we do not let this hang over to some other generation in this city.

The variation will provide the community with options for dual occupancy development on these sites, but of course it will not be mandatory. It also allows unit titling, which means the houses can be sold separately, but, importantly, it is not subdivision. Blocks will not be divided and sold separately.

In most circumstances, dual occupancy dwellings are required to be single storey unless they both have street frontage and other planning permissions apply. Any dual occupancy development will need to comply with the current code requirements, including plot ratios of a maximum 35 per cent, setbacks, solar access and private open space. I would like to come back to that plot ratio issue.

On balance, I will not be supporting the disallowance today, because I believe this variation is a balanced position that both helps the government to work through the Mr Fluffy program while also allowing Mr Fluffy home owners to purchase their block back.

The extended time allotted for the discussion of Assembly business having expired—

Standing and temporary orders—suspension

Motion (by **Mr Gentleman**) agreed to, with the concurrence of an absolute majority:

> That so much of the standing orders be suspended as would prevent the Assembly concluding its consideration of notice No. 2, Assembly business, relating to the proposed rejection of Variation No. 343 to the Territory Plan, and notice No. 5, Assembly business, relating to the proposed disallowance of Disallowable Instrument DI2015-308 being called on and concluded.

MR RATTENBURY: As a result of this position, many home owners may choose the opportunity to downsize but stay in place, and I think this will be an attractive option for some people—clearly not for everybody. I think one of the great challenges in trying to come up with a scheme that addresses the Mr Fluffy response is that we have a thousand different scenarios and we have to try and come up with a fair set of rules that applies equally to everybody.

Certainly, in allowing this variation to go through, there is an opportunity for some people who will choose to come back to the same block but potentially downsize in location. It will provide that opportunity for some people. As I say, not everyone will choose to take it up.

I have sought to look at a range of different views on this and, like other members, I received a letter from the Inner South Community Council about this matter. I try to go to meetings of the community councils whenever I can. I think it is always a good discussion, not that you always agree with everything that comes up at them but you do get a feel for the way the community is perceiving different issues.

I read this letter very carefully and thought about the issues that were raised. Perhaps there is a similar circumstance here. This letter reflects on the fact that this is a difficult issue for the community, and nobody disagrees with that. This is causing a degree of change and a degree of upheaval for both neighbourhoods and communities, particularly for individual households.

I challenge some of the ideas that were presented in this letter. One of them relates to the issue of the size of blocks and the plot ratio, which I touched on earlier. The letter says:

> Blocks of 700 square metres are too small for high-quality, separate single-storey developments. There are some 204 Mr Fluffy blocks between 700 and 800 square metres in area. Once blocks of such small size have been subdivided and subjected to a 35 per cent plot ratio, only very small dwellings can be built on these sites, making such houses unattractive.
>
> If we allow 18 square metres for car parking for one car, the resulting areas available for housing range from 104.5 square metres for a subdivided 700 square metre block to 122 square metres for an 800 square metre block. This situation is wholly unsatisfactory.

That is a view but it is a subjective view, and I am not sure that it is reflective of the changing housing styles that people are going for. Not everybody wants a large three or four-bedroom house. We are seeing people seeking to downsize. Actually saying that those houses are unattractive or the situation is unsatisfactory is a perspective but it is not one that I think is universal throughout the community.

There are people who actually welcome the opportunity to live in smaller properties. It can make a property more affordable in the sense that a smaller property like that might enable somebody to stay in an area or to buy into an area where they would not be able to afford a large house on a large block. I think we need to see that there is nuance in these discussions, not everybody wants the same thing these days and there should be some scope for a broader consideration of different housing types.

With that, I simply reflect on the fact that this, overall, is a difficult situation, but I think this draft variation, as I said, does provide a fair balance. It deals with the reality of the situation that we find ourselves in and provides opportunities for people to pursue different housing types in our suburbs, whilst at the same time not suddenly allowing multi-unit developments. Again, I note the Inner South Community Council makes reference to multi-unit developments. I think most people's sense of a multi-unit development is sort of a six-pack or something like that on a block. But that is not what is being canvassed in this draft variation. I think we need to be clear about that as well.

I believe that this does strike a fair balance and will ensure that there is a level of consistency in our suburbs, given that you can already have this sort of approach on an 880-square metre block and what this does is reduce it to 700 square metres.

Question put:

> That the motion be agreed to.

The Assembly voted—

Ayes 8		Noes 9	
Mr Coe	Ms Lawder	Mr Barr	Ms Fitzharris
Mr Doszpot	Mr Smyth	Ms Berry	Mr
Mrs Dunne	Mr Wall	Dr Bourke	Ms Porter
Mr Hanson		Ms Burch	Mr
Mrs Jones		Mr Corbell	

Question so resolved in the negative.

Planning and Development (Land Rent Payout) Policy Direction—Disallowable Instrument DI2015-308
Motion to disallow

MS BURCH (Brindabella) (11.54): I move:

> That Disallowable Instrument DI2015-308, being the Planning and Development (Land Rent Payout) Policy direction 2015 (No. 1), be disallowed.

I move this motion of disallowance in order that the land rent payout policy direction 2015 may be allowed. The opposition has delayed the implementation of this policy for too long and, given that we have just debated and allowed draft variation 343, it is now timely to progress debate on this motion. It is vital that the Assembly bring certainty to the community, in particular to affected home owners. In moving to disallow DV343 and this crucial element of the land rent framework Mr Coe has extended the uncertainty experienced by affected owners.

Those disallowance motions have made it impossible for the government to make offers under the first right of refusal arrangements except in relation to a small handful of blocks. They have made it impossible for the Land Development Agency to hold the public auctions of other remediated blocks and they have made it impossible for the territory to enter into land sales contracts. We need to move on with this and get certainty into the community and get this matter dealt with.

MR COE (Ginninderra) (11.56): The Canberra Liberals oppose the Planning and Development (Land Rent Payout) Policy Direction 2015 (No 1), and that is why we support the disallowance. We are disappointed that once again we have an attempted cunning move by those opposite to bring on this discussion without listing it on the daily program or, indeed, raising it at the government business meeting. We think this is pretty ordinary and just goes to show how tricky this government is—tricky on an issue which they should not be tricky on because the Mr Fluffy issue means a lot to a lot of people. Indeed, there are people who are very interested in this debate and, indeed, people who wanted to come into the chamber to listen to this debate. What you have done today is refuse the opportunity for concerned members of our community to come into this chamber and to watch this play out. It is extremely disappointing.

It is all very well for Mr Gentleman to smirk but that is extremely disrespectful to the many hundreds if not thousands of people who are severely adversely affected by this

government's policy. It is shameful. It is absolutely shameful that the government would bring on debate today without even letting the opposition know—absolutely shameful. It is not on the daily program. It should have been on the daily program. Instead they wheel out Ms Burch to bring on our motion. It is extremely disappointing.

I hope all of the constituents who are concerned with this matter hear about it and we will be doing everything we can to make sure they do because the very concerns that we have with regard to this policy have been reiterated by their actions today, an extreme discourtesy to the Mr Fluffy owners who are now not going to go back to their blocks because of the land rent changes, absolutely disgraceful on every front.

People who lease their land through the land rent scheme may apply to have their lease converted to a normal lease. However, there are serious changes afoot here. Under this change in policy direction they will need to pay an amount to the government for the lease variation. Under the current scheme the lessee may choose to pay the amount which is equal to either the unimproved value of the lease or the current market value of the lease.

This policy direction will change the variation charge that applies in the case of Mr Fluffy properties. The owners of Mr Fluffy properties who sign up to buy back their properties under the land rent scheme assumed that they were signing up to the same land rent scheme as anybody else in the territory could. They assumed that they were signing up to be able to choose between paying the unimproved value or the market value of the land if they were required to convert their lease to a normal lease.

However, after they have already committed to the land rent scheme the government have changed the rules. They have changed the rules for all these people. The people these policy changes affect are not necessarily well off, sometimes quite the contrary. They are people who have struggled to repurchase their blocks from the government. That is why they have chosen to access the land rent scheme. These people have signed up to the land rent scheme under the assumption that they would be able to convert a normal lease at the cheapest price. That is what they signed up to, and that is why they are doing it—so they can stay in their neighbourhoods. They came to the conclusion that the financial risk was manageable if they had the ability to choose which valuation was used. Now the government have taken away that choice when it is too late for these people.

We are just starting to find out what price former owners are being offered to buy back their blocks. Not surprisingly, the government is trying to squeeze money out of home owners. The prices they are offering for empty blocks are near identical to the prices owners were paid when they had a house on it. In effect they sold a house and land and in return they get land. They lose their house. They lose their house as a result of this policy. This means it is nearly impossible for people to return to their former blocks. This policy change will make it even more difficult for owners. Every increase in the value of the block makes it more difficult. What is most unfair is the way the government have changed the rules on the run, and we have seen indications of how desperate they are through their actions today.

Owners who desired to pursue the land rent option have been tricked by this government. Whatever the final financial situation of the territory is, it is unfair to trick Canberrans by offering them hope and then changing the rules on them. That is what the government have done. The government have changed the rules on them. The government have pulled the rug out from underneath them.

I have already touched on the very sad case of Christina Pilkington in Ainslie. As reported in the *Canberra Times*, she was paid $735,000 for her Chisholm Street home in Ainslie in October 2014. Now the home has been demolished, the government has offered her the land back, albeit with a contaminated garage on it, for $725,000. So she sold a house and land for $735,000 and now she can buy back her land and the contaminated garage for $725,000. She felt tricked by the land rent changes after being assured the rules would not change. She has been tricked. She has been tricked by this government.

The family had hoped to go back to their community. They had hoped to go back to their block. And they were banking on that land rent policy. And now the government has changed it and not only have they missed the opportunity to buy another house in the last six months but they also cannot go back to the neighbourhood where they were entrenched as a family. This is wrong. She said it was David versus Goliath. They can make up the rules as they go along, and there is no oversight or appeals process.

We are trying to give some hope to these families that have been adversely affected by this policy and we are hoping those opposite, including Mr Rattenbury, will see the light and have some compassion for the people whom they are severely affecting.

This is yet another instance of this government being tricky and changing policy and planning rules on the run. Once again the government has made secret changes to the planning system without warning people. This is totally unacceptable. The planning system should be characterised by certainty and fairness, the very things that people bank on. This policy change is unfair and inconsistent and it should be disallowed.

MR GENTLEMAN (Brindabella—Minister for Planning and Land Management, Minister for Racing and Gaming and Minister for Workplace Safety and Industrial Relations) (12.04): I will first address Mr Coe's outburst on the trickiness of bringing on a motion different from the one that he has lodged—a very similar one on the notice paper. Let me advise the Assembly that my office contacted Mr Coe's office on Tuesday and asked if he was going to bring his disallowance motion on. We were told that he would not bring it on. What this motion does is allow a land rent scheme for Mr Fluffy block holders—

Mrs Dunne interjecting—

MADAM ASSISTANT SPEAKER: Order!

MR GENTLEMAN: It allows them to move into the land rent scheme. What the opposition has done—remember that this has been passed by the Assembly—is move to disallow to hold off that process. So all of those affected—

Opposition members interjecting—

MADAM ASSISTANT SPEAKER: We went through this the other day, Mr Gentleman. You do not need to sit down. You can continue speaking. If you are sitting down it implies that you are finished.

MR GENTLEMAN: What it does is allow those affected owners to enter the land rent scheme on those blocks that they have been so entrenched on over such a long time. As I said, we had touched base with Mr Coe's office. He advised that he was not going to bring it on. What that meant is that 343 would be disallowed if we did not bring it on. There is a choice here and we made the choice to bring it on and to have the debate today to give surety for those people that are Fluffy block owners who want to get into the land rent scheme.

In passing the Building (Loose-fill Asbestos Eradication) Legislation Amendment Bill in October last year, the Assembly agreed that land rent leases should be made available for those former home owners of loose-fill asbestos insulated homes who exercise their first right of refusal to purchase the remediated block and are eligible for land rent.

Once again in his conversation Mr Coe raises an individual who is a Fluffy block owner who, if this DI is passed, will not be eligible to enter into the land rent scheme. We are trying to make it available for that person to enter into the land rent scheme. Whenever possible, the application of the land rent scheme is the same for the former affected blocks as for all other land rent blocks. The eligibility criteria are the same. The rent of the block is calculated at the same rate.

While the eligible former home owner remains on their affected block, they will enjoy the benefits of the land rent scheme, paying land rent at two per cent of the unimproved value of the block. However, there are some key differences between the former affected blocks and other land rent blocks which need to be recognised in extending the scheme to this group.

In passing the bill—and I reiterate that it has passed—the Assembly agreed that these differences should be reflected in the way that the land rent scheme applies to former affected blocks. These differences in applications apply only at the point that the former home owner chooses to sell the affected block and/or exits the land rent scheme.

The act included changes to the Land Rent Act 2008 to not allow the transfer of a land rent lease granted on a former affected block to another person. This departure from the usual land rent conditions recognises that land rent is intended to assist the former owner to exercise their first right of refusal and is not intended to benefit any subsequent owners of that remediated block.

This is the difference from other land rent lessees who are able to sell their land rent lease to another person who is eligible for land rent to support the broader affordable housing objectives of the government. Another important difference is that the sale of the remediated blocks is occurring under the loose-fill asbestos insulation eradication scheme.

One of the objectives of that sale is to sell remediated blocks at the market value to defray some of the cost to the territory. Even after the resale of the remediated blocks, there will still be an estimated cost of $400 million to the territory from the eradication scheme. So it is nonsense, absolute nonsense, to say that the government is making money out of this.

The current land rent scheme gives land rent lessees the option to convert from the land rent lease to a nominal lease calculating the conversion rate based on either market value or unimproved value. This is because the land rent scheme was designed for greenfield estates in new suburbs where there is little difference between market value and unimproved value.

The likely incentive of this scenario is for lessees to opt for market value where the market prices of blocks may have fallen. However, enabling former affected blocks to be converted to standard leases at an unimproved value would create an inconsistency in the way that remediated blocks are sold and would be inequitable to other former affected owners not eligible for the land rent and new purchasers of remediated blocks.

This was very clearly flagged in the explanatory statement and during the debate for the Building (Loose-fill Asbestos Eradication) Legislation Amendment Act 2015. In passing that act last October, this Assembly has already noted and acknowledged the intention to ensure that the application of the land rent scheme was suitable for the circumstances of former affected owners.

The disallowable instrument Planning and Development (Land Rent Payout) Policy Direction 2015 (No 1) was notified on 12 November 2015. The instrument simply gives effect to the intention and direction that was first expressed when the act was presented to the Assembly as a bill in 2015.

The land rent scheme has operated for a number of years as an entry level housing affordability scheme designed to assist prospective home owners who meet the eligibility criteria. Land rent has only been available for blocks in new suburbs. Extending the land rent scheme to permit it to be offered on remediated blocks is another way in which the government is supporting affected home owners. Offering the land rent lease on remediated blocks without conditions in place fails to recognise specific circumstances of former affected blocks and their former owners.

I will speak once again to the individual that Mr Coe raised during his conversation in respect of the buildings left on the block. It was a request of that owner to leave those buildings on the block. By offering land rent with specific conditions targeted to remediated blocks, we have found a way to address the individual circumstances of

former affected home owners as far as practicable while providing balance against the government's broader policy objectives and financial imperatives.

The rejection of this instrument would remove this balance and go against the policy direction that has already been established through the passage of the bill. It will create inequity amongst purchasers of such blocks and be inconsistent with the objectives of the loose-fill asbestos eradication scheme.

Offering land rent leases against blocks repurchased through the first right of refusal presents an important form of assistance for those eligible families. Disallowance of this instrument would disadvantage those families and could present a barrier to them rejoining their former neighbourhoods.

MRS DUNNE (Ginninderra) (12.12): I want to comment on the irregularity of this whole process and also to reflect on the lack of knowledge that the minister seems to show about how his own legislation operates. This matter was discussed in the administration and procedure committee. It was quite clear that this disallowance motion had until next sitting Thursday to run. There were two disallowance motions. One would run out before next Thursday and one would run out next Thursday. One was listed after discussion in administration and procedure because the normal time for dealing with disallowance motions is during Assembly business on a Thursday.

It is the form and practice of this place that the person who lodges a motion or who has a bill has control of it when it is debated. There has been commentary in the companion to the standing orders and there has been a lot of backwards and forwards over the last few years that show that the practice of the Assembly taking command or taking control of a member's item of business is not in accordance with the form and practice—it is questionable. It is quite questionable, and the companion says that this is quite a questionable practice. It is entirely discourteous in the way that it was done this morning. Linking two suspensions of standing orders together, in case someone did not notice, just shows the mean and tricksy attitude of this government.

Then to have the minister stand here and say, "We have to do it because the system cannot operate while this disallowance motion is there," is utterly wrong. The regulation works from the moment the ink is dry on the notification. It continues until and if it is disallowed. So the regulation is working at this moment. For a minister to come into this place and say that his legislation does not work because of the existence of a disallowance motion is wrong. It shows that this man is not capable of being a minister in this place. What we are seeing here today is questionable practice, discourtesy—discourtesy to the member and discourtesy to the people concerned with this who may have an issue with it—and a minister who does not know his brief.

MADAM ASSISTANT SPEAKER: The question is that the motion be agreed to. I call Mr Coe—no, I call Mr Rattenbury.

MR RATTENBURY (Molonglo) (12.15): With the indulgence of members, I just stepped out of—

Mr Smyth: We will be courteous and allow you to speak, Mr Rattenbury. That is how it should work.

MR RATTENBURY: Thank you, Mr Smyth. I am sure that one is going to come back to bite me somewhere down the line.

MADAM ASSISTANT SPEAKER: Thank you, discussion across the chamber is not required. Mr Rattenbury, please proceed.

MR RATTENBURY: The Greens supported the Building Loose-fill Asbestos Eradication Legislation Amendment Bill 2015 in October. It is the last legislative step in helping facilitate the planning aspects of the government's loose-fill asbestos insulation eradication scheme or, as it is more commonly known, the Mr Fluffy buyback scheme. As I have said in this place before, the Greens support the government's buyback program.

I spoke about this in the earlier discussion about draft variation 343. I do believe a great deal of thought and effort has gone into finding the solution that is as equitable as possible and achievable. Taking action to address the Mr Fluffy legacy is vital to offer a solution to those who are affected to allow people to rebuild and get on with their lives as well as to remove the toxic legacy from people's homes in Canberra so that no-one else will have to endure the fear and the consequences of living in a Mr Fluffy contaminated house.

As I said last October, the most difficult aspect of the legislation relates to the settings for establishing the land rent scheme created for Mr Fluffy owners. It has been challenging as there are many people who are Mr Fluffy owners who are financially stretched and will find it difficult to replace their old home with a similar sized home on the same block.

I just stepped out of the chamber briefly to receive some guests who had come today. But while I was out of the chamber I gather that Mr Coe made some fairly strident remarks. The interesting part of this is that his disallowance motion has essentially stopped the land rent scheme from being put in place. Because of the uncertainty, no-one has been able to sign up under the new rules. I think that is an important context to put on the table in here when I believe that Mr Coe gave us quite a lecture in the chamber this morning. I think that is highly unfair. This is an opportunity to allow Mr Fluffy block owners to land rent rather than force them to purchase the block if they want to live on their old blocks.

I gather that there is another point around the timing of this being brought on. I think that is an interesting discussion as well because there does appear to be uncertainty. Some advice I was given was that this DI for land rent was notified on 12 November and we had a sitting week the following week. So my advice is that today is the last possible day to debate this disallowance. I am happy to be corrected on that if my analysis is wrong, but that is certainly my account of events because otherwise the disallowance would go through.

So we have to debate it today otherwise, in the absence of Mr Coe putting something alternative forward, it is my understanding that, in fact, if the instrument were disallowed, there would be no mechanism to be able to convert from land rent. That would be the situation we are in. I gather that is why it has been brought forward today. I can see everyone scurrying around checking. If I am proven wrong I will accept that, but that is my account of the number of sittings there have been since this instrument was tabled.

In terms of the substance, the land rent scheme is part of the ACT government's exiting affordable housing action plan. The scheme gives people the option of renting land through a land rent lease at a low two per cent rather than purchasing the land outright from the government to build a home. It reduces the up-front costs associated with owning a house as lessees will not need to finance the cost of the land, only the costs associated with construction of the home.

It is important to note that this scheme, up until now, has been for greenfield sites only and it only exists in the ACT. Entrance to the land rent scheme is restricted to low to moderate income households that are eligible. Eligibility criteria are that the total gross income of the lessees must be assessed by the ACT Revenue Office and must not exceed the income threshold of $160,000. Income is calculated on a household basis and the income threshold is increased by $3,330 for each dependent child.

Lessees have the option of converting the land rent lease to a nominal crown lease at any time. The amount payable to convert the lease from a land rent lease to a nominal crown lease is based on the unimproved market value of the land at the time of conversion. That is not the original value when the land rent lease was entered into.

It is important to note that this scheme has been designed for greenfield areas where the cost of the land is much lower than in established suburbs. The government has introduced this scheme to eligible Mr Fluffy home owners as an option for affected home owners who otherwise would not be able to refinance rebuilding a home on their old block. It is a tricky issue as all affected home owners who surrender their blocks are being paid the market value for the value of their house and block as valued in October 2014.

However, we know that there will be some of these home owners who struggle to find the finances to purchase their old block back at market value when it is available in a few years' time and then also be able to finance construction of a new house. That is a particular problem in the inner suburbs where land values are high and rising, as opposed to greenfield which the land rent scheme was designed for and where the government has not paid home owners anything throughout the process.

I have met with a number of these affected home owners as I considered the issue in detail. I believe that there are about 15 affected households who are eligible for the land rent scheme. A few of these people have asked the government to set up the scheme slightly differently so that they can land rent but when they want to convert to

purchase their block, rather than continue to rent, they are able to pay it out at unimproved value rather than at market value.

The problem that this poses for the government is that the government is paying home owners market value for their block at the time of the buyback. So allowing people to then purchase the block back from the government at unimproved value does present the prospect of a price differential that presents the prospect of a windfall gain. It is something the government just cannot do. Indeed, it would be justly criticised by others in the community if it set up a scheme that provided a few with this situation.

On that basis I will not be supporting the disallowance motion. I think that a lot of care and thought have gone into trying to come up with a scheme that is as fair as possible. There has been a lot of effort to make the land rent scheme available to people uniquely in this situation and to give people options. To simply disallow this today and leave a blank space, to remove the capability for people to access the land rent scheme, I think is not the appropriate thing to do.

MR COE (Ginninderra) (12.23), by leave: The opposition is extremely disappointed by those opposite, including Mr Rattenbury. This should be disallowed. If nothing else, it should be discussed in the right way. Mr Rattenbury need only look at notice No 3 on the notice paper, where it says:

> Disallowable Instrument will be deemed to have been disallowed unless disposed of within 4 sitting days, including today.

Mr Rattenbury's claim that it was lodged on 12 November is wrong. 12 November was not even a sitting day. It was lodged on 19 November. There are four sitting days including today. This should be on next Thursday's agenda. Indeed I believe it was discussed at admin and procedure on Tuesday that there are two notices here. One will expire before next Thursday and one will expire on Thursday. It is for that reason that my notice No 2 was on today's daily program and my notice No 3 was intended to be on next Thursday's daily program.

Who should know this? Ms Burch should know this, because she was there. She did not even have the courtesy to let Mr Smyth or the opposition know that this was coming on. It is disrespectful. Of course, we can be disappointed, but the people who are really disappointed are the Mr Fluffy home owners of Canberra, who have been let down by this process. They have been let down by a government that has pulled the rug out from underneath them. They have been let down by a government that has rejected an opportunity for them to come in and hear this debate.

If Mr Rattenbury was in the chamber at the time, he would have heard me say that there were people who were keen to come in and listen to this debate, but they have been written out of the equation. It is wrong; it is absolutely wrong. Mr Rattenbury's endorsement of Ms Burch's motion shows how complicit Labor and the Greens are in steamrolling through their agenda, regardless of the consequences, regardless of the community they allegedly represent. And Mr Smyth also informs me that Mr Rattenbury was in admin and procedures when this was discussed, which adds to the concern about this.

The government should not be changing the rules. If the government are going to say that people can go by a certain scheme, they should stick to it, instead of having this revolving door policy which always favours them. It always favours the government. This is wrong in every way—the process and the policy—and that is why it should be disallowed.

MR GENTLEMAN (Brindabella—Minister for Planning and Land Management, Minister for Racing and Gaming and Minister for Workplace Safety and Industrial Relations) (12.26), by leave: Mr Coe has shown us on the notice paper the date of the lodgement of his motion, 19 November. Notice No 3 says:

> Notice given 19 November 2015. Disallowable Instrument will be deemed to have been disallowed unless disposed of within 4 sitting days, including today.

That means we have 19 November, 9 February, 10 February, and 11 February.

Members interjecting—

MADAM ASSISTANT SPEAKER: Order members! It is Mr Gentleman's turn to speak.

MR GENTLEMAN: Unless disposed of within four sitting days. That would mean that if it is not dealt with—

Mr Wall: I think you are misleading the Assembly.

MR GENTLEMAN: then it would be disallowed. My office, as I said—

Mr Coe: You are a joke.

Mr Wall: You are an absolute joke.

Ms Berry: A point of order, Madam Assistant Speaker.

MADAM ASSISTANT SPEAKER: A point of order, Ms Berry.

Ms Berry: I refer to the interjections over there describing the minister as a joke, and also before that, implying that he was misleading the Assembly.

Mr Smyth: Under what standing order?

Ms Berry: 39.

Mrs Dunne: On the point of order, Madam Assistant Speaker—

MADAM ASSISTANT SPEAKER: On the point of order, Mrs Dunne.

Mrs Dunne: the minister is clearly not in command of his brief, and that is the problem that we have here. If the minister was in command of his brief, there would not be such—

Mr Rattenbury: This is a debating point. This is not a point of order.

MADAM ASSISTANT SPEAKER: Thank you, Mrs Dunne.

Mr Rattenbury: And Mrs Dunne knows that.

MADAM ASSISTANT SPEAKER: That is enough. Mr Wall, did you talk about misleading the Assembly?

Mr Wall: I did. I withdraw.

MADAM ASSISTANT SPEAKER: Thank you.

Mr Wall: Perhaps, Madam Assistant Speaker—

MADAM ASSISTANT SPEAKER: No, there is no qualification. Thank you. Mr Gentleman.

MR GENTLEMAN: Thank you, Madam Assistant Speaker. As I said, the government was concerned about the disallowance motion that Mr Coe had lodged, so my office contacted his office on Tuesday and asked if he was going to bring that motion forward. His office said, very clearly, that they were not going to bring it forward. That meant that if that motion did not get dealt with, the legislation would be disallowed—not allowing all of those Fluffy home owners who want to enter the land rent scheme to take that opportunity.

They have been on tenterhooks. The asbestos task force has been looking at trying to make them an offer on their blocks, and are unable to do so because they cannot clarify a valuation, because this DI is sitting there and stopping the operation of the legislation, in that sense.

We are trying to assist the people affected on these blocks by allowing them to enter the land rent scheme. That is the most appropriate action government can take to help those people affected, in order to allow them to move back onto those blocks where the value has gone up. I think this will give them some certainty. It will allow them to take part in that scheme if they want to. I understand that individuals are already keen to do so.

I will not be supporting, unfortunately, Ms Burch's motion this morning, but I do hope that we will be able to assist all of those Fluffy home owners who want to enter the land rent scheme as soon as possible.

MR HANSON (Molonglo—Leader of the Opposition) (12.30): Madam Assistant Speaker, this is extraordinary on two counts. I refer to the outrage that this will cause amongst people who are already struggling and who are suffering as former or current

Mr Fluffy home owners. I have met with many of these people over the past couple of years, as I know my colleagues have, and indeed as have those on the other side of the chamber. They should know that the people involved have experienced real tragedy in their lives. They have suffered great mental anguish. Many of them are struggling. The government indeed has recognised that by providing elements of the program that would support those people seeking mental health counselling.

This has been a very difficult issue for the community and, for those people right at the epicentre of this, who in many cases have had their lives destroyed, who have literally had their homes destroyed, this is an issue that requires compassion and sensitivity.

What is happening here today through the minister's incompetence is outrageous. It is absolutely outrageous. We will have debates in this place about what is technically correct—and the minister is wrong, and I will point that out in a minute—but ultimately the outcome of this minister's actions today, through his negligence, through his incompetence and through his failure to understand the laws, is that those people affected by Mr Fluffy, those people who are at the epicentre of this trauma, are being deceived by this government, are being run roughshod over by this government and are being further hurt by this government, because this government is incompetent. This minister is incompetent.

Supported by Ms Burch, they have come in here and they have said one thing when others are true. I cannot tell you how close I am to moving no confidence in this minister for having come in to say that this disallowance must be dealt with today, when that is not true. I have spoken to the Clerk. He has provided me with advice. The minister is wrong. The minister does not understand the law. The minister does not understand his own portfolio. He has come in here and said one thing that is not true. He has misrepresented the law, he has misrepresented the truth, and the people who will be hurt by this are the Mr Fluffy families. And don't you smirk, Mr Rattenbury.

There are people we have spoken to who were in tears, people on the verge of suicide, people who have had their lives destroyed, and this minister comes into this place and says, "This has to happen today," when that is not true. This is negligent. This is incompetent. This is deceptive. What has happened here today is outrageous. It is appalling. He needs to understand the law. He needs to understand legislation. He needs to understand how disallowable instruments work. He needs to understand that the legislation stands until it is disallowed. He needs to understand that it starts at six days and, of course the notice paper, in terms of how many days are left for disallowance, will change.

Madam Assistant Speaker, I apologise for raising my voice. I apologise for getting angry, but I am angry. I know that there will be many in the community who are angry, and there will be many people who are upset, and unnecessarily so. This has been a difficult journey for so many people, and this minister, through his incompetence, through his negligence and through his failure to represent the truth about legislation and the way it operates has caused further hurt to people who have been extraordinarily damaged—unnecessary hurt. What is happening in this Assembly today is appalling.

MR RATTENBURY (Molonglo) (12.35), by leave: Members, I wish to stand and apologise to the house. I was wrong before in using the date of 12 November. That is a research error on my part. I expressed at the time some uncertainty given the comments that were being made across the chamber.

It does not, however, change my substantive position on the issue, which is that I think this proposed disallowance is not correct. So I stand by that position. Certainly, in terms of Mr Hanson's outrageous suggestion that I am smirking at the chamber, I simply reject that. I will not have Mr Hanson read into *Hansard* his interpretation of my facial expressions for his political purposes.

MR GENTLEMAN (Brindabella—Minister for Planning and Land Management, Minister for Racing and Gaming and Minister for Workplace Safety and Industrial Relations) (12.36): Madam Assistant Speaker, I seek leave to clarify the record.

Leave granted.

MR GENTLEMAN: Yes, I have made an error in regard to reading the notice paper and with respect to the four sitting days. However, I can say that this government wants to provide certainty for those Fluffy home owners. We want them to be able to take advantage of the land rent scheme, the most disadvantaged people—

Mr Smyth: How embarrassing.

MR GENTLEMAN: that we have been trying to assist.

Mr Smyth: Pretty embarrassing.

MR GENTLEMAN: Whilst this DI was sitting in place, it meant—

Ms Berry: A point of order, Madam Assistant Speaker.

MADAM ASSISTANT SPEAKER: On a point of order, Ms Berry.

Ms Berry: I just heard Mr Smyth call out that Mr Gentleman was embarrassing. He should withdraw.

MADAM ASSISTANT SPEAKER: I am not sure that talking about being embarrassing is proscribed under the standing orders. I certainly cannot see a previous example of that in the Speaker's rulings on unparliamentary language. However, I would ask people to exhibit the courtesy that we were speaking about earlier.

MR GENTLEMAN: As I was saying, the government wants to provide certainty for these people as soon as possible. There was no indication from Mr Coe's office that this motion was going to come forward; therefore disallowance would occur. We did contact his office, and that was the information provided to us. I hope that clarifies the record.

Question put:

> That the motion be agreed to.

The Assembly voted—

Ayes 8		Noes 9	
Mr Coe	Ms Lawder	Mr Barr	Ms Fitzharris
Mr Doszpot	Mr Smyth	Ms Berry	Mr
Mrs Dunne	Mr Wall	Dr Bourke	Ms Porter
Mr Hanson		Ms Burch	Mr
Mrs Jones		Mr Corbell	

Question so resolved in the negative.

Sitting suspended from 12.41 to 2.30 pm.

Questions without notice

Ministerial office—investigation

MR HANSON: Madam Speaker, my question is to the Chief Minister. Chief Minister, based on public statements and answers to questions without notice, we are aware of two issues involving Ms Burch's former office. The first issue is that involving Ms Burch's former chief of staff and her alleged communication with the CFMEU following her attending a briefing with the minister and the Chief Police Officer. This issue is, as we understand it, subject to a police inquiry.

I refer now to the second issue. On 18 December, Mr Corbell was quoted as saying:

> These are serious … issues, and they go beyond the issues that have been reported in the media to date.

Chief Minister, is this second issue, which has been described as "unprecedented", subject to a police investigation?

MR BARR: That is my understanding, Madam Speaker. I have nothing further to add today to what is already on the public record, which would accord with what the Leader of the Opposition has just stated.

MADAM SPEAKER: A supplementary question, Mr Hanson.

MR HANSON: Chief Minister, could you outline, without going into specifics, the general nature of the second investigation and who is being investigated?

MR BARR: No, because I am not the Chief Police Officer and I am not conducting any investigations.

MADAM SPEAKER: A supplementary question, Mr Coe.

MR COE: Chief Minister, is an ACT agency, that is, not ACT Policing, also conducting any investigation into either of these matters?

MR BARR: No.

MADAM SPEAKER: A supplementary question, Mr Coe.

MR COE: Chief Minister, when will the results of these inquiries be made public, and will you be making them public or will it just be the Chief Police Officer?

MR BARR: As I have indicated publicly on about 500 occasions now, the Chief Police Officer will make public statements when the police's investigations have concluded. The Chief Police Officer is undertaking this work and it would be entirely inappropriate of me to be interfering in a police investigation.

ACT Policing—tasers

MR WALL: My question is to the Minister for Police and Emergency Services. Minister, on 6 November, during the 2015 annual report hearings, the Chief Police Officer, Mr Lammers, stated:

> I am on the record saying, I think about 12 months ago, that at that point in time I had no desire to roll tasers out past sergeants because I did not see an operational need. In the space of 12 months the environment has changed significantly. The national threat environment has changed significantly.

