



Debates

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Thursday, 18 February 2016

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.

Valedictory

MS PORTER (Ginninderra): I seek leave to make a valedictory statement.

Leave granted.

MS PORTER: Before I start my valedictory speech, Madam Speaker, I would like to let you know that I will be handing you my letter of resignation as Deputy Speaker immediately after my speech. Given that this is my last day as an MLA in this chamber, this will give you time to consider it as my Assembly colleagues respond to my valedictory.

Firstly, I thank my colleagues in this place and in the Labor Party more generally, and those opposite, for the great honour and opportunity to stand for election the first time in 2004. I thank and acknowledge the people in my electorate of Ginninderra who have put their faith in me on three consecutive occasions in choosing me to represent them and to give them a voice in the ACT government.

I took my seat back then with a sense of pride in making history as the person whose election gave the ACT its first and so far only Labor majority government in the ACT. Members may remember I said then that, in 1954, my father having made the decision that our family should emigrate to Australia to give his girls a greater opportunity to better themselves, took us across the world as migrants.

We arrived in Australia as Mr Purnell and three others, according to the official records: my three-year-old sister, I at 12 years of age and my mother. We settled in Wollongong and I attended Wollongong High School. I then graduated from Wollongong general hospital, first in general nursing and later in midwifery.

I left Britain as a person already with strong social values passed on to me by my parents and grandparents. I had served in the British Red Cross as a volunteer from a very young age. To seek opportunities for service was second nature, I guess. As you know, I spent 12 years in remote Indigenous communities in Arnhem Land in the Northern Territory as a bush nurse. In this environment I brought up my three children, the eldest a son with a disability at the time.

When he turned 12 the decision was made to move south to be closer to medical and other services; so we came to Canberra. Life in the Top End without roads and without all-weather airstrips, without all the basic services we all take for granted, was exciting, challenging and fulfilling. However, without even regular GP visits to settlements, let alone access to specialist advice, it was necessary to uproot ourselves.

My life in the territory taught me many things. It taught me that people working together using their individual skills and ideas can achieve much for their community. It gave me the opportunity to do just that. It taught me that if you want to know your community, you need to work with your community. It was a good training ground for the work I took on on arrival in the ACT: to establish what is now known as Communities@Work, formerly Tuggeranong community service, and to establish and build Volunteering ACT, the peak body for the volunteering profession. Both those organisations are now highly respected and acknowledged leaders in their field.

These examples are about the power of people to make a great deal of difference when supported and resourced. It takes very little in the way of financial resources to achieve a great deal. Who could have anticipated five or six people, all with families, mortgages and part-time paid jobs, could band together and form the genesis of what are now thriving community services?

This is how those two organisations were formed. It was with the will of these women working together. It is all about people joining together, taking an idea, working together and making it a reality for the benefit of all. Since then in the same way I have joined with others to bring into being the former west Belconnen health co-op, now with several sites across the ACT. Also, Pets and Positive Ageing, PAPA, enables older members of our community to age at home with their pets, or take their pets with them into retirement villages. I acknowledge people from PAPA who are with us today and thank them for being here.

I am proud to have joined with Karralika to work towards the establishment of an Older Wiser Living organisation in the ACT. This will be similar to OWL in Victoria, which individually identifies and supports older people in danger of adverse health events, including falls, as a result of their use of prescription medication and their daily intake of alcohol.

In this place last week I talked about my passion for restorative justice and how I have championed this practice for many years, including as an MLA. I have been fortunate to have the support of my colleagues in this. I again acknowledge Attorney-General, Simon Corbell, for his commitment to and his vision for a restorative city.

I will continue to work outside this place in my new community and across Australia for restorative justice. I have been fortunate to be able to follow another passion, that of the arts in all its forms, particularly through being patron of the CAT awards, the Canberra Area Theatre awards. I have enjoyed supporting and promoting many amateur theatre groups in the ACT and region, most members of CAT.

My professional development scholarship, which is now in its fourth year, is another way I have encouraged young people who have gained recognition through the CAT awards, and I am happy to continue this. I look forward to the day when the CAT awards will receive the recognition that they deserve as one of the primary means of assisting our young outstanding talent to gain recognition and opportunity in many fields of live theatre.

Better recognition of the CAT awards and the second stage of the Belconnen Arts Centre are two things on my “to achieve” list that sadly were not achieved. However, I will watch this space. Another aim I did not manage to get much beyond the very early discussion stage of is the establishment of the Sistema program in the ACT. It is similar to Big Noise in Raplock, Scotland. Big Noise has been largely credited with helping a very disadvantaged area of Stirling turn itself around through giving all young people in the town the opportunity to learn a musical instrument and play in an orchestra. I would like to thank Henry Laska, immediate past CEO of CSO, who assisted me in exploring this idea, and whom I very much enjoyed working with on this and other CSO endeavours.

My husband and I have enjoyed our involvement with the Arboretum, where we are foundation members. My thanks must go to Bob Winnel for his belief and support in the Arboretum through the village centre and the Voices in the Forest. We all know that the plans for the Arboretum when first introduced to this place by the former Chief Minister Jon Stanhope were not positively received—not by all, I would say. However, many people across the ACT, including people like Bob and other benefactors, believed in it and could see its potential. I think we should all be very proud of its success.

Some members may know of another Canberra link which will remain. That is my scholarship of a young Indigenous woman, Sarah Cait, who is completing her secondary education at Canberra Girls Grammar. She is from a single-parent family in Taree and is one of seven Indigenous students who, without the support of the Podmore Foundation, would not reach year 10, let alone year 12. I am sure that they will go on to university, as some of them are preparing to do now. Next year I believe a young man will join the Podmore scholarship team and go to Canberra Grammar as well.

I have enjoyed my time as the ACT representative on the Commonwealth Women Parliamentarians Regional Steering Committee (CWP), particularly getting to know other women parliamentarians across Australia and the Pacific. I believe this committee has achieved a great deal in the past few years in encouraging greater exchange with our Pacific sisters in particular and encouraging young women to consider leadership roles.

Introducing a bill and having the ACT Retirement Villages Act 2012 accepted unanimously in this place was of great satisfaction to me. Thanks to all those who raised their questions with me in the first place and those from retirement villages and the industry who have supported its passage and its implementation. Special thanks here to the Retirement Villages Residents Association who continue to work tirelessly now in relation to the review of the act, which I believe is so far demonstrating that the act to a large extent is working positively for the betterment of all. I thank my colleagues for their support in getting that bill through.

I have greatly appreciated the opportunity to sit on Assembly committees. Members know that in a unicameral parliament the committee system plays a very important role in our democracy. I see it as a virtual upper house. I try at all times to treat the committee process with respect, as I have my role as Deputy Speaker.

My day-to-day contact with constituents in my electorate and many people across the territory has been a great honour. It is an honour that they have entrusted to me their big issues and their small issues. I believe it has been my greatest reward. I discovered from my first mobile office—as you know, I have conducted hundreds of those—that the issues mainly occupying people’s minds are what we call roads, rates and rubbish.

Whether it is public land being mowed, local facilities and shopping centres being maintained, footpaths kept hazard free, trees pruned or inspected for possible removal, street lights working, gutters cleaned or traffic hazards identified and addressed, I very quickly earned the reputation in the then department, and now directorate, of TAMS, as a serial pest. I am the pesky MLA who sends all these matters to the minister. It is a badge I wear proudly: guess they are all somewhat relaxed about the fact that I am doing my valedictory today. If it means people’s lives are that much better, the effort is always worth it. I think we would all agree about that. So I would encourage you all to take over my role.

Housing, particularly emergency and public housing, is another area of my office I am assisting people with frequently. I am glad to be able to help so many who have found themselves in need of housing and running into difficulty negotiating their way through the application process, which can be difficult when you are experiencing trauma. I will never forget a grandmother, with grandchild in tow, who approached me with tears in her eyes at our annual Hawker carols to thank me for helping her single daughter find a home for her and her children.

Of course, people raise health and education issues with me. As a former health professional and as a grandmother and a great-grandmother I can appreciate these concerns and happily try to assist where I can. This is an advantage of being in your 60s when you enter this place with two careers under your belt—nursing and community management—as well as rich life experiences. Not everyone is my age when they stand for election, nor have they had the opportunities I have had.

However, I believe democracy is not served by the emergence of the career politician, as sadly seems to be occurring across all sides of politics. Fortunately, the Labor preselection process has resulted in some fine candidates emerging for the next election. I trust that a similar outcome will be evident through other preselection processes.

After all, what motivates us all is the desire to make a positive difference to our community. We carry a very important mantle, the mantle of democracy. It is not to be taken lightly. It seems robust, but history shows us that it is a very fragile thing. It behoves each one of us to guard it carefully and with our best efforts through employing not our self-interest but our higher selves.

That brings me to the final thing I want to say before I recognise and thank individuals. I spoke yesterday in this place about the manner of our unavoidable death and about people’s concerns about the death of those close to them and the manner of their death. As I said, we cannot avoid facing it and I believe we should not avoid talking about it. I am pleased to have been able to start a healthy conversation about end-of-life issues in the ACT. I thank all of those who trusted me through that process and who have joined in these conversations.

I thank Megan Doherty of the *Canberra Times* for reporting my study tour and the issues I explored while in Europe in such a sensitive and balanced way, avoiding polarisation of the issues involved. We all want a peaceful death. There are many who desire a greater choice in how to achieve this. I saw good examples when overseas of legislation with proper safeguards. It is my great hope that once the Andrews bill no longer holds its power over the ACT, members in this place will be able to introduce a bill to legalise voluntary euthanasia. It may be a long time coming, of course, but wherever I am, and until the day I die, I will join in this conversation.

We also need to keep building our excellent palliative care services, of course, and they are excellent. They are continuing to respond to demand. We should realise that this is not an either/or situation. In Belgium I visited an excellent day care centre where people were busy living, not preoccupied with dying, at the same time knowing they had a choice in relation to the manner of their death.

Advanced care directives are an excellent tool to assist people in planning for the manner of their death and are recommended for every adult. No matter whether you are younger or older, it is really necessary for you to look at this. That is why I call for better education and accessibility so people really understand what the options are.

I thank all my staff, past and present. Like all of us in this place, the longer you are here the greater the number of staff that pass through your office. I have been very fortunate to have so many fine individuals who worked beside me tirelessly to achieve a great deal. I also feel honoured to have been able to access a cadet program which saw three young Indigenous people work with me. They went on to secure recognition and great job opportunities in their chosen field. In the same way I was fortunate to have individuals who undertook internships. I am pleased to see a number of staff go on from my office to secure jobs in federal ministers' offices and indeed in the then prime minister's office.

I will list all the staff here as closely as I can get to their actual chronological order, and I am sorry if I get it wrong. Alys Graham was the first staff member I employed because she had been here before and she helped me set up my office. Jamila Rizvi—I think we all know her name now; she is now a wonderful magazine editor. I also mention Ryan Hamilton, Emma Smith, Annika Hutchins and Ian de Landelles—until the de Landelles amendment was introduced, as we fondly call it around our place.

Frank Gaffer, Andrew Hunter, Tim Petheram, Jack Simpson, Charles Njora, Monica Vannasy, Murielle Zielonka, Janet Hutchison, Zara Davis, Ernest Egelonu, Brianna Jeffries, David Bullock, Katherine Wright and Anna Maxwell also worked with me. I acknowledge the staff who are here with me today.

In the same way, my election was the result of a great team of members of my party. I thank and acknowledge the members of the party who gave up their time to assist me and, of course, my colleagues in this place. In the same way I thank my large army of volunteers, many not party members, who worked so hard for me at the time and have stuck by me all these years, always happy if they can assist me with matters outside this place.

There is also another team. Without that team none of us could do our job here. I refer to the attendants, the committee office, the clerks, IT, Hansard, maintenance, library and corporate. It has been a tough few months for them all with the refurb, and there is more to come. However, through it all they keep smiling. And thanks for the lollies: who thought of that yesterday? I let it slip that I had not eaten since 6 o'clock when it was about 4 o'clock or 4.30 in the afternoon. So someone delivered me a few lollies. I am sorry to tell you, Madam Speaker, they were delivered in the Speaker's chair. I was very discreet.

MADAM SPEAKER: I will speak to someone about it.

MS PORTER: I also pay special acknowledgement to the IT assistants around here because I am really not an IT person and they have to keep smiling frequently with me.

A big thank you to my greatest supporter, my husband. I am so pleased that he is here today with me. He pushes and shoves and he gets me there in the end. As most people know, he is the cook and the shopper and he does practically everything at home. I thank my extended family, mostly interstate, who constantly keep in touch, sending their encouragement and support, which of course they did this morning. I am sure they will be glad to have more of my time and attention, especially the tribe of grandchildren and our great-granddaughter.

I would like to recognise some friends. I would like to recognise Paul Moran who is with us today in the visitors gallery. He has travelled here from Adelaide, as he did for my investment at Government House. Paul and his wife Chrissie have been long-term supporters—oh God, I am going to start now—who have supported me so much. In the same way, Jan Squires and her husband Geoff have been here for me through all the significant events for many years. They cannot be here today but I know they are here in spirit. Many people have sent their good wishes and I thank them for that. There are a lot of constituents and a lot of people who are friends and party members.

I thank posthumously the man who influenced my life the most in my formative years, my father, a man who was so proud of what his daughters achieved. That is what he had dreamt of. My mother and my grandmother, a dour Scottish woman, were very dear to me, though long since dead. Both these women were, in one way or another, my role models. Like my father, they taught me to believe in compassion, fairness and one's ability to make a difference in society.

They taught me about learning and believing in my own capacity and above all the importance of positive relationships. There were three children in the small housing block where we lived in the waterworks cottages in Purley. There were not many children but we three girls hung out together. You can imagine that three girls is not a good mix; two perhaps or four, but not three. I would go to my mother and say, "Eileen and Pam have done this," or whatever. She would say, "Not my problem. Go and sort it out." I learnt that from a very, very young age.

I will continue to work as a member of my new community on Lake Macquarie, to get involved and achieve positive outcomes. It has been really a great honour to be here. As I said at the outset, Madam Speaker, I am proud to be able to stand in this place and address this Assembly today, standing beside my colleagues in the Labor Party and with all of you here.

I thank the people of Ginninderra lastly for the confidence they have shown in me. I undertook to represent them in the Assembly to the best of my ability. I trust I have fulfilled that promise. Canberra has a great future ahead of it under this Labor government. I look forward to seeing the news about the election of the next one in October 2016. Thank you, Madam Speaker.

MR BARR (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Tourism and Events and Minister for Urban Renewal): I seek leave to make a short statement.

Leave granted.

MR BARR: Today is the end of an era for the Assembly. We have just heard from Ms Porter as to why she was involved in politics and what motivated all of her actions as a member of this place. As always in Mary's speeches, she gave us food for thought for the future. I would like to take the opportunity this morning, whilst Mary hands in her resignation as Deputy Speaker, to pay tribute to her contribution through everything that she has delivered for the people of Canberra, particularly her electorate of Ginninderra, for the Australian Labor Party and for the broader community. As we have heard, Mary's commitment to social progress far pre-dates her election to this place in 2004.

Mary and I share a number of things in common, but one of them is that we both moved to Canberra in 1977. Mary came here, as we have heard, after an extended period in the Northern Territory. She came here with a passion for community participation and she was determined in her new home town of Canberra to become incredibly involved in her community. It drove her to establish and manage Communities@Work in Tuggeranong and to establish Volunteering ACT, where she became CEO before her 2004 election to this Assembly. We both ran for this Assembly in 2004. Mary was successful initially and since becoming an MLA she has been a proud and persistent advocate for her community. Frankly, I think we would all acknowledge we would be hard pressed to find a resident in Ginninderra who has not met Mary at one of her mobile offices over the years at a community event or in some walk of life here in this city.

A mark of any good representative is to be able to listen more than they speak. Some of us struggle with that concept, but I know Mary is one who would always be a good listener, and constituents have always felt that they would be heard by Mary. And there is no doubt that her electoral success over the years also shows the strength of her grassroots involvement with the community and also her engagement in this place.

Her engagement in the Assembly has been extensive. Her work for older Australians here in Canberra has been among her clearest achievements. She has worked to improve security for people living in retirement villages; she has brought a great deal of compassion and respect to the difficult public conversation about end-of-life issues; her commitment to expanding the use of restorative justice processes, especially within schools and the juvenile justice system, will have lasting and beneficial impacts on the lives of Canberrans. And as Belconnen celebrates its 50th year, Mary is still lobbying for further support of the Belconnen Arts Centre, something, as we have heard—as has the new arts minister—that Mary is very passionate about.

In her inaugural speech to this place Mary said:

I was moved to stand for election based on my own sense of social justice and my belief in the power of people working together to achieve positive outcomes for the community.

Today, as Mary has delivered another excellent speech, her valedictory, I think we can all agree that her values, her hard work and her dedication have been an asset to this community, to this place and to the Labor Party.

Mary, as a colleague and a friend I thank you for your commitment to making Canberra a better place. I wish you and Ian all the very best in Lake Macquarie. I encourage you to resist the temptation to set up a mobile office; I know it will be hard. Anthony and I look forward to coming to visit you in Lake Macquarie. I want to take this opportunity publicly to thank both you and Ian for your very strong support of us as a couple. We have known each other for 25 years now. You have been a great friend. We have not always agreed on everything, and you are often the first person to tell me when I am wrong, but I thank you for that and for everything you have contributed to the community.

Friends, Mary asked that everyone be brief and nice, so I will conclude my remarks on that note, as I always listen to Mary.

MR COE (Ginninderra): I, too, seek leave to say a few words.

Leave granted.

MR COE: On behalf of the opposition, I would like to thank Mary for the enormous contribution she has made to the Assembly and to Canberra. Madam Speaker, Ms Porter has been, is and will continue always to be respected by everyone from all sides of politics and, of course, in the community that she represents. She certainly has much admiration from this side of the chamber. I will mostly remark on my personal experience of being in the Assembly for a couple of terms with Ms Porter, but I will also make some comments on the professional and respectful way in which she has approached her role here.

Mary is someone you can trust. As a new member of the Assembly in 2008 I quickly realised that Mary was someone you could have a confidential conversation with

about everything, whether it was the tribulations of party politics, sometimes my own party's politics, the latest show or family life. She is a sincere person with a glowing personality.

It is easy to note Mary's wonderful personality, dedication and sincerity, but what must not go unnoticed is that amongst all these wonderful attributes is a very professional politician. She is a good operator and is very well respected in political circles. Her electoral performance is extremely impressive. It is worth noting just how well she has done at the elections in which she has stood. Her work as Deputy Speaker and as chair of committees has also been noted. It has always been impartial; it has always been fair.

I have had some very interesting times with Ms Porter, not the least of which was a planning committee trip to Brisbane. It was quite a sight. Imagine me, Mary and Caroline Le Couteur traversing the night clubs of Fortitude Valley at 11 pm. Who knows what people thought when the three of us bypassed the queue and zipped in like A-listers at Cloudland. There we were making a beeline for the bar, and it just opened like the Red Sea. Quite extraordinary. We have had good conversations in many locations: on buses in Tasmania and on committee trips out to various subdivisions in Canberra and elsewhere.

Mary has had many local and territory-wide policy wins. Her work in the retirement village community is worth noting. The wonderful Ridgecrest community in Page would be able to provide many testimonials about her diligence in this space. She is truly a local member to this community, and indeed all of Ginninderra, and her work is to be admired.

As has already been said, I believe Mary provided a blueprint on how to be a visible community member and a local MLA. Given the challenges of being housed in this building without electorate offices, Mary's example of regular shopping centre visits is first-class.

Regularly on a Thursday or Friday evening, you could walk down the corridor of the Assembly on level 1 and catch a flash of light—Mary in one of her many sparkling jackets, heading for the theatre. Mary and Ian's love for and involvement in the regional theatre community are legendary, and they have a wonderful legacy in this space. Her generous scholarship is an intergenerational gift she has given. Through the donation of the funds for that scholarship, she has facilitated many young Canberrans to be able to follow their dream of theatre. Ian and Mary's work at the CAT awards has been a very special part of their life, and I very much respect them for it.

Madam Speaker, Canberra got two for the price of one with Mary Porter—Mary and Ian were and are a true duo. We have all had many great experiences chatting with Ian and Mary at various events across town. Their loving and supportive relationship is something to admire. Patience is also something which is obviously part of their relationship. Evidence of this is Ian's dedication in helping set up her mobile offices and returning an hour or two later to pack them up. Mary's patience, or perhaps lack thereof, is evident with Ian getting caught in a conversation at the end of the night and

Mary saying, “Come on, Ian; it is time to go.” I think we have all seen that. They are both great conversationalists. I will particularly miss chatting with Ian about the trials of the Liberal Party, the trials of the Labor Party and the trials of every other party. Whilst it may not be their intention, I am sure they will blast onto the Lake Macquarie political scene with some gusto, whether they like it or not.

Finally, I want to touch on Mary’s great judgement of character, particularly with regard to her staff. Mary has always had lovely, loyal and pleasant staff. Numerous staff members have spent time in her office and then moved on to a minister’s office either here or on the hill. Mary once joked to me that she trains them up and then they get poached. Whilst it was said in jest, she is obviously very proud of the success that these people have had. Both in her office and afterwards, they have truly flourished. I particularly want to acknowledge Charles today. Charles has had a tough run in the past few years. Charles, whilst I have had very little to do with you, your positive attitude and glowing personality have truly been acknowledged.

Madam Speaker, being in the chair, you are unable to contribute to this debate, but I know that you would want me to say how much you have enjoyed serving with Ms Porter. As two strong women from Belconnen, you have travelled the same roads, letterboxed the same houses, been at the same shopping centres and spoken to the same people. You know her perhaps better than everybody else with regard to Ginninderra, and I know how much you respect her.

In conclusion, thank you, Mary, for all you have done for Ginninderra and for Canberra. You give politicians a good name. Thank you very much.

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): I seek leave to make some comments on this occasion.

Leave granted.

MR CORBELL: Madam Speaker, I was reflecting on when Mary Porter was first elected to this place: election night, 16 October 2004. It is perhaps an often forgotten fact that Mary’s election to this place secured majority government for the first and only time in this place for Labor. Her election saw the defeat of a crossbench member, Roslyn Dundas, the last Democrat to sit in this place, but her election meant that Labor secured the extra seat it needed to govern in its own right. So from the very beginning, Mary’s arrival in this place heralded change and success for the party that she is so proudly a member of. The other people who were elected with her for the first time at that election—Deb Foskey, Richard Mulcahy, Zed Seselja and Mick Gentleman—have all, bar Mick, moved on from this place, and even Mick had to have a brief sabbatical in between. He had his gap year, however, Mary has been here throughout. She has seen the trials and tribulation of government, always patiently but consistently advocating for her community from her position as a member in this place.

Mary has served this place with much distinction. As a chair of committees, she has always been impartial but robust. As a minister, I am conscious that Mary perhaps has occasionally delivered reports that I was not very happy about, and we have even had the occasional conversation on those matters. But Mary has always stood her ground. Yet she has always also attempted to be diplomatic, and I am grateful for the approach she has adopted on that. She has taught me something important along the way. As Deputy Speaker, Mary has served with considerable distinction. She is respected in the chair and she will be missed from that office.

But, most importantly, Mary has been a great contributor for her community, and we have heard much of that in her comments this morning. I want to particularly pay tribute to her work in the area of restorative justice. Mary was a persistent advocate for enhancing access for the restorative justice program to our Indigenous community, particularly to Indigenous young people. I recall many occasions when she would come to my office and urge me to look at ways to see more Indigenous young people engage in restorative justice. She said to me, “Young Indigenous people are simply not accessing this program. Instead, they are being sent to Bimberi or they are ending up in jail as young adults.” She said, “There has to be a better way. Why is it that only non-Indigenous people are accessing RJ?”

With her advocacy, I was able to get support for the Indigenous guidance partner, a dedicated position that would see young people from our Indigenous communities supported and encouraged to participate in restorative justice with their families and with their broader community. That has seen a significant increase in the number of Indigenous young people taking advantage of RJ and helping get their lives back on track. That alone is worthy of her time and contribution in this place. But there is just so much more: retirement villages legislation, euthanasia law reform. Why is it, Mary, that they are always in my portfolio? But it has been a great, great pleasure.

Finally, there are two other points to be made, and the first is about the comments made by others about your very loved and important partner, Ian. Ian very much makes two for the price of one, as Mr Coe said. I am conscious also that you and Ian have faced many trials and tribulations together. It has been a pleasure and a privilege to have talked to you about those things, to share those journeys, and I am very confident that the decision you have made to take this next step in your life journey will be beneficial and rewarding for you both.

The last thing to say is simply that there will be many people in ministerial support units across the ACT government administration who will now have no excuse for not meeting their time frames on timely responses to ministerial correspondence. The volume is going to drop dramatically, and they are simply in no position to say that they do not have enough time to get things done.

Mary, we will miss you from this place, but we will remember you, and we look forward to seeing you again.

Visitor

MADAM SPEAKER: Before I call Mr Rattenbury, I acknowledge the presence in the gallery of former member of the Legislative Assembly Ms Karin McDonald. Welcome back to the Assembly.

Valedictory

MR RATTENBURY (Molonglo): I seek leave to make a brief statement.

Leave granted.

MR RATTENBURY: Madam Speaker, on behalf of both myself and the ACT Greens, I wish to thank Ms Porter for her hard work and dedication here in the Assembly over the past three terms. My interactions with Ms Porter have been varied, working together on the Speaker's panel last term and on some committees along the way, but I felt I could best reflect on Ms Porter's career by acknowledging her interest in a number of matters that she has dedicated herself to in her time in this place.

The first matter I thought I would touch on is animal welfare, because Mary has taken a great interest in animal welfare issues and worked with the ACT government to raise and support animal welfare issues, especially those of domestic animals. She took a great interest in Domestic Animal Services, the great work the volunteers at ACT Rescue and Foster do and new regulations to improve the breeding and sale of domestic animals.

The second area is retirement villages, which has been spoken about already. This is an area that Mary can be especially proud of, particularly her work with retirement village groups across the city to bring about the draft legislation and to improve the regulation around retirement villages in the ACT, an area of real policy importance as our community ages and more people live that sort of a lifestyle.

The legislation was consulted on widely and was passed in the last Assembly. It is now a piece of legislation that I look after in my justice portfolio. As we go through a review a couple of years down the track to make sure that the legislation is delivering as we hoped I know that Mary's interest in that legislation has continued. She has been engaging in that consultation process again as we tweak that legislation to make sure it is delivering what we set out for it to do.

Another area has been her work on end-of-life issues, which we discussed in this place yesterday. The ACT, as Mary noted yesterday, has a good palliative care system, but there are still quite a few things that can be improved, such as bedding down clearer and more portable and enforceable advance care directive schemes, continuing to advocate for the repeal of the federal legislation that prevents the ACT from making our own legislation on euthanasia issues, and continuing to improve palliative care.

But as I said yesterday, the important part of this is that Mary has been someone who has facilitated discussions about end-of-life issues, which are not easy discussions to have. The community often finds it difficult to talk about these issues, but she has provided a forum and a safe space where people have come forward and canvassed issues. Even if they have not agreed, it has still been a space where people have had those conversations openly and in a way that has benefited the community generally.

Of course, I could not leave out Mary's great passion for Canberra United. There has not been a Canberra United game that I have been to that Mary has not been at. At the last game of the season it was very touching that Canberra United invited Mary onto the field and asked her to speak to the crowd and acknowledge her support for our team in green that has been so successful. Mary has been one of their greatest supporters in their very successful period as one of Canberra's premier sporting teams.

Ms Porter has been a well-known figure for the ACT Labor Party in Ginninderra since 2004 and, like others, in my period as being the TAMS minister for a couple of years, I have been subjected to the steady stream of representations from Ms Porter on behalf of her constituents across Belconnen, not just the letters but the follow-up phone calls, the meetings and the like. I know she has always taken these issues up with great gusto and has represented her constituents as effectively as any local member could.

On a more sombre note, Ms Porter has been public in observing that she would prefer not to be retiring, that she still loves her role as an MLA but that medical advice has convinced her that now is the right time to depart the Assembly. Her disappointment is evident in that decision, but I genuinely respect the fact that she has taken that very difficult decision at the right time and made what is a tough call for her.

Her community will miss her, but they will also understand and respect that she must, for now, spend some more time and energy on herself than what she has done whilst serving the members of her community over the last three terms as an MLA. I wish Mary and Ian well for the future. I hope you both very much enjoy a well-earned retirement in Lake Macquarie.

MS BURCH (Brindabella): I seek leave to say a few words.

Leave granted.

MS BURCH: I want to say a few words for Mary. This is a big day. In her time in this place since 2004 Mary has served this place and the broader community with immense passion and compassion and sincerity. I think all of us in this place recognise that. I was listening to Mary's speech; and I actually cheated a little bit and got a copy from her office. I found some things in here: in 1954 your father made the call to come to Australia to provide better opportunity, and I think that was a good call from your father. I want to thank him and your family for making that call because our community is a better place for that decision of your family.

Within 10 years of coming to Australia, Mary graduated as a nurse. A few years later she got her midwifery ticket. Mary and I share that professional experience—we both are nurses. Mary has not only served urban and city-based communities but spent a number of years working with the most isolated and disadvantaged in our community, our remote Aboriginal communities. That is a tough gig and it is only embarked on by those of a firm heart and a big heart. The fact that Mary did it and did it for such a number of years is testament to her big and strong heart.

In 1979 Mary moved to Canberra for a change of career. After a number of years in the Northern Territory I can empathise with that. She came here and had a career working for the then member for Canberra, Ros Kelly. We heard in caucus this morning that towards the end of that time there was a trip to Tumut for some matter—racehorses and racecourses come to mind, but there also could have been other activities in the beautiful town of Tumut. That reflects again Mary's long-held passion in racecourses.

Much has been said about Mary's achievements—the fact that she and other strong women in our community have effectively created one of the largest community organisations, Communities@ Work, and Volunteering ACT. Again it is a testament to her strength of will and her absolute commitment to our community.

As has been said here, Mary also brought in the retirement village legislation here in the ACT, and no-one, particularly this week, could not understand and appreciate Mary's absolute commitment to have the conversation around end-of-life issues. There is one para from a report that she has put out; this is from Mary:

And this is a conversation that needs to take place in the community as part of life and not as part of death. It is a difficult conversation. However, as said to me during my last interview with a leading retired cardiologist in Belgium, "Have courage." I believe we all need to have courage and face this debate fairly and squarely once and for all.

A legacy of Mary for this place is that now and in the months and years to come we should have that courage—take courage from Mary—and have that discussion in here and in the community.

The other thing Mary said—and this speaks much to her character—is that this is all about people joining together, taking an idea, working together and making it a reality for the benefit of all. That has been Mary's approach to her life, to her commitment to this place and her commitment to the Assembly.

As she moves to Lake Macquarie, whilst directorates, particularly TAMS, may have some relief, let's have a thought for the local member of Lake Macquarie. How many letters perhaps will Ms Porter write to the local member or, indeed, the local paper? The pen of Ian de Landelles will not be idle for too long, I imagine.

Mary, I wish you well. Absolutely you will be remembered with fondness and kindness and for your commitment. When I came back from Christmas leave and Mary hosted a small gathering in her office, I tried to describe how life was at the

time. The word that came to mind was “ridgy-didge”. Now only those who were in the room will understand that, but it captures in many ways how Mary thinks outside the square, understands outside the square, but always wants to bring people into the centre of importance, the centre of satisfaction, the centre of attention that this place needs to have for community. Those outside that realm of support and attention are the most vulnerable and they are the people that Mary has spent, from what I can gather, her entire life working towards—improving their lives. In turn, our city is better for Mary’s efforts.

MR GENTLEMAN (Brindabella—Minister for Planning and Land Management, Minister for Racing and Gaming and Minister for Workplace Safety and Industrial Relations): Madam Speaker, I too seek leave to speak on this matter.

Leave granted.

MR GENTLEMAN: I rise today to speak on the loss of Mary Porter to this place. Ms Porter has always said that one’s role as an MLA is to give 100 per cent of one’s effort. Madam Speaker, there is no doubt that Ms Porter has always given 100 per cent of her effort in her role not only to this place but also to the people of Canberra and the people of Ginninderra.

As the Assembly has heard, Ms Porter has served the Canberra community for close to 12 years. I remember that fateful night when we both got elected together. It was a wonderful experience. Some of her most notable achievements here included obtaining improved security for people living in retirement villages, as we have heard, pushing for restorative justice in the ACT and raising the profile of those end-of-life issues that we have heard discussed.

It has been a great honour to be able to work alongside Mary Porter in the two terms that I have been in office. I am particularly proud of the work that we did together on the restorative justice inquiry that started way back in 2007 and of Ms Porter’s continued dedication to restorative justice, which I am sure will continue even after she leaves this place.

I have some fond memories of our time together, stories that we have shared, especially working with Greening Australia. That was a great experience. I know she and Ian have a passion for the horses—we have heard that today. They will now be able to enjoy even more adventures similar to the Tumut experience, I think, in her retirement in Lake Macquarie.

In closing, Madam Speaker, it has been a great honour to work alongside Mary Porter for a number of years. I join the Assembly in saying farewell and I wish her all the best for her future endeavours. We will miss her dearly.

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): I seek leave to speak briefly on the subject of Mary.

Leave granted.

MS BERRY: We have been given strict instructions today to be very brief in our conversation about Mary. I just want to say that Mary has given me plenty of advice since I was elected to this place. Some of that advice was delivered in a way that only Mary could—in a quite honest way—and I appreciate that from Mary. I have taken a lot of her advice—probably all of her advice—in the work I have done. We have had a lot of conversations. The content of some of those conversations is probably not appropriate to repeat in this place.

One of the things that people have always said about Mary is that she is nice—and she is nice. But she is also a fighter, and that is what we have been hearing a lot today. She is a fierce defender of her staff, whom people have mentioned here today, and she has always had the expectation that they would fight as fiercely as she does—and they have. I thank Mary's staff as well for their visits to my office and phone calls to my office about various things Mary wanted to raise with me and discuss with me in representing members of the electorate of Ginninderra.

She has always been a strong defender of workplace diversity and she has put her money where her mouth is. She has employed Aboriginal people, people from CALD backgrounds and women. She is definitely an example of a good politician and, as Mr Coe says, she gives politicians a good name. I want to thank you, Mary; I will miss your advice and your counsel.

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): Madam Speaker, I seek leave to make some brief comments.

Leave granted.

DR BOURKE: Mary Porter's record before entering the Assembly speaks volumes about her adventurous spirit, her commitment to social justice and her sheer determination when she sees an opportunity to improve her community, to get in there, sleeves rolled up, and just do it. From nursing in remote Northern Territory communities to her better-known trajectory here in Canberra, she has demonstrated toughness and commitment.

Years ago, as a member of the Belconnen ALP sub-branch, I remember getting a call from her when she was seeking pre-selection for the 2004 election. I did not know her well then, but we talked about the issues, as you do, and I particularly remember us being in furious agreement on the need to raise end-of-life issues and euthanasia. She has been the beacon on that issue in this Assembly ever since, holding community consultations, lobbying and, appropriately, her last private members' motion was on end-of-life issues.

When I ran in 2008 I took Mary a box of chocolates as a sign of respect and a recognition, as everybody had told me, "You won't out-campaign Mary Porter, so you'd better be friends." She has been that, and a great ally on committees and in the chamber. I will especially miss Mary's wickedly dry sense of humour that has lightened many a day. Farewell.

MS FITZHARRIS (Molonglo—Minister for Higher Education, Training and Research, Minister for Transport and Municipal Services and Assistant Minister for Health): I seek leave to make a brief statement.

Leave granted.

MS FITZHARRIS: If I could speak directly to Mary today and reiterate what everyone else has said here today, Mary, about your commitment to Canberra and to social progress. I would love to reiterate what Ms Burch said about you bringing people into the centre, people who feel like they do not have a voice or have a say in some of the major decisions and some of the minor decisions that governments take. You have taught us all a lot about that.

You mentioned also the values your father instilled in you: compassion, fairness, hard work, believing in yourself to make a difference and working with people. As a colleague, as a fellow party member, just as a member of the community and, since I was elected last year, in the committees and in the chamber in general, that is your hallmark—working with people and bringing people together.

In a world of what often might be seen as quick policy wins or a very heightened media environment, you have taken a couple of key issues. For me, too, it is the end-of-life issues that you have taken and worked on steadily and slowly. You have provided people, as Mr Rattenbury said, with a safe place to talk and explore issues, even if we do not agree. I think we all wish we could do that on many important issues that face us. The reality is that we cannot, but your role as an MLA in progressing those sorts of issues is a lesson to us all. It shows that it can be done and that things can be done slowly but effectively. I think eventually we will honour you here in seeing further change on end-of-life issues. Thank you.

One of the things I want to reflect on is learning from you, Mary, as a woman of another generation. I think back to a couple of meetings I had with you prior to and since being elected with people like Margaret Bell, a pioneer with you of the volunteering movement in Australia, with Heather Reid from Capital Football and with Maureen Cain, as well: women of a different generation who forged a path in community service and in leading other women. It has been incredible for me to learn from you individually but to learn from you with them as well about the fights that you had along the way, what you achieved and your joy at seeing women coming after you—women of my generation and women younger than I—your joy in seeing them achieve and succeed in life through hard work and compassion. Again, that is a lesson to us all.

I want to comment as the minister responsible for the Territory and Municipal Services Directorate, as others have. People will know that in administrations there are databases. I think they even contemplated having an entirely separate category of constituents' representations and then one for Mary Porter representations, because the numbers are so significant. I gather there was a question on notice a couple of years ago, and Mary well and truly won hands down the award for the most number of constituent representations—at that point 768. That, as Ms Berry said, does not take

account of the many follow-ups and meetings that you have persistently had on behalf of all of those people that you represented. I think that, since then, by your standards, Mary, they have slowed down a little bit, but only to 300 or so over the past couple of years. But that is by no means a slowing down overall.

I think they may have wanted to crack the bubbly today, but we did alert them you have still got 24 hours, so not just yet; they will wait until you have gone. As Ms Burch said also, we have given a bit of a heads-up to the Lake Macquarie City Council as well, just in case you do not take the Chief Minister's advice and you decide to set up a mobile office.

I also want to pay tribute to you and to Ian as well—I mention your shiny jackets and Ian's terrific socks and handkerchiefs about to launch themselves into Lake Macquarie. I also hope we see both you and Ian writing to both our local paper and the local paper up there. I also want to mention Dr Bourke's comment about your very wicked sense of humour. That is one thing that has really given me a lot of joy over the past year in particular. Your professionalism in committees is outstanding, but also your sense of humour as well.

Finally, I reiterate that you do really give politicians a good name. I agree with Mr Coe's comment that that is an important lesson for all of us; an important lesson that we should all share with the community about the good work that you have done here and how it represents the best of us. We all bask in your glow. Thank you, Mary. We will miss you.

Election of Deputy Speaker

MADAM SPEAKER: Members, I have received today, in writing, the resignation of Ms Porter as Deputy Speaker. I present the following paper:

Paper: Deputy Speaker—Resignation—Letter to the Speaker from Ms Porter, dated 18 February 2016.

Standing order 13 requires that the Assembly proceed forthwith to the election of a Deputy Speaker. I call for nominations for the position of Deputy Speaker.

MR HANSON (Molonglo—Leader of the Opposition) (11.03): I propose Ms Lawder and I move:

That Ms Lawder be elected Deputy Speaker.

MADAM SPEAKER: Does the member accept the nomination?

MS LAWDER (Brindabella) (11.03): Yes.

MR BARR (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Tourism and Events and Minister for Urban Renewal) (11.03): I propose Ms Burch and I move:

That Ms Burch be elected Deputy Speaker.

MADAM SPEAKER: Does the member accept the nomination?

MS BURCH (Brindabella) (11.03): Yes.

MADAM SPEAKER: There being no further proposals, the time for nominations has expired. In accordance with standing order 2(d) debate may ensue, and members may speak to the issue of who should be elected Deputy Speaker for a maximum of five minutes each.

MR HANSON (Molonglo—Leader of the Opposition) (11.04): Madam Speaker, following some of the excellent words said by everybody in this place about Ms Porter, I think we need to make sure that we elect a Deputy Speaker who can emulate the job that she has done so professionally in that position, someone who will be regarded with the same respect and someone who will conduct themselves with the same professionalism, dignity and bipartisanship in the chair that Mary Porter did. As you heard from our side of politics, from Mr Rattenbury and from her colleagues in the Labor Party, Ms Porter certainly did that. It is important that we select somebody with the same attributes who can fill those shoes.

It is my view that Ms Lawder has many similar attributes. She is respected both in this place and across the broader community as someone who cares deeply about what they do and is not here just to score political points. In many ways she does not come with the baggage that some of us do. Some of the combatants in this place have been battling away for some time. As both Mr Coe and Ms Fitzharris said, I think Ms Lawder gives politicians a good name.

It would be good for this Assembly if we were to have Ms Lawder in that role. She is thoughtful, Madam Speaker; she is considered in her judgements from the chair. It is clear that she is across the standing orders. I have on occasions sat here and listened to her through debates and she has done the very difficult job of controlling me—I fully acknowledge that—and others, and I think she has done it very professionally. She has done it in a bipartisan fashion. There is no question that she is as quick to rule on a member of the opposition as she is on a member of the government, and she does so with authority.

I think it has been litigated that we have concerns on this side with regard to Ms Burch's nomination. I do not need to reiterate all of those points here today. If we are going to bring dignity to the chair, if we are going to respect Ms Porter and the role that she provided and continue that with someone who can emulate that, then I would make the point: let us do that on merit. Let us make sure that we are putting partisan politics aside, as many have done in their speeches today, and say, "Who is the best person for this job here today?"

Mr Rattenbury has sat in the chair as Speaker. He understands that it does not matter whether you are Liberal or Labor or Green in that chair; you have a job to do on behalf of all members of the Assembly. I say to Mr Rattenbury, through you, Madam Speaker: let us have this position elected on merit. If it is to be elected on merit, it is clear to me and it is clear to my colleagues—as I am sure it is to those on the other side—that the person with the most merit for this job is Ms Lawder.

MR BARR (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Tourism and Events and Minister for Urban Renewal) (11.08): I am very pleased to nominate Ms Burch for the position. She clearly has the most experience of the two candidates in this place. Whilst Ms Lawder has many of the qualities that the departing Deputy Speaker, Ms Porter, has—and I acknowledge that she has performed well in the role as an Assistant Speaker—I am sure her time will come to be a Deputy Speaker in this place.

There is a long-held convention in this place that the Deputy Speaker will come from a different party from the Speaker and I think that ought to be respected. In this instance Ms Burch not only has an edge in experience in this place over Ms Lawder but also an edge in talent and ability at this point in their respective careers. Whilst I acknowledge that Ms Lawder will one day quite possibly be elected Deputy Speaker of this place, that day is not today.

MADAM SPEAKER: There being more than one candidate proposed for election as Deputy Speaker, we will proceed to a ballot.

A ballot having been taken—

MADAM SPEAKER: Standing order 2(g) requires that members write one name on the ballot. Somebody has put in a preferential vote and therefore it is an invalid vote. Therefore we have a tied vote. On the advice of the Clerk, we are going to do it all again. I reinforce to members that standing order 2(g) asks members to write one name, their preferred candidate, on the ballot paper.

A further ballot having been taken—

MADAM SPEAKER: The result of the ballot is: Ms Burch, nine votes; Ms Lawder, eight votes. Therefore, Ms Burch, the candidate with the majority of the votes present and voting, is declared the Deputy Speaker.

Weed management

Ministerial statement and paper

MR GENTLEMAN (Brindabella—Minister for Planning and Land Management, Minister for Racing and Gaming and Minister for Workplace Safety and Industrial Relations) (11.17): How appropriate it is, after Ms Porter's valedictory this morning, to make a statement on weeds across the territory. As members are aware, the Assembly resolved on 18 November 2015 that the then Minister for Territory and Municipal Services should report back on the progress of the delivery of the 2015-16 environmental weeds program.

Madam Speaker, in this current financial year the ACT government will provide over \$1.5 million towards the program of environmental weed control. To date, TAMS has expended \$440,000, or just over 30 per cent, of its total budget in the control of weeds. This money enables the control of weeds in many of the territory's protected areas, including Namadgi national park, Tidbinbilla nature reserve and Canberra nature park, as well as other sensitive areas such the lower Cotter catchment.

Environmental weeds are one of the main threats to biodiversity in this country, with few natural places left that can be said to be totally free of weeds. The strategy in the territory is to use a risk-based approach to ensure priority areas are afforded the protection they need from the harmful effects of weeds. From the beginning of the financial year to 31 December, 5,849 hectares of land has thus far been controlled for weeds: 4,218 hectares of control has been provided by contractors; 1,485 by TAMS employees; and 145 hectares by ParkCare volunteers.

Approximately 57 different species of weeds have been targeted during the reporting period, with serrated tussock, St John's wort, African lovegrass and broom accounting for nearly 75 per cent of the area controlled. These four species pose the greatest threat to the ongoing viability of our protected areas, and indeed to the viability of agricultural production. Serrated tussock, for example, has the potential to form monocultures, completely excluding native grasses or decimating the productivity of grazing pastures. Given the damage that aggressive weeds can do to our local environment, the ACT government is committed to controlling their spread to ensure they remain out of agricultural land and high-value conservation areas such as our native grasslands.

In considering the work completed to date, we should bear in mind weed control work in any given year is susceptible to prevailing weather conditions. Typically, over any given 12 months most weed control is delivered in the second half of the year where more stable weather patterns in late summer into autumn make for effective weed control during good growing conditions. The weather conditions thus far have provided for a slow weed year, which is a positive thing. However, experience suggests that, coming into the autumn period, weed activity will pick up again.

During the reporting period TAMS dealt with four instances of weed incursions in the territory of weeds which are not yet widespread in the territory but, should they become so, would cause great environmental, social and economic harm. I would like to summarise one such incursion, that of alligator weed, as I believe it demonstrates the critical importance a strong weed control program plays in the biosecurity of the territory and, in this case, the greater Murray-Darling Basin. Alligator weed is a devastating weed that grows in and around waterways. It has the potential to spread very quickly, choking out the natural environments, reducing water quality and sometimes causing localised fish death.

Alligator weed also has the potential to disrupt irrigation agriculture in the Murray-Darling Basin, where it can clog irrigation channels and compete with irrigation crops on a large scale. Many millions of dollars have already been spent on controlling the weed where it has occurred in the basin. Late last year a large infestation of alligator weed was reported at Acacia inlet in Lake Burley Griffin, and a smaller outbreak in Isabella pond in Tuggeranong. TAMS officers worked closely with NCA contractors to address the Acacia inlet outbreak and worked to destroy plants in Isabella pond. In addition, TAMS officers have commenced surveillance of the Molonglo River downstream of Lake Burley Griffin in an attempt to pick up any plants that may have spread.

Madam Speaker, retaining vigilance and a responsive capacity is critical if incursions such as these are to be identified and destroyed before their spread causes millions of dollars of damage to our environment and industry. In closing, I firmly reiterate that the ACT government is well progressed in delivering another yearly environmental weeds control program. I present the following paper:

Environmental Weed Management Program 2015/16—Progress on the delivery—Ministerial statement, 18 February 2016.

I move:

That the Assembly take note of the paper.

MS LAWDER (Brindabella) (11.22): I thank Mr Gentleman for providing this update on the weeds program. It was pretty much in response to a motion I moved in November which called on the ACT government to reinstate the weed management funding cut in the 2015-16 budget, to reinstate meetings of the ACT Weeds Advisory Group and to report back to the Assembly in February 2016 on progress. The motion that I put forward of course was amended by the government. Nevertheless Mr Gentleman has provided this update today.

The update today does not mention reinstating the weed management funding. I note that TAMS have spent only about 30 per cent of their total budget so far. We are seven months or maybe 60 per cent through the year and, whilst pro rata spending is not necessarily the only way to measure effectiveness or efficiency, I wonder why we have spent only 30 per cent of the budget to date. I hope we are not going to underspend badly on this budget item with the potential to have the weeds out of control by not using up the budget, albeit the already diminished budget, in the weeds area. African love grass, which was the major thrust of my motion presented late last year, gets one very brief mention in your statement, Minister Gentleman. That is a little disappointing. It also does not mention the Weeds Advisory Group.

While we talk about expenditure of \$1.5 million on the weeds program this year, there was no indication in Mr Gentleman's statement whether that amount is adequate based on advice from responsible weeds officials in the directorate, the Weeds Advisory Group and feedback from the community, including the volunteers who are also assisting in managing weeds. The estimates committee was told that an average of just over \$2 million in recent years was just adequate to stay on top of the weed problem.

The minister also said that funding enables the control of weeds in many of the territory's protected areas. He says only "many of the areas", and not that the program is adequate for all protected areas. The minister makes a good point that weed control work in any given year is susceptible to prevailing weather conditions. However, he seems to claim that the 2015-16 ACT budget was framed in the knowledge that: "The weather conditions thus far have provided for a slow weed year, which is a positive thing." It remains to be seen whether the year will remain slow for weeds. It is a post-hoc rationalisation that funding reduction is okay because the weeds did not grow.

Whilst in my motion and in my speech in the Assembly last year I acknowledged the role of volunteers, as did Mr Gentleman in his statement today, it is great to recognise the contribution of volunteers in weed management and, specifically in the statement today, that 145 hectares have been controlled by Landcare volunteers. The government's support for the role of volunteers is very welcome. However, it would be good to know how much this contribution of volunteers has increased as a proportion of the total weed management work. The government's cutting back of weed management funding does not just reduce the amount of weed management; it increases the burden on many volunteers who undertake the work to help maintain the natural values of our bush capital. This is work volunteers are happy to do, but more and more the government are expecting them to undertake that work, work that previously was undertaken by the government but which, given their cuts in this area, they are unable to maintain.

It is good that the minister can point to dealing with weed emergencies, especially in relation to new incursions. This is necessary for a range of reasons. However, we also need ongoing management to reduce the spread of weeds already here. The failure to invest in ongoing invasive weed management only helps to build the seed bank for future years with the long-term decline of our natural areas and ongoing and increasing budget outlays. These were some of the points I tried to make in my original motion last year. They remain the same this year. I thank Minister Gentleman once again for his update and assure him that I, like him, will retain a keen and ongoing interest in this matter.

Question resolved in the affirmative.

National disability insurance scheme

Ministerial statement

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) (11.27): Madam Deputy Speaker, I am pleased to provide the Assembly with a progress report on the implementation of the national disability insurance scheme in the ACT. In making this statement I would first like to acknowledge your good work as the previous Minister for Disability in establishing the ACT as one of the first NDIS sites in the country.

On 7 May and 4 June 2014 and 18 November 2015, in separate resolutions, the Assembly called for regular reports on the implementation of disability reform in the ACT. The government is delivering on its commitment to implement the NDIS and to provide people with disability and their families with more choice and control over their supports.

The National Disability Insurance Agency publishes ACT participant numbers for each quarter of the trial. These figures show that the ACT is outperforming other trial sites. For the latest report, the December 2015 quarter, the NDIA achieved 97 per cent of the ACT bilateral agreement target.

Disability ACT continues to work one on one to build the capability of residents to exercise choice and control over the services they want. Disability ACT is supporting our residents to prepare for the NDIS by working with them and their guardians to develop an NDIS individual pre-plan that documents their vision and goals for the future.