Minister, will you now roll out tasers beyond sergeants within ACT Policing?

MR CORBELL: I assume that is not a question asking for an announcement of government policy. But I am happy to address the point simply by stating that this is not a matter that the Chief Police Officer has raised with me since my appointment.

MADAM SPEAKER: Supplementary question, Mr Wall.

MR WALL: Minister, are our front-line police officers at personal risk because tasers have not been issued to all officers?

MR CORBELL: Overall I do not believe so, no.

MADAM SPEAKER: A supplementary question, Mr Hanson.

MR HANSON: Minister, are you concerned that members of the public may be at risk by not having front-line officers issues with tasers?

MR CORBELL: No.

MADAM SPEAKER: Supplementary question, Mr Hanson.

MR HANSON: Beyond the issue of tasers, what are you doing to guarantee the safety of our front-line police officers?

MR CORBELL: I have every confidence that the funding arrangements and the contractual arrangements the government has with ACT Policing deliver to ACT Policing the operational environment they need to do their job efficiently and safely.

Trade unions—royal commission

MR COE: Madam Speaker, my question is to the Minister for Workplace Safety and Industrial Relations. Yesterday, in this place, you referred to the findings of the trade union royal commission as shabby and the royal commission as a mud-slinging exercise. Minister, if you regard the commission as a mud-slinging exercise, does that mean that your directorate will not be cooperating with any referrals from the commission to the government?

MR GENTLEMAN: I thank Mr Coe for his question and his reference to yesterday's most engaging debate about the trade union royal commission and its purpose. Madam Speaker, in that debate I highlighted the trade union royal commission's paper, which noted that rather than looking at factual evidence or rules of evidence it looked at delivering its report. But, having said that, I can assure you that any interactions with my directorate would be happily engaged with.

MADAM SPEAKER: A supplementary question, Mr Coe.

MR COE: Minister, how can it be that a mud-slinging exercise also warrants investigation from your directorate?

MR GENTLEMAN: My answer was that my directorate would engage with such actions. Whilst I have a view, there are also lawful actions that we should take. If you look at the most recent media on this, Madam Speaker, you will see that when engaging with different agencies in the government, they have responded by saying they would require evidence that is within the rules of evidence, evidence which is admissible in a court and which can then be dealt with.

MADAM SPEAKER: A supplementary question, Mr Wall.

MR WALL: Minister, did your directorate provide any information or evidence to the royal commission?

MR GENTLEMAN: I would have to seek some further advice, but certainly they briefed me on the royal commission and some of its findings. I have not inquired of them if they provided any evidence to the commission.

MADAM SPEAKER: A supplementary question, Mr Wall.

MR WALL: Minister, has your directorate raised with you any disciplinary action against the CFMEU following evidence presented at the royal commission?

MR GENTLEMAN: No.

Asbestos—task force

MS BURCH: My question is to the minister for planning. Can the minister update the Assembly on the asbestos task force response, including support for homeowners and the number who have transitioned through the scheme?

MR GENTLEMAN: I thank Ms Burch for her question and her interest in the ongoing work of the asbestos task force. The government is looking to assist the Mr Fluffy homeowners in our community as much as possible. Fluffy is an issue impacting on our city like no other. With 1,022 affected houses across 56 of our suburbs, in a city like ours we all know of at least one person personally affected by this issue. It has also been a regular topic of discussion in this place—indeed this morning—as well as in broader community.

Madam Speaker, as you are aware, the government regularly provides updates to members on the progress of the buyback and demolition program through its quarterly reports, the most recent of which will be tabled next week. The task force also provides comprehensive information on the program to owners and the broader community through its multiple communication channels. I am pleased, however, to provide a summary.

As at today there are 971 owners who have accepted offers through the voluntary buyback program, totalling more than $700 million. This is a significant undertaking of support that I think we have never seen before in the ACT or, indeed, other parts of our country. As of today 816 of these properties have been surrendered to the government and 77 properties have been demolished. The government's advice to owners is not to live in these properties, and the very nature of the buyback program was designed to enable owners to move quickly to safer accommodation.

We are, however, in doing this, absorbing significant maintenance and holding costs on these properties. That is why I moved earlier today—and reiterate the need for it now—DV343. In choosing to do so, it is having a considerable impact not only on homeowners seeking certainty in the repurchase prices for their blocks but also on the broader community through ongoing costs to the program. We know 859 owners have permanently vacated their properties with financial support provided in the form of relocation assistance of over $10 million. More than 540 owners have also exercised a stamp duty concession. That support was $12.9 million.

The task force has been intensively working to support owners through what has been a challenging time for them and we will continue to do so as we move into the next phases of the response, the demolition and subsequent resale of the remediated blocks. In 2015 the target of 50 demolitions was exceeded by the task force, and industry continues to gear up to respond to this significant capital works undertaking: to

remove affected properties safely and efficiently. As I said before, 77 properties have now been demolished.

This is a program which, at its heart, is about supporting those most directly affected. This has and continues to occur. Properties which were being valued by banks for less than 80 per cent of the unimproved land value prior to the government's response were purchased through the voluntary buyback program at full market value, ignoring loose-fill asbestos contamination. Concessions for stamp duty have been provided and are being well used as owners purchase other properties. Relocation support was provided at an average of $14,000 for a family of four people, and wellbeing support has been provided. The government has negotiated support for utilities, banks, and businesses. However, we need to balance what is a $1 billion program and response with the broader community as we enter into the sales phase

MADAM SPEAKER: A supplementary question, Ms Burch.

MS BURCH: How is the demolition program progressing and how is the task force working with industry to ensure that the houses are demolished safely?

MR GENTLEMAN: As mentioned before, close to 80 properties have now been demolished through the ACT government's Mr Fluffy demolition program. Currently 671 houses are scheduled to be demolished over the next two years, with houses added to the schedule as they are surrendered. Last week seven properties were demolished across the territory, safely and efficiently. In the near future we will see up to 10 houses demolished each week. An updated demolition schedule will be released later this month so the community can get a further understanding of the timing and progress of the demolition program.

At present there are 10 head contractors appointed to the panel undertaking the demolition work. Of these, six are Canberra based. On any given day across the Mr Fluffy sites, we have up to 100 tradespeople working to remove these houses from our community safely and efficiently. The program is continuing to ramp up. The task force and Procurement and Capital Works, who are coordinating the demolitions, have been closely with industry over the past 12 months to ensure they have both the skills and the boots on the ground to undertake this work.

Local capacity has been increased through greater training opportunities and certainty has been provided through the communication of long-term opportunities of being part of this important work. This has included contractor briefings and site visits to increase understanding of this complex work program. One of the most pleasing things has been the ongoing refinement of work practices and innovative approaches which are occurring by industry as we work through the program. This is being closely watched by other jurisdictions and we will continue to share our learnings. As well as the demolition program, the task force is also working closely with the MBA, HIA and the Australian Institute of Architects as rebuilding begins, and we will continue to do so.

MADAM SPEAKER: A supplementary question, Ms Porter.

MS PORTER: Minister, how is the community being kept informed about the demolition program?

MR GENTLEMAN: I thank Ms Porter for her question. The work of the task force is a significant undertaking, with 1,022 properties affected, as I said, across 56 of our suburbs. This means an impact on more than 12,000 immediate neighbours and 127,000 residents across the suburbs. This is in addition to the 4,000 affected home owners, tenants and families.

A comprehensive communications and public education program is in place which involves broad information provision to our community as well as targeted communication with neighbourhood properties and more intensive focus on our cluster communities where there are two or more affected properties in close proximity to each other.

When it comes to broad community information, many strategies are used to ensure the information and the task force are as accessible as possible. This has included written educational material, opportunities for the community to ask questions and engagement activities.

Members have seen the information supplement inserted in the *Canberra Times* late last year *'Mr Fluffy'–from removal to renewal*, a guide for neighbours and the Canberra community which was developed by the task force. The booklet outlines the ACT government's response and was provided to 35,000 households and continues to be provided to neighbours prior to demolition works.

In addition, the task force has active social media channels including Facebook, Twitter and YouTube in which the demolition process and response are outlined and questions answered. The website is also a key source for information for the community and has achieved more than 232,846 page-views in less than 12 months. Regular e.newsletters are also sent to a large subscriber base, with 50 editions sent to date and a total readership of 52,000.

MADAM SPEAKER: A supplementary question, Ms Porter.

MS PORTER: Minister, why are the asbestos management plans required from 1 February and how have owners been informed?

MR GENTLEMAN: The ACT government's first advice to home owners is not to reside in these properties. That is why the ACT government offered to purchase all properties as at 28 October 2014. Indeed, 860 home owners have now permanently vacated their properties, or 85 per cent of the owners. We are also aware that some owners may seek to remain in their houses for the medium term for a range of reasons. They may be waiting for a new house to be built, they are still seeking to find a property in the market or they are seeking additional time to consider their options. We needed to balance compassion, practicality and safety. This is where the asbestos management plan arrangements come into play.

By remaining in houses, home owners are assuming a level of risk. However, as we know, it is not just owners who enter houses; it is friends and family, as well as service and care providers, our tradespeople, healthcare nurses and services such as meals delivery providers. It is for this reason that asbestos management plans are required. In the development of a plan, a licensed asbestos assessor undertakes an assessment of the property, including determining any pathways through which fibres could enter living areas, to reduce future exposure. Recommendations are then provided, and these are undertaken by a licensed asbestos removalist. The cost of this is borne by the home owner, noting that they are going against government advice by remaining in the houses. It is expected to be in the order of $1,500.

WorkSafe ACT are regulating the plans, and plans needed to be lodged by 1 February this year. For those owners not surrendering their properties through the buyback program by 30 June this year, recommended works then need to be undertaken within six months of the plan being developed, and plans are updated every two years.

Renewable energy—irregular payments

MRS JONES: My question is to the Minister for Planning and Land Management and relates to unauthorised payments. On Tuesday the opposition was provided with a briefing on the government amendments to the Planning, Building and Environment Legislation Amendment Bill 2015 (No 2). The amendments were required to fix a government error whereby medium renewable energy generators were not eligible to be paid for the energy they returned to the grid. The government has admitted that payments were made to medium renewable energy generators since 2011 even though these payments were not legal. The opposition asked for information about the number of payments and the amount of money paid, but the government was unable to provide it. Minister, how many payments have been made to medium renewable energy generators in that period?

MADAM SPEAKER: The minister for planning, Mr Gentleman.

MR CORBELL: Thank you very much, Madam Speaker.

MADAM SPEAKER: You are not the minister for planning, Mr Corbell.

MR CORBELL: Whilst Minister Gentleman has carriage of that bill, these amendments relate to the renewable energy generator legislation that I have responsibility for under the administrative arrangements.

Opposition members interjecting—

MADAM SPEAKER: Order!

MR CORBELL: I do not have to answer the question, Madam Speaker but I am endeavouring to do my best.

Mr Hanson interjecting—

MADAM SPEAKER: Order! Mr Hanson, you are on a number of warnings. Mr Corbell on the question of how many payments have been made.

MR CORBELL: The government is relying on advice from ActewAGL Distribution for the payments that have been made to generators. It is ActewAGL Distribution that makes these payments, and we are relying on advice from them as to whether or not we can ascertain the exact number of payments. Unfortunately, we have not been able to receive a precise number in relation to that matter.

MADAM SPEAKER: Supplementary question, Mrs Jones.

MRS JONES: Minister, how much has been paid to medium renewable energy generators? Of that figure, how much was paid illegally and will we ever know?

MR CORBELL: I refer Mrs Jones to my earlier answer.

MADAM SPEAKER: Supplementary question, Ms Lawder.

MS LAWDER: Minister, why did the government continue to make payments even when it was aware the payments were not legal?

MR CORBELL: It is incorrect to assert that the payments were illegal. The amendments clarify an ambiguity in the existing legislation.

Opposition members interjecting—

MADAM SPEAKER: Order!

MR CORBELL: Their comments reflect their lack of experience in government, Madam Speaker. The amendments are to clarify a legal ambiguity and that is why they have been brought to the Assembly.

In relation to the second part of Ms Lawder's question, as I indicated to Mrs Jones in my answer to her question, it is not the government that makes these payments. It is ActewAGL distribution.

MADAM SPEAKER: A supplementary question, Ms Lawder.

MS LAWDER: Minister, can you guarantee there are no other cases in your portfolios, or indeed Mr Gentleman's, where illegal payments are being made?

MR CORBELL: The payments are not illegal.

Tuggeranong—offensive odours

MS LAWDER: My question is to the Chief Minister. Chief Minister, in December 2015, January 2016 and again this month, February, there have been a number of reports from local residents of a foul smell in Tuggeranong, which is said to be coming from the Mugga Lane tip. Chief Minister, what are the findings of the EPA investigation into the foul smell?

MR BARR: I refer the member to Ms Fitzharris's contributions to this debate in private members' business yesterday.

MADAM SPEAKER: A supplementary question, Ms Lawder.

MS LAWDER: Chief Minister, why is it taking so long for the EPA inspectors to work out the cause of the odour?

MR BARR: I think the member in fact answered her own question live on radio this morning when she indicated that she could not smell anything, but when she went to the tip, yes, it smelt like a tip. She then went on to make a series of assertions but said that, ultimately, it would be difficult to determine the outcome or the source. It is difficult, but the government is making efforts, as Ms Fitzharris outlined in some detail yesterday.

MADAM SPEAKER: Supplementary question, Mr Wall.

MR WALL: Chief Minister, given your open and transparent government, why has not the ACT government been communicating openly with Tuggeranong residents about the foul smell, and what is being done to address it?

MR BARR: The government has, Madam Speaker.

MADAM SPEAKER: A supplementary question, Mr Wall.

MR WALL: Chief Minister, aside from the Environment Protection Authority's investigation into the smell, what is the ACT government doing for Tuggeranong residents to address and resolve this problem?

MR BARR: Other areas of government, including NOWaste, have been investigating. This was canvassed extensively in a private member's motion yesterday and in Ms Fitzharris's response.

Planning—building certifiers

MR DOSZPOT: Madam Speaker, my question is to the Minister for Planning and Land Management. An article in the *Canberra Times* on 1 February reported that some buildings in Canberra are "so shoddy they would be cheaper to demolish and rebuild than to repair". The article went on to quote from Ross Taylor, a waterproofing expert, who said:

> The primary cause of defects, particularly leaks and facade defects, is poor design.

Minister, is it correct that certifiers submit documents to ACTPLA which state that buildings have been constructed in line with building regulations and a certificate of occupancy is then issued?

MR GENTLEMAN: Yes, that is the process.

MADAM SPEAKER: Mr Doszpot, a supplementary.

MR DOSZPOT: Minister, what is the government's liability for shoddy buildings given that certificates of occupancy were issued by ACTPLA?

MR GENTLEMAN: The plans are put into ACTPLA—they particularly study how those plans fit in with national guidelines and ACT regulations as well—and then of course a certificate of occupation is granted if all of those plans and guidelines fit within the processes for understanding whether that particular development will fit into the program. So it is important, of course, that they look at not only the plans for the building but also the construction materials for the building. Indeed, we have had some very long conversations at the building ministers conference nationally to look at the appropriate use of materials in buildings across the territory and nationally as well. We will be opening up that conversation again next week when we go to the next building ministers conference.

MADAM SPEAKER: A supplementary question, Mr Coe.

MR COE: Minister, do representatives of ACTPLA visit all buildings to check that the plans submitted comply with what has actually been built before a certificate of occupancy is issued?

MR GENTLEMAN: I thank Mr Coe for his question. It usually certifies that they look at those particular applications for the construction of the building in relation to the plans that have been submitted, and they are the ones that sign off.

MADAM SPEAKER: Supplementary question, Mr Coe.

MR COE: Minister, are you aware of any buildings in Canberra that have been issued certificates of occupancy which are at risk of requiring residents to permanently vacate them due to serious structural issues?

MR GENTLEMAN: I have not been provided with a briefing on buildings where occupants have been asked to vacate but I will seek further advice from the directorate. It is a very important question. I think it is important that we look at where buildings across the territory comply with the correct standards and regulations. We know that there are particular concerns with water ingress into buildings, particularly where balconies are built on the same level as the living area.

We know that the architectural design is quite good where you see that you can walk from your living area directly out to the balcony. Indeed, they put waterproofing membranes in the process to ensure that water does not enter into the property. But unfortunately sometimes during the construction we have seen where other tradespeople have come in and perhaps modified those membranes or drilled through them and we have seen water ingress. It is an important question. I will ask the directorate for further advice.

Aboriginals and Torres Strait Islanders—grants programs

MS PORTER: My question is to the Minister for Aboriginal and Torres Strait Islander Affairs. Minister, can you inform the Assembly about the ACT government's grants available to members of the Aboriginal and Torres Strait Islander community?

DR BOURKE: I thank Ms Porter for her interest in this matter. The ACT Aboriginal and Torres Strait Islander agreement 2015-18, which was signed in April last year, sets out quality of life outcomes for Aboriginal and Torres Strait Islander Canberrans, including the empowerment of Aboriginal and Torres Strait Islander people, creating self-confidence and self-esteem, and that Aboriginal and Torres Strait Islander people are fully engaged in lifelong learning and positive generational experiences.

The ACT government offers a wide range of grants for Aboriginal and Torres Strait Islander Canberrans. ACT government grants have been provided for funding for a broad range of areas, including to support the cost of education and training, to build leadership skills and provide leadership opportunities, for the provision of sports and arts programs, and inclusion and cultural projects.

In particular, the Office for Aboriginal and Torres Strait Islander Affairs manages the ACT Aboriginal and Torres Strait Islander grants programs. There are three programs: the Aboriginal and Torres Strait Islander leadership grants program; the Aboriginal and Torres Strait Islander cultural grants program; and the Aboriginal and Torres Strait Islander scholarship grants program. These programs provide grants for the promotion of Aboriginal and Torres Strait Islander culture and leadership, as well as providing scholarships to support Aboriginal and Torres Strait Islander Canberrans who are undertaking further studies or vocational training.

Aboriginal and Torres Strait Islander community groups have received financial support to run high-profile events such as the Indigenous showcase, which is a popular part of the annual National Multicultural Festival—and a must-see for this coming weekend—leadership programs for Aboriginal and Torres Strait Islander young women, legal services, and job expos. These grants have given community members the financial support needed to take part in once-in-a-lifetime opportunities such as attending the Commission on the Status of Women at the United Nations in New York, attending a cultural exchange program in the USA, taking part in the Australian foreign school exchange program to Japan, and completing a PhD.

These grants programs demonstrate the ACT government's commitment, through the ACT Aboriginal and Torres Strait Islander agreement 2015-18, to support Aboriginal and Torres Strait Islander peoples and community and Aboriginal and Torres Strait Islander organisations to develop a range of opportunities, knowledge and skills to build an empowered, resilient and sustainable future.

Applications for ACT government grants are being streamlined for applicants by providing an online application process, with easy access to application criteria and support documents. More information can be found on the ACT government's SmartyGrants website.

MADAM SPEAKER: Supplementary question, Ms Porter.

MS PORTER: Minister, can you inform the Assembly about the previous successful Aboriginal and Torres Strait Islander leadership grants?

DR BOURKE: The ACT Aboriginal and Torres Strait Islander leadership grants program continues to support Aboriginal and Torres Strait Islander people in the ACT to seize opportunities to further their leadership skills in their community and workplace. Earlier this week I announced the leadership grants recipients for 2015-16, which included projects such as the live, life, laugh, pitch program, an intensive two-day announcing and presentation media workshop for the next generation of Indigenous broadcasters; a creative Aboriginal in the virtual world project; funding for a documentary on local elder Aunty Agnes Shea; and financial support for a community member to attend the Harvard Business School's senior executive leadership program.

In 2014-15 a total of $33,000 was awarded to successful applicants. These applications came from one individual and three organisations. I was pleased to see funding of $10,000 provided to the YWCA Canberra to be used towards a two-day leadership workshop for young Aboriginal and Torres Strait Islander women across Canberra which supports them to become leaders in their families, schools and communities. Empowering people and creating confidence and self-esteem is one of the quality life outcomes of the ACT Aboriginal and Torres Strait Islander agreement. A local Aboriginal community member was also awarded a grant of $3,000 to attend the Commission on the Status of Women at the United Nations in New York. Carers ACT received a grant of $10,000 to develop skills and build capacity of carers to improve outcomes in their communities. Namadgi School received a grant of $10,000 towards the purchase of 12 iPads and to provide excursions with guided tours to the Jervis Bay and Wreck Bay communities.

The 2015-16 leadership grants program will provide up to $87,000 worth of funding support for applications for leadership that provides formal and informal development opportunities for participants that will inspire and empower individuals to reach their highest potential.

MADAM SPEAKER: A supplementary question, Ms Burch.

MS BURCH: Minister, can you inform the Assembly about other successful Aboriginal and Torres Strait Islander cultural grants?

DR BOURKE: The aim of the Aboriginal and Torres Strait Islander cultural grants program is to showcase the cultures of Aboriginal and Torres Strait Islander peoples living in the ACT community. This can be through the development of innovative projects that contribute to sustainable communities by highlighting and promoting cultural diversity and social harmony.

Earlier this week I also announced the cultural grants recipients for 2015-16 which included projects such as the healing farm and building connection program,

publication of the ACT Aboriginal and Torres Strait Islander leadership book, a side by side, growing stronger together project, the W is for Wiradjuri project, funding for a Jerrabomberra wetlands bush tucker garden, funding for a documentary on local elder Aunty Agnes Shea, and funding for a Ngambri cultural camp. A total amount of $48,000 was made available in the 2015-16 funding round. Individuals were able to apply for a grant of up to $3,000, and community organisations operating in the ACT could apply for a grant of up to $5,000.

The ACT Aboriginal and Torres Strait Islander agreement identifies the celebration of Aboriginal and Torres Strait Islander cultures as a quality of life outcome. This year's cultural grants will provide opportunities to strengthen this outcome by offering recipients support to connect through strong family, social and support networks.

In 2014-15, funding of $15,000 was offered to the Canberra and District NAIDOC Aboriginal Corporation to help mark significant annual cultural milestones and celebrations that support or showcase culture and traditions in 2014 and 2015. Past cultural grant rounds have supported an art and culture music festival, a family Reconciliation Day picnic at Namadgi national park and an Inanna Inc bridge the gap program.

MADAM SPEAKER: A supplementary question, Ms Burch.

MS BURCH: Can the minister provide details of the outcomes of these grants for Aboriginals and Torres Strait Islanders?

DR BOURKE: I have already advised the Assembly of some of the funding highlights of the Aboriginal and Torres Strait Islander leadership and cultural grants. The Aboriginal and Torres Strait Islander scholarship program commenced in 2013-14 and 12 applications, totalling $41,729, were approved.

After more focused and effective communications, the second round of the Aboriginal and Torres Strait Islander scholarships grant program attracted a total of 85 applications. This was the highest number of applications received in the history of the grants program. Total funding of $135,000 was awarded to 45 successful applicants.

The funding assisted Aboriginal and Torres Strait Islander Canberrans to purchase computers and software, purchase equipment required for the workplace within rural Aboriginal communities, complete a bachelor of nursing degree, purchase trade tools for a carpentry apprenticeship, supplement funding to complete a year 12 internship, complete a diploma in massage therapy at CIT, complete a certificate IV in project management practice and attend the world Indigenous peoples conference.

The Aboriginal and Torres Strait Islander scholarships grant program goes a long way to fulfilling the ACT government's commitment to improving the outcomes for ACT and Aboriginal and Torres Strait Islander Canberrans and I will look forward to advising the Assembly on further work in this portfolio area.

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

Supplementary answers to questions on notice

Canberra Olympic pool

MS BERRY: Following up on a question on Tuesday from Mr Doszpot on the Canberra Olympic pool, I can advise that since the removal of the level 3 water restrictions, Icon Water has reduced its use of water efficiency management plans and does not have a plan in place with the Canberra Olympic pool.

Icon has confirmed it is reviewing its permanent water conservation measures in light of the completion of major projects such as the Cotter Dam enlargement and the Murrumbidgee to Googong transfer plan. Icon and sport and rec services have been working closely in efforts to address the leaks at Canberra Olympic pool, in addition to the works carried out last year, through daily monitoring.

Health—elective surgery

MR CORBELL: Yesterday in question time Mr Smyth asked me a question where he said:

> Minister, does the federal ROGS report, at table11A.21, show that, compared to the rest of Australia, in 2014-15 Canberra had longer elective surgery wait times on every measure?

The answer to Mr Smyth's question is no. The figures for the most recent full year, published in table 11A.21 of ROGS show that the ACT was not the worst performance jurisdiction on any of the waiting time measures: for days waited at the 50th percentile, the median waiting time, the ACT's result of 45 days was better than New South Wales at 54 days and Tasmania at 55 days. The 45 days reported for the ACT from 2015-16 was the fifth year in a row with improved median waiting times.

For the days waited at the 90th percentile, the time in which 90 per cent or the time within when most people are admitted for surgery, the ACT's result of 245 days was better than the national figure of 253 days. The ACT's admission rate for elective surgery at 30.6 per 1,000 people was higher than the national rate of 29.5 per 1,000 head of population.

I can advise Mr Smyth and those opposite that the answer to Mr Smyth's question is no, it is not the case that compared to the rest of Australia Canberra had longer elective surgery wait times on every measure.

Schools—children with disabilities

MR RATTENBURY: On Tuesday Mr Wall asked me a question about school seclusion spaces and how many have been inspected to ensure they are compliant. The answer to Mr Wall's question is that there are various types of spaces available to students requiring a quiet space to help manage their behaviour. These spaces include tents, teepees and soft furnishings in corners of classrooms, rooms adjacent to classrooms where line of sight can be maintained by the classroom teacher, and fenced courtyards adjacent to classrooms which allow children safe access to an outdoor space during class time.

All schools were reviewed in relation to appropriate safe spaces during 2015. All schools were found to have appropriate spaces and none had spaces that were non-compliant. In response to the expert panel report on students with complex needs and challenging behaviour, the directorate is further developing guidelines to provide advice and support for schools on the use of withdrawal spaces.

Epiaxis Therapeutics Pty Ltd
Paper and Statement by minister

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

> Financial Management Act, pursuant to subsection 98(4)—Establishment of EPIAXIS Therapeutics Pty Ltd to commercialise a new treatment for breast cancer (University of Canberra)—Written statement.

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

Leave granted.

MR BARR: For the information of members, I present pursuant to section 98 of the FMA this statement setting out details of a new company, Epiaxis Therapeutics Pty Ltd, established by the University of Canberra. Section 98 of the Financial Management Act 1996 requires the Treasurer's approval for a territory authority forming or taking part in the formation of a company. This section then requires the Treasurer to present a statement to the Legislative Assembly setting out details of and the reasons for the company formation and subscription to shares.

In June of last year I gave approval to the University of Canberra to establish a company and invest in the commercialisation of a new treatment for breast cancer. Epiaxis Therapeutics Pty Ltd was established by the University of Canberra in late December of 2015 for this purpose. Under the leadership of Professor Sudha Rao, the University of Canberra was first to identify the pivotal role played by the enzyme LSD1 within the cancer field. More specifically, her team identified the role that LSD1 plays in the proliferation of cancer stem cells, which are now regarded as the leading contributor to the recurrence of cancer following initial treatment.

In order to advance this discovery, Dr Rao's team focused on breast cancer recurrence models to test whether LSD1 enzyme inhibitors could prevent recurrence, which occurs in up to 40 per cent of women who are diagnosed with breast cancer. I am pleased to advise the Assembly that this work has shown very beneficial effects.

Epiaxis Therapeutics Pty Ltd has now been established to commercialise the findings of this research. At the time of the company formation, the University of Canberra held 40 per cent of the shares in Epiaxis Therapeutics Pty Ltd and the remaining shares were held by researchers in line with the university intellectual property policy. An estimated $1.5 million is required to progress the research and commercialise the new treatment. Fifty per cent, or $750,000 of the required investment, is being funded

by ANU Connect Ventures. The University of Canberra has committed to funding $250,000, and two other private investors are funding the remaining half a million dollars.

Epiaxis Therapeutics Pty Ltd will be located at the University of Canberra and will collaborate with clinicians at the Canberra Hospital to carry out clinical trials. Mr Jeremy Crisp has been appointed the chief executive officer of the company for an initial six-month period. The company's board will be chaired by Professor Francis Shannon, Deputy Vice Chancellor of Research at the University of Canberra.

This arrangement provides the university with an exciting opportunity to commercialise its research in the treatment of breast cancer. Breast cancer is, as I am sure members are aware, the leading cause of worldwide cancer-related deaths in women. The global market for breast cancer drug treatment is in the order of $10 billion, and this market is growing rapidly and projected to nearly double by 2023. I commend the work of the University of Canberra and commend this statement to the Assembly.

Financial Management Act—consolidated financial report
Paper and statement by minister

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

> Financial Management Act, pursuant to section 26—Consolidated Financial Report—Financial quarter ending 31 December 2015, including financial instruments signed during the quarter.

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

Leave granted.

MR BARR: I present to the Assembly the December quarter 2015 consolidated financial report for the territory. This is required under section 26 of the FMA 1996. The December quarter headline net operating balance for the general government sector was a deficit of $35.7 million. This result was $31.4 million higher than the year to date budget deficit of $4.3 million. Total revenue for the general government sector for the quarter to 31 December 2015 was $2,432.3 million. This is $21.1 million higher than the December year to date budget of $2,411.2 million.

The major increases in total revenue included higher than expected sales of goods and services revenue of $37.6 million, mainly due to higher than budgeted sales of land rent blocks and higher than anticipated taxation revenue of $16.9 million, which is largely reflective of higher than expected conveyance revenue in the large and small commercial market segments and higher interest revenue of $4.7 million, reflective of a higher level of cash balances held. These increases were largely offset by lower than expected gains from contributed assets of $43.1 million, this being associated with the timing of the transfer of assets from the Land Development Agency and private developers.

Total expenses of $2,549.9 million were $54.3 million higher than December year to date budget figures of $42,495.6 million. The major increases in total expenses included higher grants and purchased services of $62.2 million, and this was due to the timing of payments for the purchase of properties related to the loose-fill asbestos insulation eradication scheme and other higher operating expenses of $17.6 million, mainly due to the higher than budgeted sales of land rent blocks that I discussed earlier. These increases were partially offset by lower supplies and services expenses of $22.6 million, which mainly reflects the timing of expenditure.

The general government sector balance sheet remains very strong, I am pleased to advise, represented by key indicators such as the territory's net financial liabilities and net worth. I commend the December quarterly report to the Assembly.

Papers

Mr Corbell presented the following papers:

Human Rights Commission Act, pursuant to subsection 87(2)—Protecting privacy of personal health information in court or tribunal proceedings—A report of the ACT Health Services Commissioner, dated 22 January 2016.

Gene Technology Act—Operations of the Gene Technology Regulator, pursuant to—

Subsection 136(2)—Annual report 2014-15, dated 6 October 2015.

Subsection 136A(3)—Quarterly report—1 April to 30 June 2015, dated 15 September 2015.

Health (National Health Funding Pool and Administration) Act, pursuant to subsection 25(4)—Administrator of the National Health Funding Pool—Annual Report 2014-15, dated 28 October 2015.

National Health Funding Body—Annual report 2014-15.

Mr Gentleman presented the following papers:

Performance reports

Financial Management Act, pursuant to section 30E—Half-yearly directorate performance reports—December 2015, for the following directorates or agencies:

Capital Metro Agency.

Chief Minister, Treasury and Economic Development Directorate, dated February 2016.

Community Services Directorate, dated February 2016.

Education and Training Directorate, dated February

2016. Environment and Planning Directorate, dated

February 2016.

Health Directorate, incorporating the ACT Local Hospital Network.

Justice and Community Safety Directorate (Attorney-General and Police and Emergency Services portfolios), dated February 2016.

Justice and Community Safety Directorate (Justice portfolio), dated February 2016.

Territory and Municipal Services Directorate, dated February 2016.

Penalty rates
Discussion of matter of public importance

MADAM SPEAKER: I have received letters from Ms Burch, Mr Coe, Mr Hanson, Mrs Jones, Ms Porter and Mr Wall proposing that matters of public importance be submitted to the Assembly. In accordance with standing order 79, I have determined that the matter proposed by Ms Burch be submitted to the Assembly, namely:

The importance of maintaining penalty rates for low paid workers in Canberra.

MS BURCH (Brindabella) (3.20): I am pleased to be able to speak to this important issue of protecting penalty rates for Australian workers. Indeed penalty rates are a representation of a social contract and have been part of our social and economic fabric for more than 100 years. They form part of the economic foundation of the standard of living which includes minimum wage, pensions, public transport, accessible education, universal health care and a sound welfare system that is available when people need it. Recent calls to reduce Sunday penalty rates seem an erosion of this social contract and an erosion of entitlements of territory workers that we as a government will not support.

Some businesses in the growing sectors of retail and hospitality are following calls for cutting Sunday penalty rates, citing undue pressures on businesses. Unfortunately, what I think these responses do not account for is the broader economic impact that would result from targeting the wages of the territory's workforce. Paying workers penalty rates for working over the weekend and public holidays benefits businesses in the long term because it will increase the disposable income of some of our lowest paid workers. In turn, that money would be spent in local businesses.

The workers who would be subject to these changes do not come from the top end of town. It is not the bankers or the politicians who rely on penalty rates to make ends meet. Instead reduced penalty rates are going to directly affect those workers who earn relatively low wages and, in turn, their families will be also affected. These changes to penalty rates would be felt by people who work in cafes, hospitality, entertainment, restaurants and in retail. They are going to be felt by students, low income families and single parents who are trying to manage the complex challenges of income stability and family commitments.

The majority of workers who regularly receive penalty rates are financially reliant on them. On average, they have household incomes of $60,000 or less, with penalty rates making a significant contribution to that amount. Many of the workers who work on weekends rely on penalty rates to pay their rent, mortgages and bills and to put food on the table. For these workers Sunday penalty rates are not the icing on the cake; it is their bread and butter. These are the workers who have structured their finances and

their everyday lives around the guarantee of certain penalty rates. These are casual workers who may not be getting paid sick leave or annual leave. A reduction in penalty rates for these workers throws these careful calculations out the window. A reduction in penalty rates is asking some of the least paid and most vulnerable workers in our community to actually take a pay cut.