Residents and guardians continue to be supported to connect with non-government providers through information sessions and expos. Families have also had the opportunity to hear from people who have been through the NDIS phasing and transition process. Residents and guardians are learning from others and taking advantage of the NDIS opportunities. Over 80 per cent of Disability ACT households have chosen their non-government provider and about one-third have transitioned to their new provider.

Disability ACT is continuing to implement strategies to strengthen its supports during its transition. Disability ACT, in partnership with its staffing agencies, is supporting staff to understand resident needs, handover processes and to respond to emergency situations. Disability ACT is strengthening its shift handover processes by requiring staff to take additional steps to understand residents' support requirements, especially around mealtime management, epilepsy and positive behavioural support plans. Disability ACT is extending staff handover for clients with complex health and behavioural needs, and we are providing training to staff so that they have the skills and knowledge to meet resident needs.

Therapy ACT is supporting the transition of clients to non-government organisations. We are also seeing changes to the service model of Therapy ACT, which continues to provide services for ACT residents aged from birth to 65 years during 2016. One service area which is being further considered with the closure of Therapy ACT in December 2016 is therapy services for school students. Therapy ACT and the Education and Training Directorate are working together to determine a plan for the future.

A transition team continues to work with families and staff to facilitate referral to the NDIS, develop quotes for in-kind therapeutic services, support the projects associated with the service step-down and engage with the non-government sector to build robust services that give families choice for the future. Therapy ACT is also continuing to provide assessments to clients on its waiting list to ensure participants have the proof of eligibility they need to enter the NDIS.

The ACT Child Development Service is another important element of our service. Since January 2016 the ACT Child Development Service has been delivering intake, referral and assessment services to determine eligibility for the NDIS and pathways for intervention.

The ACT government is working in collaboration with local disability organisations to maximise opportunity and minimise the financial impact of the changing market. At 30 December 2015, 197 organisations were registered with the NDIA to provide services in the ACT. During 2015 there were two rounds of business investment

packages with investment of just over \$1 million from the commonwealth sector development fund. Twenty-nine organisations have been funded to strengthen their business systems and service responses to better meet the needs of the NDIS.

The ACT government continues to deliver on the memorandum of understanding it negotiated with the unions to support the implementation of the NDIS. At 31 December 2015, 161 permanent staff from Therapy ACT and Disability ACT have requested and accepted a voluntary redundancy. Disability ACT staff movement is expected to be influenced by the rate of household transition and the experience of other staff entering the non-government sector, which to date has been positive.

The Community Services Directorate is case managing the potential pool of staff interested in redeployment and will continue to collaborate across the ACT public service to implement a whole-of-government solution. Currently the Health Directorate is assisting in the assessment of allied health professionals for redeployment in conjunction with the Community Services Directorate and the Chief Minister, Treasury and Economic Development Directorate.

The ACT government is also investing in the capability of Disability ACT and Therapy ACT staff to support them to remain in the sector. At 31 December 2015 training support has been requested by 324 staff from Disability ACT and Therapy ACT. This training includes certificate III and IV as well as diploma and double diploma levels of study. The majority of training is provided by the Canberra Institute of Technology.

A small number of staff have returned to or commenced undergraduate study at university. In addition, health professionals have accessed tailored professional development relative to their profession, which includes clinical workshops and conferences. At 31 December 2015, 57 staff had attended the Lighthouse innovation centre mentoring and coaching program to explore opportunities for the establishment of a new business or private practice. Of those who attended, one new business has so far been registered with the NDIA and a further three are well advanced in their application for registration. Therapy ACT and Disability ACT staff are skilled and experienced, and we know that by supporting their career development we directly benefit the entire disability workforce.

This year will be exciting. All eligible NDIS participants will be in the scheme by midyear and we will have really progressed a long way in broadening the market to support participants to exercise choice and control. I am confident that we are continuing to learn about the opportunities arising from the NDIS. By working with individual people with disability, their families, staff and service providers, we are evolving the disability sector to provide the greatest opportunity for people with disability to live the life they want. I present the following paper:

National Disability Insurance Scheme—Implementation Report and Role of the ACT Government—Six monthly report—Ministerial statement, 18 February 2016.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

Protection of Rights (Services) Legislation 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) (11.36): Madam Deputy Speaker, I would like to congratulate you on your election to this office. I move:

That this bill be agreed to in principle.

I am pleased to introduce the Protection of Rights (Services) Legislation Amendment Bill 2016. This bill supports the new framework for rights protection in the ACT, comprising a restructured Human Rights Commission and a Public Trustee and Guardian office under the Protection of Rights (Services) Legislation Amendment Bill 2015. The 2015 bill was passed by the Assembly on 9 February this year. This bill makes a range of consequential amendments to legislation across the statute book.

After the introduction of the 2015 bill the government continued to receive feedback from statutory office holders and staff. The 2016 bill also makes a number of minor amendments to the 2015 bill to refine and clarify the bill following further consultation with the commissioners and the Public Trustee. These changes will therefore facilitate the implementation and seamless commencement of the new rights protection framework at the beginning of April this year. They support the policy intent of the restructure.

Generally, the consequential changes only amend references to the names of new offices under the framework. There are instances where functions of the Public Advocate have been replicated in both the Human Rights Commission Act and the Public Trustee and Guardian Act as they support the work practices of both the advocacy and guardianship units, which have been split under the new model.

The additional changes contained in this bill reflect the operational concerns of commissioners and improve the day-to-day workability of the protection of rights bill by removing potential ambiguity in the wording of some governance provisions and shifting functions within the commission to more accurately reflect both current operational practice and the intent of the model agreed by the Assembly. These changes are in schedule 1 of the bill.

In relation to the Human Rights Commission, the bill makes a number of refinements to the function of the president. The commissioners asked for the process for development of the governance and corporate support protocol to involve consultation

with the commissioners. The governance and corporate support protocol will also be changed to require director-general “endorsement” rather than approval, recognising the consultative nature of the process to develop the governance and corporate support protocol.

The bill changes the process for commission meetings so that the president rather than any commissioner can call meetings. As I have previously noted, the operations protocol that is developed by the president, in consultation with the commissioners, must cover the kinds of questions or matters that may be considered at a commission hearing. When calling a meeting the president must give other members reasonable notice of the time and place of the meeting.

The bill will modify the general requirement under new sections 18(2)(b)(ii) and (iii) of the Human Rights Commission Act inserted by the protection of rights bill that the president provide third party and commission-initiated complaint reports in relation to complaints or investigations about health practitioners. Health practitioner complaints are normally undertaken as third party or commission-initiated complaints and the Health Practitioner Regulation National Law (ACT) Act 2010 requires a specified health complaints entity to refer complaint reports.

“Health complaints entity” is defined in the Queensland national law as an entity “that is established by or under an act of a participating jurisdiction and whose functions include conciliating, investigating and resolving complaints made against health service providers and investigating failures in the health system”. In the ACT the Health Services Commissioner, rather than the Human Rights Commission as a whole, is more accurately described as the ACT health complaints entity. This amendment, which excludes third party and commission-initiated reports about health practitioner complaints from being provided through the president, will maintain the current relationship between the Health Services Commissioner and the Australian Health Practitioner Regulation Agency and avoid the need for legislative clarification to the national law as it applies in the ACT.

Another minor amendment will be made by the bill to clarify the intent of the operations protocol under the amended Human Rights Commission Act. The intention of the operations protocol is to allow the president and commissioners to develop their own internal processes for key operational issues. The legislation aims to allow flexibility by not prescribing these processes but instead specifies particular issues that the commission must have settled processes for so that the way the commission intends to operate is clearly articulated. The bill also moves the phrase “consistent with part 4 (Complaints)” to a note in section 18C so that the general application of the protocol is less likely to be misconstrued as applying only to complaints.

The bill will also expressly provide the Public Advocate with the function of listening to and investigating concerns from children and young people about the provision of services for the protection of children and young people. This wider formulation has been adopted in place of section 27(b)(1)(c) of the 2015 bill which provides the Public Advocate with the function of advocating for matters about individual children or young people for whom the director-general has parental responsibility under the Children and Young People Act 2008. It also provides the Public Advocate with the role of investigating matters in relation to which the Public Advocate has a function.

These are added following the government's amendments from the floor of the Legislative Assembly to the 2015 bill to omit a clause giving the Disability and Community Services Commissioner a formal complaints handling function in relation to matters in relation to which the Public Advocate has a function. This change allows the Public Advocate to continue to perform advocacy through investigation of services for vulnerable Canberrans who have a disability but does not provide a formal complaints process for the Public Advocate or Disability and Community Services Commissioner.

The power to investigate matters in relation to which the Public Advocate has a function, in new section 27B(1)(cb), provides the Public Advocate with the ability to investigate the services for the protection of people with a disability, which may include the Public Trustee and Guardian.

The ACAT will continue to undertake regular review of guardianship and management orders under section 19 of the Guardianship and Management of Property Act 1991. The current commissioners and Public Trustee have identified that the function of representing forensic patients before the ACAT or a court was more correctly classified as an advocacy function and should remain with the Public Advocate. The bill therefore moves this function to the Public Advocate within the Human Rights Commission.

The bill also updates the definition of "forensic patient" to bring in the concepts of mental disorder or mental illness so that these concepts align with the definitions in the Mental Health Act 2015 and the Mental Health (Treatment and Care) Amendment Act 2014 which commence on 1 March this year. This terminology is also updated in the Public Trustee and Guardian Act. Additional provisions replicating the investigative and other miscellaneous functions under the Public Advocate Act which were not captured in the 2015 bill have been included in this bill.

Minor changes have been made in relation to the legal representation provisions in the Public Trustee and Guardian Act. Because the Public Trustee and Guardian office picks up guardianship functions, the Public Trustee and Guardian Act will be amended to provide that the ACAT, in addition to a court, may require the Public Trustee and Guardian to represent parties to a proceeding. The bill also makes it clear that the Public Trustee and Guardian can engage legal representatives to appear for it.

Changes have also been made to provisions providing protections for disclosure of information to and within the commission. New section 27BB and revised section 100A of the Human Rights Commission Act will expand the existing protections for people who assist the commission in good faith, consistent with existing provisions in the Public Advocate Act by (a), providing when information can be disclosed by the Public Advocate and (b), providing that it is not a breach of confidence, a breach of professional ethics, etiquette or standards to provide information or make a complaint honestly and without recklessness.

These changes are designed to fully cover all elements of the existing Public Advocate Act so that staff performing advocacy functions are able to maintain existing practices, which may include advocating for an individual without their knowledge or consent.

Changes to the structure of the commission have necessitated changes to the constitution of the Official Visitors Board which previously had the Public Advocate and a Human Rights Commission nominee as representatives. The bill will amend section 23E of the Official Visitor Act to remove the reference to the Public Advocate, thereby reducing the membership of the board to four people, while also introducing a decision-making provision specifying that the chair of the board has the casting vote in case of a tied vote of the board on a question.

The 2016 bill provides that statutory instruments of appointment under the existing Human Rights Commission Act, the Domestic Violence Agencies Act 1986 and the Victims of Crime Act 1994 are repealed. This is to support the alignment of terms of appointment of the new positions within the commission and in the new office of Public Trustee and Guardian.

The Protection of Rights (Services) Legislation Amendment Bill 2016 will support the new structure of the Human Rights Commission and Public Trustee and Guardian, which will improve governance, efficiency and effectiveness of key ACT rights protection services.

The bill includes a three-year review provision in the Human Rights Commission Act 2005 to provide that the minister must review the operation of the Human Rights Commission Act and the Public Trustee and Guardian Act 1985 as amended by the protection of rights services amendments in the 2015 and 2016 protection of rights bills. The review must be started as soon as practicable after 1 April 2019, and a report of the review is to be tabled in the Assembly within 12 months after the day the review is started. The review is to cover the effectiveness of the restructuring of the rights protection services, including how the amendments promote the objects, express or implicit, of the acts which are about delivering vital rights protection and promotion to the Canberra community.

I commend this bill to the Assembly.

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

Road Transport Legislation Amendment Bill 2016

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

Title read by Clerk.

MR RATTENBURY (Molonglo—Minister for Corrections, Minister for Education, Minister for Justice and Consumer Affairs and Minister for Road Safety) (11.48): I move:

That this bill be agreed to in principle.

Today I introduce the Road Transport Legislation Amendment Bill 2016 to the Assembly. Despite its rather innocuous title this bill forms a key part of a crucial road safety reform for the ACT. The reform will change the way that police pursuits take place in the ACT—that is, it changes the circumstances under which ACT Policing will pursue a fleeing vehicle. In conjunction with the introduction of this bill ACT Policing will implement a revised and limited police pursuit protocol.

The policy provides that police will no longer pursue drivers unless it is necessary to prevent a serious risk to public health or safety or an offence has been committed or is about to be committed which involves serious injury to or death of a person. This is a significant change from the current police guidelines on pursuits. Under the existing guideline police conduct an average of 8.5 pursuits per month in the ACT. The overwhelming reason for a pursuit being initiated is the commission of a traffic offence. These are offences such as failing to stop or having an obscured registration plate.

The new policy, as I said, means police will only pursue drivers if it is necessary to prevent a serious risk to public health or safety or an offence has been committed or is about to be committed which involves serious injury to or death of a person. It embraces a commitment to harm minimisation. It will see pursuits occur rarely and only in the most serious situations. As the ACT's road safety minister, in a jurisdiction with a clear and ongoing commitment to the vision zero road safety philosophy, nothing gives me greater pleasure than to say that this is a reform that will significantly improve road safety and prevent injuries and deaths on our roads.

The fact is that police pursuits create a high risk of death or injury. They involve a highly skilled police officer pursuing another driver who is generally not skilled and not trained to drive at high speed around other traffic, vulnerable road users, pedestrians and other hazards. Nationally, between 2000 and 2011 there has been an average of 15 crashes and 18 deaths each year related to police pursuits. In the ACT since 2004 there have been nine people killed in crashes related to police pursuits. The people that passed away in these tragic circumstances were Benjamin Hayes, Clea Rose, Heather Freeman, Brody Oppelaar, Scott Oppelaar, Samantha Ford, Justin Williams, Linda Cox and Tim Smith-Brown. All of these deaths have been tragic and have had a devastating ripple effect through the community, as is the case with all road trauma.

As well as these deaths, there have been many other injuries related to pursuits, many of them also tragically life changing. The most recent incident in Kambah last year resulted in a death but it also severely injured a couple who were driving another vehicle. A family member said that their lives were turned upside down in an instant. Their injuries included shattered bones and collapsed lungs, resulted in surgeries and time spent in intensive care. It is fair to say their lives will never be the same.

It is incumbent on us to find ways to minimise the risk of these terrible outcomes. We must reduce or eliminate risk in the road environment. This is the only way for the ACT to achieve vision zero. Vision zero aims for zero deaths on ACT roads. It prioritises human life and health.

Members may have seen that this week I released the most recent road safety strategy and it is underpinned by the vision zero philosophy. Vision zero is based on ethics and it emphasises that every human being is unique and irreplaceable. It is also based on science and it recognises the limits to human physical and mental capabilities. For example, humans make mistakes and the road system needs to recognise this. Vision zero says road safety responsibility does not rest solely with the road user; it is a shared responsibility.

Limiting pursuits to situations where there is a need to protect someone from serious harm or death aims to strike the right balance between protecting life and the need to apprehend offenders. We have re-examined the balance between law enforcement and road safety risk. Is it worth pursuing someone for something like a traffic offence when a pursuit creates such a risk to human life and when other means can be used to identify and apprehend the driver?

This new policy falls on the side of safety and the side of protecting human life. In this day and age pursuits do not need to be the primary means for apprehending a driver who flees police. There are other ways police can apprehend an offender. For example, often those who do not stop for police are known to police or can be identified through other means. The government and the police have worked very closely and cooperatively on this issue, resulting in the revised pursuits policy and the bill I am presenting today.

I put on record my genuine thanks to ACT Policing and Chief Police Officer Rudi Lammers for their involvement and efforts on this issue. Police are at the coalface on issues like this. They are charged with protecting the community, with stopping dangerous drivers, with making difficult and urgent decisions. They have my respect for their ongoing work and I appreciate their involvement in the considerable policy process that has led to today's announcement.

The bill I am presenting proposes a number of amendments to the road transport legislation to strengthen offences relating to failing to stop for police and to enhance ACT Policing's ability to identify drivers who commit this offence. It provides a framework to empower police to maintain law and order using an investigatory approach to apprehending offenders as opposed to undertaking police pursuits resulting in the risks to human life that I have discussed.

The development of the bill I am presenting and the revised pursuits policy I have flagged has been assisted by an ACT Policing review of its pursuit guidelines. The review identified possible changes related to ACT Policing policy and procedures and possible legislative reforms to help reduce the need for police pursuits. The government has carefully considered ACT Policing's recommendations for legislative change. In close collaboration with the police we have identified an acceptable suite of changes to enact into legislation.

The first amendment in the bill substantially increases the penalties for failing to stop a motor vehicle for police. Currently, a driver of a vehicle who fails to comply with a request or signal made by a police officer to stop the vehicle faces a maximum penalty of 20 penalty units. This penalty is amongst the lowest applying in Australia and does not reflect the seriousness of the offence.

The bill creates a new offence of failing to stop a motor vehicle for police. This new offence substantially mirrors the previous offence but with a much higher penalty. The maximum penalty for the offence for a first offender is 100 penalty units, 12 months imprisonment, or both. For a repeat offender, the penalty is increased to 300 penalty units, three years imprisonment, or both.

The bill also amends the maximum penalty for the existing aggravated offence of furious, reckless or dangerous driving in section 7 of the Road Transport (Safety and Traffic Management) Act 1999. The maximum penalty is increased from two years imprisonment and/or 200 penalty units to a maximum penalty of three years imprisonment and/or 300 penalty units where the aggravating factor was that the person failed to comply with a request or signal from police to stop the vehicle. For a repeat offender, the new penalty is five years imprisonment and/or 500 penalty units. There is no change to the existing penalty where other aggravating factors are present.

The existing licence suspension and disqualification provisions in the road transport legislation are applied to the new fail to stop offence. A police officer who believes on reasonable grounds that a person has committed the offence must give the person an immediate suspension notice. This notice suspends the person's right to drive for 90 days, until stayed by a court or the case is determined, whichever is the earlier. The offence will be an automatic licence disqualification offence on conviction. This would see the licence of a person convicted of the offence automatically disqualified for at least three months for a first offender or at least 12 months for a repeat offender.

Additionally, the existing vehicle seizure and impoundment provisions in the road transport legislation will apply to the new offence. A police officer who believes on reasonable grounds that the vehicle has been used to commit the offence of failing to stop for police may seize the vehicle. A motor vehicle seized immediately following the offence being committed can be kept until the court deals with the matter or a maximum of three months for a first offender. Following a person being convicted, the court can order the motor vehicle be impounded for a maximum of three months for a first offence. Repeat offenders can have their vehicles forfeited to the territory.

In relation to these vehicle seizure provisions I should point out that existing provisions provide that the court may, by order, specify a shorter period of impounding, dispense with the period of impounding or commute forfeiture to a period of impounding to avoid excessive hardship or other injustice to anyone. However, in doing so, the court must have regard to the circumstances of the offence, including the risk to the safety of road users.

The bill will allow a police officer to enter onto private property to seize a motor vehicle where the police officer believes on reasonable grounds that the motor vehicle used to commit the offence of failing to stop for police is on the property. This provides an immediate sanction, a deterrent, and also removes the vehicle from being used again for a similar offence.

Police officers are subject to strict statutory time frames within which they can seize a vehicle suspected to have been used to commit the offence. Currently, owners of

vehicles can frustrate attempts by police officers to deliver the immediate sanction that the government has mandated by refusing to allow police to access their property to seize the vehicle.

This power could only be exercised where the police officer has a reasonable belief the motor vehicle is located on the property. The police officer would be required to enter the property only for as long as necessary to seize the vehicle or alternatively to determine that the vehicle is not present. A police officer may not enter any building on the property, other than a garage, shed or other structure where the police officer suspects on reasonable grounds that the motor vehicle is located.

The bill also increases the penalty for the offence in section 60 of the Road Transport (General) Act 1999 of failing to provide information to a police officer about the driver of the vehicle when that request relates to the investigation of an offence of failing to stop a motor vehicle for police. The maximum penalty in those circumstances will be increased to match the maximum penalty applying to the new offence of failing to stop for a police officer: 100 penalty units, 12 months imprisonment, or both; or, for a repeat offender, 300 penalty units, three years imprisonment, or both.

The change to section 60 will only apply to the offence of failing to stop for police. The penalty for failing to provide information about the driver in relation to other offences will remain unchanged. The offence of failing to provide information to a police officer about the driver of the vehicle when committed in the context of an investigation into a vehicle failing to stop for police will trigger the licence suspension and disqualification provisions in the road transport legislation.

This bill provides a legislative framework, as agreed with the police, that is necessary to reduce the need for pursuits, without compromising police capacity to identify and apprehend motorists who fail to stop for police. In conjunction with the revised police pursuit policy the bill will reduce the number of police pursuits on our roads by providing police with effective alternative powers.

Some may argue that by limiting police pursuits, criminals will take advantage and get away with it. This is simply not the case. The introduction of this legislation, which includes stronger penalties and increased powers for police to identify a person driving a vehicle that evades police, will ensure that offenders will not get away with it. They may not be apprehended immediately. It may be hours or days later but they will be caught. When they are, they will face fines, licence suspension, losing their vehicle and potentially prison.

In conclusion, I emphasise to the Assembly that the approach taken through this bill, and the revised police pursuits policy, is one that seeks to protect lives and ensure police can still arrest offenders. It will go a long way towards achieving our goal of vision zero. I commend the bill to the Assembly.

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

Workplace Privacy Amendment Bill 2016

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

Title read by Clerk.

MR RATTENBURY (Molonglo—Minister for Corrections, Minister for Education, Minister for Justice and Consumer Affairs and Minister for Road Safety) (12.02): I move:

That this bill be agreed to in principle.

Today I am tabling the report on the review of the Workplace Privacy Act and presenting the Workplace Privacy Amendment Bill 2016.

The Workplace Privacy Act, which was passed in February 2011, required a review of its operation as soon as practicable after the end of the first year of operation. The review report, informed by targeted stakeholder consultation and feedback, considers the operation of the act to date and identifies legislative changes that will improve its operation without unreasonably impinging on a worker's right to privacy.

The review, in general terms, makes the following findings. The first is that the prohibition of surveillance in specified "non-work areas" within the workplace remains appropriate. The second is that the absolute prohibition on surveillance of workers outside the workplace can adversely affect the capacity of employers to effectively manage legal proceedings against them. Third, the review report notes that to require employers to place notices on all tracking devices can be problematic, especially in relation to smart phones. Finally, the review concludes that regulation, enforcement and monitoring functions under the act might better be characterised as a civil matter rather than as a matter for the police. The review also notes the low level of activity under the act since it commenced, with no formal complaints reported and only one application being made for covert surveillance in the workplace. The review proposes a number of amendments to the act.

Taking account of stakeholder concerns relating to prohibited surveillance, the government proposes to amend the act to allow employers to apply to the Magistrates Court for a warrant to undertake surveillance outside the workplace, with the requirement that consideration be given to criteria similar to those for covert surveillance within the workplace.

In relation to notice requirements for tracking devices, the review recommends that the government consider possible amendments to the act to remove the liability of employers where appropriate alternative notification has been taken in relation to devices, such as smart phones, to which it may be difficult to attach a notice.

Finally, in relation to monitoring, the review proposes that amendments be made to section 45 of the act to require the relevant directorate to report in its annual report about any covert surveillance authorisations issued by the Magistrates Court.

Following the review, I am pleased to present the Workplace Privacy Amendment Bill 2016. The bill amends the Workplace Privacy Act 2011 to implement the review recommendations. The bill also makes amendments to address the review findings relating to enforcement and makes necessary consequential amendments to two other acts, the Magistrates Court Act 1930 and the Work Health and Safety Act 2011, to move responsibility and enforcement away from the police. These amendments seek to improve the balance between a worker's right to privacy and a business owner's right to take reasonable steps to protect their business and monitor their workers.

The act presently prevents an employer conducting surveillance of an employee involving the tracking of a vehicle or other object unless they attach a clearly visible notice that states the vehicle or object is being tracked. As recommended by the review, the bill exempts an employer who conducts surveillance involving the tracking of a vehicle or other object from the requirement to affix a clearly visible notice to the tracking device where it is not reasonably practicable to affix a notice to the vehicle or object. To maintain the requirement that the employee has notice of the surveillance, the employer must take appropriate action to notify the employee of the device's tracking capability.

In its present form, the act does not make specific provisions for its enforcement. To improve monitoring and enforcement of the act, the bill extends the application of the ACT Work Safety Commissioner's powers, and those of authorised work health and safety inspectors, to workplace privacy matters under the act. This will clarify that WorkSafe ACT is responsible for enforcement of the act. Shifting responsibility for enforcement recognises that, by the nature of their role, work health and safety inspectors have greater opportunity and expertise to enforce compliance with the act.

The bill also makes necessary consequential amendments to the Magistrates Court Act 1930 and the Work Health and Safety Act 2011 to facilitate enforcement through the Industrial Court and allow the Work Safety Council to advise the minister on workplace privacy matters. Finally, the bill extends the ability of employers to apply to the Magistrates Court for an authority to conduct surveillance of a worker outside the workplace.

The act already allows an employer to apply to the Magistrates Court for an authority to conduct covert surveillance of an employee inside the workplace, provided the employer demonstrates a reasonable suspicion that the employee is engaged in unlawful activity in the workplace.

The review identified that the prohibition on covert surveillance outside the workplace can seriously hinder an employer's ability to defend an action against them by an employee. This can expose them to a greater burden as a result of unlawful activity, such as elevated insurance premiums, increased administrative burdens and costs to replace business resources. Allowing employers to apply for covert surveillance outside the workplace for the purpose of gathering evidence will reduce vulnerability to false claims and mitigate the costs of work-related unlawful activity.

I recognise that allowing an employer to conduct covert surveillance outside a workplace limits the right to privacy. To minimise any limitation on a worker's privacy, the bill contains important safeguards to ensure that the bill complies with the human rights legislation of the ACT. These safeguards strike an appropriate balance between an employer's need to monitor their workplace and protect against false claims on the one hand and the rights to privacy and protection of the family and children of an employee on the other. An employer may only apply for an authority to conduct covert surveillance outside the workplace to gather information about whether a worker is engaged in unlawful activity in relation to their work for the employer.

Because of an increased expectation of privacy outside the workplace, as a condition of being able to apply for an authority to conduct covert surveillance outside the workplace, the employer must reasonably believe that the worker is committing an offence against a law in force in the ACT. In contrast, to undertake covert surveillance within a workplace an employer only needs to demonstrate a reasonable suspicion, reflecting a lesser expectation of privacy in that environment.

An application for an authority to conduct covert surveillance must be made to the Magistrates Court, which is obliged by the legislation to weigh such factors as the seriousness of the alleged unlawful activity, whether surveillance of a worker will be undertaken in a place in which a person would have a heightened expectation of privacy, and whether there are other more appropriate means to investigate. In addition, when considering the grant of an authority to conduct covert surveillance outside the workplace, the court must consider whether the unlawful activity is directly related to the worker's work for the employer.

The bill further imposes stringent conditions on the conduct of covert surveillance outside the workplace. Only visual surveillance can be authorised and it must only be undertaken from a public place. This surveillance cannot capture a person inside any premises being used for residential purposes. As a further safeguard to limit covert surveillance in sensitive areas, a magistrate may only authorise surveillance in locations such as rest rooms, prayer rooms or change rooms where it is satisfied that exceptional circumstances justify surveillance in those locations.

To preserve the right to privacy and the right to protection of family and children, any surveillance that captures a person other than the worker must be destroyed or obscured as soon as possible. These requirements and any other relevant privacy laws extend equally to any third parties who undertake covert surveillance of a worker on behalf of the worker's employer. As an added protection under the existing act, any information gathered through covert surveillance outside the workplace may only be used for the purpose for which it was gathered, for example in a workers compensation claim against the employer.

This bill responds to feedback during the review process about the practical needs of stakeholders while assuring efficient administration and enforcement generally, greater transparency and considered judicial oversight of covert surveillance beyond the workplace.

I table the report on the review of the Workplace Privacy Act 2011. I present the following paper:

Workplace Privacy Act 2011—Review, dated February 2016.

I commend the bill to the Assembly.

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

Smoke-Free Public Places Amendment Bill 2016

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

Title read by Clerk.

MS FITZHARRIS (Molonglo—Minister for Higher Education, Training and Research, Minister for Transport and Municipal Services and Assistant Minister for Health) (12.12): I move:

That this bill be agreed to in principle.

It is with pleasure that I introduce the Smoke-Free Public Places Amendment Bill. This bill will introduce a new streamlined approach to declaring smoke-free areas in the ACT. It will be an important milestone in the ACT government's commitment to protect the health of the community and ensure that all Canberrans can enjoy our public amenities without exposure to harmful second-hand smoke.

Smoke-free areas are a vital tool for reducing community exposure to second-hand smoke. It is well documented that there is no safe level of exposure and that exposure can cause a range of adverse health effects, including lung cancer and heart disease. Smoke-free areas also play an important role in de-normalising smoking. Many in our community no longer see smoking as the norm. This is helping to prevent our children and young people taking up the habit. It is also helping smokers who are trying to quit by reducing the social cues to smoke.

Yet the current legal framework for introducing smoke-free areas in the ACT, through primary legislation, has caused long delays in establishing smoke-free areas. This has contributed to the ACT falling behind other jurisdictions that have already introduced smoke-free areas in places like playgrounds and transport waiting areas.

I am pleased to announce that this bill will provide a more flexible and responsive way to create smoke-free areas in the ACT. It allows the Chief Minister and minister to jointly declare a public place or event smoke free in subordinate legislation rather than through time-consuming primary legislation.

Following the passage of this bill, priority will be given to exploring smoke-free options at places used by children and their families, such as playgrounds, sporting fields and bus waiting areas. Canberrans are overwhelming supportive of new

smoke-free areas in these places. Community consultation late last year showed that around 89 per cent of respondents support smoke-free areas at playgrounds, 91 per cent at sporting fields or events, and 91 per cent at bus waiting areas.

To ensure a balanced approach to declaring new smoke-free areas, community consultation will help inform the decision-making process. Ministers will also have due regard to factors such as how often the area is visited by children or families; the impact on community health; the costs and benefits of making an area smoke free, including economic and business impacts; and measures to promote compliance.

Where it makes sense to do so, the declaration may permit a designated smoking area to be established within a smoke-free public place or event. In these cases, safeguards will be in place to ensure that the public remains protected from exposure to second-hand smoke.

The legislation provides a strict liability offence to smoke at a public place or event where smoking is prohibited. It also provides strict liability offences for occupiers or managers of a public place or event that do not meet requirements for the declared smoke-free area, for example for signage or for a permitted designated smoke area. The penalties for the new offences are consistent with current penalties in the act.

When new smoke-free areas are declared, community education will be undertaken to ensure that people know where smoking is and is not permitted. “No smoking” signs will also be used.

Measures to promote compliance will be considered on a case-by-case basis. It is envisaged that public servants will be appointed as inspectors under the act. For example, following appropriate training, security guards at hospitals could be appointed inspectors to operate in the hospital precinct.

The passage of this bill will support the timely implementation of *Future directions for tobacco reduction in the ACT 2013-2016*, which outlines further potential areas to restrict tobacco use in the ACT. This is an important milestone in achieving the ACT government’s goal to improve public health and protect the community from tobacco-related harm. I am proud to say that it will allow the timely creation of new smoke-free areas, thereby enabling a cleaner, healthier Canberra for generations to come. I commend the bill to the Assembly.

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

Transplantation and Anatomy Amendment Bill 2016

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

Title read by Clerk.

MS FITZHARRIS (Molonglo—Minister for Higher Education, Training and Research, Minister for Transport and Municipal Services and Assistant Minister for Health) (12.17): I move:

That this bill be agreed to in principle.

The Transplantation and Anatomy Act 1978 is being amended to resolve the following key issues: the act does not clearly state that suitably trained officers who are not doctors can remove whole organs where only parts of the organs such as heart valves are to be used. This has led to uncertainty about whether the process is endorsed by the act. Secondly, the coroner can only provide consent for donation of organs after a person has died. For the best outcome, organs must be harvested within five minutes after the person's heart stops. If there are any issues with contacting the coroner, the organs may be collected too late for the best outcome or collection may not be viable at all.

These amendments will provide for amendment of section 29(4) of the act to enable the coroner to provide direction prior to death that coroner's consent is not required for organ donation to occur following death; secondly, amendment of section 31(5) to define "relevant tissue" as any tissue or whole organ necessary to support effective transplantation of musculoskeletal, cardiovascular, eye and skin tissues; thirdly, a minor amendment to the wording of sections 29(1), 34(1) and 40(1) to simplify the wording describing the circumstances where a coroner may be required to hold an inquest into the death of a person.

The object of the amendment to section 29(4) of the act is to enable a coroner to advise before the person dies that the coroner's consent is not required after the death for organ donation. Most states and territories already make this provision in their legislation. The amendment to section 31(5) clarifies that suitably trained officers can remove whole organs for the purpose of supporting safe transport and storage of tissues for transplant.

It is anticipated that these reforms will improve the efficiency, effectiveness, timely delivery and quality of services in the organ and tissue donation sector in the ACT. I commend the bill to the Assembly.

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

Standing orders—co-sponsorship of bills

Proposed amendments

MR RATTENBURY (Molonglo—Minister for Corrections, Minister for Education, Minister for Justice and Consumer Affairs and Minister for Road Safety) (12.20): I move:

That the standing orders be amended as follows:

- (1) standing order 168(b), after "Member" insert "and, if a co-sponsored bill, by another Member whose name is on the bill.";
- (2) standing order 168(c), after "notice" omit all words and substitute "a Member (or in the case of a co-sponsored bill, one of the co-sponsors) shall present to the Assembly two printed copies of the bill signed by that Member (or in the case of a co-sponsored bill, the co-sponsors) and an explanatory statement to the bill.";

(3) standing order 69(d), insert the following:

“Co-sponsored bills

Co-sponsors	20 minutes
First government or opposition member next speaking	20 minutes
First crossbench member next speaking	20 minutes
Any other Member	15 minutes
Co-sponsors closing debate	15 minutes”;

(4) standing order 69(e), insert the following:

“Co-sponsored bills

Co-sponsors	periods not specified
Any other Member—2 periods each not exceeding	10 minutes”.

The motion I am putting forward today seeks to amend the standing orders to enable the co-sponsoring of bills in this place. This is a practice, of course, that we are familiar with in the federal parliament but not one that exists here in the Assembly.

Members may wonder why this is a change that we want to bring to this place, but the practice we have observed, of course, in federal parliament is that at times having the ability to co-sponsor bills enables members who have interest in a new or emerging issue to work together on an issue, perhaps across political lines, to build coalitions of support around particular issues amongst members who may have a particular passion about an issue or who feel that there is more latitude and more room to build a majority in the parliament by working together across the parliamentary chamber.

It is something that I think presents an opportunity for enhanced development of legislation. It offers one more way for us to work together in order to resolve what can be sometimes difficult issues, often issues that are perhaps less technical in nature—and these have tended to come up around challenging social issues that do have, I guess, a history about them or the politics of the day can make it difficult to resolve them—but often members working together can very effectively deal with these issues by co-sponsoring a bill.

I think the standing order amendments are reasonably straightforward. They simply create the mechanism. They allow various speaking times for the co-sponsors and others and provide, I guess, the procedural mechanisms to go through this. I understand that the Assembly will now refer this to the administration and procedure committee for examination, as is appropriate.

I am quite comfortable with that and, as I am represented on that committee, I look forward to discussing it further with my colleagues. We have had an initial discussion about this but we are also seeking input from other members as to whether there are any reservations about this. But I think it is a development that enables us to potentially work together on occasions on complicated or difficult pieces of legislation. I commend the motion to the Assembly.

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

Administration and Procedure—Standing Committee Proposed reference

MS BURCH (Brindabella) (12.22), by leave: I move:

That consideration of order of the day, Assembly business, concerning the proposed amendment of the standing orders to provide for the co-sponsorship of bills, be referred to the Standing Committee on Administration and Procedure.

I thank Mr Rattenbury for bringing this in as foreshadowed. This was discussed briefly at admin and procedure. I have moved the motion that this be formally referred to the admin and procedure committee for consideration.

MR HANSON (Molonglo—Leader of the Opposition) (12.23): Madam Speaker, the opposition will be supporting Ms Burch's motion.

Motion agreed to.

Planning, Environment and Territory and Municipal Services— Standing Committee Statement by chair

MS BURCH (Brindabella): Madam Speaker, pursuant to standing order 246A and continuing resolution 5A I wish to make a statement on behalf of the Standing Committee on Planning, Environment and Territory and Municipal Services relating to statutory appointments. I wish to inform the Assembly that during the period 1 June 2015 to 31 December 2015 the standing committee considered 18 statutory appointments. For each of these appointments, the committee advised the minister that it had no recommendations to make. In accordance with continuing resolution 5A, I now table a schedule of statutory appointments considered during this reporting period. I present the following paper:

Planning, Environment and Territory and Municipal Services—Standing Committee—Schedule of Statutory Appointments—8th Assembly—Period 1 June to 31 December 2015.

Sitting suspended from 12.24 to 2.30 pm.

Ministerial arrangements

MR BARR (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Tourism and Events and Minister for Urban Renewal): Madam Speaker, Minister Gentleman will be absent from question time today. I will assist members in the workplace safety and industrial relations and gaming and racing portfolios. The Deputy Chief Minister will assist in the planning and land management portfolios.

Questions without notice

Hospitals—emergency departments

MR HANSON: Madam Speaker, my question is to the Minister for Health. I refer to yesterday's *Canberra Times* headline "Emergency departments still struggling". In the past 10 years, despite Australian ED presentations increasing by 29 per cent, waiting times in Australia have improved by over five per cent. In the same period, ACT ED presentations have increased by only 24 per cent but in the ACT Health quarterly report you released this month, on three of five counts the ACT is not better than the 2004-05 annual result—when you were last health minister, I remind you. We have gone backwards. Minister, why is it that in the past 10 years ACT ED performance has got worse while performance in the rest of the country has got better despite the ACT facing lower demand?

MR CORBELL: I thank Mr Hanson for his question. It is a difficult question to answer. The government's position in relation to improved performance in the ED when it comes to timeliness and access is twofold. The first is to improve capacity. Right now we are expanding the capacity of the ED by 30 per cent in terms of the number of treatment spaces that will be available. That is going to significantly improve the capacity of the ED to see more people in a timely way. The second change is in relation to workloads within the ED. I have worked closely with my director-general in ensuring that we have undertaken a comprehensive review of performance inside the ED. We have identified where there are areas for improvement in terms of workflow management, and we are currently implementing a very proactive and assertive agenda to see doctors, nurses and other clinicians working closely to improve access in the ED.

Mr Hanson: Madam Speaker, a point of order.

MADAM SPEAKER: Can you sit down, please, Mr Corbell. There is a point of order.

Mr Hanson: The minister is explaining what is going to happen from here on. My question is specifically about why it has got so bad, why it has got worse over the past 10 years whilst hospitals across the rest of the country have got better despite the fact that we have less demand than the rest of the country. I am looking for an explanation as to why we have gone backwards over the last decade under this government, not what this government is planning to do right now.

MADAM SPEAKER: Stop the clock, please. Under standing order 118(a), I uphold the point of order and ask the minister to be directly relevant to Mr Hanson's question, which related to why, over the past 10 years, the performance has gone down, essentially.

MR CORBELL: As I said at the beginning of my answer, it is a very difficult question to answer. Madam Speaker, the workflows in the ED have to be a priority for us, and that is what we are focused on addressing. It comes down to how well work is managed inside the ED. That is why we are undertaking a comprehensive reform

agenda working with our doctors, nurses and other health staff, to make sure that we see an improvement. As I have said on numerous occasions in this place, my priority as health minister is improving timely access to acute care services with two particular key areas of focus. The first is in relation to elective surgery, and we have had some great outcomes on that, as I reported to the Assembly yesterday, particularly for people who are waiting longer than clinically indicated. The second is in relation to timely access and meeting the national emergency access targets, the so-called NEATs. That is what we are very focused on through the agenda I have just outlined.

MADAM SPEAKER: A supplementary question, Mr Hanson.

MR HANSON: Minister, why are you unable to explain to the community what has gone wrong in that hospital over the last 10 years?

MR CORBELL: I am not. Simply, it is a very complex equation. There is no one factor that drives these issues around timeliness inside the ED. There are multiple numbers of factors at play and they all interact in very highly complex ways. That is why the government has undertaken a very detailed audit and review of what is going on inside the ED in terms of work flow practice. Improving work flow practice will improve timeliness and access for Canberrans, and that is the focus I have as health minister.

MADAM SPEAKER: A supplementary question, Mrs Jones.

MRS JONES: Minister, do we have sufficient hospital beds?

MR CORBELL: Unequivocally, yes.

MADAM SPEAKER: A supplementary question, Mrs Jones.

MRS JONES: Minister, when will the people of Canberra no longer wait the longest for emergency room treatment in Australia?

MADAM SPEAKER: I am sorry, Mrs Jones, I did not hear the question.

MRS JONES: Minister, when will the people of Canberra no longer wait the longest for emergency room treatment in the country?

MR CORBELL: It is not the case that Canberrans wait the longest for all categories in our emergency department. In a number of category areas they are longer. They are not the longest but they are longer in a number of instances. We have set a very clear target to see improved access and timeliness and I will be reporting further on those matters to the Assembly in the coming months.

Transport—cycling

MR WALL: My question is to the Minister for Road Safety. Minister, you yesterday announced that the ACT government is exploring the concept of allowing cyclists to ride in low speed areas without a helmet. Minister, to what extent do you believe that our current helmet laws reduce cycling participation?

MR RATTENBURY: Yes, on Monday I launched the ACT's new road safety strategy, the road safety action plan 2016-2020. It is a four-year plan with 39 action points. As Mr Wall rightly identifies, one of those 39 points is an undertaking by the government to engage an expert to examine the balance of risk of allowing cyclists to ride without a helmet in low speed environments, such as university campuses, parkland areas and potentially even the 40 kilometre per hour zones in our town centres—the benefits that that will deliver by having more people cycling more often and the health benefits that arise from that—against the risks of people not wearing helmets.

There is evidence to suggest that helmets reduce head injuries for people who ride bikes. There is also evidence to indicate that the requirement to wear helmets discourages some people from cycling. I think it is quite appropriate that we engage an expert to have a look at this to try to weigh up the relative sides of those two equations and to give the government advice on the best way to proceed.

I am aware that this has elicited quite some discussion in the community. I have been intrigued by the focus on one of the 39 items. Nonetheless, our policy should not stand still. Government should be prepared to at least engage an expert to look at the issue and to give us clear advice.

MADAM SPEAKER: Supplementary question, Mr Wall.

MR WALL: Minister, what is the government doing to increase cyclist safety on main roads within the territory?

MR RATTENBURY: There are a range of measures the government is taking right across the portfolios to improve the safety of cyclists in our city. Certainly the action plan that I launched on Monday contains a range of other measures directed towards improving cyclist safety such as having a new component in the learner driver program that specifically covers vulnerable road users—motorcyclists, cyclists and pedestrians—so that one of the core competencies that young drivers are taught is to be aware of vulnerable road users.

My colleagues in other directorates are working on things like the infrastructure—to improve the infrastructure in our city to have more marked cycle lanes on our roads, to look at the next generation of cycling infrastructure with increased levels of separated cycling infrastructure as well as very practical measures like moving to 40-kilometre-an-hour zones in our town centres. Clearly, lower speeds mean that if there is an accident the likelihood of death is reduced and the opportunity for people to stop so there is not a collision at all is enhanced.

MADAM SPEAKER: A supplementary question, Mr Coe.

MR COE: Minister, what assessment was made regarding the announcement about cycling helmets of the damage potentially caused to decades of cycling helmet education policy?

MR RATTENBURY: I might flippantly say the assessment is still to come. That is what we have identified; that we are actually going to do the assessment. In terms of where I think Mr Coe is trying to go, which is to some insinuation that daring to have a policy discussion is irresponsible, I reject the premise of his question.

MADAM SPEAKER: A supplementary question, Mr Coe.

MR COE: Minister, has this week's discussion on cycling helmets damaged the education campaign that has taken place over decades encouraging kids especially to wear helmets?

MR RATTENBURY: Far from it, Mr Coe. What in fact this week's announcement has done is to highlight a policy issue. It has engaged the community in a discussion. It has drawn out a range of views. It is quite clear that there are contested views on this. We just had a Senate inquiry which canvassed exactly that issue. Does Mr Coe think the Senate inquiry damaged the public debate? Does Mr Coe think that somebody being allowed to publish an article online damages public debate? I do not think so. I think it is fair enough to have these discussions. Where we land remains absolutely an open question. That is why we have identified doing a piece of work to look at this policy in a thorough way. The fact that the Canberra Liberals cannot even cope with having an expert look at—

Opposition members interjecting—

Dr Bourke: A point of order.

MADAM SPEAKER: A point of order. Stop the clock.

Dr Bourke: Madam Speaker, the minister is being interrupted in his answer by interjections from the opposition, which is disorderly.

MADAM SPEAKER: The level of interjection is moderate, but I will ask members to be mindful of the level of interjection.

Mr Barr: Against what benchmark?

Mr Hanson: That was disorderly, Mr Barr.

MADAM SPEAKER: It is bordering on disorderly. As I have said a multitude of times, I do not expect question time or other debates to be conducted in silence, but I do expect that members are respectful and do not interject to the point that it disrupts members speaking, and I will pay attention to that. The minister has the call.

MR RATTENBURY: One of the interjections across the chamber was, "Do I wear a helmet?" Yes, I do, because it is the law in Australia and I do wear a helmet. I also ride bikes at high speed at times. I have lived in countries where you are not required to wear a helmet, but I have still worn a helmet when riding high-end performance bikes because of the speed and the level of risk involved. There are entire countries

where you are not required to wear a helmet. Australia is one of the very few places on the planet where wearing a helmet is mandatory. So there are people across this globe every day riding without helmets. I think it is fair enough to have a look at that evidence, and that is what the government has said we are going to do. We are going to look at the evidence and see what the best advice is that we can get.

Children and young people—out of home care

MS LAWDER: My question is to the Minister for Children and Young People. Last year the ACT government announced the ACT Together consortium as the successful respondent to deliver services under the continuum of care domain of the out of home care strategy, A step up for our kids. This consortium includes Premier Youth Works. The Australian Services Union website states that, as at 24 August 2015:

The lowest paid youth workers in Australia—that's what staff at Premier Youth Works were facing...

Premier Youth Works has also refused to pass on the Equal Pay increases won by ASU members in 2012 even though they have been in receipt of the extra funding ... from Government for over 2 years.

Minister, what due diligence checks, if any, did the ACT government do on Premier Youth Works during the procurement process for the continuum of care domain?

DR BOURKE: I thank Ms Lawder for her continued interest in this portfolio area. Of course, I appreciate that Ms Lawder has been briefed about the procedure involved in the procurement as well as the overall strategy. I understand that she supports the policy precepts underlying A step up for our kids: one step can make a lifetime of difference.

As she has noted, a tender process was undertaken in 2015 to commission a panel of service providers to deliver services under the strengthening high-risk families and continuum of care areas of A step up for our kids. There was a strong response from local and interstate service providers and those submissions underwent rigorous evaluation by a panel with expertise in areas such as child protection services, therapeutic assessments and Aboriginal and Torres Strait Islander services. The emphasis of this tender was on an innovative and collaborative service design. The Community Services Directorate has worked extensively with the potential—

Ms Lawder: On a point of order, Madam Speaker—

MADAM SPEAKER: Stop the clock, please.

Ms Lawder: Fascinating as the discussion about the whole procurement process is, my question was specifically about the due diligence checks on Premier Youth Works.

MADAM SPEAKER: On the point of order, standing order 118(a) asks the member to be directly relevant to the subject matter of the question. The subject matter of the question was specifically about one contractor, Premier Youth Works, so I would ask the minister to directly address the question.

DR BOURKE: Thank you, Madam Speaker. I feel sure that appropriate due diligence checks would have been undertaken during this process, which occurred before I became minister, as Ms Lawder will note. However, I am happy to arrange a further briefing for you on that process so that you can be fully apprised of the actual processes involved.

Ms Lawder: On a point of order, Madam Speaker, my question, again, was not about having a briefing. I would prefer the minister to take the question on notice if he does not know the answer today.

Members interjecting—

MADAM SPEAKER: Mr Barr and Mr Hanson! Unfortunately I cannot direct the minister to answer a question in a particular way; the standing orders do not allow that. That is all I can say on the point of order, I am sorry; there is nothing more to be added. Do you have a supplementary question, Ms Lawder?

MS LAWDER: I do, thank you, Madam Speaker. Minister, what actions, if any, did the ACT government take when allegations surfaced that Premier Youth Works had underpaid its staff?

Mrs Jones: Take it on notice.

DR BOURKE: I thank Ms Lawder for her question. Yes, I will have to take that on notice. As previously noted, I was not minister at the time so I was not across that portfolio area at the particular time of that occurrence.

MADAM SPEAKER: A supplementary question, Mr Wall.

MR WALL: Minister, how will an organisation found to have underpaid its staff be in the best position to manage vulnerable children and young people, including managing risks relating to child safety and wellbeing in care placements?

DR BOURKE: As I said in my previous answer, there was a strong and rigorous evaluation by the panel with expertise in areas such as child protection services, therapeutic assessments and Aboriginal and Torres Strait Islander services. These are the very issues that these organisations will be delivering. I am told that the opposition was thoroughly briefed on the processes involved in this tender. If that is not the case, then I would be happy to provide further briefing as needed.

MADAM SPEAKER: Supplementary question, Mr Wall.

MR WALL: Minister, how can the ACT government be claiming to be concerned about fair pay when vulnerable people such as children and young people in out of home care are being looked after by an organisation alleged to have underpaid their staff?

DR BOURKE: As I said, these are allegations which presumably were assessed as part of the process. I will find out more and I will come back and tell the house.

Mr Hanson interjecting—

MADAM SPEAKER: Order, Mr Hanson!

National Multicultural Festival

MS BURCH: My question is to the Minister for Multicultural and Youth Affairs. Minister, can you provide the Assembly with an overview of the 20th National Multicultural Festival that was held last weekend?

MS BERRY: I acknowledge the work that was done before me by Joy Burch in the ministerial portfolio and on the Multicultural Festival, her passion for that work and her ongoing passion for multiculturalism in our city. Twenty years on from our first National Multicultural Festival, this annual event seems to be more popular than ever. Despite its growth, it has remained a free, family-friendly event offering opportunities to explore and indulge in diverse cultures.

In 2016 we had a total of 463 stalls, more than 4,000 community volunteers and 2,500 performers across eight stages. We are fortunate to be able to support and host such a remarkable event in this city. This event would not have been possible without a cast that includes thousands of volunteers, businesses, community groups and staff.

As the Minister for Multicultural Affairs, I was fortunate to be able to enjoy the festival by visiting a number of our communities at their stalls, engaging with volunteers working for organisations serving Canberra communities and opening various showcases, stalls and events.

Each year the festival is supported by all sectors of the ACT community—the diplomatic corps, sporting groups, advocacy organisations, political and social associations and, of course, culturally diverse community groups from across the ACT, the region, Australia and, indeed, the world.