The ACT is known for our fabulous array of entertainment venues and eateries. We are indeed fortunate to have some fantastic cafes and restaurants here and we have a culture that is continuing to grow and expand. Certainly many customers are happy to benefit from the convenience that extended opening hours have provided. Many businesses are happy too to open their doors to profit from this demand. However, if the weekend penalty rates were reduced there would be less incentive for workers to take on these extra shifts and it is not implausible to think that in this vibrant city that we have seen growing rapidly we could see a decline in some of the food and entertainment offerings that we have come to know.

We need to recognise that these businesses hire mums, dads, brothers, sisters, sons and daughters who give up their evenings and their weekends to go to work. Penalty rates exist because we recognise that we are asking workers to work unsocial hours for our own convenience. In addition, we provide penalty rates because we recognise that these workers, whoever they may be, deserve to be paid accordingly for the work they do and the hours they put in and the times their shifts may start and finish.

There are renewed calls for the introduction also of enterprise contracts to fill the perceived gap between individual arrangements and enterprise agreements. It is said that the contracts would allow an employer to vary an award for an entire class of employees or a group of particular employees without having to negotiate individual flexibility arrangements with each of the individuals or to form an enterprise agreement. No ballot would be required for one of these enterprise contracts to be implemented.

Furthermore, unions would be unable to represent workers in the development of these contracts without employer consent. Finally, the agreement would be lodged with the Fair Work Commission but, unlike enterprise agreements, there would be no requirement for it to be approved by the Fair Work Commission before it came into operation.

This, if approved, would effectively mean that small to medium sized businesses with more than 20 employees would be able to make an offer of take-it-or-leave-it statutory contracts to new staff without requiring approval by the Fair Work Commission. How many in this place have sons and daughters, nieces and nephews, working in our local cafes, studying apprenticeships, working at their local supermarkets or the newsagents? What would we do if they came home and said that they had no say in their employee entitlements, their wages or accrued entitlements, whatever? What would our response be to that? I doubt that we would sit on our hands if we felt that we were disadvantaged; yet this proposal seeks to do exactly that—ensure disadvantage.

The commission's recommendation for an enterprise contract appears to be advocating a return to the Australian workplace agreements that operated under the Howard Work Choices regime, and we all know the famous words at the time of the last election: "Work Choices is dead." This is, I believe, an insidious attempt to revive a failing policy and it has not been lost on the ACT government and my caucus colleagues. We will continue to fight today, as the Labor governments did then, to ensure that the antiquated and unfair values of those opposite do not have a place in our society.

Put simply, the ACT government cannot support a move that will serve to further isolate and jeopardise the quality of living for our citizens, especially those who are vulnerable and rely on policymakers and decision-makers to make the best decisions for the betterment of our community.

I go back to a point that I think is, to me, one of the more disturbing points and is very personal because I know many of my friends do have sons and daughters working part time in various cafes and supermarkets in the community. And if we were to allow or support enterprise contracts to come into place, sons and daughters, family friends—and I have no doubt that others in this place are in the same situation—will actually be disadvantaged where their employer, through these arrangements, can adopt a take-it-or-leave-it approach without any approval by the Fair Work Commission. I think that is just unfair in its extreme.

Penalty rates are there because they provide support for people working on Sunday. Why are they working on Sunday? They are working on Sunday so that we can enjoy a trip to the movies, coffee with friends, a nice lunch with friends. I know I am prepared to pay the extra I need to pay because I know that is fair and reasonable. If I can be entertained, if I can benefit from being able to go out on a Sunday and have a coffee and have a feed, I will not do that and expect the person serving me to be disadvantaged through the loss of Sunday penalty rates.

This is a matter of importance because it is a matter for our families, our friends. When we go and buy coffee on a Sunday, just think how the person serving us would think if we were prepared to have them take a cut in their terms and conditions.

MR HANSON (Molonglo—Leader of the Opposition) (3.29): I thank Ms Burch for giving me the opportunity to put this position clearly on the record. Our position is this: we support the intent of Ms Burch's MPI. Let me repeat this to remove any doubt whatsoever: the Canberra Liberals will not cut penalty rates. We do not support cutting penalty rates and we will oppose cuts to penalty rates for low paid workers in Canberra. This may surprise some of you who seek to run a scare campaign but if you understand what we stand for in the Canberra Liberals it should not surprise people. It will not be a surprise to people who understand that my team will be fighting the next election and, if we win, we will govern this territory.

We have spent the entire term out in our community, out at the shopping centres and businesses and workplaces, listening to real concerns and real issues from people. We have listened and we understand the problems facing so many people who are trying

to raise a family and get ahead in this town when they are working in the most expensive city, in many ways, in the country. That is why we have made this fundamental decision about the government that we will be: we will be a government for all Canberra. We will be there for all the parents who want to see their children, their nieces and nephews, their grandchildren and so on more able to work and make their way early in life. Helping families get ahead is a core Liberal value.

We are here for all the weekend workers who provide such valuable services as emergency and early response services, and supporting our front-line services is a core Liberal value. We are here for all the students, because working on the weekend while you are studying is important for many who are studying to improve their position. And that is a core Liberal value. And we are here for all the shift workers who are working so hard to get ahead, often at two jobs. Working hard to better yourself is a core Liberal value. We are here for all those who are simply trying to raise a family, get a job and get ahead. We support anyone in those positions. We will work for everybody in those positions. We will protect everybody in those positions. That is why we will not cut penalty rates.

However, I make the point that penalty rates are only part of the picture for hardworking, low paid families. We must understand that. There are many other ways that governments can affect the lives of low paid workers, and we cannot discuss the importance of protecting lower paid workers without discussing those other matters. When we are talking about fairness and rights and conditions, let us not let the rhetoric get in the way of the reality, because this is a government intent on taking every spare cent from the very same workers that we are discussing.

So I say to this government, "If you want to protect low paid workers, stop the cash grabs, stop the massive rate increases that are hurting so many low paid workers, stop the cash grab through increased fees and charges." For so many workers, retail workers, hospitality workers, other workers across this city, every cent counts. I think that when Mr Barr talked about the late night parking simply being the difference between sparkling water and still water when you are having a $100 dinner out just showed how far the Chief Minister and this government are now from understanding the impact on low paid workers of fees and charges across this city. Stop the cash grab through all of the taxes.

It is a cash grab when you look at the amount that is being taken in increased revenue from all of the fees and charges. In the budget papers this year, the total rates revenue in the forward estimates is nearly $554 million. That is just a massive increase.

Ms Burch: I take a point of order on relevance to the matter of public importance, which is around maintaining penalty rates for low paid workers in Canberra. I do not think it has anything to do with what was in this year's budget.

MADAM ASSISTANT SPEAKER: Thank you, Ms Burch.

MR HANSON: Madam Assistant Speaker, on the point of order, when Ms Burch spoke—she made a fairly broad-ranging speech—she talked about the difficulty that low paid workers face, some of the challenges facing them. She was reasonably broad

in her comments. She moved beyond simply discussing penalty rates. She talked about a range of other issues. What we are talking about here ultimately is low paid workers. I have addressed the issue of penalty rates in detail but exploring the other issues that do affect low paid workers, I think, is relevant to the matter of public importance.

MADAM ASSISTANT SPEAKER: Thank you. I think some of those issues were canvassed in a broad sense by Ms Burch. Mr Hanson, generally I would direct you to think of the relevance to this topic. You have certainly spoken about penalty rates, and I will allow you to go more broadly, but please do not stretch that licence.

MR HANSON: I have probably made my point anyway. I hope that I have. Indeed, our position is clear. We are going to stand up for all of Canberra, and that includes the low paid workers out there across all the suburbs. We will do everything that we can to support our low paid workers. I will finish where I started, by making it very clear that there is no doubt that we will not cut penalty rates.

MR RATTENBURY (Molonglo—Minister for Corrections, Minister for Education, Minister for Justice and Consumer Affairs and Minister for Road Safety) (3.36): I welcome the fact that Ms Burch has brought this topic forward for discussion today; it is an important discussion, one that I know many people in the community have. I have been wondering about it since we saw the Productivity Commission report in recent months.

Penalty rates have been around for 100 years, and they do compensate people for working unsociable hours that many Australians have free. That is really the crux of this. For those who work Monday to Friday, weekends are incredibly valuable. It is where we spend time with friends and family, go out and have fun and do all the things we do not have time to do during the week.

But penalty rates are not just about pay packets; they are also about our ability to balance work and life. Those who do not have that balance because they work unsociable hours in my view should be fairly compensated. I do not believe weekends should end up being treated like every other day of the week or that working at midnight is the same as working at midday.

Workplaces have evolved over time, and we now live in a seven-day-a-week world. However, workers should not be punished just because consumer expectations have changed and people want things seven days a week. Ms Burch made a very good point when she said that if she wants to go out on a Sunday or a Saturday and access certain services, she is willing to pay for that. I think that is fair enough. If you want to be able to access services on a day when others are working what may be considered unsociable hours, having a fair reflection of that in the pay of the people who are having to work is a fair enough thing.

The speed at which the world goes these days sometimes bothers me. Having a day when not everybody has to work is a good thing, and for people who work on those days, a level of compensation is fair enough.

It is also fair to note—again Ms Burch touched on this—that many people in the retail and hospitality industry, especially young workers, rely on penalty rates to earn a living wage. These workers are often already on a low wage, and any cuts to their penalty rates would have a big impact on their take-home pay packet.

While I understand the pressures faced by small businesses in line with the move to seven-day service expectations, there are a range of ways the pressure can be taken off small business without changes to the rights and protections of workers. It is incumbent upon all political parties to come up with policy initiatives that support small business. We know that they are very much a driver of our economic engine, both here in Canberra and across the country. But there are other ways to assist small business rather than detracting from the pay packets of workers, especially those who are relying on penalty rates to earn that living wage.

I will keep my remarks brief today. It is important to maintain penalty rates for low-paid workers in Canberra for the two key reasons I have outlined. I am sure this matter will get further airing as the year goes on. I will be very interested to see where the national discussion goes on this, but I can indicate that, from a Greens point of view, we are committed to helping preserve the rights of workers to access penalty rates.

MR GENTLEMAN (Brindabella—Minister for Planning and Land Management, Minister for Racing and Gaming and Minister for Workplace Safety and Industrial Relations) (3.39): I thank Ms Burch for bringing this matter of public importance on today. I know that Ms Burch had a history of working shiftwork as a nurse in earlier times, and I have spent many years working shiftwork as well; I know the importance of penalty rates, and also the impact of shiftwork on family life.

Penalty rates have been an important feature of the Australian industrial relations system for over 100 years, having been established by the Commonwealth Conciliation and Arbitration Commission in 1909, only eight short years after our nation's federation.

It was in 1909 that Justice Higgins of the High Court awarded penalty payments valued at time-and-a-half of ordinary payments be made for work on the seventh day in any week, an official holiday and "all time of work done in excess of the ordinary shift during each day of twenty hours." These penalty rates were awarded firstly as compensation to employees being made to work at inconvenient times, but secondly to act as a deterrent against long or abnormal hours being used by employers. The reasoning behind this judgement was the belief that employees should be appropriately compensated for working long shifts at inconvenient and unsociable hours.

This was reaffirmed almost 40 years later by the Commonwealth Conciliation and Arbitration Commission, which decided that Saturday work should be paid at 125 per cent of the base rate of pay and people working on a Sunday should receive double pay. Shortly afterwards, in 1950, the New South Wales Industrial Relations Commission noted:

> … employers must compensate employees for the disturbance to family and social life and religious observance that weekend work brings.

On 19 December 2014 the federal government engaged the Productivity Commission to undertake a review of the current workplace relations framework. The commission subsequently released five issues papers covering a range of matters and called for public submissions by March 2015. The commission released its draft report on 4 August last year, relevantly setting out the 45 draft recommendations for public consideration and input. The commission concluded its community engagement with the release of the final report on the national workplace relations system on Monday, 21 September last year.

As the Assembly will know, the federal Minister for Employment has said that the commonwealth government will not change overtime penalty rates for night work and shiftwork and that any changes to penalty rates would not apply to nurses, teachers and emergency services workers. However, the report maintains its interim recommendation to align Sunday penalty rates with those payable on Saturdays across the hospitality and retail sectors. The commonwealth government has stated that any industrial relations changes would be taken to the next federal election and that the employment minister would personally conduct direct public consultation on the commission's report early this year.

Standing before the Assembly today, I take the opportunity to express my disappointment in the commission's final report. More significantly, I express my real concern that the commission's recommendations would create a two-tier penalty rate regime that appears to affect female workers disproportionately and is silent on the existing gender pay gap and equity issues pervading the modern Australian workplace.

The ACT government has very serious concerns about a number of recommendations, particularly those that relate to the potential erosion of workers' rights. While the commonwealth has ruled out immediate changes to penalty rates, the commission's recommendations overcome this barrier by recommending that the Fair Work Commission introduce the new penalty rates as part of its four-yearly review.

In this regard, the Fair Work Commission has already commenced reviewing penalty rates in a number of awards in the hospitality and retail sectors. The commission argues that the changes would act as a floor to the penalty rate, enabling employers to decide to pay more if they find it hard to attract employees on Sunday. The commission stated that while penalty rates have a legitimate role in compensating employees and should be maintained for working long hours or at unsociable times, Sunday penalty rates for cafes, hospitality, entertainment, restaurants and retailing should be aligned with Saturday rates.

The commission's recommendations represent an attack on workers' rights by stealth, and ultimately seek to remove weekend penalty rates for all workers in restaurants, cafes, bars and pubs. They would slash the pay of many of the territory's lowest paid workers. Penalty rates exist because the community expects that if people forgo their evenings, weekends or public holidays to work, they should be compensated.

Enterprise contracts which would let employers offer agreements with reduced conditions for new employees could lead to people working side by side doing the same work at different rates. This inequity has not been justified by the commission and cannot be supported by the ACT government.

The ACT government also opposes the commission's proposal to change the Fair Work Act to split the Fair Work Commission by establishing two divisions. There is no evidence that the current system is not working. It is important that the Fair Work Commission members determining wage matters are not separate from those determining the industrial matters that otherwise are part of the workload of the tribunal. The current system enables a flow of knowledge of employer and employee concerns from the ordinary Fair Work Commission members to the specialist personnel on the minimum wage panel. Splitting the Fair Work Commission into separate divisions will greatly diminish this flow.

The government is also concerned about the commission's recommendation of removing the emphasis on reinstatement as the primary goal of the unfair dismissal system of the Fair Work Act.

The commissioners also recommended that state and territory governments should not be able to unilaterally trigger costs for employers by creating new public holidays and that employees should be able to vote to swap some existing public holidays to times that suit them better. Under the modern awards, workers are currently able to swap or exchange public holidays through the provisions in either the industrial agreements or enterprise agreements, so the ACT does not see any benefit to this recommendation. However, a prohibition by the commonwealth government on the state and territory governments being able to determine their own public holidays is opposed.

I am also concerned about the commissioner's new recommendations for transfers of business, in that existing arrangements under the current enterprise agreement would not move to new employees. The commission argues that the Fair Work Commission should have more discretion to order that an arrangement such as an enterprise agreement does not transfer where that improves the prospects of new employment.

The commonwealth government has stated that any industrial relations changes would need to be taken to the next federal election and that the employment minister would personally conduct direct public consultations, as I mentioned. Through the commonwealth, state and territory ministers for workplace relations forum, the ACT has already expressed its concerns to the commonwealth on a number of the commission's recommendations. We remain actively focused on further developments in these areas and will provide continued input through the ministerial forum.

The government will always stand up for our workers, whether they are from the local or commonwealth public service, the community sector, the construction industry or hospitality and retail. We will also stand up for our community and families. That is why this government will always remain vigilant in the protection of workers' rights. There is no doubt that these judgements, initially made over 100 years ago, are still relevant to this day. Whilst not a uniquely Canberran privilege, penalty rates have stood the test of time, reflecting the truly egalitarian nature of the Australian spirit.

MS BERRY (Ginninderra—Minister for Housing, Community Services and Social Inclusion, Minister for Multicultural and Youth Affairs, Minister for Sport and Recreation and Minister for Women) (3.48): It was interesting to hear the Leader of the Opposition saying that the Canberra Liberals will not ever cut penalty rates. Of course, they could not because penalty rates are legislated under the Fair Work Act and the responsibility lies with the federal government. But I guess from the comments he made that we can assume he meant that he would not support the federal Liberal government's calls to have penalty rates cut or that the Canberra Liberals would not support the Australian Chamber of Commerce and Industry's calls to have penalty rates cut. He is nodding to indicate that, for the record—not that I would ever encourage any interaction from across the chamber while I am trying to speak here.

Mr Wall may or may not be speaking today, but I guess he has changed his mind from his position in February last year when he talked about a number of areas of red tape, including weekend penalty rates, that needed to be re-examined to help to make—there is a typing error in this *Canberra Times* article—businesses grow, but there needs to be appropriate flexibility to meet the needs of young people and students to help them earn a bit of pocket money, be it enough to facilitate a bit of a social life or be self-sufficient while they are undertaking further studies. I guess he has changed his mind from then, particularly from the comments that we have been talking about today—about how important shiftwork and weekend work are to families who are trying to make ends meet.

Mr Gentleman talked about his own experience working shiftwork as well as Ms Burch's. I spent eight years depending on shiftwork and weekend penalties to make the difference between vegemite on toast for dinner and an actual meal, so I personally know how important penalty rates are for low paid workers in this town. It is great to hear that the ACT government will continue to support low paid workers and will not support any calls by anybody to cut penalty rates for those workers.

When the Australian chamber of industry did their report, they found that the non-financial reasons for opting into weekend work—reasons like child care and study—were the smallest of all possible responses. They did not even crack a double-digit percentage from the questions they asked about why people were working shiftwork. Instead, the most popular reason workers cited for opting into weekend work was the higher rates of pay. Workers surveyed were also predominantly using that money to support themselves and their families. This includes giving them a decent quality of life, even if they had to work unsociable hours to do it.

Just before Christmas, when people were catching up with family and friends for Christmas barbecues, I was catching up with my friends down at Lake Ginninderra. One of my friends came along. We usually catch up every year with all our kids, but one of her kids, who is older now and works in retail, was working on the Sunday that we caught up, so he could not join that Christmas celebration. He works on Sunday so that he can earn that extra money. That is an important consideration whenever we are looking at these low paid workers and the hours that they work.

The McKell Institute asked Australians who earn Sunday penalty rates what they would cut out if they lost them. They said they would have no discretionary spending, it would be more difficult to go out with friends, they would cancel plans for holidays, they would have no savings for unforeseen events, they would put off significant occasional expenses and have fewer little luxuries such as coffee, they would think twice about their daughter's dance lessons and they would not take their kids to the movies. There are people who, I understand, are willing to make decisions to cut the little luxuries from other people's lives. We should always remember that those who propose these cuts do not bear the burden themselves. Those who claim to care about the success of small business in this city should know that the discretionary earnings in one sector flow through to others.

As minister for community services, fair wages and a viable organisation are both crucial to the sustainability of community services in our city. We will continue to support these key priorities. Members may remember that in 2012 the ACT government was one of the first jurisdictions to announce its support for the equal pay case. Our longstanding support goes back to getting behind the claim of the Australian Services Union when the case was before Fair Work Australia, and we are the only government which can make that claim. We did it because we know that all low paid workers deserve a fair go. Whether they are working overnight at a residential youth service or making beds at one of the thriving hotels, workers deserve to be paid for working unsociable hours. In the community sector, closing the pay gap has meant a commitment of $60 million. This year the government is providing around $3.4 million to keep that progress going.

Any smart small business or business operator in this town, regardless of what kind of industry or sector it is in, will know that cutting the wages of its employees will not lead to the success of its business. Innovation and good client service are the key to making a business successful in this town. We see that every day.

As minister for social inclusion, I am committed to ensuring that the people who work in the coffee shops can afford to visit them on their days off as well, that people who work in hotels can afford to take a yearly holiday and that our aged care workers have money to put away for their own retirement. Not only are penalty rates good for the economy; the social inclusion they support is the most basic expression of a fair and inclusive society.

I am, as always, appalled by the short-sighted rhetoric of those who seek to take money away from the pockets of the lowest paid workers in this community. I will always stand up for those workers. I am proud to be part of a government that will always be part of standing up for those workers. I am also very pleased to hear that the Canberra Liberals have indicated that they would not support any calls for cuts to penalty rates for low paid workers in this town.

Discussion concluded.

Public Accounts—Standing Committee
Statement by deputy chair

MS PORTER (Ginninderra): In the absence of Mr Smyth as Chair of the Standing Committee on Public Accounts, I will make a couple of committee statements on his behalf as deputy chair.

Pursuant to standing order 246A the chair wishes to make a statement on behalf of the Standing Committee on Public Accounts relating to statutory appointments in accordance with continuing resolution 5A.

Continuing resolution 5A was agreed by the Legislative Assembly on 23 August 2012. The requirements of the resolution set out a transparency mechanism to promote accountability in the consideration of statutory appointments. The resolution requires relevant standing committees which consider statutory appointments to report on a six-monthly basis, and present a schedule listing appointments considered during the applicable period.

The schedule is required to include the statutory appointments considered and, for each appointment, the date the request from the responsible minister for consultation was received and the date the committee's feedback was provided. For the applicable reporting period—1 July 2015 to 31 December 2015—the committee considered six statutory appointments.

I therefore table a schedule of statutory appointments for the period 1 July 2015 to 31 December 2015 as considered by the Eighth Assembly's public accounts committee in accordance with continuing resolution 5A. I present the following paper:

Public Accounts—Standing Committee—Schedule of Statutory Appointments— 8th Assembly—Period 1 July to 31 December 2015.

Statement by deputy chair

MS PORTER (Ginninderra): On behalf of the chair, pursuant to standing order 246A I wish to make a statement on behalf of the Standing Committee on Public Accounts relating to inquiries about certain Auditor-General's reports currently before the committee.

As to the review of Auditor-General's report No. 2 of 2015 on the rehabilitation of male detainees at the Alexander Maconochie Centre, on 17 April 2015 the report was referred to the committee for inquiry. This report presented the results of a performance audit that examined the efficiency and effectiveness of the planning, management and delivery of rehabilitative activities and services provided in the AMC for male detainees.

The report contained 10 recommendations. The government tabled its response to the audit report on 4 June 2015. In its response, the government agreed with all recommendations. The committee received a private briefing from the Auditor-General in relation to the audit report on 15 October 2015.

Pursuant to its resolution of appointment, the committee has inquired into this audit report and resolved on 10 November 2015 to bring it to the attention of another standing committee for further consideration. Accordingly, the committee has written to the Standing Committee on Justice and Community Services.

As to the review of Auditor-General's report No. 4 of 2015 on the ACT government support of the University of Canberra for affordable student accommodation, on 12 June 2015 the report was referred to the committee for inquiry. This report presented the results of a performance audit that examined the government's support to the University of Canberra for affordable housing. The report contained five recommendations. The government tabled its response to the audit report on 29 September 2015.

In its response, the government agreed in principle with recommendations 1 and 2, agreed with recommendations 3 and 4, and noted recommendation 5. The committee received a private briefing from the Auditor-General in relation to the audit report on 15 October 2015.

Pursuant to its resolution of appointment, the committee has inquired into this audit report and resolved on 10 November 2015 to bring it to the attention of another standing committee for further consideration. Accordingly, the committee has written to the Standing Committee on Education, Training and Youth Affairs.

As to the review of Auditor-General's report No. 5 of 2015 on the integrity of data in the Health Directorate, on 19 June 2015 the report was referred to the committee for inquiry. This report presented the results of a performance audit that examined the integrity of activity based funding data reported by the Health Directorate to the Independent Hospital Pricing Authority and the effectiveness of the management of that data. The report contained 18 recommendations.

The government tabled its response to the audit report on 29 September 2015. In its response, the government agreed with 15 recommendations and agreed in principle with the remaining three. The committee received a private briefing from the Auditor-General in relation to the auditor's report on 21 September 2015.

Pursuant to its resolution of appointment the committee has inquired into this audit report and resolved on 10 November 2015 to bring it to the attention of another standing committee for further consideration. Accordingly, the committee has written to the Standing Committee on Health, Ageing, Community and Social Services.

Crimes (Sentencing and Restorative Justice) Amendment Bill 2015

Debate resumed from 19 November 2015, on motion by **Mr Corbell**:

> That this bill be agreed to in principle.

MR WALL (Brindabella) (4.00): l would like to start off by saying the Canberra Liberals will be supporting this bill today. However, I would like to place on the record a number of observations and potential concerns that we have identified. This bill will amend the Crimes (Sentencing) Act 2005, the Crimes (Sentence Administration) Act 2005 and the Crimes (Restorative Justice) Act 2004 and introduce a new sentencing option for courts and broaden access to restorative justice. The new sentence, called an intensive correction order, is formulated by the bill's provision to be a stand-alone way of serving a sentence of imprisonment, and it effectively replaces periodic detention.

The bill's explanatory statement tells us:

> The intensive correction order is designed to be punitive while still allowing the courts to incorporate elements of rehabilitation. It will allow offenders to remain in employment and maintain their community ties which are important to reduce the risk of future offending.

If one or more of the other conditions of the order are breached then the Sentence Administration Board is authorised to conduct a hearing of the matter and can impose a short period of full-time imprisonment as well as other more traditional consequences, such as the cancellation of the order and reference to a full-time custodial sentence permanently.

Conditions that can form part of an intensive correction order may include orders such as non-association orders, requirements to undertake community service or attend counselling or rehabilitation programs as well as restrictions on going into certain places, curfews and reporting conditions. It is at this point that I choose to raise some of the concerns.

Firstly, the opposition are disappointed that there is no inclusion of electronic monitoring or tracking of individuals on these orders. The decision not to use this kind of technology is a missed opportunity to ensure the integrity of a community-based sentencing option. Secondly, the sentence provides an alternative to full-time prison terms of up to two years but with an option of being extended for up to four years. However, the act allows for non-association orders to apply only for periods of up to two years, leaving a gap for intensive correction orders that extend beyond a two-year generation.

The key to this kind of sentencing option is the enforcement of swift, certain and proportionate consequences for failing to comply with the conditions of the sentence. The opposition holds some concern about the ability and capacity of the Sentence Administration Board to be able to administer and monitor the breaches as opposed to the court of sentencing. In a system where bottlenecks appear often, it is important that there are no impediments in the process and that any breach is treated consistently and firmly.

In relation to restorative justice changes, the opposition welcomes the broadening of access for adult offenders. However some concerns have been raised about the final

expansion of RJ to incorporate all offenders for all crimes—namely, the broadening of RJ to sexual offenders and perpetrators of domestic violence.

As has been raised previously and discussed yesterday on the motion relating to restorative justice, the Canberra Liberals believe the establishment of a dedicated domestic violence court is a more appropriate first step in working with victims and perpetrators within the legal system. The Canberra Liberals agree with the ACT Law Society in its opposition to certain aspects of this bill—namely, the referral of certain matters to the Sentence Administration Board rather than the sentencing court and the lack of electronic monitoring, as I have discussed previously.

The Law Society released a media statement that says, in part:

> Implementation of ICOs, including the power to order electronic monitoring, was seen by the Society as a valuable sentencing option for courts in the ACT. The Society's support was based on an understanding that ICOs would be subject to review by the sentencing court and that electronic monitoring would be available.

The release continues:

> The Society opposes the Government's proposal to allow decisions related to breach, suspension and cancellation of the ICOs to be taken by the Sentence Administration Board rather than the sentencing court.

The bill makes provisions for a review mechanism, which is a prudent step. In our view this could have been brought forward from post the three-year-mark in order to allow any adjustments to be made earlier rather than later. That said, the implementation of this bill will be keenly watched by the opposition. The success of the implementation of intensive correction orders lies well beyond the reach of legislation but much more in the will and the attitude taken in the approach of implementing these measures.

As Mr Hanson alluded to yesterday, there are complex issues with restorative justice as we move forward. The principles of restorative justice are entirely appropriate in the right circumstances and in dealing with lower level offences. However, we have strong reservations about the inclusion of more serious offences as the orders are rolled out more broadly. This aspect will, again, be something the opposition will be watching closely. The consideration of restorative justice for less serious domestic violence offences and sexual assault offences is an aspect that does not sit well. Instead, the Canberra Liberals continue to see the need for the implementation of a domestic violence court dedicated to dealing with family violence cases. This would pave the way for a more consistent approach to the handling of these matters within our legal system.

In closing, we will be supporting the bill but reiterate our observations and the concerns that we have raised and note that we will be keeping a close eye on it as it is rolled out in the coming months.

MR RATTENBURY (Molonglo—Minister for Corrections, Minister for Education, Minister for Justice and Consumer Affairs and Minister for Road Safety) (4.06): As the minister for justice with responsibility for Corrective Services, I am deeply interested in reducing the number of people who are in our prison. The AMC, along with every jail in Australia, has experienced extraordinary increases in the number of detainees over the past three years. I find myself in the unfortunate position of regularly updating the community on prison population records with the most recent high figure being in the 420s.

As a member of the government and a member of my community, I also have an interest in reducing offending and reoffending. We all know that this will lead to a safer, more secure city, and that less crime is good for everybody in the community—not just victims but also their affected families, the police, our schools and our hospitals.

While Canberra has low levels of crime compared to most other jurisdictions, we need to do more to achieve an overall reduction in prisoner numbers. With detainee numbers showing no signs of reducing under a business as usual response, the ACT government has embarked on a new and innovative justice reform strategy. Two years ago I convened a series of roundtables that saw government and non-government representatives come together to consider what we were doing well and what we could improve in terms of responding to increased incarceration rates.

From this, the government started to implement changes that are now showing practical and tangible legislative outcomes, which leads us to today's debate. The purpose of the bill before us is twofold. It will see the ACT move away from the outdated weekend detention model and make available a new sentence called an intensive community correction order. It introduces both a new community-based sentencing option into the territory's sentencing framework and implements phase 2 of the restorative justice scheme in two stages. Both aspects of the bill reflect the government's priority of creating a fair and safe community.

In 2014 I supported the attorney's collaborative development of the justice reform strategy and the justice reinvestment strategy. The justice reform strategy is focusing on sentencing law and practice and the justice reinvestment strategy is developing a whole-of-government strategy aimed at reducing recidivism and those at risk of becoming offenders from the justice system. ACT Corrective Services is also working to develop new prison industries and detainee employment services to sit alongside our existing education and training programs. And in the near future the government will respond to the 55 recommendations of the Standing Committee on Justice and Community Safety's inquiry into sentencing. All of this work combined is a welcome approach designed to both tackle overcrowding in our jail and, as I have stressed, make our community safer.

A fair and safe community means one that is fair and safe for everyone. That includes victims of crime, offenders and the broader community. The challenge for any government is to create a justice system that balances the rights and needs of all sections of society, not just one. It has long been recognised that sending offenders to

full-time detention is appropriate only as a last resort. Offenders will ultimately be released back into the community at some point and are faced with challenges in reintegrating.

It is therefore in the interests of the whole community that those offenders who have a prospect of reformation should be provided with a real and effective opportunity for change through a community-based sentence, where appropriate to do so. If successful, the offender benefits by being provided with therapeutic and rehabilitative support to reduce the likelihood of reoffending. There can also be benefit to victims of knowing that the offender has accepted personal responsibility and is working to change their behaviour while still being subject to an appropriate penalty for their offending. And of course there are benefits to the broader community in reduced recidivism rates.

The new intensive correction order introduced by this bill has been created to provide a modern and progressive alternative to full-time detention. It is designed as a direct alternative to a jail sentence. Indeed, a sentencing court is required to decide that a sentence of imprisonment is the only appropriate penalty before considering whether to allow an offender to serve that sentence in the community. As such, it is a sentence of last resort, just short of full-time detention.

The intensive correction order provides the court with an opportunity to support the best interests of the community and the offender by providing the court with the ability to take a multifaceted approach to creating a sentence which is able to serve a number of the different purposes of sentencing. The intensive correction order does this by requiring every offender who receives such an order to be under the supervision of ACT Corrective Services and also to be subject to a set of strict conditions. Further conditions may be added for specific purposes such as rehabilitation. It is up to the offender, ultimately, to comply with these conditions. It is a requirement of the legislation that the sentencing court makes it clear to the offender what their obligations will be if an order is made, and the offender must consent to the intensive correction order being made. This ensures acceptance of personal responsibility by the offender, which is important for the order to succeed.

There are a number of other prerequisites that must be met before a sentencing court may impose an intensive correction order. One such prerequisite is the length of the sentence of imprisonment. An intensive correction order may only be made where the appropriate sentence of imprisonment does not exceed two years. A four-year sentence may be the subject of an intensive correction order only where the sentencing court considers it appropriate when taking into account the factors of harm, risk and offender culpability. This requirement ensures that the most serious offences, or combination of offences, are not eligible for an intensive correction order while providing the ability, in limited circumstances, to impose a longer order than would usually be the case where it is appropriate after careful consideration.

A sentencing court must have regard to any pre-sentence report and to a specific intensive correction order assessment prepared by ACT Corrective Services. The intensive correction assessment must address the suitability of the offender for an order with reference to drug and alcohol dependence, medical conditions, criminal

record and response to previous court orders, employment and personal circumstances, compliance with the intensive correction order assessment and the living circumstances of the offender. I should emphasise that it is not the intent of the bill to preclude offenders with, for example, alcohol or drug problems from receiving an intensive correction order but to take these matters into account.

There are serious considerations given to an offender's living circumstances. This recognises the potential impact of an intensive correction order on other members of the household. Where a curfew condition is imposed, the bill's provisions go further and require the consent of other members of the household, or their parent or guardian, to the offender living there. This acknowledges that obliging an offender to stay at an address for specified periods may create tensions within the household that may place family or other household members at risk.

The most fundamental element of this order will be the intensive level of supervision. Upon commencement of the order, offenders will be subject to close supervision. There will be multiple contacts with ACT Corrective Services every week, including home visits and visits to workplaces. There will be frequent meetings with corrections officers, drug testing at least once a week where there are substance abuse issues and the imposition of curfews. ACT offenders will find the intensive correction order unlike any community order they have ever seen. It will challenge them, and it will be tough to complete. And that is the point, because in meeting the requirements of the order, they will need to change the way they are living their lives.

This new sentence is designed to allow all aspects, including the punitive and rehabilitative elements, to take effect immediately and will, except for limited circumstances, not allow for combination sentences. It would be difficult to rationalise another sentence following on from an intensive correction order as either the order would have been completed successfully, and so there would be no real purpose in a further subsequent sentence, or the order would not have been completed, with inevitable consequences for the offender.