When we consider the challenges, opportunities and responsibilities of a community as diverse as ours, I take the festival as a serious reflection on inclusion in our city—the distance we have come and our achievements along the way. All cultures truly can and do thrive alongside each other and as a community we are better for it.

Planning has now commenced for the 2017 national Multicultural Festival. It will be the year the festival truly comes of age—turning 21—and it will be a celebration like no other.

MADAM SPEAKER: A supplementary question, Ms Burch.

MS BURCH: Can the minister give us some of the early feedback from the Canberra community about this year's festival?

MS BERRY: Yes, I can. In the few short days since the 2016 festival wound up for another year, we have received much feedback from stallholders, police, volunteers

and the general public. The president of the Federation of Indian Associations of ACT, FINACT, Amardeep Singh, wrote to my office commenting on the success of the festival. In particular, Mr Singh's feedback highlighted the festival's capacity to showcase the various groups within the broader ACT Indian community. Some of those groups were recognised with awards by Contact Canberra at the conclusion of the festival.

The vast majority of the feedback has been very positive, highlighting the vast benefits of the festival to the Canberra community and beyond. The festival's social media accounts reflect the many pictures and positive comments that flooded in over the weekend, capturing festival-goers enjoying the hundreds of stalls, performances and events.

In addition we had volunteers collecting data on the festival throughout the weekend which, in the coming weeks, will be used to compile the 2016 festival spectator survey. The survey takes in satisfaction rates of people attending the festival and what, if any, changes should be incorporated into next year's event. I will report to the Assembly on that survey once the findings become available.

All of these comments are important to the government and any feedback we receive will be fed into the planning for next year's festival.

MADAM SPEAKER: A supplementary question, Ms Porter.

MS PORTER: Minister, can you advise the Assembly about the level of economic activity generated by the Multicultural Festival; and how important are volunteers to its success?

MS BERRY: You only need to look around to see the huge amount of economic activity that happens during the festival, but we will be in a better position to consider that question in the coming weeks as the 2016 spectator survey is compiled. What I can say today is that on early indications we may well exceed the expenditure generated by last year's festival, put at \$7½ million. According to several reports, crowd numbers were definitely up from last year; at one point festival goers found that ATMs had run out of money. Many of our ACT not-for-profit service providers were able to raise money for their organisations and initiatives from the many generous donations made by festival goers.

Alongside positive economic indicators from the festival, it is important to note that our city benefited from the unpaid voluntary contributions of over 4,500 highly skilled local volunteers. Festival goers would have noticed that a number of our volunteers themselves came from a variety of cultural groups represented in Canberra and were diverse in their standing. Indeed, I saw Mr Wall walking around volunteering for the festival's charity organisation, Menslink. It was great to see members of the opposition as well as members of the government participating in it. We saw young people gaining valuable skills and experience in the variety of responsibilities and roles they undertook over the weekend. We also were lucky to have more experienced volunteers who have been part of a number of festivals available to share their knowledge with festival goers as well as other volunteers.

We are able to provide such a great event here in the Canberra community ultimately because of the hard work and the generous contributions of our volunteers. Quite simply, without this contribution the festival would not be possible.

MADAM SPEAKER: A supplementary question, Ms Porter.

MS PORTER: Minister, could you tell us some more about the stalls that were recognised for particularly outstanding contributions at the festival this year?

MS BERRY: There were 463 stalls, as I said, operating across the festival at the weekend and there were many outstanding contributions. This year we added the Malaysia village to the festival line-up, which contributed immediately to the festival spirit generated by a number of other more familiar spaces: the African village, Pacific Island showcase, American experience, India in the city and, of course the Latin quarter. There was celebration of culture and identity in every corner that you looked.

Contact Canberra did a great job of recognising stalls that stood out particularly well when selecting the winners of the awards, which I had the pleasure of presenting on the final day of the festival. The most interactive stall went to Akhal Fahwuj from the Canberra Sikh Association. The best decorated stall was Breastscreen ACT. The best cultural experience was Integrated Cultures ACT. The best love my community blog was by the Australian Institute of Interpreters and Translators. The best overall stall went to the orangutan project. Congratulations to all winners as well as to the several other stalls that established their presence across the festival, to our benefit.

Planning—Stirling

MRS JONES: My question is to the Chief Minister. Minister, I wrote to you about a house on McKail Crescent, Stirling in 2014. The home was damaged by fire in 2010 and sold in a damaged state in 2012. There are numerous issues with this property, including an infested swimming pool, mosquitoes, stray animals, vermin, long grass, fire hazards, snakes, an unsteady fence surrounding the outskirts of the property, three illegal shipping containers and a skip bin situated in front of the property. Minister, last October, you informed me that “Access Canberra has now removed the shipping containers and served a controlled activity order. The order requires the lessee to either submit a building approval within 30 days or remove the remaining container within 90 days.” The 90-day period has now expired and there are still a shipping container and a large skip bin on the property as well as many of the other problems. Minister, how are you going to finally deal with this problem for the residents of Stirling?

MR BARR: In accordance with the laws of the territory.

MADAM SPEAKER: A supplementary question, Mrs Jones.

MRS JONES: Minister, has your government not enforced the applicable laws regarding the use of this property and the illegal shipping containers?

MR BARR: I do not believe so. The long preamble to Mrs Jones's original question indicated the government's response to date, but I will seek some further information from Access Canberra. The government, for obvious reasons, does not breach the law of the territory.

MADAM SPEAKER: Supplementary question, Mr Doszpot.

Opposition members interjecting—

MADAM SPEAKER: Order! I would like to hear Mr Doszpot.

MR DOSZPOT: Chief Minister, what is the government's policy regarding shipping containers in front yards? Do they require development and building approval?

MR BARR: In relation to temporary structures associated with construction, I do not believe so; but I will have that confirmed for the member.

MADAM SPEAKER: A supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, what agency or agencies are responsible for policing these lease compliance issues?

MR BARR: Access Canberra has responsibility for regulatory enforcement in the territory.

Planning—Northbourne Avenue

MR SMYTH: My question is to the Minister for Capital Metro. Minister, TAMS has provided advice to the Capital Metro Agency that when planting new trees on Northbourne Avenue, trees should be "no more than 2.5 metres high" and that "eucalypts establish and perform better when planted at a smaller size". In public comments made last year you stated that you would plant eucalyptus mannifera trees on Northbourne Avenue at a height higher than 2.5 metres. Minister, why are you disregarding the advice from TAMS?

MR CORBELL: We are not disregarding the advice from TAMS but we are having a close look at what we can do to ensure that tree coverage along Northbourne Avenue is maintained to the greatest extent possible and that new plantings are of a size and scale that are suitable for the avenue. The trade-off here is that these types of trees, and eucalypts in general, grow faster when they are planted as very, very young stock.

However, the trade-off to that is that you essentially have tube stock that is very small for a longer period of time, whereas you can plant more established trees. Whilst they will not grow as fast, they will nevertheless prosper and grow and they will provide more immediate amenity sooner. So it is a trade-off. I am very pleased to say that the advice from Capital Metro and from the winning bidder, Canberra Metro, is that it is feasible and suitable to plant advanced tree stock of a minimum of four metres and that is what we propose to do in relation to the tree replacement strategy along Northbourne Avenue.

That is an approach that will be welcomed by the National Capital Authority. They are particularly keen to ensure that the landscape quality is restored and enhanced in a very effective and timely way. Rather than plant a lot of tube stock that will effectively see no trees visible along the avenue for a significant period of time, we can provide more advanced plantings that will help to restore the landscape quality sooner and in a way that is viable and in a way that allows those trees to grow and prosper accordingly.

MADAM SPEAKER: A supplementary question, Mr Smyth.

MR SMYTH: Minister, does the position adopted by your government decrease the viability of these trees when they are planted?

MR CORBELL: Not in any substantial way. Clearly these will be matters that will be the responsibility of Canberra Metro. They will be required to maintain their landscape plantings for the duration of the contract term. If trees fail, they will be required to replace them with new trees of the same size. So if a tree at four metres fails, if it does not thrive and it dies, that tree will have to be replaced, and it will have to be replaced by a tree of the same size. That is the contractual arrangement that we have entered into. We believe it is a very robust arrangement, and it ensures that the beautiful treed avenue is able to be restored and sustained as quickly as possible.

MADAM SPEAKER: A supplementary question, Ms Lawder.

MS LAWDER: Minister, is it costlier to plant taller trees on Northbourne Avenue?

MR CORBELL: It will be more expensive than relying on tube stock. Nevertheless it has the other benefits that I highlighted earlier. These are factors for balance. These are factors for consideration. I think Canberrans want to see the landscape outcome along the avenue sooner. If there is to be disruption on the avenue, they want to see the landscape restored and enhanced as promptly as possible. That is what this strategy allows us to do.

MADAM SPEAKER: A supplementary question, Ms Lawder.

MS LAWDER: Minister, what is approximate cost of planting the larger trees compared to planting smaller trees on Northbourne Avenue?

MR CORBELL: I will take the question on notice.

Sport—hall of fame

MR DOSZPOT: Madam Speaker, my question is to Minister for Sport and Recreation. Minister, last week there were reports in the media regarding the ACT sports hall of fame. The article states that you are looking to engage community sports groups to determine the future of the hall of fame and the sports star of the year awards. Given that the media last year reported that the former President of ACTSport had “struck an agreement with the ACT government for the popular hall of fame and

sport star of the year programs to continue in coming years”, what assurances can you give to the community that the government will continue these popular programs as per the commitment?

MS BERRY: I thank Mr Doszpot for the question. I note that he really answered his question in his question, because I will be talking with the community and sports sector in the ACT about how we can best celebrate our athletes in the ACT, whether that is through an organisation like ACTSport or an ACTSport function or something else. Once we have fully consulted and spoken with the sporting sector and listened to the ACT sporting community about the kinds of ways they would like to celebrate sporting heroes in this town then we will be able to go forward with that.

MADAM SPEAKER: A supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, what consultation have you had with ACTSport or the sporting community in regards to the programs?

MS BERRY: I personally have not met with ACTSport. I have been the minister for only a couple of weeks now but I understand the previous minister did meet with the former chair of ACTSport. The board of ACTSport met on 30 June and resolved that they would proceed with the course of action of winding up their operations.

I personally have not met with anyone because, as I said, I have been the minister for only a couple of weeks. I know that the former minister did meet with them and that ACTSport did decide at their board meeting on 30 June that they would wind up their operations. I am actually currently in the process of arranging for a meeting to occur.

MADAM SPEAKER: A supplementary question, Mr Smyth.

MR SMYTH: Minister, what changes to the hall of fame and sports star of the year programs are you currently considering?

MS BERRY: I will be able to inform the Assembly of that once I have continued my conversations with the sporting community.

MADAM SPEAKER: A supplementary question, Mr Smyth.

MR SMYTH: Minister, will you detail to the Assembly the rounds of consultation that you intend to have with the sporting community.

MS BERRY: Yes, I can do that.

Expenditure review—concessions

MR COE: Madam Speaker, I have a question for the Treasurer. I refer to the ongoing review of concessions that has been underway for some time. Chief Minister, will you rule out removing rates concessions from schools?

MADAM SPEAKER: Sorry, Mr Coe; I did not hear the end of that.

MR COE: The question was: will you rule out removing rates concessions from schools?

MR BARR: I think the question is seeking an announcement of government policy. What I will say is that the government is considering the issues raised in the concessions review. I would think it highly unlikely that there would be change in that area.

MADAM SPEAKER: A supplementary question, Mr Coe.

MR COE: Chief Minister, will you give confidence to residents of retirement villages over ruling out removing rates concessions for such properties?

MR BARR: I refer the member to my previous answer.

MADAM SPEAKER: A supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, will you rule out removing rates concessions for childcare centres?

MR BARR: As I indicated in answer to Mr Coe's first question, it is highly unlikely that there will be change in that area.

MADAM SPEAKER: A supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, will you categorically rule out removing rates concessions for sporting groups?

MR BARR: It would be highly unlikely that there would be change in that area.

Mr Hanson: Boring and repetitious?

MADAM SPEAKER: No, that only relates to debate, Mr Hanson. You should know that by now. Ms Porter, a question without notice. I note that this is Ms Porter's last question to the Assembly.

Shopping centres—amenities

MS PORTER: Thank you. My question, though you, Madam Speaker, is to the Minister for Transport and Municipal Services. I hope you note that it is also about TAMS, Madam Speaker. Minister, last week you announced that upgrades are underway to shops in Cook, Rivett and Mannheim Street in Kambah. Could you outline for the Assembly the details of what these upgrades will deliver for the local community?

MS FITZHARRIS: I thank Ms Porter very much for her last question in this Assembly—fittingly one on local shopping centres. Recently it was a great pleasure for me to meet with local residents and business owners in Cook, Rivet and Kambah

to talk about the latest round of shopping centre upgrades and how this program will help improve our city and drive the local economy in our suburbs. The current local shopping centre upgrade program delivers on the Labor's commitment to upgrade a number of shopping centres across the territory. The ACT government allocated \$1.8 million over two years for the design and construction of the upgrades in the 2014-15 ACT budget and we are committed to improving access, safety, amenity and vitality at local shopping centres across Canberra.

The local shopping centre upgrade program has a number of key objectives which will directly benefit local communities. This includes improving safety at our local shops, making them more accessible for people with disability and generally making the environment and quality of the public spaces better. When these objectives are achieved at a local shopping centre, the attractiveness for the local community to buy local and support the micro economy of the suburban shopping centre increases. This is good for jobs, for community cohesion and for our quality of life. Subsequently the confidence from the private sector to invest in our local centres also increases, and with this the centres see increased activity which, in turn, improves the safety and community feel of these places.

Madam Speaker, each local shopping centre has its own character developed over a number of years by the local community and shopping centre operators. Our upgrade project managers work closely with this exciting character at each shopping centre and with the operators who have created it, ensuring that we reflect this in the designs for the upgrade works that are delivered.

As to the specific upgrades, I can inform the Assembly that the ACT government is investing \$850,000 in Cook to: increase open space for gatherings as well as outdoor dining; provide better access to the bus stop and surrounding streets with new paths and ramps; reduce trip hazards; improve lighting along footpaths and the main car park; create an additional parking space for people with a disability, to comply with current standards; and install new public space furniture, a drinking fountain and upgraded landscaping.

At Rivett we are investing \$360,000 to improve access from the bus stop to the shops with: the installation of new paths, ramp and stairs; upgrading paving and lighting; improving access from the aged care facility to the shopping centre; and installing new public space seating.

Finally, at the Kambah shopping centre on Mannheim Street we are investing \$550,000 to: provide better access to the shopfronts and childcare centre, with a new path, ramp and stairs; improve the main car park entry and create a new parking space for people with a disability, complying with current standards; and ensure safety and amenity by installing new lighting, public space seating, landscaping, a drinking fountain and bicycle racks.

A couple of weeks ago I had the opportunity to see these upgrades in progress. There is a lot happening, and the local traders are excited by the progress. This is in addition to our upgrades over recent years at local shops in Griffith, Theodore, Chapman, Farrer, Red Hill, Charnwood, Waramanga, Scullin, Ainslie and Lyons.

Our shopping centres are great little hubs of community activity, each with their own character. In Gungahlin, for example, I have enjoyed watching some of our newer suburbs, such as Crace, develop into great suburbs that residents are immensely proud to live in. This is largely due to the investment people are making in their local shops. For example, at Crace, Coffee Guru, the Drawing Room and the District are bringing people from far and wide. In our older, more established suburbs the revitalisation of existing infrastructure and landscaping is getting people excited to shop and invest in our local centres

As I said earlier this week, I would like to see further collaboration with local business owners and the possibility of co-funding improvements for shopping centre investment to get even more bang for our buck. Together we can make our shopping centre upgrades respond to community feedback and make our suburbs shine.

MADAM SPEAKER: A supplementary question, Ms Porter.

MS PORTER: Minister, what has been the reaction of local residents and business owners to the planned upgrades? How did the ACT government consult with them, and what changes were made as a result?

MS FITZHARRIS: I thank Ms Porter for her supplementary. As many in this place know, our local shopping centres are ever-changing places. Some see local businesses coming and going over the years while others have a relatively stable group of operators over an extended period. This is why it is important that we understand the nature of each shopping centre and the demands and requirements of the local operators and customers when considering an upgrade.

It is equally important to understand the needs of the broader community as well. A great example of this would be the Cook shops in Belconnen when the initial plans were prepared some years ago, when activity at the shops was very low. In between the time of the initial planning and the detailed design phase the cafe Little Oink opened. It quickly began to thrive, so much so that the operator is now taking over an adjacent vacant shop to open a bar and restaurant. It was at this stage, during the final consultation with the owner, that it was identified that the design needed to be changed to accommodate her future plans for an outdoor dining space.

Can I say that when I met with the owner, Natalie, a couple of weeks ago I was really impressed with what she has done as a local business operator. She has a great vision and passion for her local shops and it is clear that she has a fantastic local business that her community loves.

This is a great example of the government's ability to react and adapt its plans and to respond to the local community needs and private sector investment. In doing so, the adjacent traders at the Cook shops, including a barber shop, an IGA and a jewellery designer, will benefit from an upgraded public realm with new street trees and outdoor seating for their clients to enjoy adjacent to their shops.

It was only a couple of years ago that the Cook shops were full of vacant shopfronts and empty car parking spaces. This is a great example of the government working with the business community to reinvigorate and support local shops. In particular, I congratulate all of those at the local shops and throughout the TAMS Directorate for being able to adapt the program to meet the ever-changing needs of our local community, for example in Cook.

MADAM SPEAKER: Supplementary question, Mrs Jones.

MRS JONES: Minister, is this the third time that the Rivett upgrade has been announced? Has there been any change on the empty shop that is a blight for that community? When will Fisher get its upgrade?

MS FITZHARRIS: I thank Mrs Jones for the supplementary question. My understanding is that the announcement last week was on the shopping centre upgrades getting underway. So it may have been announced over a period of time. Indeed, with our consultation we often announce that the design phase has started. We announce that consultation is going ahead. We seek input from the community on that consultation. Then we may also make announcements about that consultation being finalised. Last week it was around announcing that the upgrade was actually going ahead.

In regard to a vacant shop, that would be, in my understanding, a matter for the local owner of that shop, whether it be the landlord—

Mrs Jones: Fifteen years; fifteen years empty.

MS FITZHARRIS: Shops stay vacant. They are owned by private operators. The government has no ability to rent out a private space on behalf of a private owner.

MADAM SPEAKER: A supplementary question, Ms Burch.

MS BURCH: Can the minister outline the importance of government investment in local shopping centres, particularly in regard to upgrades to shopping centres that have recently been completed or planned for?

MS FITZHARRIS: I thank Ms Burch for the supplementary. As Ms Burch mentioned, it is important that the government continues to invest in local shopping centres and we are committed to continuing our investment and renewing our suburbs. Of course, we all know that Canberra is the world's most livable city, but to keep it this way we are continuing to invest in our suburbs and local shopping centres. The ACT government manages and maintains the public spaces at 89 local shopping centres and these are close to the hearts of many Canberrans.

With this in mind the government has two imperatives when it comes to investing in our local shops. First, we look to invest in those centres that are in need of renewal, where economic activity may need a boost. Equally important is the need to invest in the popular and economically more active centres to support the current level of activity and success.

In the case of the former, it is the government's responsibility to identify locations where some level of investment is required to stimulate local interest and private sector confidence. The government cannot simply wait for a brave entrepreneurial soul to see the untapped potential of a less popular local centre. I think we all understand the risks small business owners take when they decide to take that leap and open a local business. By demonstrating to the community that these centres are an important part of the fabric of their suburbs, the communities are more likely to respond and support local investment as it evolves. Therefore these upgrades should enable opportunities for private sector investment.

The suburbs of Belconnen, for example, are going through a mini-revival of sorts right now, with small businesses either popping up or in the planning stages at a number of locations, including Aranda, Macquarie and Cook, as I previously mentioned. We should be doing what we can to support this community-driven moment. In the case where a shopping centre is thriving, has strong private sector support, strong community support and high levels of activity, it is important that government provides a safe and suitable environment for this to continue. I am looking forward to further works getting underway in our group centres in Erindale, Weston and Tuggeranong. (*Time expired.*)

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

Supplementary answers to questions without notice

Children and young people—out of home care

DR BOURKE: In relation to the questions earlier about tender documents for A step up for our kids, I can advise that as outlined by the government in the tender documents for A step up for our kids, all contracted parties and consortia members were required to provide appropriately qualified and skilled employees under applicable commonwealth or territory laws and/or certified enterprise agreements or awards. Premier Youth Works and the ASU were in disagreement over the classification of youth workers and responsibilities. This matter was resolved to the satisfaction of all parties prior to relevant contracts under A step up for our kids being executed.

Tuggeranong—offensive odours

MS FITZHARRIS: Yesterday Ms Lawder asked some questions regarding government agencies' complaints received since 1 November 2015 about odour in the Tuggeranong valley. I can reply to those questions that the EPA, through Access Canberra, has received 30 complaints, including those forwarded from Ms Lawder's office; and since 1 November 2015 ACT NOWaste has received 13 complaints, five of which were from the same person. So in total it is 43 complaints from the beginning of November last year.

Mr Smyth subsequently asked a question around the flushing of sewerage pipes. I can report from Icon Water that Icon Water does not, as such, flush the Canberra sewerage network. This is not standard practice in the water industry. However, Icon

Water annually cleans approximately 300 kilometres of sewer mains across Canberra, including Tuggeranong, clearing tree roots and blockages from locations that are identified based on condition monitoring programs across the city. All wastes from sewer cleaning remain with the Icon Water system and are processed at the Lower Molonglo Water Quality Control Centre.

Sport—participation

MS BERRY: In response to Mr Doszpot's question yesterday regarding the Lyneham beach volleyball facility, the available project funding is, I understand, the same as has been provided by the previous minister—a total government contribution of \$833,510, with funding from Volleyball ACT of \$230,000. I am advised the final cost reconciliation will be completed shortly.

Legislative Assembly—accommodation **Statement by Speaker**

MADAM SPEAKER: For the information of members I provide a further update on the accommodation project for the expanding Assembly.

Shortly after my last update to the Assembly in November last year, 35 staff relocated to the purpose-built premises in the North Building on level 1. This allowed works to start on the second and third phases of the project.

This involves a series of new works for the Assembly building, including the rolling refresh program of repainting and recarpeting for those areas of the building which are not being refurbished. This program is about one-third complete. I am aware that these works have caused some disruption, further complicated by the changed ministerial arrangements in late January, but the accommodation project team have advised me that there has been a high level of cooperation and tolerance amongst members and Assembly-based staff, and I appreciate that ongoing cooperation and tolerance.

I also reiterate what I have said before about the tremendous work undertaken by a number of OLA staff who have made each stage of this tight refresh program possible. In particular, I recognise the professional work of Rick Hart, Peter Edwards and the other attendant staff who have worked tirelessly to arrange smooth, progressive and sequential office relocations—and I mean that in the sense of progressing one from the next rather than the sense in which the Chief Minister often uses the term.

Similarly, the ICT coordination work performed by Maruf Abdullah-Al and James Doherty has been central to the success of the changes.

Members are aware that in the very early phases of demolition, contractors and expert consultants confirmed that bonded asbestos was present in multiple areas, mainly beneath carpets on the ground floor. In swift response, the project team developed a safe removal program, and I thank Assembly staff, especially the Clerk's office and the committee staff, for their forbearance in the shuffling involved in this work. I am pleased to advise members that the safe removal program of bonded asbestos was completed last weekend.

Despite the delays caused by the asbestos removal, work remains close to the original program. Completion of ground floor works is scheduled for late March. This will accommodate OLA security and ICT staff and two media officers, a dedicated record storage facility, a carer's room, and a breakout space for those OLA staff located in the Assembly building.

Completion of the three new ministerial suites on level 2 is scheduled for early April. Initially two of them will be used for temporary accommodation while existing ministerial suites are refreshed. By late April, Minister Bourke's office is scheduled to be relocated from level 1. Shortly afterwards Minister Fitzharris will be relocated to one of the new suites.

Completion of the new suites on level 1 and the new meeting rooms and catering kitchen is scheduled for late May. To enable works to commence on the north side of level 1, the building contractors will be erecting hoardings in the coming days that will prevent access to the lift and main staircase at the public entrance and will prevent access to the northern end of the western and eastern corridors of level 1.

Access to the upper floors from the public entrance will be via the committee room corridor, either using the fire stairs between the two committee rooms or continuing around to the members entrance. This is going to be substantially inconvenient, but we have cut back the time these hoardings will be up. By late March, when completion of works on the ground floor is expected, there may be alternative access via the reception room. The restricted access to level 1 is expected to remain in place until those works are completed in mid-May.

An example of the level of detail required in any project like this is that the original lock and key systems for the building cannot be expanded to cater for new members and ministers suites as well as the North Building offices. As a consequence, new locks and keys for all doors in the Assembly precinct are scheduled to be installed in late March and early April.

One of the quirks of the project that has attracted quite a few quizzical comments, not least from me, is the order of the refresh works. Some people, including me, have been wondering about the wisdom of laying carpet and then painting. I am assured that it is simply a fact that the carpet goes down more quickly than the painters can get through. If the carpet layers wait for each stage of the painting, it will add to the length of time that we will have uncarpeted corridors and rooms, and our carpet layers' program would have a more stop-start aspect to it, which would add to time and costs. All professional painters are quite skilled at painting on existing carpeted areas. If they do spill paint on any carpeted area, those tiles will be replaced at the contractor's cost and at no cost to the territory. It is the job of contractors to hand over a refurbished building fit for purpose according to the standard required.

Finally, members, upgrades to the air-conditioning systems, the general bathrooms and the reception kitchen are still being programmed. These works are expected to continue until August. I will update members more on these works as more detail becomes clear.

To really finalise, the work in the chamber will commence immediately after the last sitting period in August. I will continue to update members on the building program as we go through.

Public Accounts—Standing Committee Report 17—government response

MR BARR (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Tourism and Events and Minister for Urban Renewal) (3.29): Thank you, Madam Speaker, for a suitably conservative presentation on building upgrades.

Mr Coe: You can learn from her: on time and on budget.

MR BARR: If only they knew, Madam Speaker; if only they knew.

For the information of members I present the following paper:

Public Accounts—Standing Committee—Report 17—*Review of Auditor-General's Report No. 8 of 2013: Management of Funding for Community Services*—Government response.

I move:

That the Assembly take note of the paper.

I am very pleased to present to the Assembly the government's response to the Standing Committee on Public Accounts report *Review of Auditor-General's report No 8 of 2013: Management of funding for community services*. This particular audit examined whether the health, community services and then economic development directorates had effective controls and procedures for managing funding for community services, including whether appropriate governance arrangements were in place for the services and programs audited; whether there was integration of the required outcomes and deliverables of funding agreements with policy or legislative requirements; and whether funding administration arrangements are in place to support the achievement of value for money.

The Auditor-General's report demonstrated that the government's management of funding for community services is sound and includes effective checks and balances that minimise risk and ensure good outcomes for the ACT community.

The government response to the audit, which I presented to the Assembly in August 2015, agreed or agreed in principle to seven of the audit's 10 recommendations, with a further three being noted. Having received both the Auditor-General's report and the government response, the Standing Committee on Public Accounts has put forward a further five recommendations.

Noting that many of the committee's recommendations are closely aligned with those made by the Auditor-General, I can advise the Assembly that the government has agreed to three recommendations, agreed in principle to one recommendation and noted one recommendation. This includes a commitment to report to the Assembly on directorates' progress towards implementing the online grants management process prior to the conclusion of the Eighth Assembly.

Question resolved in the affirmative.

State of the environment report 2015

Paper and statement by minister

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): For the information of members and pursuant to the Commissioner for Sustainability and the Environment Act 1993, I present the latest state of the environment report for the period July 2011 to June 2015:

Commissioner for Sustainability and the Environment Act, pursuant to section 22—Commissioner for Sustainability and the Environment—ACT State of the Environment Report 2015.

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

Leave granted.

MR CORBELL: I am pleased to table the latest Australian Capital Territory state of the environment report. It is a requirement of the Commissioner for Sustainability and the Environment Act 1993 that the commissioner present to the government at regular intervals a report on the condition of our environment. The government is also tabling a report in readiness to formally respond to the commissioner's report later this year.

The state of the environment report is an independent assessment of the status of the ACT's environment. The *2015 state of the environment report* is the seventh such report and covers the period 1 July 2011 to 30 June 2015. The state of the environment report comprises an introduction and five main sections.

The first main section describes the key pressures and drivers of change that impact on the environment, notably climate change and growing human needs. The second main section is an assessment of the themes: air, land, water, biodiversity, climate and heritage in the ACT. This section gives us an indication of how the environment is faring and takes into account the impact of climate change and increasing human need on it. The section includes indicators and assessment grades for each of the themes. Confidence ratings are also provided to indicate the level of evidence underpinning the assessments made in the report. The third main section assesses the implications of changes in the environment in relation to livability, ecosystem services and social and environmental resilience.

New to this report is a further section which evaluates how effective we have been in our management of the environment. This section uses the international union for conservation of nature management effectiveness framework, which is a new approach in the ACT's state of the environment reporting. The IUCN framework focuses on six management elements—namely, context, planning, inputs, processes, outputs and outcomes, and the links between them.

The fifth and final section provides recommendations to the government. The 10 recommendations will assist with further progressing environmental management and prioritising funding for that here in the ACT.

The *2015 state of the environment report* is largely positive about how we are tracking. It acknowledges the commitment and collaboration of the ACT government to the local community to date in helping make Canberra more sustainable. Canberra is rated highly on its livability attributes, such as cleanliness, maintenance and outdoor leisure opportunities. We have also performed very well through the delivery of the second action plan for climate change in relation to our climate change mitigation responses. Once again, outdoor air quality is rated highly and water quality measures are considered to be broadly effective.

The report acknowledges the significant proportion of the ACT designated as nature park or national park and the comprehensive legislative framework underpinning conservation, which includes the Nature Conservation Act 2014, the Planning and Development Act 2007, the Pest Plants and Animals Act 2005, the Heritage Act 2004 and the Emergencies Act 2004.

The report includes many ACT government and community case studies that highlight innovative initiatives that are designed to improve environmental values while redressing pressures and impacts on the environment.

While the report acknowledges our successes, it also reinforces the need to continue to build on our efforts towards creating a more sustainable city. The report highlights that our consumption and urban expansion patterns will have to be managed carefully if we are to ensure the continuing health of our environment and the livability of our city. Importantly, it notes that this is not a task for the government alone but will require commitment and participation by our community.

The report estimates that the average ACT resident's ecological footprint was 8.9 global hectares in 2011-12. This is 3½ times higher than the world average. The report gives us food for thought. The government is mindful of the need to encourage measured economic growth whilst promoting change to more sustainable patterns of consumption and behaviour.

I am pleased to table the Commissioner for Sustainability and the Environment's ACT state of the environment report for the period ending in 2015. I would like to thank the acting commissioner, Ms Ann Lyons Wright, for her efforts in bringing the report to a conclusion, and I note her attendance here in the gallery this afternoon. The commissioner has been performing well in an acting capacity whilst the government

seeks a permanent appointment following the retirement of Mr Bob Neil last year. I would also like to thank Mr Neil for his efforts; he is partly responsible for the authorship of this report, given that it takes quite an extended period of time for the report to be undertaken.

Finally, I thank both commissioners and their staff. The staff of the commissioner's office put in an enormous amount of work to produce this report. Members will see that it is comprehensive, science and evidence-based, and, I have to say, very well presented. It is a quality report that gives all Canberrans a comprehensive assessment of the state of our environment here in the bush capital—where we are doing well, where we need to do better and, most importantly, how we can ensure that we maintain a quality environment that will support and nourish future generations.

I commend the report to the Assembly.

Papers

Mr Rattenbury presented the following papers:

Heavy Vehicle National Law as applied by the *Heavy Vehicle National Law Act 2012* (Qld) and by the law of States and Territories—Heavy Vehicle National Amendment Regulation (2015 No. 824), together with its explanatory statement.

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual Report 2014-2015—Education and Training Directorate—Corrigendum.

Education and care services national law—regulations Paper and statement by minister

MR RATTENBURY (Molonglo—Minister for Corrections, Minister for Education, Minister for Justice and Consumer Affairs and Minister for Road Safety): For the information of members I present the following paper:

Education and Care Services National Law—Education and Care Services National Amendment Regulations 2015 (2015 No 804), dated 11 December 2015.

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

Leave granted.

MR RATTENBURY: As the Minister for Education, I am pleased to table the Education and Care Services National Amendment Regulations 2015 in the Assembly today. These regulations address two jurisdiction-specific amendments agreed to nationally by the Education Council.

There has been some recent media on the cost of education and qualifications for carers in the ACT, on the back of the ROGS data that was released two weeks ago. As such, I take this opportunity to provide an explanation for members of the context and intention of this law and how it is designed to support young children's care and education.

In 2012 states and territories and the commonwealth implemented the national quality framework for the education and care sector. The framework covers long day care centres, family day care, preschools and out of hours school care. It creates a framework of education and care for children from babies to five-year-olds who are not enrolled at school, and children up to the end of primary school who attend out of school hours care. The national quality framework established the education and care services national law and a uniform approach to the regulation and quality assessment of the education and care sector.

The framework contains four key components: a national regulatory framework for approving services, keeping children safe and maintaining minimum governance standards; a new national body, the Australian Children's Education and Care Quality Authority, ACECQA, responsible for establishing consistent and efficient procedures for the operation of the framework; a national quality standard with seven assessable quality areas containing a total of 58 elements; and a national quality rating and assessment process to complement the national quality standard.

The national quality framework is a transformational reform of the education and care sector. It is designed to challenge perceptions that child care is just paid babysitting, and instead puts into practice the evidence and research that tell us how the early years of life are so critical to the development of children from an educational, emotional and social perspective.

The national quality framework has taken the variety of laws and policies created by states and territories and created a uniform framework. But it is not a common denominator framework. It is aspirational. The NQF is essentially setting goals of quality and a framework to achieve those goals. These reforms are intended to be generational, bringing about changes not just over years but over decades.

Australia's Education Council, representing all Australian jurisdictions, coordinates policy changes to the national quality framework. ACECQA leads the implementation of the framework, and states and territories regulate the sector under the national law.

In 2010 a baseline census of the ACT workforce was carried out prior to the framework. This was a census undertaken in the context of the then existing ACT laws. At that time the qualification requirements of educators in long day care and family day care were very different to what we have now under the framework. For long day care there was a percentage of staff who had to be diploma qualified, but the other staff did not need to be qualified at all. No qualifications were required for family day care, and for out of school hours care only one qualified staff member was required for every 33 children.

The national quality framework, as can be imagined, was a radical change for the ACT's education and care sector. It sought to provide a one to four ratio for children under 24 months, a one to five ratio of educators for 24 to 36-month-old children, one to 11 for 36 months up to four-year-olds in childcare centres, and two to 25 for preschools. Also, for the first time it introduced ratios for family day care services.

In 2010 the commonwealth's census found that in the ACT 46.8 per cent of primary contact staff had a relevant formal qualification at or above certificate III. In May 2013, only one year into the national quality framework, the commonwealth conducted its second census and found that 50.6 per cent of primary contact staff in the ACT had a relevant formal qualification at or above certificate III. It is important to note that at the time only 64 per cent of the pool of respondents identified by the commonwealth provided data on staffing qualifications. It is also important to note that it is the commonwealth which has set the methodology for collecting this data.

Members of the Assembly may be aware that the recent report on government services for 2015 used this 2013 data to highlight qualifications in child care. The reason the Productivity Commission chose this year to report on old data is that it seems there was no new data.

Between 2010 and 2013 the number of primary contact staff in the ACT grew considerably. Between 2010 and 2013 the number of staff grew by 366, or 21 per cent, which is obviously significant growth for our small jurisdiction. During that time the commonwealth education department's analysis of the 2013 census found that almost one-third of staff survey respondents nationally were studying in an early childhood-related field and that there was a marked increase in staff studying for a bachelor degree of four years or equivalent.

This shows that in the context of generational reform and significant growth in the sector, the number of qualified educators in the ACT's long day care, out of school hours care and family day care is growing. At the same time the number of qualified staff in preschools is one of the best in the country. The Productivity Commission observed that in the ACT 60 per cent of preschool program workers have a university qualification. That puts the ACT in the top two jurisdictions in the country and is consistent with the experience of the territory prior to the national quality framework.

At the time of the 2013 census the majority of staff were studying for a relevant qualification and a significant number of staff were choosing to study at university level. All of this was in the context of a rapidly growing staff base. I am advised that the commonwealth will be undertaking another census in May or August this year, with a report on its findings expected in 2017-18.

Another key issue that was identified was the high per-day cost for child care in the territory, highlighting the growing need for childcare spaces. I will not be waiting until 2017 to be able to assure parents and carers that the ACT childcare sector is indeed providing quality, qualified care.

As a result of ROGS highlighting to me some major problems in the commonwealth's methodology and timeliness of data publication and other associated issues, I have directed the education directorate's children's education and care assurance team to form an internal review team to consider these matters and report back to me. I have also asked the review team to consider what roles and levers are at the government's disposal to support the provision of childcare centres in identified areas of need, in the hope that a better picture of growth areas will support a more coordinated approach.

If this review finds that we can do better in capturing existing data on staff qualifications, we will seek to do that. If there are better ways to communicate this to the community, beyond possibly waiting until 2019 for the next publication of the commonwealth census, we will do that. If there are issues with the rates of qualified educators or access to child care, I will work with the directorate, the sector and the relevant peak bodies to improve the situation.

The national quality framework also provides for 58 quality elements and other more fundamental issues, such as protecting children from harm and hazards, and good governance, to be considered. The regulatory authority in each state and territory has an obligation to investigate or audit breaches of those fundamental issues. The regulatory authority also conducts assessments and ratings. Those two very different tasks should not be confused.

Every authorised officer in the country, which includes the ACT, is trained by the national body, the Australian Children's Education and Care Quality Authority—ACECQA, as I mentioned earlier—to undertake assessment and rating of services. Assessment and rating of services is a statutory process that requires a qualitative assessment of 58 elements that make up the national quality standard. The national law stipulates a 60-day assessment and rating process for each service. Every assessment is moderated for consistency and evidence.

The assessment and rating process is not a benchmark of minimum compliance; it is a benchmark of progress of services to achieve, develop and excel in the 58 elements of quality agreed to by states, territories and the commonwealth. There are five rating levels: excellent, which is awarded by ACECQA; exceeding; meeting; working towards; and significant improvement required.

It is instructive to note that if a service is found to be lacking in just one of the elements then the service is rated as not meeting. If a service is failing in the fundamental obligations and cannot approach quality standards then it will be given a rating of significant improvement required, and guidance will be offered to ensure that the service is working towards the necessary standards.

To date the ACT's regulatory authority has rated approximately 87 per cent of 348 approved services. There are approximately 11,000 places offered for children of preschool age and under in centre-based education and care services. There are approximately 3,400 places offered in government preschools.

Over the last three years there has been demonstrable improvement in the number of services who are meeting or exceeding the national quality standard. In 2013, 62 per cent of services rated were working towards the standard, with 38 per cent meeting or exceeding. In 2014, 52 per cent of services rated were working towards the standard, with 48 per cent meeting or exceeding. Last year we saw further improvement, with 37 per cent of services rated working towards the standard and 63 per cent meeting or exceeding. Each year shows a distinct increase in the number of services who are meeting or exceeding the national quality standard.

To return to the regulation being discussed today, in December 2015 the Education Council agreed to make two jurisdiction-specific minor amendments to the education and care services national regulations which aim to improve the operation of the national quality framework for early childhood education and care. Section 4 of the amending regulation is specific to Victoria.

Section 5 of the amending regulation is specific to the ACT and commenced on 18 December 2015 to extend a provision that would have ceased at the end of 2015. The provision allows qualified educators to be replaced during non-contact time, breaks and unexpected absences of up to five consecutive days with a lesser qualified or unqualified educator. This provision has now been extended until 31 December 2017. This amendment responds to feedback from the education and care sector and will resolve an issue that has been raised since the introduction of the national quality framework. The amendment provides flexibility for staffing arrangements, for example during meal breaks, unexpected absences and probationary periods, without compromising children's education or safety.

The ACT government is committed to the national quality framework as it delivers benefits to children, families and education and care services. I think we can be proud of the improvements we have seen in the standards for early childhood education and care in the territory, and I look forward to seeing those standards continue to be adopted by more and more services across the ACT.

Public Accounts—Standing Committee

Report 16—government response

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) (3.52): For the information of members I present the following paper:

Public Accounts—Standing Committee—Report 16—*Review of Auditor-General's Report No. 4 of 2013: National Partnership Agreement on Homelessness*—Government response.

I move:

That the Assembly take note of the paper.

Today I am pleased to table the ACT government's response to the Standing Committee on Public Accounts report *Review of Auditor-General's Report No. 4 of 2013: National Partnership Agreement on Homelessness*. It should be noted that the national partnership agreement on homelessness reviewed in the Auditor-General's report has since been superseded by the 2015-17 national partnership agreement on homelessness. As such the current 2015-17 national partnership agreement on homelessness includes priority areas that were not part of the previous audited national partnership agreement on homelessness.

The current national partnership agreement on homelessness continues to meet broad-ranging objectives of providing support to people experiencing or at risk of homelessness. In addition the new agreement provides assurance that 25 per cent of matched funding each year is allocated across three priority areas: (1) support services for women and children experiencing domestic and family violence; (2) support services for youth between the ages of 12 and 24 who are homeless or at risk of homelessness; and (3) support services for these children to maintain contact with the education system. Notwithstanding this, the Auditor-General's report offers valuable insights into whether the national partnership agreement on homelessness programs is making a difference for people experiencing homelessness.

The standing committee produced report 16, *Review of Auditor-General's Report No. 4 of 2013: National Partnership Agreement on Homelessness*, which was tabled in the Legislative Assembly on 29 October 2015. Five community submissions were made to the inquiry and four people attended public hearings. The ACT government welcomes the standing committee's report and agrees to all 10 of its recommendations. Of the 10 recommendations, seven have already been implemented, one is well advanced and two will be actioned by the end of 2015-16.

Recommendations 1 to 7 relate to measuring and evaluating the effectiveness of the national partnership agreement on homelessness. Through our community sector reform work, a new outcomes reporting framework and recent consultations around the framework for future homelessness service delivery, the government is making active progress in all of these areas.

Recommendations 8 and 9 focus on the correlation between homelessness, housing affordability and land release. In particular, the committee recognised that the nature of these issues spans all levels of government and that a national approach should be pursued. Again the government agrees, and we are pursuing this agenda both through COAG and through meetings of state and territory housing ministers. Within these forums a range of options to address housing affordability are being reviewed which focus on increasing supply and providing greater access to affordable housing and social housing.

Recommendation 10 is that the government advise the Legislative Assembly of progress towards the headline and interim goals of the commonwealth government white paper "The road home: a national approach to reducing homelessness".

As I noted earlier, the new priority areas of the 2015-17 national partnership agreement on homelessness reflect the community's concerns regarding women and children experiencing domestic violence, and youth homelessness, and will assist in strengthening our response to the people in our community.

I thank everyone in the homelessness service sector who work so hard to provide services which help to give everyone an equal chance at having a stable and secure home, and therefore a safe and happy life.

Question resolved in the affirmative.

Cost of living

Discussion of matter of public importance

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

The importance of reducing cost of living pressures in the ACT.

MR SMYTH (Brindabella) (3.57): Madam Assistant Speaker, this is a very important matter to many members of the public who find it very hard to maintain their homes and live in the ACT. I recently spoke to a gentleman in the ACT who had recently retired. His wife had continued to work. Unfortunately the wife passed away and he now finds that on his pension he has to support himself and his premises in Kambah and it is nigh on impossible. He is finding it very expensive and, after having lived here for almost 20 years, is now considering going across the border because the ACT is almost out of his reach.

If you thought of the ACT government as a company with a net worth of about \$17 billion, total assets of some \$29 billion, staff of 20,000, annual budget expenses of \$5 billion, call it 151,000 shareholders in the households that live here in the ACT—if you had shares in a company like that, you would be looking for a dividend, whether it be a cash dividend or whether it is a dividend in improved services or conditions. But that is not what the people of the ACT find. You only have to have listened to the questions of the Minister for Health this week to realise it must be *deja vu* for Mr Corbell that 10 years later no-one has fixed the problems that he left when he was last minister. People would not mind paying the taxes if they thought they were getting a dividend in improved quality of service, greater timeliness, and quicker access. But that is not what they get.

That is not what they get in their shopping centres. It was well and good to hear Ms Fitzharris in the set piece, the dixer, say that they are allowed to talk about the money they are spending on upgrading shopping centres. But remember, members, this is the government that cut those upgrades. As the Treasurer used to call it, it was business welfare. Building the public realm, creating the city, building the meeting places was business welfare. They have learnt that lesson and, largely thanks to Mr Coe, those funds have been in some way restored.

I hark back to 2010 when Mrs Jones and I doorknocked every shop at the Kambah shops and demanded that there be a master plan, and the government finally acquiesced after motions in this place. Mr Wall had similar success, after years of my trying, to get a master plan for Calwell. Mrs Jones raised the issues in an election context, and commitments were made. There is a master plan but there is no action on it. And this is the government that does not deliver.

At the same time we see the expenses going up and up and up. The list of hits is often measured in cups of coffee. We are all used to the former minister for the environment talking about cups of coffee. “Oh, it’s only a cup of coffee a week.” We, of course, heard the great comment from the Treasurer and Chief Minister about paid parking in Civic, “Oh, well, just don’t have another bottle of sparkling water.” A lot of people in Canberra do not get to drink sparkling water, Chief Minister.

We have seen increases in power bills. You only have to go to the Australian Energy Regulator’s annual report from a year or so ago to see 5,000 Canberrans had an energy bill debt and 7,000 gas customers had a gas bill debt. Twenty-five per cent of people who were experiencing homelessness in the ACT were charged with a criminal offence in the last six months. One in three of those in prison reported being homeless the month before being incarcerated. That is because, as you so well know, Madam Assistant Speaker, housing is not cheap in the ACT.

We had a motion about this yesterday and we got the glib lines from the government yet again: weren’t they good; they were doing much. The tone of it was that we should all be grateful.

We know that, for instance, the national rental affordability scheme sets affordability at 75 per cent of the value of market rent, but in the ACT this is not considered affordable. That is from the Anglicare rental affordability snapshot. God forbid if you were a student. Anglicare reported that some 87 per cent of students living in Canberra were suffering housing stress. This is at a time when the government—and rightly so—is saying that Canberra is a great place to come and get an education at the world-class facilities that we have at ANU, UC, ADFA, Charles Sturt and the Australian Catholic University. But is it a dilemma for many students in that they simply find it hard to live here.

We know from reports from employers, whether they have apprentice plumbers or apprentice hairdressers, the biggest problem in getting and keeping apprentices in the ACT is often the fact that the kids that come in from the country or come from interstate cannot afford to live here. This is under a government that inherited in 2001 some of the most affordable housing in the country. They have, through their flawed land release policies and their flawed planning, turned the ACT for many people into a housing nightmare.

They are just some of the hits. Then, of course, there are the straight-up financial hits. We have got a Chief Minister who will not admit that his tax reforms are failing and will not admit that his tax reforms, particularly in the area of rates, will see a tripling of rates in the ACT. You only have to go to the budget figures to see the numbers. Back in 2012-13, rates took \$297 million. In 2015-16, they are expected to take \$419 million, a 41 per cent increase, and 10 per cent over the last year. In the coming years it will be \$462 million over the \$297 million, which will be a 55 per cent increase. Then in 2017-18 it is expected to go up to \$506 million, which is 70 per cent over the \$297 million figure. In 2018-19 it will be 85 per cent. So it goes on. It is almost solidly a 10 per cent increase every year which people are expected to find. If you are on a fixed income, that is pretty tough.

I have read out this letter before but it is worth reading out again:

Good afternoon, Brendan.

I would like to raise the issue of the large increase in ACT rates this year and the incompetent economic management by the ACT Labour Party. I have just received my new rates bill of \$1849.59 for our house in Macarthur. The rates for last year were \$1,598.28 and so the new rates bill is an increase of 12.25% when wage growth is on average less than 3% at present. For the previous year our rates increased by 9.36%. So for the last 2 years, our rates have increased by 21.6% which is just ridiculous and unsustainable, especially for people who have retired from the workforce. When the light rail project has to be paid for, rates obviously have to substantially increase again and socialist ideals can only go so far before the whole ACT economy is in big trouble.

That is the problem. Idealistic approaches to things often do not meet the reality test out in the market, particularly when people on fixed incomes or low incomes do not have that capacity.

We only have to look at Mr Barr's failed lease variation charge. The latest quarterly reports were tabled last week, and I am sure the Treasurer knows that I always read them with great interest. The lease variation charge for the first half of this year was meant to raise \$8.145 million. Unfortunately, it came up \$5.131 million short, raising just over \$3 million. This is a tax that has destroyed affordability in Civic. That is what it has done. It has destroyed it. Nobody is building. The two building projects underway at the moment are a consequence of developers changing their leases before the lease variation charge came in. Certainly neither of them, I am told, would have gone ahead had they tried to do it under the lease variation charge. The old CAGA centre, which is now the Manhattan apartments, used to give the government, I think, about \$65,000 a year in rates. The new Manhattan gives something closer to \$700,000.

So it is about making sure you get the taxes right, and this Treasurer should admit he got the lease variation charge wrong. He should follow the Liberal's path and at least have the moratorium that we have promised for four years on Civic and the town centres so that we can get Civic and the town centres functioning properly, contributing to the wellbeing of the people of the ACT by being great places to visit but also delivering economic viability by delivering the sorts of returns you would expect from those areas, which the government is not getting at the moment because of Mr Barr's approach. It is like the failed Wayne Swan mining tax. That is all it is—all promise. It was going to deliver much but has delivered absolutely underwhelmingly in each and every year. Even the target at \$16 million for this year, which is way below the high \$20 million target that was set, on this basis will not be reached.

We have got a Treasurer who sits over there, who will not admit he got it wrong and who will not admit that if he really wants the density that he wants—the government says they want 50 per cent of development in brownfield sites—the only way to get that achievement is to get rid of this dreadful tax. Indeed, I think I saw an article yesterday in which the head of the economic development directorate, Mr Dawes, said

that we are running out of land. This is the government that is addicted to land revenue. That is what they are about. It is a land-based economy; it is a land-based budget. It is only as good as the next sale. One could almost think they have deliberately mismanaged land release to prop up prices in a failed attempt to balance their budget.

All of this continually adds to cost of living, and that is before we get to the tram. We have seen the growth in rates. Rates will triple. They are well and truly on their way to tripling, as we predicted. As their own document, the Quinlan review, says, they must triple to make up for the removal of conveyancing. As we have always said, we think that is a price that too many Canberrans cannot afford.

But in all of this, if you thought there was a dividend you might say, “Well, okay.” But go back to the other questions that have been asked this week—the smells from the tip, the look of the city, homes in the suburbs with containers and skips, the cracked footpaths, the cracked roads, the dead trees, the long grass—this is not a city that is being well managed by any of those opposite, and it is certainly not a city that the people of Canberra are paying for. They pay large amounts of rates, large amounts of duty and they get less and less from this government.