Breach of the intensive correction order is a notable difference from other sentences. Emerging evidence from overseas jurisdictions is moving towards a "swift, certain, sure but proportionate" approach to breaches which has proved very promising in reducing rates of reoffending. The approach sees offenders who have breached their order being taken to court within a very short time frame and receiving a short period in custody to mark the breach before being released to complete the order. Dealing with an offender who breaches an order without delay ensures a clear connection between the breach and the consequences and serves to reinforce the importance of compliance in the mind of the offender.

The breach process for the intensive correction order is underpinned by this thinking in what is a real innovation for the territory. The processes to bring offenders before the Sentence Administration Board will be streamlined to ensure as short a delay as possible in the hearing and consideration of an allegation that the order has been breached. Once a breach has been proved the Sentence Administration Board has new options to mark the breach. This includes imposing three days imprisonment where a breach is admitted by an offender, but seven days if the breach is denied but is then

found to have occurred. This will not only encourage offenders to admit breaches which have taken place without causing delays, but will serve to provide a strong reminder of their obligations under the order without the adverse consequence of longer periods in custody.

But the board will always have the option to cancel the order, which may be necessary where, for example, it is clear that an offender is not going to comply in the future. This will mean that the offender will be required to serve the remainder of their sentence in full-time detention unless they successfully apply to the board for the intensive correction order to be reinstated. This can only be done after a minimum period of 30 days, and the burden is clearly placed on the offender to convince the board they will comply with the order in the future.

The Sentence Administration Board has a very important role to play in determining breaches of conditions. The board administers parole orders and has been dealing with breaches of periodic detention and so has a specific focus and level of knowledge in such matters, as well as the ability to list matters for hearing with minimal delay. The processes for bringing breaches before the board have been designed to ensure the requirements for procedural fairness have been met while delivering on the concept of swift, certain and proportionate consequences.

I encourage the community and the legal fraternity to look at each innovation and policy in this area not in isolation but as a whole-of-government reform process that has at its heart a desire to promote a better approach response for victims, more effective deterrence for criminal behaviour and a more strategic and cohesive justice system able to respond to the issue of crime in our community.

Combined with existing programs such as extended through-care, the implementation of the CBR A step up for our kids and the better services framework, I believe these new initiatives will see the ACT become a safer place to live for all. I am pleased to support the bill today.

MS PORTER (Ginninderra) (4.18): I am pleased to be able to speak to this bill today and I wish to address the aspects of the bill that deal with restorative justice. Today we reach another important milestone in a restorative community. It will serve to advance and facilitate the already very successful restorative justice options not only for young people for minor offences but also for both young people and adults involved in more serious crime.

As we heard yesterday, restorative justice provides the person or persons who have been harmed with a voice and gives them an opportunity to seek restoration for that harm. The person who has carried out the harmful behaviour can hear those voices and understand the impact of their behaviour.

The restorative justice unit has utilised restorative practices to support more than 2,880 victims. Since 2005 the restorative justice unit has managed more than 3,900 offences for young people who have committed less serious offences, and more than 1,175 conferences have taken place during this time. All referrals to the

restorative justice unit since 2005 have related to young people who have committed less serious crimes. However, these results are just the beginning of what can be achieved.

As I said earlier, the ACT community has seen great results for the first stages of the ACT government's restorative justice scheme. I am positive that the results will not only continue but also increase when adults and more serious offences are included in phase 2 and later in phase 3.

This bill therefore introduces a phase 3 for the restorative justice scheme as well as redefining phase 2. Phase 2 will now include adults and more serious offences, including more serious offences for young people, while still excluding all domestic violence and sexual offences. This phase will commence on notification once the bill is passed. Phase 3 will expand the restorative justice scheme to domestic violence and sexual offences and will commence by way of ministerial declaration.

This is another step towards a restorative city. As Mr Corbell said yesterday, establishing a restorative city is a big and bold step. However, I believe that Canberra and Canberrans, as I said yesterday, are up to "big and bold". This is all contributing to a bigger picture. It is a step along the way to a vision that will see the ACT become a restorative city, as I said. This positive step will allow us to evaluate the outcomes and inform future decisions beyond phase 2 and phase 3.

This is not rocket science; one only needs to do the appropriate research on how other cities internationally have benefited from restorative practices similar to the ones this government has or will be implementing. It is important not to confuse restorative justice with law and order campaigns, and it is important not to believe the answer to crime is to ramp up sentencing and to seek to blindly punish all who commit an offence.

I encourage those opposite to do the research about what restorative justice actually is and understand why the ACT is internationally recognised for our hard work in this area, including this new bill that is before us today. To some it seems to be the soft option. Let me assure you that it is not. Anyone who has sat in on a conference and has seen an offender face up to and listen to the person or persons harmed with that person's family present and who has also had to face up to and listen to their own family or friends who also may express their deep pain and frustration, will know that this is not an easy road.

That is why Jack Straw, former United Kingdom Home Secretary, decided to fund restorative justice in the UK. While in Oxford in 1991, I was told by Sir Charles Pollard, Chief Constable of the Thames Valley police force, that after Jack Straw witnessed an ordinary court case where a young man was sentenced for his crime, he spoke to the young person and asked him about his experiences. Sir Charles Pollard reported to me that the young man told Jack Straw that it was no big deal; he did the crime, he got the slap from the beak and that was that. And he was sentenced. Jack Straw contrasted that with what he witnessed when he watched a young person experiencing a restorative justice conference and having to justify his actions and realise the harm he had caused. Afterwards he spoke with the young man, who

apparently told Jack Straw that he had not realised the harm he was causing and had found the experience very challenging and life changing.

That is why we should support this bill to allow the extension of restorative justice to phases 2 and 3. Many more people will have their voices heard; many more will have an opportunity to heal and many more offenders will realise, probably for the first time, the enormity of what they have done and have the option to make restoration. They will have the opportunity to make restoration to those he or she harmed, and also a chance to restore their own lives.

I am proud of this Labor government for introducing this bill. I thank Minister Corbell for his commitment to this process, and particularly the restorative justice aspects contained in this bill. I am happy to support it.

MR CORBELL (Molonglo—Deputy Chief Minister, Attorney-General, Minister for Capital Metro, Minister for Health, Minister for Police and Emergency Services and Minister for the Environment and Climate Change) (4.24), in reply: I thank members for their support of this bill. These are very important reforms to sentencing options in the territory, through both the establishment of the new intensive correction orders regime, which will replace the current sentencing option of periodic detention when that is phased out shortly, and the establishment and expansion of the restorative justice framework here in the ACT, with the extension of it to adult offenders and serious crimes and, ultimately, to adult offenders for sexual and domestic violence offences.

These are very significant reforms. I note the comments from the opposition about the operation of the Sentence Administration Board. My colleague Minister Rattenbury dealt with that matter very well. The government has chosen the use of the Sentence Administration Board as the body to deal with breaches of ICOs to ensure that there is an appropriately independent, experienced body that is able to deal with these matters in a timely way. Central to the integrity of an intensive correction orders regime is timely decision-making on sanctions for breaches of the ICO. Without that, the ICO regime is fatally compromised because offenders will not treat them seriously. So we need to ensure that there is a timely, as well as objective, impartial and independent, assessment of the circumstances surrounding a breach. The SAB—the Sentence Administration Board—is clearly the most effective choice in that regard.

Turning to the issue of electronic monitoring, I note Mr Wall's comments on that. All I would say in relation to that matter is that this bill does not rule out the capacity to use electronic monitoring. Electronic monitoring remains an option open to the government. As Minister Rattenbury indicated, Corrective Services continue to explore options for the implementation of electronic monitoring when it relates to those offenders who have been sentenced through the intensive correction orders process.

Finally, in relation to restorative justice, this is a very important reform. The international academic assessments of the effectiveness of restorative justice are very clear. The Campbell Collaboration review, which I have mentioned a number of times in this place, found that there is a very high level of satisfaction from victims of crime

with the outcomes of restorative justice processes. That is the key indicator. Victims themselves say, "This was a good process, it was a process that allowed us to face the offender, to require them to understand the harm that had been done, to require them to make recompense, to require them to make apology, to require them to deal directly with the circumstances of their offending behaviour." Victims consider this mechanism, restorative justice, to be very effective.

The ACT is very much leading the way when it comes to restorative justice. We are expanding its application to adults for serious crimes and we are also going to expand it to adults for domestic and family violence matters where that is appropriate. In many circumstances, particularly for those most serious matters, it will sit alongside the traditional, conventional criminal justice process and it will involve requirements for people to be convicted or to plead guilty to particular offending behaviour before they are able to participate. But it is about restoration for victims. That is what is important about this scheme.

If victims are treated better by our criminal justice system through restorative justice and if all the evidence suggests that that is the case, we should be seizing the opportunities that it presents. I am very pleased that this bill establishes the legal framework for that to occur. I thank members for their support of the bill and I look forward to its implementation in the coming months.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Human Rights Amendment Bill 2015

Debate resumed from 7 May 2015.

Detail stage

Bill, by leave, taken as a whole.

MR CORBELL (Molonglo—Deputy Chief Minister, Attorney-General, Minister for Capital Metro, Minister for Health, Minister for Police and Emergency Services and Minister for the Environment and Climate Change) (4.30): This bill is brought back to the Assembly today following the results of the Standing Committee on Justice and Community Safety's inquiry into the bill. The standing committee made a number of recommendations in relation to the bill.

Overall, the committee supported the Assembly passing this bill today. The reason for that is that the bill does two particularly significant things. The first is that it places a binding duty for public authorities to comply with the right to education, as set out in the Human Rights Act. That means that public authorities can be held to account by

courts and tribunals when it comes to the application of that right and their day-to-day decision-making around access to education. That is a very important reform.

The second change is to establish formal recognition of the prior ownership of Aboriginal and Torres Strait Islander peoples when it comes to this land. This is a very important change. It is consistent with the approach adopted in the Victorian charter of human rights and responsibilities, and it allows us to provide for acknowledgement of the distinct spiritual, material and economic relationships that Indigenous people have with the land and waters and other resources under their traditional law and custom. It is a step that has been endorsed and welcomed, developed in concert with the ACT elected body; I thank them for the work they have done with the government to bring us to this point.

Clearly, this was the matter that had the most concern for the committee. Whilst I do not doubt that all of the committee felt that there was value in this reform, they asked some questions around issues that related to native title and the application of native title law in the territory. I am pleased to say that I feel the government has been able to address those matters during the inquiry process, and that we have made clear, to the extent that we are able to, our understanding of the application of native title law here in the ACT.

But this change today is not about changing the legal framework that deals with arbitration in relation to a native title claim. Instead, it is about saying that in our Human Rights Act we should recognise the distinct and unique cultural rights of Aboriginal and Torres Strait Islander people, including the importance of relationship to country. It is restating, reaffirming and re-enforcing the tone and tenor of the relationship between the government, the elected representatives in this place, and the traditional custodians, the traditional owners of this country, the Aboriginal and Torres Strait Islander people. It is about saying that we want to strengthen that partnership further, that we want to provide opportunities for further collaboration, and that we want to recognise in the territory statute books that there is provision and recognition of the enduring and ancient connection that Indigenous people have had with this land for millennia.

I would like to thank the committee for their work and their report on the bill. I urge members to support its passage today. On a closing note, I would like to table a revised explanatory statement to this bill, which deals with some of the matters that the committee recommended be dealt with in its inquiry on the bill.

MR HANSON (Molonglo—Leader of the Opposition) (4.35): The opposition will be supporting the bill. The process has been a good one. The initial bill was tabled by the Attorney-General in March last year; it came forward for debate in May, and there have been a number of issues raised through the scrutiny of bills process. After debate, the bill was referred for inquiry by the JACS committee, which has done its job. It presented a report after a reasonably brief inquiry. I think it added to the clarification around some matters that had been raised and, as the Attorney-General alluded to, specifically the rights of Aboriginal and Torres Strait Islander people in the ACT.

I am very pleased by the way that this process has been handled. I think that on all sides there has been a cooperative approach, both in this place and in the committee, to what I would hope is the desire of all of us in this place: to make sure that we are implementing the right framework, in this case to the advantage of Aboriginal and Torres Strait Islander people, for rights to an education and children's rights. These are all very important matters that we would all hold dear. As we are changing the law, we need to ensure that there are no unintended consequences from what we are doing in this place, and I am comfortable that we have done that.

I thank the members of this place for their cooperation through this process, for working collegiately on it. I thank the committee for its useful inquiry and its report, which I read. I am satisfied that, from that process, the questions that were raised in scrutiny have been resolved. As I said, we will be supporting this bill today.

MR RATTENBURY (Molonglo) (4.37): I will be supporting this bill today. I indicated my support for it in principle last year when we first examined this legislation. It was then referred to the Standing Committee on Justice and Community Safety. They considered it, and the government provided their response on Tuesday. I thank the committee for their scrutiny of this bill and their report.

In particular, this bill expands the recognition and realisation of economic, social and cultural rights in the ACT, as opposed to civil and political rights, which, as members will know, are much more legislatively advanced here in the territory.

The bill extends the binding obligations on public authorities in part 5A of the Human Rights Act to the right to education. The right to education was previously recognised in the act, and this was due for amendment in 2012. However, the change today amends the legislation to enliven that right and it ensures that the ACT government has to act and make decisions consistent with the right to education.

Part 5A of the act is the part that extends obligation to public authorities and ensures they must act consistently with human rights. The corollary is that a person may take legal proceedings in relation to public authority actions if they are contrary to human rights. Essentially, the change in this bill will switch on the right to education in the ACT. Beyond mere recognition, it actually requires action.

I note that in 2012 the Greens proposed the amendment which would have activated the right in that year, instead of waiting four more years. This was not accepted at the time. It is one example of something that happens fairly often: the Greens argue for a change that is initially dismissed; a few years later, that idea is accepted. I am particularly pleased that this change is now being accepted as I begin my work as the minister for education.

The bill also adds a section to the Human Rights Act to recognise that Aboriginal and Torres Strait Islander peoples hold distinct cultural rights. It specifies that Aboriginal and Torres Strait Islander peoples must not be denied the right to have their material and economic relationships with the land and waters and other resources with which they have a connection under traditional laws and customs recognised and valued. I

strongly support this change. "Recognised and valued" are the words the bill uses. There is nothing to fear here, and I think a lot to celebrate. I had hoped that the Assembly would have been ready to enact this law last year; but, as confirmation, the committee has also recommended that we enact this change. Surely all share this belief that we must recognise, respect and value the continuing connection to land and culture of Aboriginal and Torres Strait Islander people in spite of the lasting impacts of colonisation.

Native title is a complex area of law, and it was the subject of some discussion in the committee report. I will not go into it in detail, but I see that the government response includes providing a new explanatory statement that may go some way to assisting in alleviating some of the confusion created by the description of "extinguished" that was used in the original bill.

The report, particularly on this issue, offered a comprehensive critique and helpful suggestions regarding the importance of full, well-reasoned and substantiated explanatory statements. I agree that explanatory statements are particularly important to crossbench and opposition members and, of course, the broader community. The whole idea is that the sometimes complex legislation we debate in this place is made clearer and more understandable for the community. The community should be able to understand and engage with the law. I will personally take the committee recommendations in this space as useful advice and a reminder as to my duties in working on legislation in this Assembly.

I note that clause 5 of the bill was supported by the committee. As the explanatory statement reads:

> This clause implements a conclusion of the 2014 review of the HRA—

the Human Rights Act—

> and a proposal of the Children and Young People Commissioner that an explanatory note be included in section 11—protection of the family and children to indicate that a child also has the other human rights set out in the HRA. This note will alert the reader to the fact that the HRA applies equally to children, and that children are entitled to enjoy all rights guaranteed in the HRA in their own right and not only by virtue of their membership in the family unit, which must be protected …

In relation to the committee's recommendations regarding children and young people, which are outside the scope of today's debate, I cannot remember having had these specific issues raised with me before. I am, however, happy to have further discussions regarding the appropriate definitions and whether references to "child" should read "child or young person" and references to "children" should read "children or young people" if other members feel this should be progressed at a later stage.

As an example of the range of views on these matters of definition, I am aware the UN Convention on the Rights of the Child defines a child as everyone under 18 unless "under the law applicable to the child, majority is attained earlier". However, the United Nations definition of "youth" for statistical purposes defines "youth" as those

persons between the ages of 15 and 24 years without prejudice to other definitions by member states.

Here in the ACT, while we have a legal system that broadly considers people under 18 years old appearing before a court to be children, we have defined ages of criminal responsibility that are more nuanced. We also regularly use language in regard to community service-funded agencies that refer to "youth" being 12 to 25 years of age. There are some tricky definitional questions in that space in light of the findings by the committee.

In closing, let me say that I look forward to seeing these important changes in the current bill before us move from debates in the Assembly to reality in our community. In particular, I look forward to seeing the recognition that is due to Aboriginal and Torres Strait Islander peoples being incorporated in future publications of the ACT Human Rights Act.

DR BOURKE (Ginninderra—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Children and Young People, Minister for Disability, Minister for Small Business and the Arts and Minister for Veterans and Seniors) (4.43): I am pleased to join my colleague and the previous Minister for Aboriginal and Torres Strait Islander Affairs, Ms Yvette Berry, in voicing my support for the Human Rights Amendment Bill 2015.

This bill is a major step forward in the protection and promotion of human rights in the ACT. The changes put forward in this bill follow the 2014 review of the Human Rights Act 2004 in consultation with the ACT human rights commissioner and in consultation with the Aboriginal and Torres Strait Islander Elected Body. The amendments acknowledge the unique and distinct culture of Aboriginal and Torres Strait Islander peoples consistent with the United Nations Declaration on the Rights of Indigenous Peoples.

As I have noted before, the preamble to the Human Rights Act already acknowledges the special significance and continuing importance of the cultural rights of Aboriginal and Torres Strait Islander people, the first people and first owners of this continent. However, the Human Rights Act does not yet formally acknowledge those rights. Aboriginal and Torres Strait Islander cultures are an intrinsic part of our regional culture and identity. Canberra is home to the descendants of Aboriginal people whose history here is evidenced for at least 20,000 years. Canberra is also home to Aboriginal and Torres Strait Islander people with connections to lands and waters across Australia.

Minister Berry advised the Assembly on 7 May 2015 that:

> The proposed amendment to the preamble of the Human Rights Act 2004 to replace "Indigenous people" with reference to "Aboriginal and Torres Strait Islander peoples" may be only a minor change but it is significant and it is supported by the elected body because it acknowledges that Aboriginal and Torres Strait Islander peoples are not a homogeneous group with a uniform culture and heritage and identity but, rather, they are a diverse group with differing histories and aspirations, even here in the ACT and surrounding regions.

Making amendments to the Human Rights Act 2004 will greatly support the ACT government's reconciliation action plans and the Aboriginal and Torres Strait Islander justice partnership. The signing of the ACT Aboriginal and Torres Strait Islander agreement on 23 April 2015, in partnership with the Chief Minister, Head of Service and my predecessor, as well as the chair of the elected body, further strengthens the importance of these amendments. I agree with Ms Berry that changes in the Human Rights Amendment Bill 2015 will embed the principle of inclusion of Aboriginal and Torres Strait Islander people's cultural rights in the way we do business, supporting the strategic and community priorities of the ACT Aboriginal and Torres Strait Islander agreement.

In developing these new amendments, the ACT government has benefited from the expertise and input of the elected body. The elected body advised the ACT government that the amendments to the Human Rights Act 2004 needed to be consistent with the United Nations Declaration on the Rights of Indigenous Peoples. I would like to take this opportunity to acknowledge and thank the members of the elected body for their assistance, and I look forward to building on this partnership with the elected body in the future.

The bill inserts a new section 27(2) into the Human Rights Act 2004 to provide:

> Aboriginal and Torres Strait Islander peoples hold distinct cultural rights and must not be denied the right—
>
> (a) to maintain, control, protect and develop their—
>
> (i) cultural heritage and distinctive spiritual practices, observances, beliefs and teachings; and
>
> (ii) languages and knowledge; and
>
> (iii) kinship ties …

These amendments demonstrate the ACT government's commitment to acknowledging the importance of the United Nations Declaration on the Rights of Indigenous Peoples and including the cultural rights of Aboriginal and Torres Strait Islander peoples in the ACT's Human Rights Act.

Aboriginal and Torres Strait Islander peoples' special and ancient connections with land and waters need to be formally recognised. The bill seeks to do just that.

I believe that the proposed changes to the Human Rights Amendment Bill 2015 are an important and positive step towards rightfully recognising Aboriginal and Torres Strait Islander peoples. When we debated this bill in May last year, I reminded the Assembly that the recognition of Aboriginal and Torres Strait Islander peoples' rights to express and maintain their identity and culture, their kinship ties and their material and economic relationship with land and waters is part of moving forward towards national reconciliation. Making these amendments to the Human Rights Act will recognise those special rights and relationships in the ACT legal and justice system

and will reflect the spirit of the ACT's government commitment to advancing reconciliation across all aspects of government. I commend the bill to the Assembly.

Bill, as a whole, agreed to.

Bill agreed to.

Adjournment

Motion by **Mr Gentleman** proposed:

That the Assembly do now adjourn.

Lone Fathers Association of Australia

MR COE (Ginninderra) (4.49): I rise this afternoon to speak about the Lone Fathers Association of Australia. The Lone Fathers Association was established here in Canberra in the early 70s by Mr Barry Williams, together with other men with similar concerns and issues, to help lone fathers and to lobby government for reform. I met with Mr Williams a couple of months ago at the association's premises in Kingston and was impressed by his strength of commitment and his resolve to assist Australian families.

Mr Williams's work in the area began in the early 70s when he became a lone father with four children, the youngest of whom was just 13 months old. Mr Williams discovered there was little support for men who were caring for children and it was largely through his efforts, initially driven by his own circumstances, that awareness has increased and reforms introduced gradually.

Since beginning in Canberra, the Lone Fathers Association has spread around the country, with branches in cities such as Mackay and Launceston. The organisation is now well known for its family law advocacy as well as providing a range of resources and assistance to those in need.

The phones at their offices ring around the clock, often with calls from people who are extremely distressed, sometimes suicidal, due to the trauma of their families breaking up. In recognition of Mr Williams's work in support of families over several decades, Mr Williams was awarded the medal of the Order of Australia in the 2015 Queen's Birthday honours list. The citation for the award records Mr Williams's honour as being awarded for service to the community, particularly through support of families. Mr Williams was also the ACT Senior Australian of the Year in 2005. The awarding of the OAM followed the awarding of the British Empire Medal to Mr Williams in 1980 for his efforts in lobbying on behalf of lone fathers and their children and assisting lone fathers on an individual basis.

The Lone Fathers Association has also received a notable achievement, the Volunteer Achievement Award from President Obama, for their contribution to family law and suicide prevention. This award recognised the work of Mr Williams and his longstanding national executive, including his vice president, Jenny Wilson; secretary, Faye Stacey; and treasurer, Nita Shaw.

The association needs more financial support, and I encourage the government to consider what support can be offered to them. I commend the work of the Lone Fathers Association to the Assembly. For information on the work of the Lone Fathers Association I encourage members to visit their website at lonefathers.org.au.

Volunteering awards

MS LAWDER (Brindabella) (4.52): Today I received some notification that nominations for the 2016 ACT volunteer of the year awards are now open, and I take this opportunity to congratulate Volunteering ACT who, as you well know, Madam Deputy Speaker, do an outstanding job coordinating these awards and the celebrations during National Volunteer Week, given your longstanding involvement, including previous employment, with Volunteering ACT. Here in Canberra we have so many outstanding people and organisations who are involved in the volunteering sector, people who volunteer their time making a valuable contribution to our community.

For the past five years, Beyond Bank have partnered with ACT Volunteering to sponsor the awards, and there have been some very worthy recipients. These awards give the recipients a moment to reflect and receive some recognition and admiration for the tireless work they undertake each and every day to make our community a better place. And most volunteers are not doing it for any reward or recognition; they are doing it because they identify a need in their community and they want to help bridge that need. Any reward or recognition that comes is perhaps a bonus to them, but it is certainly not what they are seeking.

These awards certainly are a way of acknowledging the very valuable and significant contribution that volunteers make to our community each and every day and night. In my electorate of Brindabella alone there were numerous recipients last year. Just to name a few, we had Brett Howland, Randa Vincent, Irene Scott, Glenda Ferman-Fish, Alison Yialeloglu, David Hutchison, Beverley Crittall, Vanessa Crowe, Gordon McAlpine, and Clinton Ramsay.

In 2014 the ACT Volunteer of the Year was Michael D'Elboux of Kulture Break, who has been the backbone of this great organisation working with young people. He is an excellent role model for the next generation. In 2013 the ACT Volunteer of the Year was Lanyon Youth and Community Volunteers, a team of 20 volunteers who support their community through bus transportation of young people across the ACT, working at the Lanyon Food Hub Emergency Relief Centre, working in the Lanyon Ladle Community Soup Kitchen, and assisting with child care. In 2011 the ACT Volunteer of the Year was Jeannie Bruce of Banks for her vital counselling service, which often involved saving lives without expectation of any public applause or recognition and at great personal sacrifice.

The 2016 awards ceremony will be held on Monday, 9 May and nominations for the awards, as I have said, are now invited across the following eight categories: arts and environment; community care and health; community service; education, science and technology; emergency services; skilled volunteer, sport and recreation; and the young person under the age of 25.

Initiatives like the ACT volunteer of the year awards provide us all with a great opportunity to promote and enhance volunteering in the ACT region, and I thank Volunteering ACT and Peter Rudder, the general manager of community development of Beyond Bank Australia. I hope that all members promote the awards and the award process and encourage their own constituents to nominate an individual or team of volunteers. You can go to www.volunteeringact.org.au, with nominations closing on Wednesday 30 March 2016.

Question resolved in the affirmative.

The Assembly adjourned at 4.57 pm until Tuesday, 16 February, at 10 am.

Answers to questions

Roads—University of Canberra hospital (Question No 509)

Mrs Dunne asked the Minister for Roads and Parking, upon notice, on 27 October 2015 *(redirected to the Minister for Health)*:

(1) What studies have been undertaken in relation to the impact of the University of Canberra sub-acute hospital on the adequacy of surrounding public roads infrastructure, potential traffic congestion, parking arrangements and public transport (a) during construction of the hospital and (b) after the hospital is commissioned to service.

(2) What were the (a) terms of reference for those studies and (b) outcomes of those studies.

(3) What public consultation was undertaken in relation to those studies and to what extent did that public consultation impact on the outcomes of those studies.

(4) What strategies will be adopted to mitigate any problems identified in those studies.

(5) If no studies were undertaken (a) why not, (b) when will they be done and (c) what terms of reference will guide them.

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

Please refer to answers provided to Question No 510.

Roads—University of Canberra hospital (Question No 510)

Mrs Dunne asked the Minister for Planning, upon notice, on 27 October 2015:

(1) What studies have been undertaken in relation to the impact of the University of Canberra sub-acute hospital on the adequacy of surrounding public roads infrastructure, potential traffic congestion, parking arrangements and public transport (a) during construction of the hospital and (b) after the hospital is commissioned to service.

(2) What were the (a) terms of reference for those studies and (b) outcomes of those studies.

(3) What public consultation was undertaken in relation to those studies and to what extent did that public consultation impact on the outcomes of those studies.

(4) What strategies will be adopted to mitigate any problems identified in those studies.

(5) If no studies were undertaken (a) why not, (b) when will they be done and (c) what terms of reference will guide them.

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

(1) A traffic analysis report has been prepared, which assessed the impacts of the University of Canberra Public Hospital (UCPH) operation on surrounding public roads, traffic congestion, overall parking arrangements and requirements for public transport. The report considered the impacts for both the construction period and following commencement of services.

(2) (a) The Preliminary Sketch Plans (PSP) served as the terms of reference for the traffic analysis report, with the report considering the performance of surrounding intersections, potential traffic congestion, parking arrangements and public transport once the hospital was operational.

(b) The outcomes of the traffic analysis report included identification of requirements for parking, public transport, intersection requirements and access.

(3) Public consultation on the reference design, informed by the PSP, for the UCPH occurred from March 2015 to April 2015. The reference design, inclusive of the PSP and traffic impact assessment report, has also been subject to the statutory public consultation requirements of the Development Application process.

From submissions received during the public consultation periods, modifications on the design were made to access roads, car parking, public transport access points and general facility operations.

(4) ACT Health is working with Territory and Municipal Services Directorate on requirements identified, and these are subject to future budget funding decisions.

(5) Studies have been undertaken, with no further studies required at this stage.

Parking—Mount Rogers Primary School (Question No 531)

Mrs Dunne asked the Minister for Education and Training, upon notice, on 29 October 2015 *(redirected to the Acting Minister for Roads and Parking)*:

(1) What is the status of the Mount Rogers Primary School parking concept plan.

(2) Over what period were public consultations held.

(3) To what extent was the Mount Rogers Primary School community and staff consulted as principal stakeholders.

(4) What changes were made to the concept plan as a result of the consultation phase.

(5) Has a final plan been developed; if so, when will be final plan implemented; if not, when will the final plan be developed.

(6) Were any changes made to parking at the school during the 2015 school year.

(7) Are any changes planned to parking at the school during the 2016 school year.

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

(1) The parking concept plan, involving on street signs and line marking changes has been finalised with the school principal. Residents who live in the vicinity of the school and who may be directly impacted by the plan were previously consulted and will be notified of the changes before they are implemented. The plan will be implemented before the start of Term 1 2016.

(2) Over the period 2014-15.

(3) The school principal and school community were key stakeholders and have been consulted on the parking concept plan.

(4) Changes to on street parking and the location of the school bus stop on Alfred Hill Drive as well as modifications to the existing pick up and set down area were identified as a result of the consultation process.

(5) Yes. Implementation ahead of Term 1 2016.

(6) No.

(7) Changes are planned for on street arrangements on Alfred Hill Drive only at this point.

ActewAGL—trail damage (Question No 537)

Mrs Dunne asked the Chief Minister, upon notice, on 17 November 2015 *(redirected to the Treasurer)*:

(1) Did ActewAGL conduct work on the southern side of Drake Brockman Drive in Holt, between Trickett Street and Spofforth Street, on 3 September 2015; if so, was any damage caused to a walking or equestrian trail in the area.

(2) If damage was caused (a) what was the extent of the damage and has the damage been fixed, (b) what is the cost to date to fix the damage, (c) what will be the final cost of repairing the damage and (d) how much has ActewAGL contributed to the cost of repairing the damage.

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

(1) ActewAGL Distribution (AAD) confirms that it undertook work consisting of pole top upgrades on 3 September 2015. AAD aims to minimise damage when work is undertaken, however despite its best efforts, from time to time damage can occur. In this instance, as it had rained that morning, the track did suffer minor damage consisting of tyre tread indentations.

(2) The damage consisted of tyre indentations from AAD's elevated work platform on a muddy but firm track.

As part of AAD's standard site restoration process, this damage was repaired, with the path back bladed by a backhoe, with works completed by 12 September 2015.

All costs were borne by AAD but were not separately recorded.

Asbestos—management issues (Question No 539)

Mr Coe asked the Minister for Planning, upon notice, on 17 November 2015 *(redirected to the Chief Minister)*:

(1) How many (a) Development Applications and (b) Building Applications were (i) submitted and (ii) approved for work on 'Mr Fluffy' houses for each year since 2013.

(2) What was the (a) nature of the work and (b) address of the properties for the applications in part (1).

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

(1) (a) Development Applications

Year	(i) Number Submitted	ii) Number Approved	Type of Approved Development Applications	
2013	9	8	2	demolition and/or asbestos removal
			4	external works
			2	building alterations
2014	4	4	-	demolition and/or asbestos removal
			2	external works
			2	building alterations
2015 (to 20 November)	4	4	4	demolition and/or asbestos removal
			-	external works
			-	building alterations

(b) Building Applications

Year	(i) Number Submitted	Type of Building Applications	
2013	40	10	demolition and/or asbestos removal
		5	external works
		25	building alterations
2014	36	16	demolition and/or asbestos removal
		10	external works
		10	building alterations
2015 (to 20 November)	56	51	demolition and/or asbestos removal
		5	external works (new residence)
		-	building alterations

Please note: Building applications are submitted to a certifier, which is appointed by the lessee of the land. The certifier gives building approval.

(2) Development Applications are publicly available at http://www.planning.act.gov.au/topics/your_say/comment/pubnote/development_applications_ordered_by_da_number or on request from the Environment and Planning Directorate at 16 Challis Street Dickson.

Building Applications are not publicly available and due to privacy concerns this information cannot be released.

Aboriginals and Torres Strait Islanders—program funding (Question No 540)

Mr Wall asked the Minister for Aboriginal and Torres Strait Islander Affairs, upon notice, on 18 November 2015:

What is the allocation of funding/ budgeted expenditure for the (a) Chances program, (b) ACT Genealogy Project and (c) ACT Traineeship Program in the current budget year and for each year across the forward estimates.

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

a) Chances (name has changed to ConnXtions) - $220,000 per annum.

b) ACT Genealogy Project - no specific funding has been allocated for this project in the 2015-16 financial year. Any expenditure is accommodated by the Office of Aboriginal and Torres Strait Islander Affairs operating budget.

Similarly, there is no budgeted expenditure in the forward estimates.

c) The ACT Aboriginal and Torres Strait Islander Traineeship Program is centrally coordinated through Chief Minister, Treasury and Economic Development Directorate. Each Directorate funds their own trainee to a total cost, per trainee, in the order of $70,000. The $70,000 is broken into $45,000 salary, plus 33% on site costs, and approximately $10,000 for Cert III or Diploma training, selection and recruitment costs, and other development and training through the 12 month program. This year the program has 12 trainees, and the number is anticipated to increase in future years.

Children and young people—program funding (Question No 541)

Mr Wall asked the Minister for Children and Young People, upon notice, on 18 November 2015:

What is the allocation of funding for Youth Engagement Services in the current budget year and for each year across the forward estimates.

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

Refer to the Attachment describing the total funding for the Community Participation Group of which Youth Engagement Services are a component. The nominal expenses should remain consistent; except for changes made through the Budget process across the forward estimates.

Attachment A

COMMUNITY PARTICIPATION: OUTPUT CLASS 3

The Community Participation Group brings together a number of functions under one umbrella. The Group includes the functions Community Recovery, Youth Engagement, Office for Ageing, Office for Women and the Office for Multicultural Affairs. Within the same Output 3.1 is the Office for Aboriginal and Torres Strait Islander Affairs, the Community Development Grant Scheme and previously Community Facilities. As outlined during the Estimates Hearings the resources are largely pooled and this is found to be an effective use of resources given that the policy work and engagement activities can be episodic.