We then get to the tram. Mr Barr for some years has been chasing the illusionary surplus. I think the first year it was meant to arrive was 2013-14. It has now been pushed out to 2017-18. It just keeps getting pushed out. It is just one more year. Every budget a couple more years are added, and that is before we add on the cost of delivering the tram.

Just in raw terms, if you said there is a \$698 million tram and there are 151,000 households, that is about \$4,500 per household. That is the cost of just the capital of stage 1 without the availability payment, which of course, despite the good work of Mr Coe in attempting to find out what that will be, the government refuses to tell us. We even asked for an indication. “Just give us a round number. Put us in the ballpark.” But the government refuses to tell the people of the ACT. What they told the people before the last election was that they would do the preliminary work and they would spend \$30 million.

It is even harder to get a number on the total spend. What is the spend in TAMS and other organisations that are propping this up? What we do know, though, is that they intend to go ahead full steam, at great expense to the people of the ACT. There is no real plan. There is a document now. Most people would normally say, “Here is the broad plan. We have done the feasibility on this. We have chosen this route for a reason.” Instead we had the \$600 million bit of pork barrelling. Mr Rattenbury’s vote had to be acquired, and it is the biggest barrel of pork ever purchased certainly in the history of the ACT, and may well be, for a single vote, the biggest bit of pork in the history of Australian budgeting.

But there it is. It is on the table. But we do not know the full cost. We do not know how long this will take. We do not know what that will mean as it comes down to individual households, and we do not know what it will do to the delivery of other services in the ACT. We all know that Mr Corbell’s last major project was the disaster

called the GDE. It was meant to cost \$55 million and take five years; it cost close to \$200 million and took 10 years, and then they had the temerity to declare that it opened early after having built one road, and before that was even finished, they then had to duplicate it.

We know this government is not good at delivering these sorts of projects. These projects can and will, in this case, drive higher costs of living and higher cost of living pressures on the people of the ACT. It is an important matter for people living out there who want to buy those new school shoes, who have to buy the new footy jumper at the start of the season, who want their kids to become involved in art and music but cannot, simply because the cost of living pressure in the ACT now is so great. Things that were taken for granted 10, 20, 30 years ago are unaffordable in the ACT. (*Time expired.*)

MR BARR (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Tourism and Events and Minister for Urban Renewal) (4.12): Supporting our community will always be this government's top priority. As a Labor government we believe in supporting households, whether they are in need of financial assistance, in need of health care or in any other circumstance where they need a helping hand. As such, we are focused on assisting households. We believe in supporting jobs and providing high quality health and education systems for the benefit of our community.

One of the best things that any government can do to support households is to foster an economic environment where good jobs are being created and are available. Whilst the Liberal Party has been busy sacking Canberrans, my government has been focused on creating jobs and growth in the territory so that as many people in Canberra as possible enjoy the dignity and financial security of being in work. We have sought to keep people in work through our policy of proactively implementing policies to boost job creation in the territory during the significant hit to our economy that has come from the Liberal Party's cuts.

It is pleasing to note today in the labour force figures announced this morning that the territory has recorded its highest ever number of people in work at 212,300. That is an all-time record number of people in work in the territory in spite of the commonwealth government cuts to the public service. So I would put forward that having a job is one of the best ways to reduce cost of living pressures.

Another great way to support households who are facing cost of living pressures is to provide high quality public services—notably schools, hospitals and community health care. My government does not believe that access to high quality health and education services should be based on whether or not you can afford to pay. That is why this government is proud to be investing more than \$2.5 billion this year in the territory's health and education systems to ensure that all Canberrans can access quality schools and hospitals without worrying about whether they can afford such services.

As I indicated yesterday, the government is a proud supporter of the territory's concessions scheme. Whilst the Liberal Party, again, have been getting out and

hacking funding out of the poorest households in this city, cutting funding from the poorest people in this city, through the abolition of the national partnership on concessions, my government has been expanding the range of concessions available, including for public transport, electricity, water, rates and car registration. These concessions play an important role in assisting households to deal with cost of living pressures.

It is important to recognise, of course, that many fees and charges are beyond the direct control of the territory government. For example, the prices for electricity and water and sewerage are set independently by the ICRC. Nevertheless, it is worth noting the ACT has the lowest electricity prices amongst jurisdictions in Australia for residential customers, and that the most recent water and sewerage price determination raised prices by 0.7 per cent, well below inflation.

In addition, the government offers several programs to reduce the impact of fees and charges on households. We have boosted concessions for pensioners and we have put schemes in place to assist many in our community. These include the deferred duty scheme, the homebuyer concession scheme, the first home owner grant, the pensioner duty concession scheme and the over 60s home bonus. In addition, the last budget increased the general rate rebate to \$700, with pensioners in receipt of the rebate prior to 1997 remaining eligible for a 50 per cent rates rebate.

Turning to taxation reform, the government's reform program is getting rid of two of the worst taxes imposed by any level of government in Australia—conveyance duty and tax on insurance. Stamp duty has been cut in every budget since 2012 and will be cut again in the coming budget and in every budget I deliver as Treasurer. The cuts to stamp duty are already making buying a home more affordable to Canberrans. The buyer of a \$500,000 home is currently saving nearly \$6,000 in stamp duty compared to before tax reform began. The saving on a \$750,000 home is approaching \$8,000.

Insurance duty is also being abolished. Duty on general insurance has fallen from 10 per cent a few years ago to two per cent, and will be abolished in the coming budget. Duty on life insurance has fallen from five per cent to the current one per cent and will be abolished in the next budget. A Canberra household paying \$2,500 a year in their combined insurance premiums is currently saving \$200 a year because of the government's cut to insurance tax, and this saving will rise to \$250 a year from 1 July when the tax is fully abolished.

Touching briefly on general rates, replacing the revenue forgone from cuts to stamp duty and insurance duties through the rates system is a fairer and more efficient way to raise revenue. The Prime Minister confirmed that on the *Insiders* program less than two weeks ago. As I have noted before in this place, rates are simple to administer, easy to calculate and almost impossible to avoid. All the tax cheats out there who go around designing their affairs to try and avoid tax get caught; they cannot avoid paying rates because it is levied on an immobile resource.

Reform is occurring over a 20-year period so that rates will progressively increase to compensate for reductions in stamp duty and insurance taxes. In 2012-13 the government introduced progressivity into the rates structure to reduce the amount of

rates levied upon those who occupy the lowest value properties. This gave a quarter of households in this city—the poorest households in this city—a rates cut in 2012-13 and continues to ensure that those who live in lower value properties pay proportionately less than higher value properties. That is an important social equity principle. Importantly, rate increases moderate into the future as the most significant of tax reforms are behind us in this first phase with the abolition of insurance tax complete on 1 July this year.

Turning now to other taxes and charges, I am pleased the compulsory third-party insurance fees, which I acknowledge are a significant cost for many Canberrans, have been falling as a result of competition in the territory's CTP market since 2013. It is pleasing to note that the most recent premium announcement made by the CTP regulator this week indicates that premiums have again fallen. This is a good outcome and reflects an important piece of policy work and reform undertaken by my government. There is still more to do in this area to put further downward pressure on CTP premiums.

Improving housing affordability for Canberrans, particularly in the lower two income quintiles, has been a key objective of the government. The government's affordable housing action plan includes numerous initiatives to improve housing affordability, including increasing the supply of land, cutting stamp duty, expanding concessions and increasing the supply of community housing. There are ongoing signs of improvement in housing affordability in the territory, particularly in the rental market where prices have been cooling and low vacancy rates in recent years have eased.

The government is also increasing the supply of land available as an effective way to improve housing affordability across the board. The benefits of this approach flow through to private purchasers and renters as well, of course, as to community housing organisations.

The provision of public housing is a key part of the government's support for cost of living pressures by providing public housing for Canberrans. The government is providing secure accommodation for people who would otherwise have trouble finding and sustaining a tenancy in the public housing market. In recognition of the importance of public housing, the government is undertaking the single largest modernisation of the city's public housing stock in the history of self-government, with almost 1,300 new high quality properties being built across the city.

There are numerous other ways that the ACT government supports the community: the student support fund, the secondary bursary scheme, the mobile dental clinic, the dental services scheme, the women's health service and the human services blueprint. They are further evidence that the government is getting on with the job of supporting the community, responding to cost of living pressures and providing high quality services for all Canberrans.

Discussion concluded.

Executive business—precedence

Ordered that executive business be called on.

Domestic Violence and Protection Orders Amendment Bill 2016

Debate resumed from 11 February 2016, on motion by **Mr Corbell**:

That this bill be agreed to in principle.

MR RATTENBURY (Molonglo—Minister for Corrections, Minister for Education, Minister for Justice and Consumer Affairs and Minister for Road Safety) (4.23): I will keep my comments on this bill brief—but not too brief—for Mr Smyth’s benefit, but I will be supporting it. As members know, at the end of last year the Assembly unanimously supported the Crimes (Domestic and Family Violence) Legislation Amendment Bill. The changes introduced through that bill made several legislative improvements in relation to domestic and family violence.

One of these changes created a new class of interim domestic violence order. This allows a court to extend interim DVOs when there are current criminal charges unresolved before the court. In these instances the orders will remain interim until after the related criminal charges are heard and a decision is made on the final orders.

Since the scheme commenced in November last year stakeholders have raised some minor issues that need to be fixed so that the scheme will work effectively. Today’s bill makes amendments to address these issues and ensure the scheme will work efficiently. All of these changes are technical and administrative in nature. The amendments are to the Domestic Violence and Protection Orders Act and the Domestic Violence and Protection Orders Regulation. As one example, the court can dismiss matters where parties fail to appear. This case management practice occurs in relation to general interim DVOs, but the bill will extend that practice to interim DVOs as well.

It is not ideal of course that we have to return to the Assembly today to make some further minor changes to this legislation. But this does occur sometimes, especially with fairly complicated administrative matters such as this one. I do not think the blame lies anywhere in particular. The government did consult with stakeholders prior to introducing the scheme and it seems that there are some technical issues that no-one was aware of until the scheme actually started to operate.

I am happy to support the changes to make sure that this important scheme operates smoothly and as intended and that the courts have maximum efficiency when it comes to the important area of DVOs.

MR SMYTH (Brindabella) (4.25): The Canberra Liberals will be supporting this bill. We have long been on record as supporting all the mechanisms we can put in place to address the tragic and heartbreaking problems of domestic violence. We are also on record as saying that, if anything, we should be doing more to prevent these terrible crimes. However, that does not mean we should not and will not engage positively with the programs put forward in this place or others as they arrive.

From our reading of this bill and from the explanatory statement, as well as the briefings that the minister's office gave Mr Hanson's office and stakeholders, we acknowledge that this bill seeks to redress some operational issues that have come to light from the introduction of the special interim domestic violence order scheme passed in October last year.

It would, perhaps, have been preferable that these matters were fully considered and canvassed prior to the passage of the original bill. However, it is true that some things only come to light once a new regime is put in place and tried in an operational sense. As this bill has come forward to fix up some of those deficiencies, that is a good thing. It is also true that if we are to pass the scheme then we must pass any amending legislation which seeks to put into effect the intent and purpose of the primary legislation, no matter when these operational issues become apparent. This is what this bill does.

There are some issues surrounding the limitations this scheme places upon the human rights obligations, but those concerns are addressed in the explanatory statement. Furthermore, the amendments in this bill are operational and do not traverse human rights considerations any further than the original bill, which has been assessed as compatible and reasonable with the Human Rights Act.

While there are quite a few amendments in this bill, they are, as the explanatory statement notes:

... procedural or administrative in nature. They do not alter the substantive methods, considerations or conditions involved in protection orders. The amendments ensure consistency with current general interim order procedures.

We supported the introduction and operation of the original bill, and we will support this bill to make sure that this scheme runs as well as possible. While all the technical issues are considered, the most important consideration of all is the protection of vulnerable women in our society and the prevention of those terrible outcomes we all dread. We say these words when the events of the last couple of days in Gungahlin are well and truly in our minds. Therefore, we will support this bill.

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) (4.28), in reply: I thank members for their support of this bill. The Domestic Violence and Protection Orders Amendment Bill implements urgent technical amendments to streamline the operation of the Domestic Violence and Protection Orders Act 2008 and the Domestic Violence and Protection Orders Regulation 2009 and to support agencies in implementing the special interim domestic violence order scheme.

Preventing domestic and family violence is and continues to be a high priority for the government, as I know it is for this Assembly. We are working very closely with the Domestic Violence Prevention Council and other key government and community organisations to better respond to domestic and family violence, including sexual assault, here in the ACT.

As part of the legal response to domestic and family violence, in 2015 I introduced the Crimes (Domestic and Family Violence) Legislation Amendment Bill. The amendments in that bill sought to provide a stronger legislative foundation to provide for an efficient and effective response to people experiencing or at risk of domestic and family violence. As part of that legislation, the special interim domestic violence order or DVO scheme was introduced. The special interim DVO scheme effectively stops the matter going to a contested DVO hearing where there are related and current criminal charges before the court.

Through regular consultation with stakeholders it was identified that the special interim order scheme could benefit from urgent minor amendments to allow administrative processes to apply to special interim DVOs prior to hearing in the same way they apply to the general DVOs. This bill makes the amendments necessary to support key agencies such as the courts and tribunal to administer domestic violence orders and better protect victims of domestic and family violence.

The government is committed to taking swift action where stakeholders identify urgent issues associated with legislation. This bill represents the coordinated efforts of agencies in promoting the protection of victims of domestic and family violence and working together to find solutions to operational issues.

The amendments in the bill have the primary aims of facilitating case management of domestic violence orders by the court and reducing red tape in the operation of domestic violence order schemes. It aligns those procedures that apply to all interim orders prior to contested hearings to ensure the same rules apply for case management, preliminary conferences, notice provisions and the endorsement of interim orders by respondents. Endorsement copies of DVOs are one way that the courts are able to efficiently operate their business and have advance notice of whether DVOs are consented to or objected to. The amendments act to reduce red tape and create a unified scheme for interim orders in the ACT.

Because the bill is technical in nature, primarily making red tape reduction amendments, it does not engage human rights. In saying that, the intention of the amendments is to support our comprehensive efforts to try to improve the ACT's response to domestic family violence and so support the ACT government's commitment to keeping our community safe. This bill makes sensible amendments to ensure our legislation works effectively, and I thank members for their support of the bill.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Education, Training and Youth Affairs—Standing Committee Report 4

MS PORTER (Ginninderra) (4.32): I present the following report:

Education, Training and Youth Affairs—Standing Committee—Report 4—*Report on Annual and Financial Reports 2014-2015*, dated 18 February 2016, together with a copy of the extracts of the relevant minutes of proceedings.

I move:

That the report be noted.

I stand to deliver and speak on this committee report with mixed feelings. Obviously I am sad that this part of my life is at an end. However, it is with regret that I must say the last fortnight or so has been like no other time that I remember as far as committees go. At one time, which Mr Smyth and Mr Gentleman may remember, there was a bit of a shock to the system, but I had forgotten about that until I went to write this. Maybe Mr Smyth has forgotten about it as well, which is good. I understand that change and transition are hard and that some members would prefer that certain changes had not happened.

However, I urge members to take a more restorative approach than the one some are currently employing. As a parliamentarian, I have always tried to act in a bipartisan way on my committees because I take the committee system very seriously. It is an important part of our democracy. I understand that politics play a huge part in everything we do here. However, I want us all to remember that if we do not treat each other as colleagues on committees but turn them into partisan battle grounds, the people who come before us or write submissions to us are the losers and ultimately, when this happens, good government and the people of the ACT also lose out.

I will not say much about the committee's report on the annual report. As members now have it before them they can read the recommendations, and I commend it to members. I thank all the committee members. It has been a difficult little while and I know that we were all trying our very best to get through this. I thank them very much for working with me to get to this point of being able to table this report. I thank committee members past and present, because we obviously have had some changes. I thank my secretary, Andrew Snedden, and the committee office. I also thank the minister and the officials who appeared before the committee.

Question resolved in the affirmative.

Report 5

MS PORTER (Ginninderra) (4.35): I present the following report:

Education, Training and Youth Affairs—Standing Committee—Report 5—*Inquiry into Vocational Education and Youth Training in the ACT—Interim*

report—February 2016, dated 18 February 2016, together with a copy of the extracts of the relevant minutes of proceedings.

I move:

That the report be noted.

In relation to this report, my earlier remarks are still very much relevant. I apologise to all those who came before the committee or submitted to it that this is an interim report. The committee was interested to see the results of an audit by the Australian Skills Quality Authority into the electrotechnology department of the CIT. This report goes directly to the CIT and not to this committee. However, members of the committee believe that the work on this inquiry remains unfinished until they are able to view this report. Therefore, the report I table today is an interim report. The committee has stated its desire to have this report tabled by the minister when available so it is able to examine it.

As my work as chair of this committee comes to an end, I know that the work on this inquiry will go on. The reason why electrotechnology training is of so much interest is because an RTO, which formerly trained in this area in the ACT, ceased its operations. As the CIT was the only deliverer of such training in this area, it was left to pick up the ACT apprentices. They were transferred to the CIT. There was a large number of these apprentices and CIT had no choice but to take on the training of those students and help them complete their qualifications.

The CIT was not ready or resourced at the time to take on such a large influx of students, especially into one specific area of the school. The school did respond and responded well. However, there was a time when the influx was very difficult to manage, and that was apparent. We are fortunate to have fewer issues in the ACT in relation to training and RTOs than in the other states and territories that we heard about during the inquiry.

I commend the interim report and its recommendations to the minister and thank all, again, who contributed to this inquiry, especially, of course, my long-suffering committee members. We went through various committee members to get to this point. I also would like to thank the secretary—I think there was more than one secretary during this particular period—and also the committee office. I commend the report to the minister.

MR DOSZPOT (Molonglo) (4.39): I welcome the opportunity to speak on this interim report of the education, training and youth affairs committee. However, before I go to the report itself I would like to place on record my sincere appreciation and thanks to the committee's retiring chair, Ms Mary Porter. I would like to take this opportunity to thank Ms Porter for the valuable work she has given to the Assembly through her committee work and to the wider community. I have always enjoyed working with her. I have appreciated her professionalism and her dedication.

Naturally, coming from opposite sides of the chamber, there were times when we disagreed, and this interim report is regrettably one of those occasions. However, as

chair of the committee, Ms Porter has been assiduous in her work on this inquiry and previous inquiries. It is regrettable that she is leaving before work on this particular subject has been concluded.

It is true that this inquiry has gone on far longer than perhaps it should have and what we expected it might. The inquiry was initiated in May 2013 and it might well have concluded a year or so ago. We were looking at the delivery of vocational education in the ACT and it was tracking well in examining national funding implications, VET fee help, regional and ACT plans and programs, and public and private RTOs.

The report might have been concluded some time last year. But then a number of submissions containing quite astounding allegations came to the committee from initially one, quite frankly, brave trainer with CIT, and then subsequently several other trainers and then still later industry representatives supporting the earlier claims. The inquiry hit a low point when, as almost a throwaway line, the former minister implied, while denying there was anything amiss at CIT, that the person who had first brought this to the committee's attention was someone we should not regard with any seriousness.

That particular witness had provided a great deal of material to the committee and had appeared before us to answer questions, yet stressed his motive was not to bring down CIT but to ensure CIT remained a credible provider of training for electrical apprentices. He told us that other trainers were being pressured to accept results and mark reports that were not correct and that he had been excluded because of his insistence that things had to be done correctly and to the standards set by ASQA.

But Ms Burch appeared to wave all that evidence aside and told the committee public hearing in April last year:

There are matters around Mr Dunstan that it is not quite appropriate for me or CIT to raise here with the committee that I think would be useful for the committee in confidence to be aware of.

Understandably, when the person named by Ms Burch read the transcript, he was angry and demanded that Ms Burch be asked to explain and if she could not, to apologise. Understandably, it also made me, if not other members, wonder where the truth lay. What did the minister know that we should be aware of?

I will not go through the whole sorry saga, but let me just say, like so many other issues with the former minister, there has never been any acceptable explanation of what she was trying to imply. We now know that ASQA has decided to audit CIT in relation to some of these matters. But because the ASQA audit is not yet available publicly, I do not believe we can be in any position to deliver a final report. So we have today this interim report. Like the curate's egg, it is good in parts but so much of what needs to be said is missing.

I would comment that it is very regrettable and naive, or arrogant, of the Chief Minister to put former education minister Ms Burch into such an incredible conflict of interest situation by nominating her to a position on the education committee, let

alone as chair of the education committee, by order of the Assembly. CIT is the ACT's largest public provider of vocational education. It has done and can do amazing things. I want our committee's final report to be able to endorse the great work that CIT does. We can only do that when we know the results of the ASQA audit and we see what CIT does with it.

The growth of our city depends enormously on the quality of the tradespeople CIT train, but they must own up when things are not right. This report can only be interim, as much as the departing chair might wish otherwise, because we have not yet got all the answers. We need to see the ASQA audit and we need to understand what CIT and the new minister for training does with it.

Question resolved in the affirmative.

Powers of Attorney Amendment Bill 2015

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

That this bill be agreed to in principle.

MR HANSON (Molonglo—Leader of the Opposition) (4.44): The Canberra Liberals will be supporting this bill in principle but we will be moving an amendment in the detail stage. The bill will amend the Powers of Attorney Act 2006 to allow people with impaired decision-making capacity to take part in medical research trials that could assist them with new treatment options which are not usually available to them by removing barriers to allow substitute decision makers authorising medical decisions on their behalf.

The explanatory statement states that the Powers of Attorney Amendment Bill will amend the Powers of Attorney Act 2006, firstly, to allow a person—that would be the principal—to authorise their attorney to make decisions about medical research matters involving ethically approved research; secondly, allowing enduring attorneys to make decisions about medical research matters involving ethically approved research when the power of attorney does not include medical research matters but permits the attorney to make decisions about healthcare matters; thirdly, to introduce safeguards by way of a two-tiered process that must be followed; fourthly, it empowers the ACT ACAT to assist the attorney to make decisions and review an attorney's decision.

The bill also amends the Guardianship and Management Property Act 1991 to introduce the same tiered process for decisions about medical research matters made by a guardian and prohibits health attorneys from making decisions about medical research matters other than decisions involving low-risk research.

The ACT Law Society advises that the proposed draft appears to contain sufficient safeguards for principals and a reasonable, clear pathway. The society also suggested to JACS that it consider the inclusion of a review clause in the draft legislation to monitor the implementation of the amendments. The Bar Association made no comments, and I note that similar legislation has been introduced in other jurisdictions.

It requires ethical approval of all research projects, which is a requirement under the guardian act. The medical approach includes processes to be followed by the decision maker and adopted when considering medical research matters.

Madam Deputy Speaker, we do have a concern with this legislation. I do understand the principle involved and we will be seeking to move an amendment today to make sure that this bill is prospective and not retrospective. We must ensure that the power of attorney is carefully defined and reviewed before we allow medical research to be approved through a power of attorney by the client and their authorised representative. In our view, on balance, we believe that it should not be applied retrospectively. So we will support this legislation in principle but I look forward to the Assembly's support of my amendment in the detail stage.

MR RATTENBURY (Molonglo) (4.47): This is a somewhat challenging bill to read cold and separate from the explanatory statement and the useful critique of the scrutiny committee dealing, as it does primarily, with essential human rights issues regarding medical treatment and experimentation and reduced decision-making capacity. The core of the ACT Greens support for this bill, therefore, rests on the motivation behind the bill's creation and the clear limitations imposed to allow a substitute decision maker to consent to a person with impaired decision-making capacity to participate in potentially beneficial medical research.

I am obviously not a medical professional and nor have I had examples in my personal life that would have provided me with insight into the realities of being a carer supporting a loved one with impaired decision-making capacity. But I can imagine times when these two roles would coincide and agree on a position to consider experimental treatment. The most obvious example I could imagine would be a situation where a person is suffering from Alzheimer's disease leading to dementia. This tragically disabling disease is a major and growing health concern in Australia that reduces a person's memory, capacity to reason and can ultimately end in death. According to Alzheimer's Australia, there are more than 353,800 Australians living with dementia in 2016, and this number is expected to increase to 400,000 in less than five years.

Without a medical breakthrough, the number of people with dementia is expected to be almost 900,000 by 2050. In recognition of this growing concern, the federal government is providing an additional \$200 million for dementia research over the next five years. This funding will significantly boost funding for Australia's dementia research sector to over \$60 million per annum. At present there is no prevention or cure for most forms of dementia. However, some medications have been found to reduce symptoms. But I can well imagine that this increased research funding will see a rise in possible experimental treatments being developed and the issues of enduring power of attorney and guardianship orders that we are debating today will, therefore, become a very real issue, if they are not already.

Sections 41B, C and D, in particular, go to the protections offered and the processes and considerations that must be adhered to to allow such treatment or research to commence. This is a bill to amend the Powers of Attorney Act 2006, the Guardianship and Management of Property Act 1991 and the Medical Treatment (Health

Directions) Act 2006 in a number of ways, with the major reform being to allow a substitute decision maker to consent to a person with impaired decision-making capacity participating in potentially beneficial medical research.

I am also engaged to support this bill by its specific mention in section 41F that the decision maker must not consent if the patient is likely to regain capacity before the latest time at which the patient may meaningfully participate in the research. This issue has been discussed in relation to mental health in particular, and was canvassed deeply in regard to advance care orders in the Mental Health (Treatment and Care) Act and subsequent amendments, which I am pleased to see referenced in the new section that relates to referral to the Office of the Public Advocate.

Madam Deputy Speaker, there are a range of other protections outlined in this bill, including referral to the ACT Civil and Administrative Tribunal and clauses such as clause 1.19 which requires a health professional to provide information to the Public Advocate when a health attorney's decision to consent to a person participating in low-risk research results in a person participating in research for six months or more.