For this reason the figures provided for the Community Participation subunits are notional because staff in each area of the Community Participation Group work across other program areas on an as needs basis. Therefore these numbers are difficult to compare across the years.

2015-16 Budget

Output 3.1 Community Participation	**2014-15 $m**	**2015-16 $m**	**Comments**
Community Development	**11.60**	**12.10**	Community Development Grants $10.52m Community Sector Reform $0.48m Better Services Framework $1.10m
Community Facilities	**5.20**	**0.61**	Transfer properties to CMTEDD
Community Recovery		0.29	
Youth Engagement		0.38	
Office for Ageing		0.68	
Office for Women		1.20	
Office for Multicultural Affairs		3.81	
Office of ATSIA		2.45	
Overheads		0.11	
Community Participation Group	**8.51**	**8.92**	
Total	**25.31**	**21.63**	

ACT Work Safety Commissioner (Question No 542)

Mr Wall asked the Minister for Workplace Safety and Industrial Relations, upon notice, on 18 November 2015:

(1) What is the process for the appointment of the ACT Work Safety Commissioner.

(2) Who were the applicants for the last appointment of the ACT Work Safety Commissioner.

(3) When is the current appointment of the ACT Work Safety Commissioner due to be vacated.

(4) How many inspections of businesses have occurred in the last 12 months by WorkSafe ACT.

(5) How are businesses identified for inspection determined.

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

(1) The Work Safety Commissioner (the Commissioner) is appointed by a decision of the Executive in accordance with Schedule 2 of the *Work Health and Safety Act 2011* for a term of no more than seven years. A person may be reappointed for multiple terms.

In accordance with section 253 of the *Legislation Act 2011*, a function of the Executive may be exercised by two Ministers acting in concert. The incumbent Commissioner was appointed by the Chief Minister and Attorney-General.

(2) When the position was advertised in 2010, six applicants applied. In accordance with the principle 6 of the *Information Privacy Act 2014*, it would not be appropriate for me to disclose the personal information of individuals who applied for the position.

(3) The Work Safety Commissioner was appointed for five years. This appointment expired on 15 December 2015 and is being extended until 11 November 2016.

(4) Between 1 December 2014 and 1 December 2015, WorkSafe ACT carried out 2,779 worksite inspections.

(5) Businesses are identified for work safety inspections in two ways. A 'reactive' inspection is triggered in response to a reported incident or a complaint, and a 'proactive' inspection is triggered as part of a planned audit or inspection campaign.

Crime—motorcycle gangs (Question No 543)

Mr Hanson asked the Attorney-General, upon notice, on 18 November 2015:

(1) How many crimes have been committed by interstate members of Outlaw Motorcycle Crime Gangs (OLMCG's) in the ACT from (a) 1 July 2015 to date, (b) 1 July 2014 to 30 June 2015, (c) 1 July 2013 to 30 June 2014, (d) 1 July 2012 to 30 June 2013, (e) 1 July 2011 to 30 June 2012, (f) 1 July 2010 to 30 June 2011 and (g) 1 July 2009 to 30 June 2010.

(2) What was the range of offences committed by interstate members of OLMCG's in the ACT from (a) 1 July 2015 to date, (b) 1 July 2014 to 30 June 2015, (c) 1 July 2013 to 30 June 2014, (d) 1 July 2012 to 30 June 2013, (e) 1 July 2011 to 30 June 2012, (f) 1 July 2010 to 30 June 2011 and (g) 1 July 2009 to 30 June 2010.

(3) How many crimes have been committed by ACT members of OLMCG's in the ACT from (a) 1 July 2015 to date, (b) 1 July 2014 to 30 June 2015, (c) 1 July 2013 to 30 June 2014, (d) 1 July 2012 to 30 June 2013, (e) 1 July 2011 to 30 June 2012, (f) 1 July 2010 to 30 June 2011 and (g) 1 July 2009 to 30 June 2010.

(4) What was the range of offences committed by ACT members of OLMCG's in the ACT from (a) 1 July 2015 to date, (b) 1 July 2014 to 30 June 2015, (c) 1 July 2013 to 30 June 2014, (d) 1 July 2012 to 30 June 2013, (e) 1 July 2011 to 30 June 2012, (f) 1 July 2010 to 30 June 2011 and (g) 1 July 2009 to 30 June 2010.

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

ACT Policing does not collate data in a format that can respond to this request. To provide the member with this information would require ACT Policing to interrogate each police incident recorded in the Police Real-time On-line Management Information System (PROMIS) and the individual records of each criminal offender, placing an unreasonable time and resource impost on ACT Policing.

I can advise the member that on 1 August 2014 the Chief Police Officer for the ACT and I announced ACT Policing Taskforce Nemesis.

Taskforce Nemesis is a dedicated team within ACT Policing's Criminal Investigations to track, disrupt and prosecute those members of Outlaw Motorcycle Gangs (OMCG) involved in criminal activities such as drug trafficking, illegal firearms, money laundering, extortion and serious assaults.

I can advise that since April 2014, ACT Policing's Taskforce Nemesis:

- Has executed 87 search warrants across Canberra, seizing firearms, weapons, cash, and drugs.
- Put 44 OMCG members/nominees/associates before the court, or have received court dates, together facing a total of 127 charges.
- 19 of these persons remain before the court with hearings or trials pending.
- Of the finalised prosecutions, 85% have resulted in findings of guilt.

Taxation—stamp duty (Question No 544)

Mr Smyth asked the Treasurer, upon notice, on 18 November 2015:

(1) What was the number of residential property transactions that paid stamp duty in (a) 2012-2013, (b) 2013-2014 and (c) 2014-2015.

(2) What was the total revenue received from residential property stamp duty in (a) 2012-2013, (b) 2013-2014 and (c) 2014-2015.

(3) What is the projected number of residential property transactions to pay stamp duty in (a) 2015-2016, (b) 2016-2017, (c) 2017-2018 and (d) 2018 2019.

(4) What is the projected revenue for residential property stamp duty to be received for (a) 2015-2016, (b) 2016-2017, (c) 2017-2018 and (d) 2018 2019.

(5) How many residential property transactions paying stamp duty were for properties for the (a) 2012-2013, (b) 2013-2014 and (c) 2014-2015 financial years were valued in the range of (i) $300 000 to $400 000, (ii) $400 001 to $500 000, (iii) $500 001 to $600 000, (iv) $600 001 to $700 000, (v) $700 001 to $800 000, (vi) $800 001 to $900 000 and (vii) above $900 001.

(6) How many first home buyer grants were paid to residential property transactions for the (a) 2012-2013, (b) 2013-2014 and (c) 2014-2015 financial years were valued in the range of (i) $300 000 to $400 000, (ii) $400 001 to $500 000, (iii) $500 001 to $600 000, (iv) $600 001 to $700 000, (v) $700 001 to $800 000, (vi) $800 001 to $900 000 and (vii) above $900 001.

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

The number of residential property transactions that paid stamp duty in:

(a) 2012-13: 11,641
(b) 2013-14: 11,891
(c) 2014-15: 12,367

(1) Total revenue received from residential property stamp duty in:
(a) 2012-13: $165.0m
(b) 2013-14: $163.6m
(c) 2014-15: $164.8m

(2) Residential conveyance duty is forecast at an aggregate level and hence the projected number of transactions is not available.

(3) Based on the published 2015-16 Budget, the project revenue for residential property transactions to pay stamp duty in:
(a) 2015-16: $167.0m
(b) 2016-17: $174.5m
(c) 2017-18: $182.4m
(d) 2018-19: $190.6m

(4)

	Value range	**Residential property transactions**		
		2012-13	2013-14	2014-15
(i)	$300,000 to $400,000	2,666	2,717	2,797
(ii)	$400,001 to $500,000	2,927	2,917	3,030
(iii)	$500,001 to $600,000	1,827	1,809	1,821
(iv)	$600,001 to $700,000	1,015	1,034	1,261
(v)	$700,001 to $800,000	508	553	631
(vi)	$800,001 to $900,000	271	311	384
(vii)	above $900,001	445	499	637

(5)

	Value range	**Number of first home buyer grants**		
		2012-13	2013-14	2014-15
(i)	$300,000 to $400,000	1,058	657	771
(ii)	$400,001 to $500,000	1,032	578	520
(iii)	$500,001 to $600,000	374	214	100
(iv)	$600,001 to $700,000	126	74	25
(v)	$700,001 to $800,000	19	20	11
(vi)	$800,001 to $900,000	0	0	0
(vii)	above $900,001	0	0	0

Housing—first home buyer grants (Question No 545)

Mr Smyth asked the Treasurer, upon notice, on 18 November 2015:

(1) How many first home buyer grants were paid in (a) 2012-2013, (b) 2013 2014 and (c) 2014-2015.

(2) What is the assumed number of grants to be paid in (a) 2015-2016, (b) 2016 2017, (c) 2017-2018 and (d) 2018 2019.

(3) What is the median and average price of houses purchased by first home owners in (a) 2012-2013, (b) 2013 2014 and (c) 2014-2015.

(4) If data for part (3) is not available, what information does Treasury collect on first home buyers and can the Treasurer provide this data.

(5) When were first home owner grants only applicable to greenfield properties.

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

(1) Number of first home buyer grants paid in
(a) 2012-13: 3,037
(b) 2013-14: 1,860
(c) 2014-15: 1,706

(2) Please refer to response to Question on Notice AR14-15-No.5

(3) The rounded median price of houses purchased by first home owners in:
(a) 2012-13: $405,000
(b) 2013-14: $397,000
(c) 2014-15: $385,000

The rounded average price of houses purchased by first home owners in:
(a) 2012-13: $409,000
(b) 2013-14: $404,000
(c) 2014-15: $384,000

(4) n/a

(5) The first home owner grant was only available for new homes from 1 September 2013.

ACT public service—administrative overhead costs (Question No 546)

Mr Smyth asked the Treasurer, upon notice, on 18 November 2015:

(1) What is the standard administrative overhead used to calculate staff costs for the budget years (a) 2015-2016, (b) 2016 2017, (c) 2017-2018 and (d) 2018 2019.

(2) What elements make up the Government's standard administrative overhead cost used.

(3) What costing circumstances are these appropriate for.

(4) What circumstances do not apply and what is used in place of the provided administrative overhead cost.

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

(1) The overhead figure referred to by Mr Smyth was publicly released as part of the written guidelines outlining the administrative procedures for the costing of election commitments prior to the 2012 ACT Legislative Assembly election (namely the *Standard Costing Parameters 2012*) (the 2012 Guidelines)). This document, which is used by ACT Treasury to provide policy proposals costings to political parties on request, will be updated prior to the 2016 election and will be released by the Under Treasurer, pursuant to section 7 of the *Election Commitments Costing Act 2012*, towards the middle of 2016.

(2) The overhead amount contains elements such as those described on page 5 of the Guidelines (refer to the attached 2012 Guidelines).

(3) The overhead amount is incorporated into election costings that include a change in the total number of ACT public servants (that is, where a costed policy would require additional positions at the levels identified on page 7 of the Guidelines).

(4) The overhead amounts in Attachment A to the 2012 Guidelines would not be used if the policy proposal involved positions other than those specified. The costings would then use the cost elements identified in section 1.2 – for example, in the 2012 Guidelines the average total cost of a bus driver was $91,000. This included components such as salary, workers' compensation, superannuation, leave and so on.

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

Taxation—charitable organisations (Question No 547)

Mr Smyth asked the Treasurer, upon notice, on 18 November 2015:

(1) Can the Minister provide a breakdown of the elements, organisations, and associated values making up the stated $2 million impact addressed by the Revenue (Charitable Organisations) Legislation Amendment Bill 2015.

(2) What is the timeframe for the Government's recovery of this revenue.

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

1. It is anticipated that around 10 peak bodies and professional organisations will be affected by the Bill with a revenue impact of $2 million. Due to taxpayer confidentiality, I am unable to provide any more details.

2. The legislation does not recover revenue already paid to the Territory.

Budget—program funding (Question No 548)

Mr Smyth asked the Minister for Economic Development, upon notice, on 18 November 2015:

(1) What is the budget allocation from 2015-16 to 2018-19 for the (a) Innovation Connect (i) Clean Tech Sector, (b) CBR Innovation Network, (c) Global Connect, (d) Invest Canberra, (e) Skilled Migration Attraction, (i) Employer Sponsored Certified and (ii) Skilled Independent Certified, (f) ScreenACT, (g) ICT Sector Programs (i) NICTA and (ii) CollabIT, (h) Canberra BusinessPoint and (i) other Government programs not listed above.

(2) What is the actual expenditure for the programs referred to in part (1) in (a) 2012-2013, (b) 2013 2014 and (c) 2014-2015.

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

(1) Budget allocation 2015-16 to 2018-19:

		2015-16 $'000	**2016-17 $'000**	**2017-18 $'000**	**2018-19 $'000**
(a)	Innovation Connect	650	nil	nil	nil
(i)	Clean Tech Sector	'Clean Tech Sector' is not a program. It is an application category within the Innovation Connect program.			
(b)	CBR Innovation Network	1,180	1,180	880	800
(c)	Global Connect	750	750	nil	nil
(d)	Invest Canberra	1,020	520	nil	nil
(e)	Skilled Migration Attraction	nil	nil	nil	nil
(i)	Employer Sponsored Certified	'Employer Sponsored Certified' is not a program. It is a visa category defined by the Australian Government for the purposes of skilled migration.			
(ii)	Skilled Independent Certified	'Skilled Independent Certified' is not a program. It is a visa category defined by the Australian Government for the purposes of skilled migration.			
(f)	ScreenACT	250	nil	nil	nil
(g)	ICT Sector Programs	'ICT Sector Programs' is not a program. It is a category description used in the Output 8.2 Accountability Indicators for the NICTA and CollabIT programs.			
(i)	NICTA	2,500	nil	nil	nil
(ii)	CollabIT	100	nil	nil	nil
(h)	Canberra BusinessPoint	nil	nil	nil	nil
(i)	Other Government programs not listed above				
i.	Digital Canberra Challenge	100	nil	nil	nil
ii.	Study Canberra	688	688	nil	nil
iii.	Science Communication (including Inspiring Australia, National Science Week)	96	96	96	96

iv.	Strategic Opportunities Program	nil	nil	nil	nil
v.	Digital Canberra Action Plan	3,537	210	nil	nil
vi.	CBR Innovation Development Fund	700	1,450	nil	Nil

(2) Expenditure (a) 2012-13, (b) 2013-14, (c) 2014-15:

		2012-13 $'000	**2013-14 $'000**	**2014-15 $'000**
(a)	Innovation Connect	521	892	671
(i)	Clean Tech Sector	'Clean Tech Sector' is not a program. It is an application category within the Innovation Connect program.		
(b)	CBR Innovation Network	nil	nil	1,254
(c)	Global Connect	nil	616	474
(d)	Invest Canberra	348	429	472
(e)	Skilled Migration Attraction	292	232	102
(i)	Employer Sponsored Certified	'Employer Sponsored Certified' is not a program. It is a visa category defined by the Australian Government for the purposes of skilled migration.		
(ii)	Skilled Independent Certified	'Skilled Independent Certified' is not a program. It is a visa category defined by the Australian Government for the purposes of skilled migration.		
(f)	ScreenACT	285	285	285
(g)	ICT Sector Programs	'ICT Sector Programs' is not a program. It is a category description used in the Output 8.2 Accountability Indicators for the NICTA and CollabIT programs.		
(i)	NICTA	2,500	2,500	2,500
(ii)	CollabIT	100	100	100
(h)	Canberra BusinessPoint	700	700	175
(i)	Other Government programs not listed above			
i.	Digital Canberra Challenge	100	100	100
ii.	Study Canberra	nil	nil	285
iii.	Science Communication (Inspiring Australia, Science Engagement, 2015 Innovation ACT, TechLauncher)	249	95	94
iv.	Strategic Opportunities Program	347	300	nil
v.	Digital Canberra Action Plan	nil	716	770
vi.	CBR Innovation Development Fund	nil	nil	nil

Emergency services—volunteers (Question No 549)

Mr Smyth asked the Minister for Economic Development, upon notice, on 18 November 2015 *(redirected to the Minister for Police and Emergency Services)*:

(1) What is the cost to the Government to train an Emergency Services volunteer.

(2) What are the standard uniform and equipment costs and what are the additional associated costs for each volunteer.

(3) How much funding is currently allocated in the budget for Emergency Service volunteer training for the years 2015-2016 to 2018-2019.

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

(1) The cost of training emergency services volunteers is an approximation of a number of factors. Costs will vary between services as all volunteers will receive different levels of training dependent on their role and expertise. Costs may also vary as volunteer organisations may train their own volunteers, thereby resulting in reduced costs.

The emergency services volunteers identified include the Community Fire Units (CFUs), Rural Fire Service (ACT RFS), ACT State Emergency Service (ACT SES) and Mapping and Planning Support (MAPS).

The average cost to induct and train an emergency services volunteer to respond to a standard emergency response is detailed below:

a. CFU Volunteer - $182
b. ACT RFS Volunteers - $294.79
c. ACT SES Volunteers - $302.13
d. MAPS Volunteers - $45

(2) The average cost for standard uniform and equipment costs, per volunteer, per annum are:
a. CFU Volunteer - $554.62
b. ACT RFS Volunteer - $882.94
c. ACT SES Volunteer (Two piece) - $885.36
d. ACT SES Volunteer (Overalls) - $838.36
e. MAPS Volunteer - $52

(3) The ESA does not have a discrete line item budget for volunteer training. The Chief Officers of the respective Service determine the requirement for training and the resources involved.

Courts—magistrates (Question No 558)

Mr Hanson asked the Attorney-General, upon notice, on 19 November 2015:

For the Justice of the Peace Association what (a) is the salary cost of a Magistrate, (b) support staff does a Magistrate have, (c) is the cost of each of those support staff and (d) are the on costs (utilities, comms, etc.) for a Magistrates Chamber.

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

(a) From 1 November 2015 remuneration for a magistrate is $335,692 pa (see ACT Remuneration Determination 9 of 2015) plus superannuation and other entitlements such as a motor vehicle.

In relation to non-cash remuneration entitlements, Magistrates are entitled to a fully maintained private plated vehicle, vehicle parking and associated fringe benefit tax (FBT) or a payment in lieu. The current payment in lieu values are $21,500pa for a vehicle, $2,500pa for parking and $7,000pa for FBT.

The amount of employer superannuation will depend on whether the Magistrate is an existing member of the Commonwealth Superannuation Scheme or the Public Sector Superannuation Scheme or a fund of choice. The employer superannuation guarantee rate is currently 9.5%. If a Magistrate contributes an employee contribution of at least 3% then the Government will contribute an additional 1%. This would make Employer contributions of 10.5% in relation to fund of choice options. This is equivalent of $35,247.66 given the current base salary of $335,692.

Magistrates appointed after 14 December 2009 are entitled to be reimbursed for the private cost of phone, mobile phone or internet to the value of $1,500 indexed by CPI (*Magistrates Court Act 1930*, NI2009-644). The maximum value limit for 2015-16 is $1,721.

(b) Each Magistrate has one Associate.

(c) A Magistrate's Associate is an ASO3 officer with a salary starting at $57,417pa plus superannuation (see the Enterprise Agreement at

http://www.jobs.act.gov.au/__data/assets/pdf_file/0003/646005/Administrative-Agreement.pdf).

(d) The on-costs for a Magistrates Chambers are not separately monitored or calculated. The Budget Salary Costing Model issued by Treasury sets a standard overhead cost per full time equivalent (FTE) which covers accommodation, utilities, communications and other services. For 2015-16 that amount is $16,765pa per FTE. This means the estimated recurrent on-cost for a Magistrate's Chamber is $33,530pa.

Children and young people—grandparent carers (Question No 560)

Mr Doszpot asked the Minister for Ageing, upon notice, on 19 November 2015:

(1) How many grandparent carers are there in the ACT.

(2) What support services are currently provided to grandparent carers.

(3) What is the Government doing to (a) increase the assistance offered to grandparent carers and (b) assist grandparent carers experiencing difficulties finding playgroups for their grandchildren.

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

1. The ACT Government does not record this data. According to Australian Bureau of Statistics (ABS) data, 'grandparents provide child care for almost one-third of children of working parents. In June 2014, 30 per cent of children with two working parents received care from a grandparent.'[1]

2. The Child and Family Centres provide a suite of early interventions services and programs for parents and families in the ACT; this includes services available to grandparent carers. Services include case management, parenting supports, behavioural clinics, and early intervention for mental health concerns. The Child and Family Centres offer programs specifically for Aboriginal and Torres Strait Islander and multicultural families. The service model includes the co-location of services, such as Maternal and Child Health Services and ACT Playgroups.

   Specific to Out of Home Care, many kinship carers in the ACT are grandparents. Child and Youth Protection Services provide intensive case management, subsidies and therapeutic supports for the children in their care.

3. Under the ACT Government's new Out of Home Care Strategy, *A Step Up for Our Kids - One Step Can Make a Lifetime of Difference* an Advocacy Support Service for kinship and foster carers will be established to provide independent support and advice to assist them in their caring role. Establishment is expected in early 2016.

   ACT Playgroups is funded under the Children's Services Program to deliver playgroup activities to the Canberra community. Playgroups for grandparent carers are not currently identified by ACT Playgroups as an unmet need.

   The Community Services Directorate, via the Child and Family Centre webpage, maintains an online listing of Paint and Play playgroups across Canberra and provides links to ACT Playgroups.

1 Childhood Education and Care, Australia, June 2014, ABS. www.abs.gov.au/ausstats/abs@.nsf/mediareleasesbytitle/B80CB3BDAC6944AECA257601001B62F7?OpenDocument

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Seniors—employment (Question No 561)

Mr Doszpot asked the Minister for Ageing, upon notice, on 19 November 2015:

(1) How many people over the age of 65 are still working in the ACT.

(2) How is the Government increasing the rates of mature age employment.

(3) Are there currently any Government subsidised education/training programs to upskill mature age workers; if so, what are the (a) costs of the programs/initiatives and (b) performance measures for each program/initiative.

(4) What changes have been made to programs and funding levels for 2015-2016 compared to 2014-2015.

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

(1) The total number of people employed in the ACT who are over 65 is 5,700, consisting of 2,800 full time workers and 2,900 part time workers.

Source: ABS Cat. No. 6291.0.55.001, *Detailed Labour Force*, 19 November 2015.

(2) The ACT Government is committed to providing a range of volunteering and employment options for seniors including promoting training and/or re-skilling options for mature aged workers. On 19 November 2015, I tabled the ACT *Active Ageing Framework 2015 – 2018 and associated Action Plan*, which aims to facilitate opportunities for ACT Government directorates and the private sector to recognise and support mature age workers in gaining employment.

Projects which assist mature aged workers (aged 50 plus) to access programs and services that increase their ability to find work, re-skill and ensure that they remain active and productive members in our community, were identified as a priority area for projects to be funded under both the *2015 – 2016 Participation (Seniors) and Participation (Multicultural) Grants* programs. These grants are being actively encouraged throughout the ACT community.

(3) Subsidised vocational education and training (VET) in the ACT, through the Australian Apprenticeships and Skilled Capital programs, is available for residents aged 15 years and over. The ACT Adult Community Education Grants Program subsidises community-based learning projects conducted in the ACT for residents aged 18 and over. The Canberra Institute of Technology does not impose an upper age limit for access to its range of subsidised training.

(a) The total funding allocation to support Australian Apprenticeships, Skilled Capital and the Adult Community Education Grants Program in 2015-16 is just over $20m annually. The budget appropriation for the Canberra Institute of Technology is approximately $69m.

(b) The strategic and accountability indicators relevant to these training programs are reported in the Budget papers. None of these programs have measures specific to people over the age of 65. Under the National Partnership Agreement for Skills Reform, the ACT has a training outcome target for qualification completions by mature aged workers of 912 additional qualification completions above agreed baseline. The ACT is on track to achieve this target. Note the definition of mature age worker for this target refers to individual aged 40 and over, not only those over 65 years of age.

(4) The total funding allocations for subsidised VET training initiatives in the ACT remained largely unchanged during 2014-15 and 2015-16. The budget appropriate to the Canberra Institute of Technology increased by approximately $0.5m from 2014-15 to 2015-16.

Aged persons—housing (Question No 563)

Mr Doszpot asked the Minister for Ageing, upon notice, on 19 November 2015:

(1) What planning, in relation to housing, is the Government engaged in to address the needs of the ACT's ageing population.

(2) What strategies are being assessed to ensure that there is adequate access to appropriate and affordable housing in the ACT for the ageing in the future.

(3) What assistance, if any, is currently provided to seniors who live independently and require assistance in maintaining their homes and gardens.

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

(1) Planning for the needs of older Canberrans is a critical consideration for my combined portfolio responsibilities for ageing and planning.

With recent trends demonstrating the continued ageing of Canberra's population from 12% aged 65 years and over in June 2014 to an estimated 22% by 2062, planning recognises an ongoing need for adequate and appropriate housing choices for older Canberrans, from independently staying at home to those requiring more support and care in aged care accommodation.

On 19 November 2015, I tabled the ACT Active Ageing Framework 2015 – 2018 and associated Action Plan which, among other things, recognises the importance of the continuing work undertaken by Housing ACT and the Chief Minister, Treasury and Economic Development Directorate in providing age appropriate affordable housing and other forms of social housing for Canberra's seniors.

In the recently released *Minister for Planning's Statement of Planning Intent 2015* the need for housing to respond to Canberra's diverse and changing population in the future is recognised, particularly creating age-friendly neighbourhoods close to shops, transport and services.

Variation to the Territory Plan 306 (V306) introduced secondary residences as a housing option on a single dwelling block. A secondary residence can be up to 90m^2 in size and is permitted on large blocks over 500m^2. As the residence is required to be adaptable it provides the opportunity for Canberrans to age in place – living in the smaller secondary residence and either having family members live in the primary residence or rent this out as an additional source of income.

Current research confirms the positive benefits of people ageing within their community and continuing to live in familiar neighbourhoods. The planning response recognises the need for diversity in the demand for different housing types as people continue to age in place, either in their current homes or smaller, well-located retirement living choices, while gradually requiring the introduction of supportive aged care services.

This is a particular focus of the master plans being undertaken for town and group centres. As an example, the Weston Group Centre Master Plan identifies opportunities for diversity of housing choice, including supportive housing, and options to downsize and age in place close to the Weston Group Centre. The draft Variation to the Territory Plan (DV329 Weston Group Centre) incorporates the recommendations of the Weston Group Centre Master Plan.

The Territory and Municipal Services Directorate has completed a community survey of infrastructure and facilities in Weston and Ainslie. Weston and Ainslie are to be Canberra's first age-friendly suburbs by improving infrastructure and facilities to make pedestrian access and commuting easier for older residents.

(2) The government uses demographic data in a statistical model to determine the appropriate level of land to be released for use as aged care facilities and retirement

villages as part of the four year Indicative Land Release Program. The current program includes six sites suitable for aged care and retirement villages. These sites are scheduled to be released between 2015-16 and 2018-19.

(3) Provision of aged care services is the responsibility of the Commonwealth Government through the Department of Health. Please see http://www.health.gov.au/internet/main/publishing.nsf/Content/ageing-and-aged-care.

Budget—rates and concessions (Question No 564)

Mr Doszpot asked the Minister for Ageing, upon notice, on 19 November 2015 (*redirected to the Treasurer*):

(1) What is the annual cost of providing the current (a) Water and Sewerage Concession and (b) Energy and Utility Concession.

(2) What is the estimated cost of providing eligible residents in Independent Living Units to access the Water and Sewerage Concession.

(3) What was the total cost of providing the General Rates rebate during 2014 2015.

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

(1) The annual cost of providing the Water and Sewerage Concession during 2014-15 was $10.589 million. The annual cost of providing the Energy and Utility Concession during 2014-15 was $13.326 million.

(2) This is outlined on page 12 of the government's discussion paper on "Options to Improve the Fairness and Targeting of the ACT Concessions Program", which can be found on the government's consultation website at **www.timetotalk.act.gov.au**.

(3) The total cost of providing the General Rates Rebate during 2014-15 was $9.747 million.

ACTION bus service—flexi bus (Question No 565)

Mr Doszpot asked the Minister for Territory and Municipal Services, upon notice, on 19 November 2015:

(1) How many passenger boardings did the TAMS Flexi Bus Service have during 2015.

(2) How many bookings were made since the service's launch in September 2014.

(3) Why does the Flexi Bus Service not operate through the whole of Canberra.

(4) What is the annual cost of operating this service on weekdays.

(5) Has there been any consideration to extend this service to include weekends.

(6) What credentials are required by the elderly to access this service.

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

(1) During 2015, the Flexible Bus Service had 12,191 passenger boardings.

(2) Since the service's launch in September 2014, a total of 14,537 bookings were made.

(3) The Flexible Bus Service was developed and funded to operate on a trial basis in its first year of operation to service Belconnen, Woden/Weston and Tuggeranong. TAMS is monitoring unmet need in other areas of Canberra to determine the feasibility of introducing services to these areas.

(4) In the 2014-15 Budget, $500,000 was provided for the establishment of the service and for the development and trial of an electronic booking system. This has been achieved and in the 2015-16 Budget, a further $496,000 was provided to ensure ongoing operations including NDIS transport.

(5) At present, the Flexible Bus service operates only on weekdays. There are no immediate plans to operate on weekends.

(6) A passenger's eligibility to access the service is generally assessed on a case by case basis and a passenger may qualify for the service if they are:

- seniors card holders with mobility issues;
- seniors card holders aged 70 or over;
- living in a nursing home and/or retirement village;
- impacted by a permanent or temporary physical disability that prevents them from accessing regular route services;
- holders of a Vision Impaired (VIP), or Total and Permanently Incapacitated (TPI) travel pass issued by Public Transport/ACTION;
- impacted by other health issues that prevent them from accessing regular route services; or
- carers and attendants required to assist any of the passengers listed above in using the service.

ACTION bus service—free wi-fi service (Question No 566)

Mr Doszpot asked the Chief Minister, upon notice, on 19 November 2015 (*redirected to the Minister for Economic Development*):

Following the announcement that ACTION bus passengers will get access to free WiFi internet access on board buses (a) will WiFi be available on all buses and (b) when will this rollout occur.

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

(1) A trial of WiFi on ACTION buses commenced in December 2015. WiFi equipment has been installed on five buses. The results of the trial will inform the business case for a broader rollout across the ACTION bus network.

Information technology—cloud computing (Question No 567)

Mr Doszpot asked the Chief Minister, upon notice, on 19 November 2015 *(redirected to the Treasurer*):

(1) What is the reasoning for the rollovers of funding for the Data Storage Infrastructure and Hybrid Cloud projects.

(2) What stage is the development and use of cloud computing at within government buildings.

(3) What are the advantages of cloud computing for the ACT.

(4) What are the potential problems associated with Hybrid Cloud projects.

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

(1) The Hybrid Cloud program needed to work through a range of governance, legal and policy issues in addition to incorporating the announcement of the Federal Government Cloud Panel and the implementation of the ACT Government Protective Security Policy Framework (PSPF) during 2014/15.

The Data Storage project funding was rolled over due to the commencement of the Cloud initiative and the need to assess the impact of Cloud on the ACT Government's current data centre profile.

(2) Over the last 18 months numerous business units across government have incorporated cloud options into their ICT projects scoping. The Government will continue to evaluate cloud initiatives on a case by case basis.

(3) Cloud computing is a contemporary method of delivering many ICT services, and has the potential to reduce the cost of ICT for Government while improving service agility. Cloud is a sourcing and delivery model for ICT which enables on-demand access to shared pools of computing resources over a network utilising a consumption based charging model.

A feature of cloud computing is the ability to standardise and automate ICT products and services. Cloud computing:

- greatly increases the productivity of ICT infrastructure, meaning that more solutions can be hosted for the same amount of hardware, power, and data-centre space
- significantly simplifies and automates many ICT administration tasks, reducing the cost of support and maintenance and improving the responsiveness of ICT to business needs
- greatly increases business and ICT agility by reducing the time taken for infrastructure design, procurement, installation and configuration
- reduces the need for Government to maintain ICT infrastructure

(4) Cloud computing is a significant shift in how ICT services are delivered and managed, requiring many business, legal and security and privacy considerations to ensure quality outcomes. As such, each cloud solution needs to be assessed on its merits to ensure the desired outcome is achieved.

Information technology—strategies and rollouts (Question No 568)

Mr Doszpot asked the Chief Minister, upon notice, on 19 November 2015 *(redirected to the Minister for Economic Development)*:

(1) What is the reasoning behind the transfer of Digital Canberra from Government Strategy to Innovation, Trade and Investment.

(2) Why have there been delays in the rollout of the Digital Canberra Action Plan.

(3) How many Canberrans/visitors have used CBR free over the past year.

(4) Why have the rollout completion dates for Canberra town centres been continually delayed.

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

(1) Policy and Cabinet Branch in the former Chief Minister and Treasury Directorate originally coordinated the development of the Digital Canberra Action Plan. As the Digital Canberra Action Plan moved into implementation phase it was timely to transfer management to a program delivery area. The Innovation, Trade and Investment Branch also has close links with industry and Canberra's innovation community, which is of value in implementing the Digital Canberra Action Plan.

(2) The Digital Canberra Action Plan has an implementation timeframe of 2014 to 2018.

(3) The monthly number of unique users of CBRfree was around 15,000 in October 2014 compared to 30,000 in October 2015. As more CBRfree area footprints come on line, this usage data will naturally increase. Usage data is publically available at www.digitalcanberra.com.au.

(4) There have been delays in the rollout of CBRfree due to the need to upgrade the wiring within light poles on which outdoor Wireless Access Points (WAPs) are mounted. This is to meet Australian Standards.

Coordinating the rollout of CBRfree with Roads ACT's street light upgrade program, to maximise the cost effectiveness, has had scheduling challenges. The rollout of CBRfree to Dickson, Belconnen and Manuka was completed in October 2015. The Government is aiming to have the rollout to Tuggeranong and Kingston completed by March 2016 and the full rollout of CBRfree by the end of the 2015-16 financial year.

Government—procurement policy (Question No 569)

Mr Doszpot asked the Chief Minister, upon notice, on 19 November 2015 *(redirected to the Minister for Economic Development)*:

(1) What is the process for ACT Government procurements.

(2) What is the method by which these procurements are made.

(3) Is information relating to the cost of maintaining ICT infrastructure available to the public.

(4) Does the current procurement process place local businesses at a disadvantage.

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

(1) All Territory procurement is governed by the *Government Procurement Act 2001* (Act), the *Government Procurement Regulation 2007* (Regulation).

(2) See (1).

(3) Yes.

(4) No. In the case of Goods and Service Procurement, tenderers receive a weighting of up to 5 per cent for the proportion of the contract that will be delivered by local small and medium businesses. The government is also developing a Local Industry Participation Policy, with the objective of making it easier for local SMEs to compete for work on government contracts and which will apply to Territory procurements.

ACT Government procurement requires open and fair processes leading to the achievement of value for money. However, some of the performance requirements in contracts, such as the need to attend meetings or sites within specified timeframes, provide natural advantages to local businesses which are, by definition, already close to the locations. Local businesses also do not have to pay the travel and accommodation costs that businesses with a home base in other cities need to find.

Schools—information and communications technology (Question No 570)

Mr Doszpot asked the Minister for Education and Training, upon notice, on 19 November 2015 *(redirected to the Acting Minister for Education and Training)*:

(1) What is the total amount of funds directed to ICT equipment and programs in ACT public schools for the (a) 2013-2014, (b) 2014-2015 and (c) 2015-2016 financial years.

(2) What is the total funding from all sources directed to maintenance and servicing of ICT equipment in ACT public schools for the (a) 2013-2014, (b) 2014-2015 and (c) 2015-2016 financial years.

(3) What is the average computer terminal to student ratio in ACT public (a) primary schools, (b) high schools and (c) colleges.

(4) How many dedicated teacher librarian positions are there currently in ACT public (a) primary schools, (b) high schools and (c) colleges.

(5) What is the classification and cost of these teacher librarian positions.

(6) What training is offered to upskill teachers with the necessary librarianship qualifications required to be classified as teacher librarians.

(7) How many dedicated ICT teacher positions are there in ACT public (a) primary schools, (b) high schools and (c) colleges.

(8) What qualifications are required to teach ICT subjects.

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

1. The total amount of funds directed to ICT equipment and programs, and total funding directed to maintenance and servicing of ICT equipment in ACT public schools is as follows:

    - 2013-14: $24.7 million
    - 2014-15: $23.5 million
    - 2015-16: $26.0 million (budget allocation)

    The funding indicated above incorporates funding for ICT equipment purchases, equipment leasing costs, software licensing, maintenance, and servicing costs relating ICT equipment in ACT public schools.

2. Please see Question 1 above.

3. The ACT government has defined a minimum ratio of one device per three students across all levels of education in 2015/16.

4. Specific data about teacher librarians was most recently collected in mid 2014. At that time:

    (a) 31 primary schools reported a dedicated teacher librarian;
    (b) 8 high schools reported a dedicated teacher librarian;
    (c) 8 colleges reported a dedicated teacher librarian.

    In addition, 7 P-10 schools reported a dedicated teacher librarian.

5. Teacher librarians are typically within the classroom teacher classification and combine library responsibilities with a teaching component. Salary range is $59,790 to $94,517.

6. There is no additional post-graduate requirement for teachers to undertake a teacher librarian role. However, teachers may elect to undertake post-graduate studies as part of their individual learning plan and may also seek access to scholarship funding for that purpose through the Directorate.

7. Data, in the form requested, is not centrally held. All teachers employ a range of ICT skills.

8. All teachers are required to meet the general qualification for professional registration through the Teacher Quality Institute.

Teachers—mentoring
(Question No 571)

Mr Doszpot asked the Minister for Education and Training, upon notice, on 19 November 2015:

(1) How many (a) face to face teaching hours and (b) hours being mentored does a first year graduate have in ACT public (i) primary schools, (ii) high schools and (iii) colleges.

(2) How many hours are allocated by mentors.

(3) How are costs allocated for hours spent mentoring by (a) teacher and (b) school.

(4) Is there a cap on the number of hours teachers in a school can spend in mentoring activities.

(5) How are hours that are spent by senior teachers mentoring others counted in their teaching hours.

(6) Who makes decisions within a school in respect of what teachers are mentored and who provides the mentoring.

(7) How is the quality of the mentoring assessed and by whom.

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

1. First year graduate teachers in ACT public schools have reduced face-to-face teaching hours to facilitate enhanced support and mentoring:
   a) a maximum of
      i) 20 hours per week in primary schools;
      ii) 18 hours per week in high schools; and
      iii) 18 hours per week in colleges.
   b) This reduction in face-to-face teaching hours represents an additional time allocation, to be used flexibly to provide a coaching and mentoring support program designed to meet the development needs of each first year teacher, of
      i) 60 hours per year in primary schools;

ii) 40 hours per year in high schools; and
iii) 40 hours per year in colleges.

c) Also, first year graduate teachers in primary and secondary schools are allocated an additional six New Educator Support Days (36 hours) to release them and others (e.g. their mentors) from classroom duties as part of their individual New Educator Support Plan. [NB The New Educator Support Program, which spans the first three years of teaching experience with a total allocation of 15 days, may include classroom observations, coaching and mentoring, co-planning, evaluation and reflection, and attendance at professional learning courses].

2. The hours allocated to mentors of first year graduate teachers are:
   a) up to 60 hours per year in primary schools and 40 hours per year in secondary schools
   b) up to six New Educator Support Days (36 hours) allocated in the first year, which may also be used to release mentors.
   c) The actual hours allocated to mentors will be determined by individual development needs as negotiated by the first year graduate teacher and their supervisor, and documented in their New Educator Support Plan. Expectations of professional responsibilities for experienced teachers include mentoring New Educators and preservice teachers.

3. Schools are provided with additional funding for the New Educator Support Program, including reduced face-to-face teaching hours for first year graduate teachers and New Educator Support Days, as part of their annual staffing budget, based on the FTE of New Educators (i.e. classroom teachers in their first three years of teaching experience) at the school. Schools make decisions about the allocation of time (and therefore costs) devoted to mentoring programs based on each New Educator's Support Plan.

4. The cap on the number of hours teachers can spend in mentoring activities is determined by their own teaching responsibilities and the actual hours allocated by the school to release them from teaching duties to conduct mentoring. It is also likely that teachers will conduct some mentoring sessions with first year graduate teachers outside their face-to-face teaching hours.

5. Senior teachers involved in mentoring:,
   a) Executive Teachers (School Leader C) play a key role in mentoring classroom teachers in the team or faculty they lead. Time spent mentoring classroom teachers is generally undertaken outside their face-to-face teaching load (16 hours per week in primary schools and 12 hours per week in secondary schools). At the principal's discretion, their face-to-face teaching hours may be reduced where the mentoring load is high, e.g. where a high proportion of teachers in their team or faculty are New Educators.
   b) Since 2012, the Government has created an additional 46 Executive Teacher Professional Practice (ETPP) positions in schools specifically to model exemplary teaching practice and to coach and mentor teachers in order to build excellence in teaching practice at the school. Schools are also able to create their own ETPP positions and recruit from a pool of teachers assessed as suitable for these positions. Specific face-to-face teaching loads will be determined on a school-by-school basis up to the maximum for classroom teachers (21.5 hours per week in primary schools and 19 hours per week in secondary schools). This maximum includes any time spent modelling exemplary classroom teaching and observing other classroom teaching for the purpose of coaching and mentoring.

6. Decisions within the schools concerning mentors and mentees are made by the school leadership team in consultation with staff in planning the school's Annual Professional Learning Program. In addition to the New Educator Support Plans negotiated by teachers and their supervisors, coaching and mentoring programs involving teachers with the full range of experience are designed and implemented throughout the school year under the Professional Learning Communities component of the Annual Professional Learning Program in both primary and secondary schools.

7. Mentoring programs are designed, implemented and evaluated at the school, based on the individual professional development needs of teachers and the qualities and skills of mentors. Schools are supported by national frameworks and professional growth tools associated with the Australian Professional Standards for Teachers, the Quality Teaching model and professional learning opportunities for principals, school leaders and teachers undertaking the mentoring role.

Teachers—specialist positions (Question No 572)

Mr Doszpot asked the Minister for Education and Training, upon notice, on 19 November 2015 *(redirected to the Acting Minister for Education and Training)*:

(1) What are the current qualifications required for specialist teacher positions in ACT public schools for (a) librarians, (b) EALD and (c) languages.

(2) What shortages currently exist for teaching languages in ACT (a) primary schools, (b) high schools and (c) colleges.

(3) What languages currently have a shortage of teachers and what is being done to address that shortage.

(4) Is any primary school, high school or college currently offering languages for which there are not sufficient qualified teachers.

(5) In the event a school cannot attract a suitably qualified teacher for any subject, is that subject removed from the school offering; if not, how is that managed.

(6) In what subjects are there shortages of suitably qualified teachers.

(7) What assessment is done to ensure future needs in specialist subjects can be met.

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

1. All teachers are required to meet the general qualification standard for professional registration through the Teacher Quality Institute. This is completion of four years of full time higher education study, including at least one year of an accredited teacher education program, leading to the award of a school teacher qualification recognised under the *Australian Qualifications Framework*.

   Principals, as workforce managers at their site, determine the specific subject allocation of individual teachers and in so doing they take into account areas of expertise

developed through formal qualification and/or experience. ACT public school teachers are not required to have additional post graduate qualifications, such as in librarianship or Teaching English to Speakers of Other Languages (TESOL), although a number of teachers in fact do.

As required by the Australian Professional Standards for Teachers every ACT public school teacher accepts the responsibility of meeting the educational needs of every student through designing and implementing teaching strategies responsive to learning strengths and needs of students from diverse linguistic, cultural, religious and socio-economic backgrounds.

2. There are no shortages - all 2015 language positions in schools are staffed. There are five classroom teacher language focus positions for 2016 (three in the primary sector and two in the secondary sector) currently under selection.

3. Please see answer to Question 2 above.

4. No, 2015 language positions in all schools are staffed.

5. A subject may be discontinued from a school's offering but this would be based on a review of the overall core and elective structure including analysing subject choices by students, aligning to the Australian Curriculum and taking into account community commentary. If appropriate, schools make arrangements to "teach out" subjects thus ensuring that students who commence a sequence of units are able to complete their study.

6. There are no shortages in staff. The Education and Training Directorate is currently targeting recruitment in specific languages, design technology, computer science, learning support (example: autism education) and early childhood to ensure ongoing curriculum offering and delivery.

7. Regular interaction with principals about their staffing needs into the future and reflective of targets in their strategic and annual operating plans, informs Directorate discussions with universities and underpins decisions about alternative pathways example: Teach for Australia program or visa sponsorship. Under school based management practices, ACT public school principals, in consultation with their boards, determine the curriculum and staffing for their learning communities that best meets student needs.

Schools—psychologists (Question No 573)

Mr Doszpot asked the Minister for Education and Training, upon notice, on 19 November 2015:

(1) How many school psychologists are currently employed in ACT public schools in the 2015-2016 financial year as School Psychologist (a) 1.1, (b) 1.2, (c) 1.3, (d) 2.1, (e) 2.2, (f) 2.3, (g) 2.4, (h) 3.1 and (i) 3.3.

(2) What is the salary level for each school psychologist in part (1).

(3) How many were employed during (a) 2012-2013, (b) 2013-2014 and (c) 2014 2015.

(4) Are they all employed on a FTE basis; if not, what is the breakdown.

(5) What is the cost per psychologist in part (1).

(6) Are there currently any vacancies in categories in part (1).

(7) What is the current student to psychologist ratio in ACT public (a) primary schools, (b) high schools and (c) colleges.

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

(1) There are 63 school psychologists and nine senior psychologists employed to work with ACT public schools. The 63 School Psychologists equate to 43.96 FTEs. In the 2015-2016 financial year to date there are:

School psychologist classification	**No. of school psychologists**
New Psychologist	
a)1.1	0
b)1.2	4
c)1.3	2
Experienced Psychologist 1	
d)2.1	0
e)2.2	2
f)2.3	4
g)2.4	2
Experienced Psychologist 2	
h)3.1	6
1)3.2	43

(2) As at 1 November 2015 salaries for School Psychologists range from $72,107 to $103,481.

School psychologist classification	**Annual salary**
New Psychologist	
a)1.1	$72,107
b)1.2	$75,469
c)1.3	$78,830
Experienced Psychologist 1	
d)2.1	$82,191
e)2.2	$85,553
f)2.3	$88,915
g)2.4	$92,276
Experienced Psychologist 2	
h)3.1	$97,879
1)3.2	$103,481
Senior Psychologist	$118,049

(3) The number of FTE positions filled within financial years 2012-2013, 2013-2014, and 2014-2015 fluctuated due to resignations, retirement, maternity leave and leave without pay. The FTEs reported below indicates the FTEs of school psychologists at the start of the school year.

a) 2013 - 40.1 FTEs
b) 2104 – 42.2 FTEs
c) 2015 – 42.9 FTEs

The Directorate provides funding of school psychologists for 41.7 FTEs. Each year over recruitment is conducted to provide support when staff are on leave.

(4) School psychologists are employed on a full-time and part-time basis. There are currently 23 full-time school psychologists, 42 part-time school psychologists, five full-time senior psychologists and four part-time senior psychologists.

(5) The true salary cost of a school psychologist and senior psychologists is the salary cost plus 22.5% (on costs). The annual salary costs for 2015-2016 for School Psychologists and Senior Psychologists (without the four additional positions) is anticipated to cost $6,331,636 (salary and on costs).

The current average cost for 1 FTE (salary plus on costs):

a) School Psychologist is $117,988
b) Senior Psychologist is $143,107

(6) There are currently 0.4 of a full-time position vacant due to leave without pay and illness. Recruitment is underway to fill anticipated vacancies in 2016 due to retirement, leave without pay and retirements/resignations. Four additional temporary positions will be recruited as a result of the ACTPS Education and Training (Teaching Staff) Enterprise Agreement 2014-2018.

(7) The flexible need based response approach which senior and other school psychologists provides makes it difficult to calculate primary and high school and college ratios.

When all school psychologists and senior psychologists providing support to students are considered, the ratio of psychologist to child is 1:744.

Teachers—professional development (Question No 574)

Mr Doszpot asked the Minister for Education and Training, upon notice, on 19 November 2015:

(1) How many professional learning courses are currently accredited by the Teacher Quality Institute (TQI).

(2) How are the costs per course determined.

(3) What is the cost for teachers of courses conducted or endorsed by TQI.

(4) How many courses conducted or endorsed by TQI are free to teacher participants.

(5) How are courses promoted to relief teachers.

(6) What is the minimum number of PL hours per year a teacher must undertake to retain accreditation.

(7) How are professional learning portfolios of each teacher assessed and measured.

(8) How and by whom are courses assessed as suitable for accreditation by TQI.

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

(1) As of the 4 December there are 536 programs accredited for 2015.

(2) The cost is determined by the Recognised Provider. TQI does not charge a fee for accreditation of programs and does not receive any income from accredited programs.

(3) TQI does not determine cost of programs. This is determined by the provider. The cost of participation varies from $0 - $4300.00

(4) TQI does not determine cost of programs. Currently 389 accredited programs have no cost.

(5) Accredited programs are listed on the Online Register of Accredited Programs located on the TQI website and TQI Portal. Programs that have provided TQI with a flyer are advertised on the Events section of the Portal. The Education and Training Directorate and Catholic Education also advertise their programs on their professional learning calendars.

(6) All teachers need to record and reflect on a minimum of 20 hours of professional learning each year to meet their registration requirements.

(7) Approved delegates in schools verify teacher PL through a professional conversation with the teacher before the end of each school year.

(8) The *ACT Teacher Quality Institute Act 2010* specifies that TQI is responsible for the accreditation of teacher education programs and must assess the educational and management capacity of program providers. Each application is assessed to ensure it meets the criteria of Standards based, relevant, collaborative and future focused.

Education—Teach for Australia program (Question No 575)

Mr Doszpot asked the Minister for Education and Training, upon notice, on 19 November 2015:

(1) How many placements has Teach for Australia had in the ACT education system by (a) school and (b) subject category.

(2) What support does the ACT Government provide to Teach for Australia by way of financial contribution or other support.

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

The Directorate has participated in the Teach for Australia program since 2011, placing 40 participants in total including 11 for the 2016-2017 cohort.

a) By school:
- Caroline Chisholm School x 3
- Gold Creek School x 6
- Kingsford Smith School x 1
- Namadgi School x 3
- Belconnen High School x 3
- Calwell High School x 4
- Lanyon High School x 1
- Melrose High School x 4
- Canberra College x 4
- Erindale College x 3
- Hawker College x 1
- Lake Tuggeranong College x 5
- Melba Copland Secondary School x 2

b) By subject category:
- Humanities x 18
- Maths / Science x 13
- Languages x 8 (Indonesian x 3, French x 2, French/Spanish x 1, Spanish x 1, Japanese x 1)
- Psychology x 1

(2) The associates' salary cost over a two year contract is met by the Directorate. The salary is specified in the *ACT Public Sector Education and Training Directorate (Teaching Staff) Enterprise Agreement 2014-2018*. Salary is 80% of the New Educator (1.2) in year 1 and 80% of the Experienced Teacher 1 (2.1) classification in year 2 of the program.

The Directorate also provides additional funding for the reduced face-to-face teaching hours (80% rather than 100%) as part of the program requirements.

Schools—breakfast clubs (Question No 576)

Mr Doszpot asked the Minister for Education and Training, upon notice, on 19 November 2015:

(1) How many schools conduct breakfast clubs and (a) which schools and (b) how many days per week.

(2) Who runs the breakfast clubs.

(3) What is the average cost per breakfast club.

(4) What support does the ETD central office provide, if any.

(5) Are teachers involved in this activity; if so, is it counted in their rostered hours of work.

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

(1) Fifty five of 90 respondent schools (junior and senior campuses included in this number) conduct breakfast clubs. A comprehensive list of these schools is provided at **Attachment A**.

(2) Staff responsible for breakfast clubs across the ACT public schools include: youth support workers, chaplains, school health nurse, pastoral care coordinators, teachers, and learning support assistants. Community organisations external to the school are also involved in running breakfast clubs.

(3) See **Attachment A**.

(4) The Directorate provides funding each year to ACT public schools through the Student Support Funds. These funds are distributed to all ACT public schools for use by schools to support all students and especially those from low income families. This support may include breakfast clubs, access to excursions, book packs etc.

(5) In a number of schools, teachers are involved in running breakfast clubs. As indicated at **Attachment A**, of the 55 schools, 31 of the clubs involve teachers.

Of these 31 schools, 12 count the breakfast club hours as part of the teachers' rostered hours.

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

Canberra Institute of Technology—VET FEE-HELP (Question No 577)

Mr Doszpot asked the Minister for Education and Training, upon notice, on 19 November 2015 *(redirected to the Acting Minister for Education and Training)*:

(1) How many students enrolled in CIT courses utilise Vet Help to meet their course fees.

(2) How many students have failed to complete their studies by (a) year and (b) faculty.

(3) How and at what point after enrolment is CIT reimbursed or otherwise remunerated for those students.

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

(1) The following table shows the number of students that applied for a VET FEE-HELP loan in eligible VET FEE-HELP courses from 2012 to 2015.

Table 1. Students who applied for VET FEE-HELP: Enrolments by College and year

College	2012	2013	2014	2015
Business, Tourism & Accounting	6	10	16	87
Health, Community & Science				190
Technology & Design		39	79	225
Trade Skills & Vocational Learning				3
Total	**6**	**49**	**95**	**505**

Note: 2015 figures are provisional

(2) The following table shows the number of students completing courses in eligible VET FEE-HELP courses that applied for a VET FEE-HELP loan from 2012 to 2015. The figures provided are for students who have completed in a particular year. The figures in table 2 to relate to students shown in table 1. The completions do not always relate to the year of enrolment as some programs have a duration longer than one year, may be studied part time or full time, and some students take longer to complete their program than others. 2015 completions will be finalised around March 2016.

Table 2. Students who applied for VET FEE-HELP: Completions by College and year

College	2012	2013	2014	2015
Business, Tourism & Accounting	1	1	2	10
Health, Community & Science				20
Technology & Design			34	28
Trade Skills & Vocational Learning				0
Total	**1**	**1**	**36**	**58**

(3) CIT provides an estimate of expected VET FEE-HELP enrolments, and the amount of loans expected to be taken up, to the Australian Government a few months prior to the commencement of the academic year and prior to enrolments taking place. Modifications can be made to the estimate as required. The Australian Government funds CIT based on the estimate with funding being provided progressively throughout the academic year, on a fortnightly basis currently. At the completion of the academic year when enrolment figures have been finalised and reported, a reconciliation between the amount paid and actual enrolments is undertaken by the Australian Government, with overpayments being recouped or underpayment provided

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ACTION bus service—IKEA special service (Question No 578)

Mr Coe asked the Chief Minister, upon notice, on 19 November 2015 *(redirected to the Acting Minister for Roads and Parking)*:

(1) What is the cost of ACTION providing a special service to IKEA between 16 and 22 November.

(2) What is the cost of ACTION providing a shuttle service around Majura Park on 21 and 22 November 2015.

(3) What is the policy for ACTION providing special or shuttle services.

(4) What is the cost of providing temporary traffic arrangements.

(5) Who is paying for the temporary traffic arrangements.

(6) Who authorised the variable message board screen "IKEA opens November 16".

(7) What is the policy for messages on the variable message boards.

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

(1) The cost was $10,858.10 for ACTION to provide additional Route 10 services to IKEA between 16 and 22 November 2015.

(2) The cost was nil for ACTION to provide the shuttle service around Majura Park on the 21 and 22 November 2015. The service was paid for by IKEA as a charter.

(3) The provision of special or shuttle services is decided on a case by case basis. Public Transport conducts an analysis on any possible impact of an event to service delivery on the ACTION network and provide additional services accordingly.

(4) IKEA funded the cost of temporary traffic arrangements with nil cost to the ACT Government.

(5) IKEA.

(6) Roads ACT.

(7) Utilisation of VMS for major events which are likely to cause delays in traffic movements or parking are operational matters and are designed to ensure road users are able to relate the messages

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Government—ministerial phones (Question No 579)

Mr Coe asked the Chief Minister, upon notice, on 19 November 2015:

(1) What were the monthly costs of each Minister's mobile phone since July 2013.

(2) How many mobile phones are issued to staff, broken down by Ministers' offices and the Executive.

(3) What were the average monthly phone bills for each phone in part (2).

(4) How much did each Minister pay for private usage for each month in part (1).

(5) What additional ICT equipment is provided to Ministers and what is the (a) capital and (b) network or data costs associated with the devices.

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

1. The responses to questions 1, 2, and 3 for the 2013-14 and 2014-5 financial years are at **Attachment A**. Please note that a number of charges also include data related charges. A number of charges also do not reflect savings which are to be credited to the Executive under the new Optus contractual arrangements. These are credited to the Executive, rather than against individual phone accounts.

4. One Minister made a reimbursement of $19.80.

It should be noted that under new ACT Government contractual arrangements with Optus, there is a $15.45 (excl GST) monthly capped voice plan for unlimited voice, SMS and MMS calls, except to premium services (1900 numbers), international calls and global roaming. There is also a $15 per month data plan which provides access to an ACT Government shared data allowance. As such, the common requirement to reimburse personal costs in excess of $20 per month is under review.

5. Ministers can be provided with:

Device/service	Current annual cost	
PC and monitor	$261 $3,387	Annual rental Approximate annual ICT support costs *
Laptop	$591 $3,387	Annual rental Approximate annual ICT support costs *
ipad	$800 $504	Approximate purchase price Approximate annual subscription/data service/support
Remote access options	$200 - $588	Authenticated to the ACT Government network remotely

* Shared Services ICT support costs – network services; infrastructure/software; ICT security; staff support services

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

Planning—IKEA site (Question No 580)

Mr Coe asked the Minister for Planning, upon notice, on 19 November 2015 *(redirected to the Minister for Urban Renewal)*:

In relation to the IKEA store (a) what is the block and section of the site, (b) what is the status of the lease for the site and (c) how much was paid for the site.

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

(1)
(a) The IKEA store is on Block 7, Section 12, Pialligo.
(b) The lease granted was for a 99 Year Crown lease.
(c) IKEA paid $8,636,250 (inclusive of GST) for the site.

Transport—report card publication (Question No 581)

Mr Coe asked the Minister for Planning, upon notice, on 19 November 2015:

(1) Was the *Transport for Canberra Report Card* released by the Minister on 18 September 2014 independently reviewed before its release to determine if the assessments set out in the report were accurate.

(2) What was the cost of (a) production, (b) printing and (c) distribution.

(3) How many copies of the Report Card were printed and how was the distribution list determined.

(4) When is the next report due given the commitment in the Transport for Canberra Policy to the release of a report card each year.

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

(1) No.

(2) a. $0
b. $0
c. $0

(3) No hard copies were printed. The report card is publicly available from www.transport.act.gov.au.

(4) The Government is considering the recommendations of the Auditor General's *Report No 9 of 2015 Public Transport – The Frequent Network* in relation to the report card. A report card will be released in 2016.

Government—ministerial correspondence (Question No 582)

Mr Coe asked the Minister assisting the Chief Minister on Transport Reform.

(1) Can the Minister provide the standard deadline for replies for ministerial correspondence from (a) Members of the Legislative Assembly and (b) members of the ACT public.

(2) Can the Minister provide for the period from 1 July to 31 October 2015 the (a) number of completed ministerial correspondence items and (b) percentage of the ministerial correspondence items completed within the standard deadline.

(3) Can the Minister provide for the period from 1 July to 31 October 2015 the number of (a) ministerial correspondence items not completed within the standard deadline and (b) ministerial correspondence items marked for no further action for the period.

(4) What is the average time for ministerial correspondence to be signed and completed for (a) Members of the Legislative Assembly and (b) members of the ACT public for (i) 2014-2015 financial year and (b) 1 July to 31 October 2015.

(5) Is it a requirement that ministerial correspondence from Members of the Legislative Assembly be responded to.

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

(1) There is no standard deadline for replies to ministerial correspondence. Correspondence whether from a member of the Legislative Assembly or a member of the public is responded to in the same manner. The response time can be impacted by a range of factors.

(2) (a) I am unable to provide figures as this is a portfolio rather than a directorate. The Chief Minister, Treasury and Economic Development Directorate, Environment and Planning Directorate and Territory and Municipal Services Directorate all report on Transport Reform and collating this information would be an unreasonable diversion of resources.

(b) There is no standard deadline for ministerial responses.

(3) (a) There is no standard deadline.

(b) As per the answer to question (2)(a) above.

(4) As per the answer to question (2)(a) above.

(5) No it is not a requirement.

Government—ministerial correspondence (Question No 583)

Mr Coe asked the Minister for Roads and Parking, upon notice, on 19 November 2015:

(1) Can the Minister provide the standard deadline for replies for ministerial correspondence from (a) Members of the Legislative Assembly and (b) members of the ACT public.

(2) Can the Minister provide for the period from 1 July to 31 October 2015 the (a) number of completed ministerial correspondence items and (b) percentage of the ministerial correspondence items completed within the standard deadline.

(3) Can the Minister provide for the period from 1 July to 31 October 2015 the number of (a) ministerial correspondence items not completed within the standard deadline and (b) ministerial correspondence items marked for no further action for the period.

(4) What is the average time for ministerial correspondence to be signed and completed for (a) Members of the Legislative Assembly and (b) members of the ACT public for (i) 2014-2015 financial year and (b) 1 July to 31 October 2015.

(5) Is it a requirement that ministerial correspondence from Members of the Legislative Assembly be responded to.

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

(1) There is no standard deadline for replies to ministerial correspondence. Correspondence whether from a member of the Legislative Assembly or a member of the public is responded to in the same manner.

(2) (a) 198 pieces of correspondence related to the Roads and Parking portfolio within the Territory and Municipal Services Directorate were responded to in the period 1 July to 31 October 2015.

(b) There is no standard deadline for ministerial responses.

(3) (a) There is no standard deadline.

(b) 5 pieces of correspondence related to the Roads and Parking portfolio within the Territory and Municipal Services Directorate were marked as not requiring further action in the period 1 July to 31 October 2015.

(4) The number of pieces of correspondence related to the Roads and Parking portfolio within the Territory and Municipal Services Directorate are listed below. The tracking system does not produce average time data.

	2014-2015 Financial Year	1 July to 31 October 2015
Member of the Legislative Assembly	113	115
Member of the Public	131	83

(5) No it is not a requirement.

Government—ministerial correspondence (Question No 584)

Mr Coe asked the Minister for Territory and Municipal Services, upon notice, on 19 November 2015:

(1) Can the Minister provide the standard deadline for replies for ministerial correspondence from (a) Members of the Legislative Assembly and (b) members of the ACT public.

(2) Can the Minister provide for the period from 1 July to 31 October 2015 the (a) number of completed ministerial correspondence items and (b) percentage of the ministerial correspondence items completed within the standard deadline.

(3) Can the Minister provide for the period from 1 July to 31 October 2015 the number of (a) ministerial correspondence items not completed within the standard deadline and (b) ministerial correspondence items marked for no further action for the period.

(4) What is the average time for ministerial correspondence to be signed and completed for (a) Members of the Legislative Assembly and (b) members of the ACT public for (i) 2014-2015 financial year and (b) 1 July to 31 October 2015.

(5) Is it a requirement that ministerial correspondence from Members of the Legislative Assembly be responded to.

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

(1) There is no standard deadline for replies to ministerial correspondence. Correspondence whether from a member of the Legislative Assembly or a member of the public is responded to in the same manner. The response time can be impacted by a range of factors.

(2) (a) 251 pieces of correspondence related to the Territory and Municipal Services portfolio were responded to in the period 1 July to 31 October 2015.

(b) There is no standard deadline for ministerial responses.

(3) (a) There is no standard deadline.

(b) 48 pieces of correspondence related to the Territory and Municipal Services portfolio were marked as not requiring further action in the period 1 July to 31 October 2015.

(4) The number of pieces of correspondence related to the Territory and Municipal Services portfolio are listed below. The tracking system does not produce average time data.

	2014-2015 Financial Year	1 July to 31 October 2015
Member of the Legislative Assembly	602	85
Member of the Public	854	166

(5) No it is not a requirement.

Government—ministerial correspondence (Question No 585)

Mr Coe asked the Minister for Planning, upon notice, on 19 November 2015:

(1) Can the Minister provide the standard deadline for replies for ministerial correspondence from (a) Members of the Legislative Assembly and (b) members of the ACT public.

(2) Can the Minister provide for the period from 1 July to 31 October 2015 the (a) number of completed ministerial correspondence items and (b) percentage of the ministerial correspondence items completed within the standard deadline.

(3) Can the Minister provide for the period from 1 July to 31 October 2015 the number of (a) ministerial correspondence items not completed within the standard deadline and (b) ministerial correspondence items marked for no further action for the period.

(4) What is the average time for ministerial correspondence to be signed and completed for (a) Members of the Legislative Assembly and (b) members of the ACT public for (i) 2014-2015 financial year and (b) 1 July to 31 October 2015.

(5) Is it a requirement that ministerial correspondence from Members of the Legislative Assembly be responded to.

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

(1) There is no standard deadline for replies for ministerial correspondence. Correspondence whether from an MLA or member of the public is responded to in the same manner.

(2) (a) In the order of 440 pieces of correspondence which related to the Environment and Planning Directorate were responded to in the period 1 July to 31 October 2015.

(b) There is no standard deadline for ministerial correspondence.

(3) (a) There is no standard deadline.

(b) The Environment and Planning Directorate does not have a reporting system which allows correspondence marked as not requiring further action to be tracked.

(4) The Environment and Planning Directorate does not have a system to track average timeframes. Correspondence whether from an MLA or member of the public is responded to in the same manner

(5) No it is not a requirement.

Roads—signage (Question No 588)

Mr Coe asked the Minister for Roads and Parking, upon notice, on 19 November 2015:

(1) When was the misspelling of the signage on the Majura Parkway to Fairbairn Avenue first reported.

(2) How was the incorrect sign brought to the Minister's attention.

(3) How long had the incorrect sign been in place before the error was reported.

(4) When will the signage be corrected.

(5) What was the cost of creating and installing the inaccurate sign.

(6) How much will it cost to ensure Fairbairn Avenue is spelt correctly on the sign.

(7) What processes have been put in place to ensure that the text on road signage in the ACT is accurate.

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

(1) The misspelling of the signage was reported on 15 November 2015.

(2) The incorrect spelling was brought to the Directorates attention by an article in Riot ACT by Charlotte Harper "*Um, that's Fairbairn, Not Faibairn, Mr Signwriter"*.

(3) The sign was installed on the 11 November 2015 as part of the traffic switch associated with the opening of the Molonglo River Bridge.

(4) The sign was replaced with a permanent replacement sign on 17 November 2015.

(5) The sign maker accepted responsibility for the manufacture of this sign and undertook to replace as a matter of priority at no cost to the Territory.

(6) As above.

(7) Processes are in place to ensure spelling on signs is correct through design, installation and handover. The error was a mistake made in the spelling by the sign manufacturer. Errors such as these are normally identified either prior to the sign manufacture by the contractor, or during the process associated with the handover of the assets to the Territory.

ACTION bus service—tyre replacement (Question No 589)

Mr Coe asked the Minister for Territory and Municipal Services, upon notice, on 19 November 2015:

(1) What was the cost of replacement tyres for ACTION buses in (a) 2014 and (b) 2015 to date.

(2) What was the cost of retreading tyres for ACTION buses in (a) 2014 and (b) 2015 to date.

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

(1)

(a)	Total cost of tyres for the 2014/2015 financial year	$920,912.00
(b)	Total cost of tyres from 01/7/2015 to 30/11/2015	$349,199.00

(2)

(a)	Total cost of retreads for the 2014/2015 financial year	$475,699.00
(b)	Total cost of retreads from 01/07/2015 to 30/11/2015	$145,366.00

ACTION bus service—patronage (Question No 590)

Mr Coe asked the Minister for Territory and Municipal Services, upon notice, on 19 November 2015:

(1) What was the patronage and farebox revenue for ACTION services in July, August, September and October 2015.

(2) What was the patronage and revenue by route and by number for ACTION services in July, August, September and October 2015.

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

(1) The patronage and farebox revenue for ACTION services in July, August, September and October 2015 are tabled below:

Measures	July 2015	August 2015	September 2015	October 2015
Passenger Boardings	1,328,148	1,408,326	1,386,662	1,382,154
Farebox Revenue	$1,978,519.34	$1,984,217.80	$1,978,893.36	$1,978,784.87

(2) The patronage and revenue by route and by number for ACTION services in July, August, September and October 2015 are tabled below:

Passenger Boardings				
Route	**July 2015**	**August 2015**	**September 2015**	**October 2015**
1	27,051	26,725	26,904	26,222
10	6,094	5,596	6,732	6,271
11	3,538	3,224	3,377	3,380
12	9,539	9,514	9,280	9,067
13	67	70	23	37
14	6,147	6,423	6,246	6,015
15	5,809	6,515	6,380	5,887
16	10,153	11,275	10,845	10,616
160	2,596	2,589	2,390	2,493
161	1,392	1,456	1,477	1,400
162	2,772	2,659	2,688	2,673
163	6,088	6,158	5,996	5,875
164	1,203	1,010	893	986
17	12,252	14,821	14,284	13,460
171	9,135	9,177	8,873	8,848
18	4,382	3,796	4,084	4,169
19	5,485	5,472	5,253	5,031
2	50,588	50,944	50,598	47,689
200	81,699	83,058	82,577	80,746
202	2,569	2,827	2,808	2,512
21	3,823	4,095	3,979	3,965
22	3,145	3,386	3,305	3,217
23	5,164	5,353	5,453	5,500
24	4,167	4,468	4,325	4,226
25	9,956	10,133	10,022	9,766
250	20,191	23,392	23,615	22,359
251	17,073	16,540	16,580	16,049
252	17,154	18,178	17,037	17,245
255	14,566	14,890	14,738	14,081
259	12,535	12,703	11,866	12,386
26	9,714	9,671	8,993	8,358
27	10,870	10,954	10,950	10,965
3	42,359	42,515	41,944	41,343
30	23,213	24,374	24,355	23,679
300	84,109	83,468	85,162	86,452
31	15,629	16,478	16,194	16,174
313	68,024	72,128	70,973	73,253
314	33,905	34,608	32,457	33,067
315	29,246	30,437	30,069	29,850
318	28,789	30,141	29,728	30,204
319	31,648	34,353	33,815	31,505

343	67,675	70,691	70,774	70,187
39	32,131	32,206	31,240	30,776
4	27,653	29,211	28,550	27,856
40	30,828	34,037	32,244	31,925
43	440	665	709	475
44	7,597	7,930	8,066	8,329
45	1,524	1,693	1,877	1,682
5	31,438	31,539	30,393	30,811
51	11,163	11,755	11,864	12,045
52	9,582	10,034	9,737	9,902
54	10,252	11,015	10,845	10,729
55	5,713	6,304	6,485	6,364
56	18,921	19,208	18,228	18,397
57	15,340	15,947	15,761	16,400
58	15,158	16,145	15,244	15,551
59	2,340	2,854	2,848	2,780
60	8,192	7,936	8,030	7,965
61	6,473	7,901	7,863	7,140
62	8,465	9,318	9,089	8,711
63	4,264	4,377	4,625	4,371
64	9,103	9,658	9,448	9,102
65	13,432	14,211	14,792	13,585
66	7,772	8,356	7,853	7,973
67	10,626	10,705	10,842	10,394
7	27,682	28,591	27,690	26,622
705	3,366	3,718	3,702	3,357
71	12,927	14,245	14,350	13,798
712	4,069	4,156	4,082	3,841
714	3,364	3,548	3,360	3,368
717	2,487	2,489	2,661	2,626
718	2,509	2,608	2,631	2,661
719	3,492	3,243	3,400	3,262
720	2,798	2,904	3,051	2,884
725	1,879	2,003	2,134	2,049
726	1,622	1,715	1,688	1,694
732	2,378	2,326	2,439	2,439
743	5,575	5,507	5,596	5,488
744	3,382	3,311	3,381	3,393
749	2,846	2,984	2,943	2,624
765	2,801	2,758	2,842	2,790
767	2,634	2,469	2,393	2,402
775	1,621	1,651	1,575	1,589
783	621	607	520	527
791	3,681	3,745	3,369	3,329
792	4,380	3,873	3,927	3,651
8	8,210	8,434	7,885	7,669
80	11,040	10,176	10,785	10,817
81	637	407	1,078	597
83	4,769	4,907	4,710	4,936
88	661	577	720	870
9	4,536	4,402	4,331	4,306
900	34,589	48,060	47,536	51,341
902	1,097	1,460	1,224	1,461
903	1,692	2,371	2,010	2,289
904	1,484	1,997	1,796	2,313

905	1,782	2,668	2,452	2,719
906	1,339	1,735	1,537	1,937
907	1,588	2,186	1,851	2,327
909	609	857	733	887
910	1,101	1,325	1,201	1,321
918	918	1,190	1,017	1,166
919	959	1,345	1,134	1,282
921	242	324	340	335
922	210	270	248	272
923	355	530	451	511
924	275	426	399	536
925	980	1,349	1,332	1,345
926	910	1,152	975	1,124
927	1,059	1,568	1,560	1,677
932	5,592	7,159	6,991	7,533
934	4,873	6,486	6,559	7,269
935	1,798	2,697	2,725	3,022
936	2,047	2,542	2,460	2,514
937	2,042	2,483	2,284	2,589
938	4,878	6,058	5,726	5,712
939	2,909	3,934	3,314	3,409
940	2,349	3,040	2,855	3,258
950	8,880	11,959	11,806	13,446
951	1,639	2,224	2,034	2,236
952	1,895	2,583	2,421	2,583
954	2,417	3,323	2,975	3,293
955	796	1,066	1,136	1,117
956	3,018	3,826	3,801	3,922
958	3,068	4,342	3,951	3,925
959	435	576	523	622
960	1,042	1,336	1,218	1,369
961	449	669	551	698
962	1,155	1,399	1,257	1,482
964	466	743	783	684
966	633	780	684	781
967	414	623	555	647
968	347	509	358	498
971	1,123	1,651	1,587	1,803
980	6,031	7,867	7,319	7,648
981	269	372	466	436
982	29	45	40	17
983	439	558	541	715
988	38	39	28	23

Farebox Revenue				
Route	**July 2015**	**August 2015**	**September 2015**	**October 2015**
1	$43,451.50	$42,400.00	$42,231.74	$40,184.89
10	$7,481.91	$6,603.42	$7,795.89	$7,056.52
11	$5,383.46	$4,738.42	$5,071.55	$5,107.40
12	$11,312.94	$10,435.24	$10,278.57	$9,896.16
13	$117.95	$151.72	$26.10	$48.20
14	$6,356.47	$5,850.47	$5,882.69	$5,827.34
15	$6,027.49	$5,712.04	$6,001.33	$5,935.65

16	$11,939.18	$12,191.69	$11,482.96	$11,625.02
160	$5,086.98	$4,891.13	$4,757.35	$4,800.70
161	$3,019.53	$3,110.42	$3,251.70	$3,105.51
162	$5,527.46	$5,219.91	$5,278.62	$5,325.24
163	$12,334.12	$12,441.12	$12,381.83	$11,497.73
164	$2,498.05	$2,158.38	$1,824.27	$2,044.72
17	$13,287.50	$14,396.22	$14,388.26	$13,487.89
171	$18,198.95	$17,962.98	$17,274.30	$17,313.28
18	$5,009.92	$3,786.46	$4,285.55	$4,589.50
19	$6,217.83	$5,489.22	$5,611.81	$5,472.78
2	$72,358.36	$69,054.82	$69,250.58	$66,124.02
200	$126,988.54	$127,427.39	$128,194.72	$123,784.63
202	$6,179.88	$6,679.63	$6,625.74	$5,956.12
21	$3,952.57	$4,003.80	$3,884.39	$3,786.00
22	$2,984.10	$3,303.58	$3,220.43	$3,067.30
23	$6,164.88	$6,017.52	$6,196.48	$6,154.66
24	$4,712.66	$4,429.14	$4,701.82	$4,796.23
25	$11,833.52	$11,795.05	$11,575.07	$11,577.03
250	$25,902.16	$28,140.23	$28,947.66	$27,437.53
251	$34,170.54	$31,371.83	$31,962.87	$31,229.40
252	$33,765.24	$34,271.18	$32,736.47	$33,207.15
255	$29,069.67	$28,356.92	$28,017.61	$27,629.45
259	$24,700.12	$23,912.72	$22,622.63	$23,727.78
26	$11,290.84	$10,491.50	$9,699.47	$9,258.98
27	$11,910.53	$11,182.01	$11,212.87	$11,841.52
3	$63,881.08	$61,430.94	$61,157.70	$59,781.64
30	$37,760.18	$36,897.12	$37,989.42	$36,985.22
300	$117,430.92	$113,554.71	$116,424.36	$117,516.05
31	$24,170.88	$24,356.14	$24,084.27	$24,407.27
313	$96,111.48	$97,166.50	$96,400.47	$99,124.58
314	$54,875.76	$53,200.69	$50,362.26	$51,075.24
315	$46,783.95	$46,409.32	$46,094.01	$46,428.92
318	$44,503.49	$44,960.02	$45,267.69	$46,322.93
319	$48,263.03	$50,590.76	$50,248.56	$47,748.26
343	$96,684.76	$96,492.56	$97,859.04	$97,900.79
39	$50,476.02	$49,146.97	$47,859.13	$48,379.83
4	$39,473.88	$38,924.00	$39,584.23	$38,170.27
40	$45,293.47	$46,763.96	$44,808.84	$44,755.75
43	$372.71	$538.33	$646.97	$417.99
44	$10,429.09	$9,343.41	$9,831.93	$10,593.19
45	$1,879.59	$1,845.52	$2,233.09	$2,010.75
5	$43,962.81	$42,197.20	$42,023.14	$42,905.17
51	$14,751.09	$14,489.41	$14,844.68	$15,644.56
52	$12,337.86	$12,000.03	$11,708.66	$12,366.54
54	$14,790.44	$13,983.88	$14,550.83	$14,603.48
55	$6,568.31	$6,453.83	$7,103.20	$7,015.75
56	$31,132.83	$30,069.57	$29,095.96	$29,593.33
57	$24,506.48	$23,775.61	$23,432.04	$24,448.42
58	$24,447.40	$24,996.66	$23,602.62	$24,487.32
59	$2,490.35	$2,883.63	$2,753.08	$2,910.31

60	$10,508.87	$9,241.91	$9,515.79	$9,630.80
61	$7,942.29	$8,781.90	$8,734.36	$8,543.40
62	$10,168.81	$10,215.46	$10,111.99	$10,144.17
63	$5,171.09	$4,824.94	$5,032.98	$4,872.37
64	$12,659.23	$12,266.78	$12,069.01	$11,758.88
65	$17,657.43	$16,972.49	$17,897.93	$16,925.72
66	$10,278.78	$10,223.53	$9,633.03	$10,143.62
67	$13,843.27	$12,842.86	$13,856.55	$13,235.47
7	$38,426.65	$38,453.46	$36,750.24	$34,891.35
705	$7,119.24	$7,059.27	$7,204.55	$6,773.45
71	$16,944.87	$17,488.74	$17,690.65	$17,263.79
712	$9,541.17	$9,189.26	$9,136.53	$8,644.88
714	$8,050.32	$8,174.68	$7,777.38	$7,868.76
717	$5,960.90	$5,537.86	$6,021.22	$5,861.73
718	$6,603.34	$6,832.17	$6,851.16	$6,775.53
719	$8,733.42	$7,986.94	$8,527.28	$8,039.75
720	$7,153.61	$7,229.96	$7,695.49	$7,314.78
725	$4,698.32	$4,728.94	$5,163.71	$5,006.32
726	$4,090.89	$4,281.89	$4,274.65	$4,196.86
732	$6,064.08	$5,898.51	$6,216.01	$6,232.47
743	$13,438.55	$13,018.36	$13,357.79	$13,081.80
744	$8,154.23	$8,003.67	$8,315.90	$8,217.33
749	$5,379.99	$5,518.94	$5,391.91	$4,876.97
765	$7,004.00	$6,868.88	$7,085.80	$6,928.28
767	$6,255.00	$5,934.58	$5,995.86	$5,967.88
775	$4,361.91	$4,287.37	$4,223.58	$4,153.76
783	$1,680.32	$1,705.50	$1,400.42	$1,333.83
791	$5,852.43	$6,019.67	$5,612.86	$5,610.21
792	$7,747.68	$7,049.59	$7,170.03	$6,959.09
8	$13,277.60	$13,255.46	$12,599.81	$11,646.87
80	$17,743.38	$16,574.51	$17,610.96	$17,630.31
81	$1,041.33	$545.60	$1,387.11	$820.90
83	$5,840.32	$5,617.61	$5,744.42	$6,157.91
88	$712.24	$629.40	$827.08	$1,136.12
9	$6,127.81	$5,522.68	$5,553.95	$5,231.66
900	$41,460.15	$52,955.61	$53,944.99	$58,455.40
902	$1,215.73	$1,447.10	$1,191.13	$1,333.34
903	$1,990.74	$2,452.27	$1,986.29	$2,485.21
904	$1,992.65	$2,203.71	$2,078.65	$2,777.70
905	$2,264.36	$3,010.59	$2,736.00	$3,097.48
906	$1,510.54	$1,803.44	$1,659.06	$2,113.73
907	$1,790.90	$2,237.60	$1,814.90	$2,474.26
909	$873.45	$1,150.45	$939.24	$1,129.12
910	$1,374.34	$1,392.79	$1,375.28	$1,539.89
918	$1,014.85	$1,302.82	$1,090.45	$1,301.69
919	$1,138.05	$1,530.23	$1,280.90	$1,422.91
921	$280.63	$312.13	$311.22	$318.32
922	$142.08	$197.80	$201.28	$191.74
923	$301.71	$492.82	$370.80	$432.44
924	$273.44	$390.89	$335.04	$491.09

925	$1,031.66	$1,346.02	$1,405.94	$1,383.76
926	$847.43	$1,105.02	$883.87	$1,042.81
927	$956.56	$1,364.29	$1,295.83	$1,488.08
932	$7,362.72	$8,822.26	$8,553.11	$9,127.19
934	$6,628.25	$7,921.55	$8,746.35	$9,388.61
935	$2,577.89	$3,485.80	$3,790.31	$3,994.45
936	$2,484.92	$2,923.83	$2,889.63	$2,897.23
937	$2,353.89	$2,654.41	$2,353.89	$2,892.70
938	$6,466.79	$7,625.98	$7,698.34	$7,626.39
939	$3,610.88	$4,754.38	$4,050.18	$4,125.88
940	$3,225.56	$3,572.72	$3,334.68	$3,950.56
950	$12,242.68	$15,374.97	$15,125.01	$17,508.07
951	$2,033.68	$2,823.16	$2,364.00	$2,706.20
952	$2,482.05	$3,042.19	$2,781.59	$2,963.82
954	$2,913.99	$3,800.58	$3,369.44	$3,720.09
955	$949.34	$1,285.55	$1,375.36	$1,514.93
956	$3,511.57	$4,158.60	$4,143.75	$4,269.71
958	$4,025.28	$5,121.14	$4,868.79	$4,794.41
959	$482.10	$536.45	$514.11	$786.48
960	$1,222.08	$1,573.72	$1,349.01	$1,466.75
961	$515.47	$750.02	$586.83	$742.97
962	$1,255.23	$1,490.78	$1,239.26	$1,618.67
964	$508.97	$804.15	$819.51	$672.22
966	$761.65	$856.89	$833.78	$924.57
967	$463.28	$715.37	$630.56	$749.46
968	$400.89	$618.01	$396.96	$516.77
971	$1,454.62	$2,041.11	$1,888.59	$2,137.82
980	$8,219.22	$10,253.06	$9,876.78	$10,344.10
981	$500.94	$611.22	$708.22	$722.27
982	$46.30	$46.88	$37.94	$14.80
983	$480.68	$581.09	$554.65	$738.79
988	$33.07	$46.05	$34.36	$23.08

ACTION bus service—vehicle acquisition (Question No 591)

Mr Coe asked the Minister for Territory and Municipal Services, upon notice, on 19 November 2015:

(1) How many new buses have been (a) purchased or (b) leased since 17 September 2015 by the ACT Government in order to implement the new ACTION timetable first announced on 7 September 2015.

(2) What has been the cost of (a) purchasing or (b) leasing the buses listed in part (1).

(3) How many more buses is the ACT Government estimating, in addition to the figure in part (1), will need to be (a) purchased or (b) leased in order to implement the new ACTION timetable first announced on 7 September 2015.

(4) What is the estimated cost of (a) purchasing or (b) leasing the buses listed in part (3).

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

(1) No new buses have been leased or purchased since 17 September 2015 by the ACT Government to implement the new ACTION timetable first announced on 7 September 2015.

(2) ACTION is however progressing its pre-existing bus replacement program which provides for 95 buses to be replaced over the period 2012-17.

(3) Nil, further work is being completed to allow future networks to be designed and serviced by the current assets operated by ACTION.

(4) Nil

ACTION bus service—patronage (Question No 592)

Mr Coe asked the Minister for Territory and Municipal Services, upon notice, on 19 November 2015:

(1) What was the number of passengers for the period between Monday, 9 November 2015 and Friday, 13 November 2015, between the hours of 6.00am and 9.00am, who in relation to route (a) 251, originated at or after stop 0600 and departed after stop 7002, (b) 252, originated at or after stop 0600 and departed after stop 7002, (c) 255, originated at or after stop5085 and departed after stop 7002, (d) 259, originated at or after stop 4714 and departed after stop 7002, (e) 200 southbound, originated at or between stop 7002 and stop 3413, (f) 200 northbound, originated at or between stop 3413 and departed after stop 3413, (g) 56 southbound, originated at or after stop 7002 and after stop 4755, (h) 56 northbound, originated at or between stop 3410 and stop 4928, (i) 57 southbound, originated at or after stop 7002 and departed after stop 4755, (j) 57 northbound, originated at or between stop 3410 and stop 4928, (k) 58 southbound, originated at or after stop 7002 and departed after stop 6007, (l) 58 northbound, originated at or between stop 3410 and stop 6036, (m) 30 southbound, originated at or after stop 4009 and departed after stop 4549, (n) 30 northbound, originated at or between stop 3410 and stop 4552, (o) 31 southbound, originated at or after stop 4009 and departed after stop 4549, (p) 31 northbound, originated at or between stop 3410 and stop 4552, (q) 712, originated at or before stop 4549 and departed after stop 4549, (r) 714, originated at or before stop 4549 and departed after stop 4549, (s) 39 (start Watson loop), originated at or after 3410 and departed before stop 3476 and (t) 39 (start Watson loop), originated at or after 3476 and departed after stop 4551.

(2) What was the average number of passengers for the period between Monday, 9 November 2015 and Friday, 13 November 2015 on route 202.

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

(1) The number of passengers for the period between Monday, 9 November 2015 and Friday, 13 November 2015, between the hours of 6.00am and 9.00am, who in relation to route:

(a) 251, originated at or after stop 0600 and departed after stop 7002 was 1629

(b) 252, originated at or after stop 0600 and departed after stop 7002 was 1836

(c) 255, originated at or after stop 5085 and departed after stop 7002 was 1460

(d) 259, originated at or after stop 4714 and departed after stop 7002 was 1345

(e) 200 southbound, originated at or between stop 7002 and stop 3413 was 1547

(f) 200 northbound, originated at or between stop 3413 and departed after stop 3413 was 588

(g) 56 southbound, originated at or after stop 7002 and departed after stop 4755 was 1081

(h) 56 northbound, originated at or between stop 3410 and stop 4928 was 58

(i) 57 southbound, originated at or after stop 7002 and departed after stop 4755 was 870

(j) 57 northbound, originated at or between stop 3410 and stop 4928 was 150

(k) 58 southbound, originated at or after stop 7002 and departed after stop 6007 was 942

(l) 58 northbound, originated at or between stop 3410 and stop 6036 was 88

(m) 30 southbound, originated at or after stop 4009 and departed after stop 4549 was 1143

(n) 30 northbound, originated at or between stop 3410 and stop 4552 was 84

(o) 31 southbound, originated at or after stop 4009 and departed after stop 4549 was 543

(p) 31 northbound, originated at or between stop 3410 and stop 4552 was 141

(q) 712, originated at or before stop 4549 and departed after stop 4549 was 527

(r) 714, originated at or before stop 4549 and departed after stop 4549 was 385

(s) 39 (start Watson loop), originated at or after 3410 and departed before stop 3476 was 222 and;

(t) 39 (start Watson loop), originated at or after 3476 and departed after stop 4551 was 1135.

***Please note**: these figures do not include cash fare paying passengers, accounting for approximately 15 percent of passenger boardings, for which no destination data is available.*

(2) The average number of passengers for the period between Monday, 9 November 2015 and Friday, 13 November 2015 on route 202 was 118.

***Please note**: Question (1g) has been interpreted as "56 southbound, originated at or between stop 3410 and* **departed** *after stop 4755". Question (2) has been interpreted as the daily average.*

ACTION bus service—patronage (Question No 593)

Mr Coe asked the Minister for Territory and Municipal Services, upon notice, on 19 November 2015:

(1) What was the average number of passengers for the period between Monday, 9 November 2015 and Friday, 13 November 2015 who (a) boarded route 251 to Belconnen, (b) boarded route 251 to Belconnen, originating before stop 7002 and departing between stop 7002 and stop 0601 and (c) boarded route 251 to Belconnen, originating before stop 7002 and departing at stop 7002.

(2) What was the average number of passengers for the period between Monday, 9 November 2015 and Friday, 13 November 2015 who (a) boarded route 252 to Belconnen, (b) boarded route 252 to Belconnen, originating before stop 7002 and departing between stop 7002 and stop 0601 and (c) boarded route 252 to Belconnen, originating before stop 7002 and departing at stop 7002.

(3) What was the average number of passengers for the period between Monday, 9 November 2015 and Friday, 13 November 2015 who (a) boarded route 255 to Gungahlin, (b) boarded route 252 to Gungahlin, originating before stop 7002 and departing after stop 7002 and (c) boarded route 252 to Belconnen, originating before stop 7002 and departing at stop 7002.

(4) What was the average number of passengers for the period between Monday, 9 November 2015 and Friday, 13 November 2015 who (a) boarded route 259 to Gungahlin, (b) boarded route 259 to Gungahlin, originating before stop 7002 and departing after stop 7002 and (c) boarded route 259 to Belconnen, originating before stop 7002 and departing at stop 7002.

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

1. The average number of passengers for the period between Monday, 9 November 2015 and Friday, 13 November 2015 who:
   (a) boarded route 251 to Belconnen was 340
   (b) boarded route 251 to Belconnen, originating before stop 7002 and departing between stop 7002 and stop 0601 was 90; and
   (c) boarded route 251 to Belconnen, originating before stop 7002 and departing at stop 7002 was 22.

2. The average number of passengers for the period between Monday, 9 November 2015 and Friday, 13 November 2015 who:
   (a) boarded route 252 to Belconnen was 345
   (b) boarded route 252 to Belconnen, originating before stop 7002 and departing between stop 7002 and stop 0601 was 89;and
   (c) boarded route 252 to Belconnen, originating before stop 7002 and departing at stop 7002 was 62.

3. The average number of passengers for the period between Monday, 9 November 2015 and Friday, 13 November 2015 who:
   (a) boarded route 255 to Gungahlin was 321
   (b) boarded route 255 to Gungahlin, originating before stop 7002 and departing after stop 7002 was 96; and
   (c) boarded route 255 to Gungahlin, originating before stop 7002 and departing at stop 7002 was 15.

4. The average number of passengers for the period between Monday, 9 November 2015 and Friday, 13 November 2015 who:
   (a) boarded route 259 to Gungahlin was 318
   (b) boarded route 259 to Gungahlin, originating before stop 7002 and departing after stop 7002 was 63; and
   (c) boarded route 259 to Belconnen, originating before stop 7002 and departing at stop 7002 was 25.

Please note: *Parts (a) and (b) do not include cash fare paying passengers, accounting for approximately 15 percent of passenger boardings, for which no destination data is available. Questions (1)-(4) have been interpreted as the daily average. Questions (3b) and (3c) have been interpreted as "boarded route* **255** *to* **Gungahlin***..." consistent with the first part of the question.*

ACTION bus service—patronage (Question No 594)

Mr Coe asked the Minister for Territory and Municipal Services, upon notice, on 19 November 2015:

What was the average number of boardings for the period Monday, 9 November 2015 to Friday, 13 November 2015, broken down by suburb, for the morning route (a) 251, (b) 252, (c) 255, (d) 259, (e) 313, (f) 314, (g) 315, (h) 318, (i) 319 and (j) 343

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

The daily average number of boardings for the period Monday, 9 November 2015 to Friday, 13 November 2015, broken down by suburb is below for morning routes:

(a) 251

Suburb	Passenger Boardings
Amaroo	16.8
Barton	0.2
Belconnen	13
Braddon	7.6
Campbell	1.4
Casey	68.2
City	22.6
Dickson	12.2
Downer	3
Giralang	10

Gungahlin	129.8
Harrison	21.8
Kenny	4.4
Kingston	0
Lyneham	4
Mitchell	0.8
Ngunnawal	78.4
Nicholls	6.4
Reid	0.8
Russell	0.4

(b) 252

Suburb	Passenger Boardings
Amaroo	25.8
Barton	1
Belconnen	3.8
Braddon	10
Campbell	1
City	18
Dickson	12.4
Downer	4
Fyshwick	0
Gungahlin	173.6
Harrison	28.4
Kenny	4.8
Kingston	0.6
Lyneham	9.8
Mitchell	1
Ngunnawal	64
Nicholls	41
Reid	0.4
Russell	0.6

(c) 255

Suburb	Passenger Boardings
Barton	0.4
Bonner	102.6
Braddon	5.6
Campbell	0.6
City	17
Dickson	6.4
Downer	2.4
Forde	78
Gungahlin	99.2
Harrison	24.2
Kenny	6.6
Kingston	0.2

Lyneham	3.4
Mitchell	0.6
Reid	0.6
Russell	0.2

(d) 259

Suburb	Passenger Boardings
Amaroo	66.2
Barton	0
Braddon	7.6
Campbell	0.6
City	29.4
Dickson	6
Downer	2.8
Gungahlin	131.6
Harrison	23.8
Kenny	6.8
Kingston	0
Lyneham	5
Mitchell	0.8
Ngunnawal	30
Reid	1
Russell	0.4

(e) 313

Suburb	Passenger Boardings
Acton	2.8
Belconnen	86
Bruce	59.4
Charnwood	48.4
City	125.6
Florey	28.4
Fraser	15.2
Greenway	44.4
Higgins	0
Holt	54.4
Latham	56
Lyons	11
Macgregor	0
O'Connor	4.6
Parkes	2
Pearce	25
Phillip	84
Scullin	3.2
Torrens	13.8
Turner	1.6
Yarralumla	1.6

(f) 314

Suburb	Passenger Boardings
Belconnen	71
Bruce	65.8
City	70.4
Florey	6.8
Flynn	78
Fraser	35.6
Greenway	0
Lyneham	0
Melba	0.4
Page	52.4
Parkes	2.2
Phillip	23.8
Scullin	45.8
Torrens	2.4
Turner	2.8

(g) 315

Suburb	Passenger Boardings
Belconnen	74.4
Bruce	73.2
City	111.2
Evatt	10.8
Florey	49
Greenway	0.8
Lyneham	0.2
Melba	58.4
Parkes	2.8
Phillip	30
Spence	73.4
Torrens	6.2
Turner	4.2

(h) 318

Suburb	Passenger Boardings
Acton	5.4
Banks	27.8
Belconnen	10.8
Bruce	21.8
City	59
Conder	1
Gordon	138.8
Greenway	52.4
Lyneham	0
Lyons	10.4

Parkes	2
Pearce	32.8
Phillip	91
Torrens	22.4
Turner	0.2
Yarralumla	1.8

(i) 319

Suburb	Passenger Boardings
Acton	0.6
Banks	26.8
Belconnen	2.6
Bonython	68.4
Bruce	2.2
City	29.4
Conder	80.8
Gordon	6.4
Greenway	64.6
Lyons	10.8
Pearce	32.8
Phillip	69.6
Torrens	16.4
Yarralumla	1

(j) 343

Suburb	Passengers Boardings
Acton	0.8
Belconnen	108.8
Bruce	67.4
Charnwood	6.2
City	95.6
Dunlop	88.8
Florey	12
Fraser	2.2
Greenway	35.8
Higgins	0.2
Holt	33.4
Latham	16.2
Lyneham	0.6
Lyons	6.8
Macgregor	62.8
O'Connor	3.8
Parkes	1.6
Pearce	25.8
Phillip	72.2
Scullin	1
Torrens	16.8
Turner	4.8
Yarralumla	1

Please note: Morning routes are defined as those with a trip start time between 6.00am and 9.00am.

Sport—management (Question No 595)

Mr Doszpot asked the Minister for Sport and Recreation, upon notice, on 19 November 2015:

(1) Who is responsible for the management of the ACT Sport Hall of fame and Sports star of the year awards.

(2) If this has been contracted out what is the value of the contract to manage these events.

(3) If handled by Sports and Recreation Services what are the direct and indirect costs of managing these events and does Sport and Recreation Services have any plans to contract out the management of these events.

(4) How many of the projects and programs administered by ACTsport has Sport and Recreation Services taken on and what is the cost of taking on the delivery of these services.

(5) How many tenants engaged with ACT Property Group to remain in Sports House in Hackett after ACTsport left for UC.

(6) What is the annual rental income received from tenants at Sports House.

(7) What discounts or rebates were offered to tenants to stay at Sports House.

(8) What reasons were attributed to tenants staying at Sports House in Hackett.

(9) Will Sport and Recreation Services support the creation of a new industry body to represent the Sport and Recreation community.

(10) Who will be undertaking the economic impact statement (EIS) that ACTsport had submitted to take a lead role on.

(11) What is the total cost involved with the EIS.

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

(1) Sport and Recreation Services (SRS) has been responsible for fulfilment of Government's commitment to deliver the 2015 ACT Sport Hall of Fame – event delivery was contracted to Earlybird Events with support from SRS. Arrangements for the future delivery of the Sports Star Awards are under consideration and yet to be decided.

(2) The set Event Delivery Fee paid to Earlybird Events for the ACT Sport Hall of Fame was $22,000.

(3) Earlybird focused on the ACT Sport Hall of Fame induction event. SRS dealt directly with some costs associated with the event, including production of the annual book and preparation and mounting of profiles in the Hall of Fame. The event was held on 23 November 2015 – a full reconciliation of all costs in delivery of the Hall of Fame is not yet completed. Arrangements for the future delivery of the Hall of Fame is under consideration and yet to be decided.

(4) Of those activities that were delivered by ACTSPORT prior to its wind up, SRS coordinated the delivery of the 2015 ACT Sport Hall of Fame. SRS is also currently compiling sector input for the 2015 Active2020 report card. Management of tenancies within ACT Sports House now rests with ACT Property Group.

(5) Two non-sporting and six sporting organisations, including one national body, remained at the Hackett property at the time ACTSPORT relocated to the University of Canberra. Three of these sporting organisations are in the process or have recently completed relocation to other locations.

(6) Rental income from current tenants at Maitland House Hackett (formerly Sports House), including former ACTSPORT tenants who remain at this location, is around $93,000 per annum, paid to ACT Property Group.

(7) No discounts or rebates were offered to tenants remaining at the former Sports House. The tenants were offered the standard ACT Property Group community rental rate for multi tenanted buildings.

(8) All sporting organisations seeking to remain at Hackett were required to provide information to inform a letter from ACTSPORT to ACT Government endorsing their reasons for not moving to the University of Canberra. Reasons provided by ACTSPORT to the ACT Government were that tenants were moving to other properties at a later date, that the smaller open plan office arrangements were not suitable, and/or that storage was insufficient. Tenants remaining at Hackett were only provided with a two year license agreement to September 2016.

(9) When ACTSPORT surveyed its members in 2014, feedback revealed that there had been a maturation of the sector such that it saw a limited role for ACTSPORT based on its current and historic offerings. The 2014 ACTSPORT member consultation also raised questions regarding the need and viability of any industry "peak body" in the ACT. SRS are currently further engaging with the local sporting sector to explore what, if any, gaps have arisen from the winding down of ACTSPORT. Should any new entity emerge, support would be considered on the basis of genuine need, viability and sustainability, and in consultation with the sector.

(10) SRS are undertaking an Economic Impact Statement in 2015-16. A steering committee comprised of sector representatives is in place and will engage suitable expertise to deliver the report.

(11) Cost will be subject to the final scope of works and open tender process.

Education—Schools for all children and young people report (Question No 596)

Mr Doszpot asked the Minister for Education and Training, upon notice, on 19 November 2015:

(1) What was the cost of the Schools for all Children and Young People report published on 18 November 2015.

(2) What were the terms and payments for each member of the Expert Panel.

(3) What other costs were involved in producing the report, including the "critical friends".

(4) What were the publishing costs of the report.

(5) Under what budgetary category was the review and its publication funded.

(6) What were the costs associated with the 2009 review of special education needs in the ACT, also undertaken by Professor Shaddock.

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

(1) Total cost of the Schools for all Children and Young People report is $427,357

(2) Terms of payment for Emeritus Professor Anthony Shaddock $1,600 per day (total $212,000), Dr Sue Packer $1,500 per day (total $45,000), Mr Alasdair Roy, Nil.

(3) The total cost of the "critical friends" $59,756

a) ACT Government staff were appointed to assist the panel with other consultation and research. Their total salary costs were $93,750.

(4) Total publishing costs $6,315.

(5) The review and its publication have been funded from the Education Strategy Division budget.

(6) The total cost associated with the 2009 review undertaken by Emeritus Professor Anthony Shaddock was $207,500.

Government—ministerial responsibilities (Question No 597)

Mrs Dunne asked the Chief Minister, upon notice, on 19 November 2015:

(1) Under the Administrative Arrangements No. 2 of 2015, which became effective on 1 July this year, is the Minister for Territory and Municipal Services responsible for ACTION, the Arboretum, Land management and stewardship, and Municipal services and the Minister for Roads and Parking has responsibility for Parking (Coordinator-General), Roads ACT and Roads (Coordinator-General). What areas does Municipal Services specifically cover and what areas are specifically covered by Roads ACT.

(2) Are there areas such as footpaths, street lighting, storm water etc that are considered to be municipal services but are the responsibility of Roads ACT

(3) Why don't the Administrative Arrangements specifically outline the ministerial responsibilities of the Minister for Territory and Municipal Services and the Minister for Roads and Parking

(4) What does "stewardship" mean in the context of the Administrative Arrangements.

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

(1) The Minister for Roads and Parking is responsible for Roads ACT which covers:

- Roads Capital works
- Road resealing
- Potholes and Road repairs
- Street Sweeping
- Stormwater
- Pedestrian Crossings
- Traffic calming measures
- Footpath repairs and maintenance
- Road closures for special events
- Traffic lights
- Roads and suburb signs
- Streetlights
- Traffic and Parking signs
- Traffic monitoring

The Minister for Territory and Municipal Services is responsible for ACTION, including determining the location of new bus shelters.

The Minister assisting the Chief Minister on Transport Reform is responsible for Active Travel, including determining the location and priority of new footpaths and new cycling facilities.

(2) Yes. The response above outlines those responsibilities.

(3) The Administrative Arrangements do outline Ministerial responsibilities of the Ministers for Roads and Parking and Territory and Municipal Services. They are drafted to match an integrated public service, with multiple Ministerial portfolios being served by single Directorates.

(4) Stewardship is in relation to the Territory's property and land. The term is commonly used to refer to responsibility for careful planning and best use of resources.

Planning—Big Splash Waterpark (Question No 598)

Mrs Dunne asked the Minister for Planning, upon notice, on 19 November 2015:

(1) What representations has the Government received, and from whom, about future zoning options for the site currently occupied by the Big Splash Waterpark in Jamison.

(2) What consideration has the Government given to those representations.

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

(1) a) In recent years the Government has not received any representations regarding future zoning options for the Big Splash Water park at section 53 block 1 Macquarie.

b) However, a number of requests were received between 2004 and 2009.

c) In June 2004 an initial request was received from Mr Tony Adams from McCann Property and Planning on behalf of the lessees of Big Splash seeking a variation to the Territory Plan to allow residential uses.

d) In June 2005, the owners R.D and B.F. Watkins requested rezoning the Water Park to residential.

e) In July 2006 Mr Tony Adams, CBRE, requested reconsideration of rezoning to residential.

f) In 2007 the owners requested rezoning to commercial CZ2 Business zone for mixed use development.

g) In 2008 the Government received a request to rezone Big Splash to high density residential and refused it.

(h) In 2009, Mr John Anderson, Helke Pty Ltd made a request to retain the existing facilities and introduce a number of new facilities to Big Splash (childcare centre, sports medicine suites, hydro therapy facilities, 10m learn to swim pool and a 25m indoor pool).

(2) a) The Government considered current planning policies, Jamison Group Centre master plan, lose of recreation zoned land and overall government policies to respond to these representations.

b) In 2004 the Government did not support the representation as it failed to demonstrate if all other land uses permissible under the existing zoning have been explored. It was suggested to explore all other land uses permissible under the existing zoning.

c) In 2005, the Government considered the Recreational Needs Study done by the ACT Sport and Recreation to respond to the representation and refused rezoning to residential.

d) In 2006 the Government did not support the proposal as it failed to demonstrate community benefit and did not complement the Jamison master plan.

e) In 2007 the Government gave conditional support to the proposal. It was suggested to respond to interface issue and undertake community consultation.

f) In 2008 the Government refused the proposal due to the loss of recreational use zoned land.

g) In the latest representation of 2009, the Government conditionally supported the development proposal after considering the Territory Plan's development controls and leasing issues. The Government advised the proponent to prepare a detail proposal demonstrating compliance with the Territory Plan and to discuss direct sale option. The proponent did not respond or engage further.

Planning—draft variation 351 (Question No 599)

Mrs Dunne asked the Minister for Planning, upon notice, on 19 November 2015:

(1) What representations did you or the planning agency receive, and from whom, requesting or suggesting that you refer to the Standing Committee on Planning, Environment and Territory and Municipal Services for inquiry, Draft Variation 351 to the Territory Plan.

(2) Why did you not refer it to the Standing Committee on Planning, Environment and Territory and Municipal Services for inquiry before approving DV351.

(3) What advice did you seek and receive or what advice was offered to you, and from whom, on whether to refer DV351 to the Standing Committee on Planning, Environment and Territory and Municipal Services.

(4) Were the reasons for your decision not to refer recorded; if so, will you attach a copy of your reasons to your answer to this question; if not, why not.

(5) What feedback have you received, and from whom, on your decision not to refer.

(6) Will you make a statement in the Assembly giving your reasons not to refer; if so, when will you make the statement; if not, why not.

(7) How much money has the Government contributed to the proponent development joint venture (a) directly and (b) indirectly.

(8) What is the value of in-kind support the Government has provided to the proponent development joint venture (a) directly and (b) indirectly.

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

(1) There was no representation received by the planning and land authority requesting or suggesting referral to the Standing Committee on Planning, Environment and Territory and Municipal Services (the Standing Committee). However, my office received three representations while the planning and land authority was finalising the report on consultation for V351. One was from Madam Speaker Mrs Dunne yourself and the other was from Ginninderra Falls Association suggested to me to refer V351 to the Standing Committee. In the contrast, the third representation was from the Conservation Council (ACT Region) suggesting to not refer V351 to the Standing Committee.

(2) There was extensive public consultation on V351. The general public in the ACT was consulted on V351 for a period of six weeks between 22 May and 6 July 2015. The

consultation notice was made available twice in the Canberra Times and on the ACT legislation register website calling for public submissions. In addition to the statutory consultation, a joint public information session with the National Capital Authority on the draft amendment 85 of the National Capital Plan was held at Kippax Fair Shopping Centre on 4 June 2015.

Besides the extensive statutory consultation undertaken by the planning and land authority, two community and information sessions were held on 11 and 13 June 2015 by the Riverview Group as the proponent on behalf of the Land Development Agency. During the pre-statutory planning phase for V351, the proponent did extensive community and stakeholder engagement. For instance, in the period of June 2010 and July 2013 alone, 164 meetings were held with a range of stakeholders, an average of more than 4 meetings per month.

From 2014 onwards, the proponent engaged with a range of stakeholders including Belconnen Community Council, Ginninderra Falls Association, Conservation Council (ACT Region), Strathnairn Arts Association, Ginninderra Catchment Group, Government Horse Paddocks Users Group, and Pace (Parkwood) Eggs.

Amongst the 49 written submissions received through the public consultation process, eight submissions (five from community organisations/groups) expressed their general support to the proposal. Only two submissions with petitions from Belconnen Residents Group (77 signatures) and a group of residents from Drake Brockman Drive (20 signatures) expressed their opposition towards the proposal. The rest of the submissions sought further consideration to be given in relations to V351.

The main issues raised in the public submissions included:

- Cross border jurisdictional arrangements;
- Concerns about traffic and transport in the vicinity of the development;
- The extension of Ginninderra Drive to service the development;
- Implications for the Bicentennial national Trail;
- Conservation river corridor / Ginninderra Falls;
- Potential odour from the Lower Molonglo Water Quality Control Centre;
- Potential odour from Pace Egg Farm on Parkwood Road;
- Asbestos disposal and land contamination; and
- Pressure and competition on Kippax Group Centre.

In response to these issues, a number of amendments were made prior to my approval of the final variation. These included:

- The clearance zone from the Lower Molonglo Water Quality Control Centre being increased from 1km to 2.45km;
- The proposed changes to the Belconnen District Precinct Map and Code being withdrawn;
- The current zone of NUZ1 Broadacre for Block 1559 Belconnen (Canberra Transgrid Substation) being retained and the Future Urban Area overlay removed;
- The area to the western boundary of Strathnairn Arts Precinct rezoned to PRZ1 Urban Open Space;
- A criterion added to the concept plan specifying when a full-line supermarket can be released;
- A Future Urban Area overlay applied to the Ginninderra Drive extension and its surrounds; and

- CZ5 Mixed Use and CFZ Community Facility zones being introduced in the general area of the main commercial centre.

I have also considered the remaining issues that didn't warrant a change to the variation. Cross border jurisdictional arrangements are an ongoing matter that will continue to be discussed between ACT and NSW during the Estate Development Plan (EDP) stage. The traffic and transport studies provided with V351 are considered sufficient for the variation stage and detailed design works will be finalised at the EDP stage.

The Bicentennial National Trail is a non-formed trail that is anticipated to change as land is released and developed around the ACT. The ACT Equestrian Association will continue to be engaged in the future on changes to the route as detail planning occurs and development proceeds.

The potential impact from the Ginninderra Drive extension will be assessed under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999. The final zoning will be determined by this EPBC approval. Therefore it is only shown indicatively in V351 with a future urban area overlay.

Waste collected at Belconnen landfill site is general building waste that is demolished only after the loose fill asbestos is firstly removed from the Mr Fluffy homes. For future development of the site a master plan is required, subject to appropriate audit processes and approval from the EPA.

Most of these issues are ongoing issues and more relevant to the EDP stage. It is for this reason that I decided to exercise my discretion to not refer V351 to the relevant Standing Committee under section 73(2) of the Planning and Development Act 2007.

(3) The planning and land authority provided me with the options to either refer the variation to the Standing Committee or not refer. Based on the details above I decided to not refer V351 to the Standing Committee.

(4) Yes, the reasons for my decision not to refer were recorded in the letter that I sent to the Standing Committee on Planning, Environment and Territory and Municipal Services about my decision to exercise my discretion to not refer V351 to the Standing Committee under section 73(2) of the P&D Act. A copy of that letter is attached (**Attachment A**).

(5) I have not received any feedback since I made the decision to not refer V351 to the Standing Committee.

(6) I explained my reasons when I tabled v351 in the ACT legislative Assembly on 27 October 2015.

(7) (a) As at 30 June 2015 the LDA has spent $12,689,740.45 on land acquisition, rezoning, due diligence, studies and early Estate Development Plan preparation works.

(b) Indirectly, the LDA has allocated staff time ensuring appropriate project control and governance is achieved, similar to all projects of this nature by the LDA.

(8) The LDA has not provided in-kind support for the West Belconnen project.

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

ACTION bus service—Page (Question No 601)

Mrs Dunne asked the Minister for Territory and Municipal Services, upon notice, on 19 November 2015:

(1) Why did the Government remove bus services and bus shelters along Burkitt Street, Page.

(2) What consultation did the Government conduct with local residents, particularly those in the retirement villages, along Burkitt Street before removing the bus services and shelters.

(3) What was the outcome of those consultations and if no consultations were conducted, why not.

(4) What representations has the Government received, and from whom, following the removal of the bus services and shelters.

(5) What response has the Government given to those representations.

(6) Does the Government intend to assess the feasibility of re-establishing bus services and bus shelters on Burkitt Street; if so, when; if not, why not.

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

(1) As part of a comprehensive review of bus services in Canberra in 2014, community bus routes 73 and 74 travelling along Burkitt Street Page were replaced with flexible community transport from 1 September 2014.

The Flexible Community Transport is designed to pick up from a residential address and as such the existing shelters became redundant from 1 September 2014.

(2) As part of the consultation process each retirement village along Burkitt Street Page was provided with a copy of the proposed improvements for 2014 and the alternative community transport options. Residents were not consulted on the removal of the redundant bus shelters.

(3) After consideration, Community bus routes 73 and 74 travelling along Burkitt Street Page were replaced with flexible community transport.

(4) The government subsequently received and responded to 3 Ministerials and 2 Chief Minister Ministerials is relation to community bus services in Page. In addition Public Transport Customer Service has responded to 4 enquiries.

(5) The government has provided information on alternative transport options including access to community transport.

(6) At this stage there are no plans to re-establish bus services along Burkitt Street, Page. The combination of Community Transport and minibus transport provided by individual retirement villages is catering for passengers who are unable to walk to nearby bus stops.

Multicultural affairs—Multicultural Festival cost (Question No 624)

Mrs Jones asked the Minister for Multicultural Affairs, upon notice, on 19 November 2015:

What is the total annual budget, broken down into line items, for the Multicultural Festival including (a) equipment hire, (b) insurance costs, (c) entertainment costs, (d) staff, (e) security, (f) food and health inspectors and (g) any other costs.

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

The total annual budget, broken down into line items for the Multicultural Festival is listed below:

(a) equipment hire - $519,683
(b) insurance costs - $11,904
(c) entertainment costs- $21,268
(d) staff – not quantified as many staff work on the various aspects of the Festival throughout the year
(e) security -$35,167
(f) food and health inspectors –$15,837.69
(g) any other costs – $391,371

Sport—women (Question No 625)

Mrs Jones asked the Minister for Multicultural Affairs, upon notice, on 19 November 2015:

In relation to the *One Canberra Reference Group Report* of August 2015 "Action 1. Sports Programs – particularly for young women" which states that "wide and deep community consultation in relation to future rounds of its annual sports grants programs" will be conducted by the ACT Government, (a) how will this consultation be conducted, (b) what specific outcomes are being sought, (c) how will these outcomes be measured, (d) what is the budget for this consultation, (e) what is the budget for the annual sports grants, (f) which bodies have received such grants in the previous two years and (g) how much was granted to these bodies.

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

The One Canberra Reference Group Report is a report to Government which was tabled in the Legislative Assembly on 27 October 2015.

Whilst the implementation of some of the recommended actions is already underway, or in fact in some cases have been completed, an analysis of the Report and its recommendations will be prepared as part of the Government's official response to the Report.

The answers to the question that are not covered by the future Implementation Plan are provided at **Attachment A**.

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

Sport—youth (Question No 626)

Mrs Jones asked the Minister for Multicultural Affairs, upon notice, on 19 November 2015:

In relation to the *One Canberra Reference Group Report* of August 2015 "Action 2. Youth leadership programs" which states that the ACT Government will "support the establishment of a [sic] alternative body to represent the inclusive voice of multicultural youth under the coordination of Multicultural Youth Service (MYS).", (a) how will such an alternative body differ from already existing multicultural bodies, (b) how will the ACT Government measure the inclusiveness of this body, (c) will there be specific targets for this body and (d) what are the existing Multicultural Youth bodies.

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

The One Canberra Reference Group Report is a report to Government which was tabled in the Legislative Assembly on 27 October 2015.

Whilst the implementation of some of the recommended actions is already underway, or in fact in some cases have been completed, an analysis of the Report and its recommendations will be prepared as part of the Government's official response to the Report.

The answers to the question that are not covered by the future Implementation Plan are provided at **Attachment A**.

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

Multicultural affairs—*One Canberra Reference Group Report* (Question No 627)

Mrs Jones asked the Minister for Multicultural Affairs, upon notice, on 19 November 2015:

In relation to the *One Canberra Reference Group Report* of August 2015 "Action 3. Annual Food Drive Program" which states that partnerships will "be developed between main food bank providers within the Canberra community and the Muslim community to facilitate and promote the calendar of food drives.", (a) which specific organisations are classified as the "main food bank providers", (b) which specific community groups are classified as the "Muslim community", (c) will these partnerships be voluntary and (d) will any other ethnic groups be included in such partnerships with these main food bank providers.

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

The One Canberra Reference Group Report is a report to Government which was tabled in the Legislative Assembly on 27 October 2015.

Whilst the implementation of some of the recommended actions is already underway, or in fact in some cases have been completed, an analysis of the Report and its recommendations will be prepared as part of the Government's official response to the Report.

The answers to the question that are not covered by the future Implementation Plan are provided at **Attachment A**.

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

Multicultural affairs—*One Canberra Reference Group Report* (Question No 628)

Mrs Jones asked the Minister for Multicultural Affairs, upon notice, on 19 November 2015:

In relation to the *One Canberra Reference Group Report* of August 2015 "Action 4. Street parties and Action 16. Better utilisation of Neighbour Watch as a vehicle for enhancing social cohesion" which states that the ACT Government explores "options to encourage neighbours to get to know each other.", (a) which options will be explored by the ACT Government, (b) does the ACT Government have a specific target number of neighbours they aim to get to know each other, (c) how will this be measured, (d) what is the budget for this program, (e) what were the targets for the most recent "Neighbour Day" initiative in March and (f) did it meet its target in enhancing social cohesion.

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

The One Canberra Reference Group Report is a report to Government which was tabled in the Legislative Assembly on 27 October 2015.

Whilst the implementation of some of the recommended actions is already underway, or in fact in some cases have been completed, an analysis of the Report and its recommendations will be prepared as part of the Government's official response to the Report.

The answers to the question that are not covered by the future Implementation Plan are provided at **Attachment A**.

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

Multicultural affairs—*One Canberra Reference Group Report* (Question No 629)

Mrs Jones asked the Minister for Multicultural Affairs, upon notice, on 19 November 2015:

In relation to the *One Canberra Reference Group Report* of August 2015 "Action 5. Movie nights and Community Kite-flying Day" which states that the ACT Government will "support the relevant community organisations to implement the Community Kite-flying Day.", (a) which organisations are the relevant community organisations, (b) through what means will the ACT Government "support" these organisations and (c) what is the budget for this action.

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

The One Canberra Reference Group Report is a report to Government which was tabled in the Legislative Assembly on 27 October 2015.

Whilst the implementation of some of the recommended actions is already underway, or in fact in some cases have been completed, an analysis of the Report and its recommendations will be prepared as part of the Government's official response to the Report.

The answers to the question that are not covered by the future Implementation Plan are provided at **Attachment A**.

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

Multicultural affairs—*One Canberra Reference Group Report* (Question No 630)

Mrs Jones asked the Minister for Multicultural Affairs, upon notice, on 19 November 2015:

In relation to the *One Canberra Reference Group Report* of August 2015 "Action 6. Ramadan 'Fast Breaking' in the city" which states that the ACT Government "supports the community organised city-based event that will mark the breaking of the fast on one day during in [sic] Ramadan in 2016 open for all community members.", (a) by what means will the ACT Government support this event and (b) what is the budget for this event.

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

The One Canberra Reference Group Report is a report to Government which was tabled in the Legislative Assembly on 27 October 2015.

Whilst the implementation of some of the recommended actions is already underway, or in fact in some cases have been completed, an analysis of the Report and its recommendations will be prepared as part of the Government's official response to the Report.

The answers to the question that are not covered by the future Implementation Plan are provided at **Attachment A**.

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

Multicultural affairs—*One Canberra Reference Group Report* (Question No 631)

Mrs Jones asked the Minister for Multicultural Affairs, upon notice, on 19 November 2015:

In relation to the *One Canberra Reference Group Report* of August 2015 "Action 7. Gender-specific swimming classes" which states that the ACT Government "supports the continuation of the current program and look to expand it for other vulnerable groups in the ACT.", (a) how long has this program been operating, (b) what is the cost of this program per year, (c) what specific targets are set for this program, (d) how are outcomes measured, (e) how many classes are run each week, (f) where are these classes operated, (g) how many people have attended these classes since its inception and (h) what other groups in the ACT does the Government consider to be "vulnerable".

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

The One Canberra Reference Group Report is a report to Government which was tabled in the Legislative Assembly on 27 October 2015.

Whilst the implementation of some of the recommended actions is already underway, or in fact in some cases have been completed, an analysis of the Report and its recommendations will be prepared as part of the Government's official response to the Report.

The answers to the question that are not covered by the future Implementation Plan are provided at **Attachment A**.

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

Multicultural affairs—*One Canberra Reference Group Report* (Question No 632)

Mrs Jones asked the Minister for Multicultural Affairs, upon notice, on 19 November 2015:

In relation to the *One Canberra Reference Group Report* of August 2015 "Action 9. Make information more accessible" which states that the ACT Government "continues to translate essential information into those languages used by the most vulnerable people in our community.", (a) what information is translated, (b) to what languages is this information translated, (c) what is the cost of this program, (d) have any additional funds been added or considered to be added to achieve this outcome and if so, how much.

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

The One Canberra Reference Group Report is a report to Government which was tabled in the Legislative Assembly on 27 October 2015.

Whilst the implementation of some of the recommended actions is already underway, or in fact in some cases have been completed, an analysis of the Report and its recommendations will be prepared as part of the Government's official response to the Report.

The answers to the question that are not covered by the future Implementation Plan are provided at **Attachment A**.

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

Multicultural affairs—*One Canberra Reference Group Report* (Question No 633)

Mrs Jones asked the Minister for Multicultural Affairs, upon notice, on 19 November 2015:

In relation to the *One Canberra Reference Group Report* of August 2015 "Action 11. More forums for interfaith leaders to come together" which states that the ACT Government "continue to support and promote interfaith gatherings and activities across the ACT.", (a) which interfaith gatherings were supported and promoted by the ACT Government from 1 November 2014 to 31 October 2015, (b) through what means were these interfaith gatherings supported and promoted, (c) which interfaith gathering does the ACT Government plan to support or promote between 1 November 2015 to 31 October 2016 and (d) are there any interfaith gatherings the ACT Government plans to not support or promote between 1 November 2015 to 31 October 2016 which were supported or promoted during the same time period twelve months prior.

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

The One Canberra Reference Group Report is a report to Government which was tabled in the Legislative Assembly on 27 October 2015.

Whilst the implementation of some of the recommended actions is already underway, or in fact in some cases have been completed, an analysis of the Report and its recommendations will be prepared as part of the Government's official response to the Report.

The answers to the question that are not covered by the future Implementation Plan are provided at **Attachment A**.

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

Multicultural affairs—*One Canberra Reference Group Report* (Question No 634)

Mrs Jones asked the Minister for Multicultural Affairs, upon notice, on 19 November 2015:

(1) In relation to the *One Canberra Reference Group Report* of August 2015 "Action 13. Establish a Reflection Centre in Canberra" which states that the ACT Government "support small scale modifications to enhance a space for the purposes of serving as a quiet place for reflection.", (a) which locations are being considered for a reflection space and (b) what is the budget for the small scale modifications.

(2) In relation to the statement that the ACT Government "consider a special place for reflection by its culturally diverse prison population.", (a) which cultures are considered by the ACT Government to be "diverse" and (b) what is the expected cost of providing these prisoners with a "special place for reflection".

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

The One Canberra Reference Group Report is a report to Government which was tabled in the Legislative Assembly on 27 October 2015.

Whilst the implementation of some of the recommended actions is already underway, or in fact in some cases have been completed, an analysis of the Report and its recommendations will be prepared as part of the Government's official response to the Report.

The answers to the question that are not covered by the future Implementation Plan are provided at **Attachment A**.

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

Multicultural affairs—*One Canberra Reference Group Report* (Question No 635)

Mrs Jones asked the Minister for Multicultural Affairs, upon notice, on 19 November 2015:

In relation to the *One Canberra Reference Group Report* of August 2015 "Action 14. Pro-active approach with good news for media" which states that the ACT Government will "encourage multicultural community groups to invite journalists to national day celebrations and other community events in the capacity as guest speakers.", (a) will the ACT Government be encouraging multicultural community groups to invite journalists to speak at national day celebrations and (b) is it Government's role to encourage or instruct multicultural community groups who to invite to national day celebrations.

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

The One Canberra Reference Group Report is a report to Government which was tabled in the Legislative Assembly on 27 October 2015.

Whilst the implementation of some of the recommended actions is already underway, or in fact in some cases have been completed, an analysis of the Report and its recommendations will be prepared as part of the Government's official response to the Report.

The answers to the question that are not covered by the future Implementation Plan are provided at **Attachment A**.

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

Multicultural affairs—*One Canberra Reference Group Report* (Question No 636)

Mrs Jones asked the Minister for Multicultural Affairs, upon notice, on 19 November 2015:

In relation to the *One Canberra Reference Group Report* of August 2015 "Action 15, (a) what evidence was used to draw the conclusion that "some in the community fear that Anglo-Australian culture is being diminished" and (b) what mode will the ACT Government use to "acknowledge" this purported issue.

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

The One Canberra Reference Group Report is a report to Government which was tabled in the Legislative Assembly on 27 October 2015.

Whilst the implementation of some of the recommended actions is already underway, or in fact in some cases have been completed, an analysis of the Report and its recommendations will be prepared as part of the Government's official response to the Report.

The answers to the question that are not covered by the future Implementation Plan are provided at **Attachment A**.

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

Multicultural affairs—*One Canberra Reference Group Report* (Question No 637)

Mrs Jones asked the Minister for Multicultural Affairs, upon notice, on 19 November 2015:

In relation to the *One Canberra Reference Group Report* of August 2015 "Action 18. Stronger and more frequent community interactions by police particularly with young people" which states that "there are opportunities for youth from CALD communities to undertake work placements with the ACT Police.", (a) what specific work placements are available with ACT Police, (b) what are the criteria for achieving such work placements, (c) what are the application processes for these work placements and (d) what is the average time frame from initial application to start date.

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

The One Canberra Reference Group Report is a report to Government which was tabled in the Legislative Assembly on 27 October 2015.

Whilst the implementation of some of the recommended actions is already underway, or in fact in some cases have been completed, an analysis of the Report and its recommendations will be prepared as part of the Government's official response to the Report.

The answers to the question that are not covered by the future Implementation Plan are provided at **Attachment A**.

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

Multicultural affairs—*One Canberra Reference Group Report* (Question No 638)

Mrs Jones asked the Minister for Multicultural Affairs, upon notice, on 19 November 2015:

In relation to the *One Canberra Reference Group Report* of August 2015 "Action 20. Racism – It stops with me" which states that the ACT Government "[p]romotes more widely the anti-racism program in schools and advertise the conclusions and evaluations emanating from the pilot.", (a) how will the ACT Government measure the effectiveness of this program in schools, (b) is the "Racism – It stops with me" program designed to combat these specific examples of racism and (c) could the Directorate supply a copy of the curriculum documents for this program outlining content and delivery models.

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

The One Canberra Reference Group Report is a report to Government which was tabled in the Legislative Assembly on 27 October 2015.

Whilst the implementation of some of the recommended actions is already underway, or in fact in some cases have been completed, an analysis of the Report and its recommendations will be prepared as part of the Government's official response to the Report.

The answers to the question that are not covered by the future Implementation Plan are provided at **Attachment A**.

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

Garran—resurfacing works (Question No 639)

Mrs Jones asked the Minister for Territory and Municipal Services, upon notice, on 19 November 2015 *(redirected to the Minister for Roads and Parking)*:

What was the total budget for resurfacing works on both sections of Garran Place at Garran shops and (a) how many square metres were resurfaced, (b) what method of resurfacing was used and (c) was the same method used for both in front of and behind Garran Place.

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

The total cost of the work was $21,810.

(a) 2,421 sq. metres of pavement was resurfaced.
(b) 10mm reseal using bituminous emulsion on both sites.
(c) Yes.

Children and young people—playgrounds (Question No 640)

Mrs Jones asked the Minister for Territory and Municipal Services, upon notice, on 19 November 2015:

What was the cost for building the playground at Max Jacobs Avenue, Wright, including (a) the cost of equipment, (b) the cost of landscaping, (c) the cost of fencing, (d) the cost of footpaths and (e) any other costs in establishing this playground.

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

The playground on Max Jacobs Avenue, Wright was built by a private developer as part of the development of the suburb. Therefore, the Territory and Municipal Services Directorate are unable to provide a breakdown of the cost for building the playground.

Children and young people—playgrounds (Question No 641)

Mrs Jones asked the Minister for Territory and Municipal Services, upon notice, on 19 November 2015:

What was the cost for building the playground at John Knight Memorial Park, Belconnen, including (a) the cost of equipment, (b) the cost of landscaping, (c) the cost of fencing, (d) the cost of footpaths and (e) any other costs in establishing this playground.

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

The costs associated with building the 'Snake House' playground upgrade in 2010 at John Knight Memorial Park, Belconnen was $387,971.83 (ex GST).

(a) $151,968.50 (ex GST)
(b) $9,150.00 (ex GST)
(c) $7,800.00 (ex GST)
(d) $9,000.00 (ex GST)
(e) $210,053.33 (ex GST)

Children and young people—playgrounds (Question No 642)

Mrs Jones asked the Minister for Territory and Municipal Services, upon notice, on 19 November 2015:

What was the cost for building the playground at Albatross Crescent, Harrison, including (a) the cost of equipment, (b) the cost of landscaping, (c) the cost of fencing, (d) the cost of footpaths and (e) any other costs in establishing this playground.

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

The playground on Albatross Crescent, Harrison was built by a private developer as part of the development of the suburb. Therefore, the Territory and Municipal Services Directorate are unable to provide a breakdown of the cost for building the playground.

Children and young people—playgrounds (Question No 643)

Mrs Jones asked the Minister for Territory and Municipal Services, upon notice, on 19 November 2015:

What was the cost for building the playground at the Arboretum, including (a) the cost of equipment, (b) the cost of landscaping, (c) the cost of fencing, (d) the cost of footpaths and (e) any other costs in establishing this playground.

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

The total cost for building the playground at the Arboretum was $2,306,061.
The cost of landscaping was $213,054. All other costs, including fencing and footpath costs, totalled $2,093,007. The available information does not allow a more detailed breakdown of "other costs".

Children and young people—playgrounds (Question No 644)

Mrs Jones asked the Minister for Territory and Municipal Services, upon notice, on 19 November 2015:

What was the cost for building the playground on Neil Harris Crescent, Forde, including (a) the cost of equipment, (b) the cost of landscaping, (c) the cost of fencing, (d) the cost of footpaths and (e) any other costs in establishing this playground.

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

The playground on Neil Harris Crescent, Forde was built by a private developer as part of the development of the suburb. Therefore, the Territory and Municipal Services Directorate are unable to provide a breakdown of the cost for building the playground.

Children and young people—playgrounds (Question No 645)

Mrs Jones asked the Minister for Territory and Municipal Services, upon notice, on 19 November 2015:

What was the cost for building the playground on McConchie Circuit, Weston, including (a) the cost of equipment, (b) the cost of landscaping, (c) the cost of fencing, (d) the cost of footpaths and (e) any other costs in establishing this playground.

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

The playground on McConchie Circuit, Weston was built by a private developer as part of the development of the suburb. Therefore, the Territory and Municipal Services Directorate are unable to provide a breakdown of the cost for building the playground.

Questions without notice taken on notice

Planning—transport

Mr Gentleman *(in reply to a supplementary question by Mr Smyth on Tuesday, 17 November 2015)*: The Government is considering the findings of the Auditor-General's report and will table a whole of government response in the Legislative Assembly in February 2016.

Icon Water—assets

Mr Barr *(in reply to a supplementary question by Ms Lawder on Thursday, 19 November 2015)*: The Treasurer has been advised by CMTEDD officials of an informal approach, in the context of the Unsolicited Proposals Framework, relating to Icon Water assets qualifying for the Asset Recycling Initiative. While this proposal is being considered by officials in accordance with the Framework guidelines, as is any such proposal received, Government policy is to not privatise water assets.

Planning—Giralang

Mr Gentleman *(in reply to a question and a supplementary questions by Mr Coe and Mr Doszpot on Wednesday, 28 October 2015)*: There are no current development applications (DA's) for either Block 8 Section 80 or Block 20 Section 85 in Giralang.

The ACT Property Group is the land custodian for Block 20 Section 85 which is an old depot, rather than a scout hall. The ACT Government is actively seeking a tenant for this block as the main building is currently vacant. The yard is currently being used by the ACT Rogaining Association and Orienteering ACT.

With respect to Block 8 Section 80, this block is currently vacant unleased land behind the Giralang shops and is commercial zoned land (CZ4). This land was not part of the direct sale proposal for the shops, which involved land fronting Canopus Crescent. I am advised that the Economic Development Directorate is not aware of any current proposals for this piece of land.

I also provide the following advice with respect to other surrounding blocks in the vicinity of Giralang school:

- Block 5 Section 80 (the Former Giralang Health Centre) is currently tenanted by Barnardos.

- Block 8 Section 76 is the Giralang Community Hall and is currently tenanted by the Giralang Community Centre Association Inc.

The DA for Giralang Shops was approved by the then Minister for Planning, Simon Corbell MLA, on 17 August 2011. The approval of the Giralang Shops DA was appealed up to the High Court which remitted the matter back to the ACT Court of Appeal who re-heard the matter on 30 July 2015. A decision has yet to be reached by the Court of Appeal.

Unfortunately due to the lengthy court and appeal process against the decision of the Minister to approve the DA development at this site has been delayed.

In relation to parking around Giralang School, Roads ACT is reviewing the on road parking and traffic arrangements around the school in consultation with the school community. The Education and Training Directorate is aware of this issue and a report with draft recommendations will be presented to the school for comment shortly. At this stage, there are no plans to provide additional off street parking as part of this review.

Oaks Estate—amenities

Mr Rattenbury *(in reply to a supplementary question by Mrs Jones on Wednesday, 28 October 2015)*: For the comfort of drivers, where possible, ACTION schedules services to end where a toilet facility is available.

Planning—variation 351

Mr Gentleman *(in reply to a supplementary question by Mrs Jones on Wednesday, 18 November 2015)*: Under the *Planning and Development Act 2007* (the P&D Act), section 63 (Public consultation – notification), V351 was released for statutory consultation between 22 May and 6 July 2015. The consultation notice was made available in the *Canberra Times* and on the ACT legislation register website calling for public submissions. In addition, a joint public information session with the National Capital Authority on the draft amendment 85 of the National Capital Plan was held at Kippax Fair Shopping Centre on 4 June 2015. Hence I can confirm that the general public in the ACT was extensively consulted on V351 for a period of six weeks between 22 May and 6 July 2015.

Prior to the statutory public consultation, government agencies were also widely consulted on V351. These included mandatory agencies under section 61 of the P&D Act. These mandatory agencies were the National Capital Authority, the Conservator of Flora and Fauna, the Environment Protection Authority, the Heritage Council and the land custodians, the Territory and Municipal Services Directorate and Arts ACT.

Besides the extensive statutory consultation undertaken by the planning and land authority, during the pre-statutory planning phase for V351, the Riverview Group as the proponent on behalf of the Land Development Agency did extensive community and stakeholder engagement. For instance, in the period of June 2010 and July 2013 alone, 164 meetings were held with a range of stakeholders, an average of 4.5 meetings per month.

From 2014 onwards, the proponent engaged with a range of stakeholders including Belconnen Community Council, Ginninderra Falls Association, Conservation Council (ACT Region), Strathnairn Arts Association, Ginninderra Catchment Group, Government Horse Paddocks Users Group, and Pace (Parkwood) Eggs.

During the public consultation period, the main issues raised in the public submissions included:

- Cross border jurisdictional arrangements;
- Concerns about traffic and transport in the vicinity of the development;
- The extension of Ginninderra Drive to service the development;
- Implications for the Bicentennial national Trail;
- Conservation river corridor / Ginninderra Falls;
- Potential odour from the Lower Molonglo Water Quality Control Centre;
- Potential odour from Pace Egg Farm on Parkwood Road;
- Asbestos disposal and land contamination; and
- Pressure and competition on Kippax Group Centre.

Given the extensive consultation, I believed that the matters raised during the consultation period had been adequately addressed.