I am pleased to see each of these protections complementing each other, building up to a comprehensive system of evidence, due diligence, appeal and proper care of people who are in some cases completely vulnerable to the integrity of others in authority. So I am happy to support this bill today. I will discuss Mr Hanson's amendment when we come to the detail stage, but I am pleased to support the bill during this in-principle discussion.

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) (4.51), in reply: I thank members for their support of this bill. The changes proposed in this bill are aimed at improving the health and wellbeing of people with impaired decision-making capacity. It amends the Powers of Attorney Act, the Guardianship and Management of Property Act and the Medical Treatment (Health Directions) Act to improve access to medical research for people who have impaired decision-making capacity.

It does this by allowing a person after the commencement of the act to authorise their enduring attorney to make decisions about medical research matters. It does it by allowing for enduring powers of attorney made before these amendments commence or enduring attorneys authorised to make decisions about health matters to also make decisions about medical research matters.

It establishes consistency between guardians and enduring attorneys when making medical research decisions, clarifies that health attorneys being close relatives or friends of a patient appointed by the patient's doctor are prohibited from making decisions about medical research unless the research is low risk, and introduces safeguards to be followed by all substitute decision makers when making medical research decisions.

The safeguards introduced by the bill provide protections for people with impaired decision-making capacity, including those who do not wish to be involved in medical

research. For example, the bill requires all substitute decision makers to give effect to the patient's wishes when considering whether to consent to the patient's participation in medical research. This includes a health direction to withdraw from or refuse particular types of medical treatment, including medical research.

The bill also requires the medical research to be approved by a human research ethics committee. The potential benefit of the medical research to either the patient or other people with the same condition must outweigh—must outweigh—the risk or inconvenience to the patient or the patient's quality of life.

In addition, the decision maker must not consent if the patient is likely to regain capacity before the latest time at which the patient may meaningfully participate in the research. This is intended to provide the maximum opportunity for the patient to regain capacity if possible.

To assist the substitute decision maker with this process, the bill includes a mechanism for the enduring attorney or guardian to seek the assistance of the ACAT. An interested person, such as a relative or close friend of the patient, may also apply to the tribunal for a review of a decision about the participation of the patient in medical research.

I thank the scrutiny committee for its comments on the bill. This bill is an excellent example of the interplay of human rights cutting across the right to freedom from medical experimentation without consent, the right to recognition and equality before the law and to some extent the right to security of a person. The bill appropriately balances these rights to provide access to potentially beneficial research for all people with limited decision-making capacity while providing important safeguards to protect their rights.

This bill is an important step forward in many ways. It is important for people who have not been able to take part in valuable research up until now. It is important for research in the ACT, which can now go ahead. It is important for carers, guardians and enduring attorneys in that they now have a clearly articulated framework for making decisions regarding participation in research.

I want to thank the medical and community service stakeholders who assisted with the development of this bill. This significant collaboration has resulted in a bill that promotes a person's access to the most beneficial medical treatment available while respecting a person's right to refuse that treatment.

The bill will also assist health researchers to develop innovative treatments and increase medical opportunities for people with impaired decision-making capacity, while protecting those people at such a vulnerable time in their lives. I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Detail stage

Bill, by leave, taken as a whole.

MR HANSON (Molonglo—Leader of the Opposition) (4.56): I move amendment No 1 circulated in my name [*see schedule 1 at 670*].

There is no doubt that the issues that we are discussing here are complex, they are difficult and they are important. As I indicated in the in-principle part of the debate, we broadly support the bill and we understand the opportunities that may be offered to some people in dire circumstances. However, we also recognise the vexed ethical problems that arise from those same circumstances for different people in different circumstances. The issues engage with the most fundamental ethical problems in medicine but also the deep personal convictions of those in those circumstances.

In response to these concerns, I have drafted an amendment which has been circulated and I am hoping to get support from parties in this place, although I do note I have received correspondence from the Deputy Chief Minister that would allow us to go forward with the support of all parties. Our amendment that has been circulated contains two elements: first, that experimental or trial treatments should not be administered to a person without their knowledge or consent; and, second, that the consent be explicit and fully informed.

The amendment achieves both of those aims. It expressly requires that the power of attorney include permission to make a decision in medical research matters. It also, by the removal of the clause that allows a retrospective application of the law to be made, means that it can only be made prospectively, not retrospectively.

As I said, I have circulated my amendment, and I hope for support. I have received a letter from the Attorney-General. I am disappointed that we will not get support but I thank the attorney for his response and for outlining why he will not be supporting the amendment. I would like to address some of those issues in the letter and why I still believe that the amendment is valid and a better way forward.

The first point that the Attorney-General makes is that the amendment would undermine the primary purpose of providing equal access to medical treatment for all residents of the ACT, including those already suffering a mental incapacity. However, with respect to anyone faced with these extremely difficult choices, such an argument does not address the fact that all of the other residents of the ACT are also free to refuse. It is difficult to assume what another individual would or would not want to do in relation to trial medical procedures. But if any group requires the best protection we can offer, it is already those suffering from mental incapacity. Unfortunately, under the bill as drafted, the right to refuse is removed from those same people. We carefully considered this issue and we did come down on the side of the belief that such a right should not be removed.

Mr Corbell's letter also points out that the person who may authorise a treatment must already be appointed to make decisions about healthcare matters—and I appreciate the

importance of this inclusion and the point being made—but we could not conclude that a person consenting to health matters would automatically assume it was meant to include medical research. It would not automatically be assumed for those without impairment that express consent would be required. It should be assumed to be the case for the mentally impaired.

We have carefully considered those issues. We have concluded that it is only appropriate the same rights be retained.

I accept the further points made by Mr Corbell about the safeguards of ethics committee or recognition of any prior wishes of the person affected. We would welcome such involvement in any case. I also accept that no matter what we do in this chamber these are difficult decisions and in desperate circumstances. I believe that all parties want the best outcomes for all concerned. There is no doubt about that.

However, we believe the best way forward, the best balance, is to respect everyone's right to choose for themselves, not have that taken away as this bill would do. And we state that as a legislature we should not impose that upon someone who has not made that decision, especially about their own medical treatment and especially relating to experimental programs. That right really belongs to an individual alone. As I have demonstrated, it is a right that all of us have and we would prefer a system where that right is retained for everyone.

I thank members in the chamber for their cooperation in responding to the letter. I am not sure what the Greens' position is. I have not received a response to date. These are difficult decisions and we should proceed with caution. Legislating retrospectively—and, in essence, that means somebody, without ever expressing the desire to allow someone with a power of attorney to agree to medical experimentation, medical trials—goes beyond what we can agree to. I think that it is something that could be applied prospectively. For those with existing power of attorney, it could be amended but should not be applied retrospectively.

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) (5.02): The government will be opposing Mr Hanson's amendment. The amendment would have the effect of denying access to beneficial medical research to people who are unable to amend their enduring power of attorney after the bill commences. This undermines the bill's primary purpose, providing equal access to medical treatment for all people in the ACT, including those who already suffer mental incapacity. The bill authorises attorneys appointed before the bill commences to make decisions about medical research—and I have to stress this—only if those attorneys are already authorised to make decisions about healthcare matters.

The fact is that healthcare matters include decisions about medical treatment and medical research and being part of medical treatment. The government's decision to extend an enduring attorney's authority for healthcare matters to include medical research matters is appropriate because it provides all people with impaired decision-making capacity equal access to the beneficial medical treatment associated

with research projects. For example, this can be the administration of a new drug that is being trialled. It is effectively still at a research stage. It has been approved by a human ethics committee and it may have the impact of improving the health and the medical condition of the person who receives it.

Because, at the moment, it is considered to still be at the research phase, under our existing law people with impaired decision-making capacity would be denied the potential benefits of that. But this change is designed to allow those people who have given to their attorney the power to make decisions about medical treatment to make decisions about the use of research in the context of that medical treatment. I think that is a reasonable approach to adopt.

It is worth highlighting that there are safeguards to protect a person being considered for participation in medical research, including a requirement that the research has to have been approved by a human research ethics committee and it must have potential to result in a benefit that outweighs any potential risk. In addition, when considering a person's participation in that research the decision-maker must give effect to the person's wishes as far as they can be worked out. This includes giving effect to a statement in a health direction that the person does not want to participate in medical research as the bill now requires all substitute decision makers to comply with health directions.

MR RATTENBURY (Molonglo) (5.05): I will not be supporting Mr Hanson's amendment today although I very much appreciate the letter that he sent the other day outlining the position that he was taking and the reasons for it. I also have read the attorney's response based on the advice the attorney received. I think that on balance—and I have thought about this quite carefully because it does raise important ethical and moral issues about the appropriateness of treatment and the power of attorney that somebody should be given—the very premise of the legislation is to enable people to access treatments or for their attorney to do that on their behalf. To put the restriction in place that Mr Hanson seeks I think would deny some people, potentially, access.

I have looked very carefully at the protections that are built into the legislation and I think there are quite strong and clear protections that apply to this legislation, no matter whether it is prospective or retrospective, to take Mr Hanson's frame on it. I think those protections are strong in either case. On that basis I am reluctant to preclude people from potentially accessing this.

To reassure Mr Hanson, as he sought to make a point of it, my office did call his office this morning and leave a message. I am sorry that that was not passed on to him through his own internal communication channels but we will always endeavour to respond in a timely manner.

Question put:

That **Mr Hanson's** amendment be agreed to.

The Assembly voted—

Ayes 6

Noes 7

Mr Coe
Mr Doszpot
Mrs Dunne
Mr Hanson

Mrs Jones
Ms Lawder

Mr Barr
Ms Berry
Dr Bourke
Ms Burch

Mr Corbell
Ms Porter
Mr Rattenbury

Question so resolved in the negative.

Bill, as a whole, agreed to.

Bill agreed to.

Health Legislation Amendment Bill 2015

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

That this bill be agreed to in principle.

MR HANSON (Molonglo—Leader of the Opposition) (5.11): The opposition will be supporting this bill. It amends three pieces of current legislation. The bill repeals part 3A of the Health Act 1993 to remove the provisions relating to the establishment of functions of the Local Hospital Network Council. With respect to the Health Records (Privacy and Access) Act 1997, the bill changes definitions. With respect to the Civil Law (Wrongs) Act, the bill seeks to protect people, so-called “good Samaritans”, who may be impaired by a recreational drug from civil litigation when administering naloxone in an emergency situation. I will deal with those issues in that order.

Turning first to the Health Act 1993, the requirement for a local hospital network was created by the Rudd Labor government in the national health reform agreement. The national reform agreement required the states and territories to agree to create local hospital network councils. As part of the grand Kevin Rudd vision, they were intended to provide more local and flexible governance arrangements for hospital management.

Among other things, they hoped to deliver agreed performance standards, monitor performance and improve local patient outcomes. The reality is that these were not required in the ACT. I think there was acknowledgement that that was the case, certainly from my discussions with the former minister. I think that everybody in the ACT understood that we were adopting structures that were essentially consequential to reforms that may or may not have been required in other jurisdictions, but certainly were not required in the ACT. They have been, I would imagine, an administrative duplication and burden, and the removal will, I would hope, simplify ACT Health Directorate funding and reporting. I welcome the fact that we go back essentially to where we were.

The second act being amended is the Health Records (Privacy and Access) Act. The amendments bring the definitions in the Health Records (Privacy and Access) Act—the HRA—in line with the definitions of “carer”, “child”, “young person” and “guardian” in other legislation. The amendments also clarify the application of the HRA to records held by the Health Services Commissioner. For example, one clause inserts a new section to clarify the application of the legislation to health records held by the Health Services Commissioner. New section 10(4A) allows the Health Services Commissioner to refer a request for a health record received by the HSC to the health service provider. The amendments to this act are generally sensible and non-controversial.

The final act being amended is the Civil Law (Wrongs) Act 2002. Currently, section 3 of the act provides that a person—a “good Samaritan” is the definition—who gives assistance to another person who is injured or in need of emergency medical assistance does not incur personal civil liability. However, currently this protection is lost if the person rendering assistance is significantly affected by a recreational drug.

Under current law, if the administration of naloxone in a particular instance is successful, the life and personal security of the drug-affected person is enhanced, and that is a good thing. However, currently, whether or not the administration of the drug is successful, there is a possibility that a person will in some way be injured or killed by a drug-affected person administering the naloxone. In these circumstances legal action might be brought against the good Samaritan. That is, if someone who is potentially affected by an opioid, by heroin, tries to administer naloxone to save someone’s life, and that person dies or is significantly injured as a result, they would no longer be given the protections of the good Samaritan provisions.

This bill protects a good Samaritan who administers the drug known as naloxone if they do so honestly and without recklessness to a person apparently suffering from an overdose of an opioid drug with the intention of resuscitating the person. The bill applies even if the good Samaritan’s capacity to exercise appropriate care and skill was, at the time of administering the drug, impaired by the recreational drug.

Clearly, when people are suffering from an overdose they may be doing so in the presence of somebody who is using a drug. We do not want to have a situation where lives that could have been saved are not because people are not prepared to administer naloxone because they know that they are under the influence of a similar drug.

There are some legal impacts on individual rights. These have been raised by the scrutiny committee, and I note them. But, on balance, these impacts on rights are offset by the health outcomes—potentially life-saving outcomes—that could be expected.

The ACT Law Society has advised that the proposed amendment is supported as it is a sensible proposal. As such, the opposition will support the passage of the bill. I thank the staff from the Health Directorate who have put these measures together. I note their presence in the gallery today. The opposition always support sensible legislation that is for the betterment of ACT residents.

MR RATTENBURY (Molonglo) (5.18): The ACT Greens are happy to support this bill. The key component of the passage of this bill will provide an exemption so that the good Samaritan provisions apply to people who honestly and not recklessly administer naloxone with the aim of resuscitating someone who has overdosed, whether or not the good Samaritan is impaired by a recreational drug, including alcohol.

As the Minister for Health has stated, the ACT's unique naloxone trial has now been successfully evaluated and has become an ongoing program. The government and the community partners that have worked to achieve this should be commended for building up a strong evidence base and taking a health-led approach to personal drug use. There are many other areas of the lost war on drugs that would benefit from this clear and strong validation of harm minimisation approaches that seek to put human lives and safety at the fore or seek to provide medical use of currently illicit substances.

I say that not to take away from the genuine appreciation that the Greens have for the naloxone program; rather, I make these comments because I see it as an innovative response to drug and law issues, and I hope that in other areas we might continue down this path and learn from what has been a positive experience.

The bill also includes the repeal of part 3A of the Health Act 1993 to remove the provisions relating to the establishment and functions of the Local Hospital Network Council, which, as the minister has explained, is in response to changes to health funding announced in the federal budget for 2014-15 which seriously undermined the integrity of the original intent of the networks.

As I understand it from the last network annual report, the 2014-15 federal budget announced the cessation of the hospital funding agreement under the national health reform agreement 2011 from 2017, and, from July 2015, the cessation of the national partnership agreement on improving public health services. The federal budget of 2015-16 confirmed that the ACT will lose a range of reward funding measures, including reward funding for improved public hospital services provided against the national emergency access targets and national elective surgery targets.

I further understand that in 2014 a legislated review of the Local Hospital Network Council was completed by the Nous Group and tabled by the minister in the Assembly. It recommended that the government consider the ongoing role of the local health network, while acknowledging the good work it had undertaken.

In June 2015 the network met for a final time pending the proposed establishment of an alternative health advisory body. I look forward to finding out more from the minister on new initiatives and coordination approaches in this area.

The third component of the bill relates to the definition of "young people". The minister believes it is confusing and inconsistent with other relevant legislation such as the Children and Young People Act 2008. The proposed amendments to the Health Records (Privacy and Access) Act 1997 will bring the definitions of the health records act in line with the definitions for "carer", "child", "young person" and "guardian" in other legislation.

There has recently been some conversation in the chamber regarding definitions of “children” and “young person” in legislation and in practice in relation to the government response to the standing committee inquiry on the most recent human rights amendment bill. As I said then, I am happy to have further conversations with stakeholders and other members to ensure that we have a clear and consistent understanding across government about these definitions.

I understand these amendments have been developed in close consultation with the Alcohol Tobacco and Other Drug Association of the ACT and also with the Canberra Alliance for Harm Minimisation and Advocacy, the Human Rights Commission as represented by the Health Services Commissioner, the Children and Young People Commissioner and the human rights commissioner. I welcome that extensive consultation, and I am happy to support this bill.

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) (5.22), in reply: I thank members for their support of this bill. Members have highlighted the various important amendments that are made by this bill to relevant ACT health legislation. Can I simply restate the significance of this bill in relation to ensuring that people who administer naloxone in an emergency situation will be able to be given sufficient legal protections as a result of this bill today. Naloxone saves lives. It reverses the effects of a heroin or other opiate overdose. It means that people can get the assistance they need when it is most needed.

The evaluation of implementing and expanding the naloxone availability program was received by the government last year. That evaluation confirmed that since the naloxone trial was first introduced here in the ACT it had been effective in providing prescriptions to potential overdose victims, with over 200 participants. In particular, it had documented that there were 57 overdose reversals undertaken with naloxone administered by non-medical staff with no adverse events. So there were 57 occasions when a potentially lethal overdose was reversed without any adverse consequences whatsoever.

We need to make sure that when people are administering naloxone they have legal protection, and that they cannot be held to some liability simply because they administered it and something subsequently went wrong, as long as, of course, they acted in good faith and without any element of inappropriate behaviour. That amendment alone makes this bill worth passing today, and I thank members very much for their support.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Adjournment

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

That the Assembly do now adjourn.

United Mission Hospital, Tansen, Nepal

MR DOSZPOT (Molonglo) (5.25): Tonight I highlight a worthwhile project that the Rotary Club of Belconnen is involved in and to congratulate some special Canberrans for their efforts. The Rotary Club of Belconnen has been involved with many international initiatives. As with other Rotary clubs around Canberra, and indeed the world over, the work that Rotary does is well known and highly valued.

The project I wish to highlight tonight is the work being done here in Canberra and elsewhere to raise funds for medical equipment for the United Mission Hospital in Tansen, Nepal. Through the efforts of Ms Val Bland and her colleagues from the Rotary Club of Belconnen, to date the hospital in Nepal has received over \$50,000 in support from Rotary. It has meant that essential equipment that any hospital in Australia might take for granted has been able to be provided for this very overworked and under-equipped hospital.

But Canberrans are not just raising money. Canberra-based paediatric surgeon Professor David Croaker, along with other international doctors, donates his services at the hospital each year, operating on the children and teaching the doctors.

It was estimated that in 1987 this one hospital of 165 beds—by comparison, Calvary here has something like 250 beds—was serving over 7.5 million people in Nepal. Since then, the population has grown but the hospital still has much the same capacity, although they have built an outpatients department.

As Val told me at a lunch we both attended a few weeks ago, her involvement started with a tap on the shoulder by Surinder from the Indian Affair Restaurant in October 2007 by stating that Rotary could have a dinner at her restaurant in Phillip to raise funds. There have been nine dinners since then. Fundraising has included dinners at the Indian Affair Restaurant in Canberra; donations by many Rotary clubs, the Pink Umbrella Foundation, businesses, organisations and individuals; and sales of Rotary cakes, puddings and shortbread biscuits.

The Rotary Foundation in Australia and the United States has matched funds raised to supply and install 21 centralised piped oxygen points in the paediatric and medical wards and to purchase a colour Doppler ultrasound scanner and a cardiac probe with a cardiac calculation package to enable the hospital to provide echocardiography services.

As the Rotary project manager for this particular project, Val Bland, since 2007, has coordinated the dinners and has collected other donations through the sale of Rotary Christmas cakes, puddings and shortbread biscuits. These funds go towards purchasing more equipment, such as an infant incubator for premature infants and a pathology analyser—equipment that we take for granted in Australia.

Canberrans are very generous with their time, and we have large numbers of people who volunteer in many worthwhile areas each and every day. Val Bland and Professor David Croaker are just two Canberrans to whom tonight I wish to pay tribute, and to thank, for their generosity of spirit and the giving of their time and energy to help in this great work in Nepal.

Calwell—traffic

MS LAWDER (Brindabella) (5.29): I rise today to talk about an issue in my local area of Tuggeranong, specifically in Calwell, which I had cause to contact the then minister for roads about. At that time it was Minister Gentleman. This arose through a mobile office that I held. A couple who lived in Calwell came up there. It was about the area not far off Outtrim Crescent, which is a very busy road. I know that Mr Gentleman is quite familiar with that road.

These constituents talked to me about a blind corner at the corner of Carter and Outtrim. They come out of their street onto Carter and then need to turn onto Outtrim. They said that they themselves, as well as their two children, who have learned to drive while they have lived at their house, and many other people, have experienced near misses at that particular corner in Calwell because of excessive speeding along Outtrim Crescent. It is a bit of a blind corner.

Despite the fact that there are mixed views in the community about speed humps, they suggested that something needed to be done about the speeding on Outtrim. Many people believe that an increased police presence may be applicable to deter people speeding, but I understand that that is not always possible.

I wrote on behalf of my constituents, highlighting the concerns of these people about the speeding on Outtrim Crescent. What happened then, I think, is that Minister Gentleman wrote back to the constituents about the traffic issue on the corner of Carter Crescent and Outtrim Avenue. According to the information provided in that letter, they did not feel that the data for traffic crashes indicated enough of an issue to put in speed humps at this location. But Roads ACT reviewed the intersection, according to Minister Gentleman, and said that the sight distance for vehicles exiting Carter Crescent into Outtrim Avenue appeared to be reduced given the curvature of the road and the vegetation on the right-hand side of the road. Therefore Minister Gentleman asked Roads ACT to install a stop sign at this location.

Mr Gentleman apparently then wrote to or letterboxed all Calwell residents, saying:

Dear Calwell resident,

It has recently come to light that due to increased traffic in the area the intersection of Carter Crescent and Outtrim Avenue has become increasingly dangerous.

As this is the case, I have asked Roads ACT to install a 'stop sign' for cars which are turning onto Outtrim Avenue from the Carter Crescent intersection nearest the Calwell shops.

There is another paragraph about when that would take place. Then Mr Gentleman has very helpfully said:

I am sure you will notice the sign once it is installed; however, don't forget that when driving, your car must come to a complete stop when approaching a 'stop' sign.

I find that a bit patronising, Madam Deputy Speaker; quite condescending. Most people who have their licence understand what a stop sign is. What it means is that you must come to a complete stop when you approach a stop sign. That is why it is a stop sign. It is not a give-way sign; it is a stop sign. It is pretty simple: S-T-O-P. It is a different shape to a give-way sign; it is red. People are pretty aware of what a stop sign is. However, that is Mr Gentleman's prerogative.

I have had quite a number of responses from Calwell residents in response to Mr Gentleman's letterboxing of the suburb, saying how disappointed they were with Mr Gentleman's letter and also with the response itself, of putting a stop sign in. It does not address the speeding along Outtrim Avenue, which is what the original issue was. It was not about people coming to a stop, or not, at the intersection; it was about people approaching that intersection at speed with the curvature in the road. I find it a very disappointing response from Mr Gentleman. As some people have pointed out, it is even more disappointing given that we are all quite aware that he lives very much in that area himself and they thought he might have come up with a better response.

To me, it is indicative of this government's arrogant, patronising, condescending approach to our constituents, not taking their concerns seriously. What they are doing is treating them like children. They are not children; they are intelligent people and they will know which way to vote in the election this year.

Pedal Power

MR COE (Ginninderra) (5.34): I rise this afternoon to speak about Pedal Power ACT which, in November last year, turned 40. I will have the pleasure of attending Pedal Power's celebrations this evening at the University of Canberra, and I am very much looking forward to it.

Pedal Power ACT is the peak, and the largest, cycling representative body in the territory. It is a social organisation that represents the interests of people who already ride bicycles and those who aspire to. It supports the community to be more active by providing various opportunities and encouragement for cyclists and potential cyclists.

Over the past 40 years Pedal Power have played a leading role in advocating for cycling infrastructure in Canberra, and most of the improvements we have seen over recent years are in no small part due to their advocacy. Pedal Power also organise a number of social and competitive rides, including the weekly Sunday Wanderers ride and the daunting annual competitive ride, Fitz's Challenge.

On Sunday, 6 March Amy's Big Canberra bike ride will be on again and it provides a wonderful opportunity for bike riders of all abilities. This Pedal Power ACT event will support the Amy Gillett Foundation to promote road safety initiatives for the cycling community across Australia.

Pedal Power's vision for cycling in Canberra in 2030 would see more people on bikes by changing the way decision-makers and the community think about cycling, roads and services. I note that Pedal Power held their AGM on Tuesday. I congratulate Jane Brooks on again taking on the role of president. I would also like to acknowledge Gillian Heylar for the work and effort she has put into Pedal Power over the last year. I understand that Jeff Ibbotson remains as vice-president and will continue to play a large role in Pedal Power's advocacy unit. Congratulations also to Vicki Deakin and Douglas Widdup, who stayed on as secretary and treasurer respectively, as well as Eric Huttner, Steve Shaw and John Widdup, who were elected to Pedal Power's board. I wish the incoming executive the best of luck in what will be a busy year.

I would also like to note the work of John Armstrong, the executive officer of Pedal Power, who does a wonderful job leading the organisation. I am sure he would be familiar to all members in this place.

As many members would be aware, Pedal Power also produces a bi-monthly and very informative magazine, *Canberra Cyclist*, which is edited by Julia Widdup with the help of Carol Taylor and John Widdup. I congratulate all those involved with the *Canberra Cyclist* and wish them the best of luck in the future. As I am sure all members would be aware, it is a comprehensive publication with topical information that I am sure would take a lot of effort to compile.

Pedal Power has already made a significant contribution to life in Canberra. It has successfully advocated for greater cycling infrastructure and improved culture here in Canberra. Far from having a mid-life crisis, Pedal Power continues to go from strength to strength at 40. I wish Pedal Power all the best of luck for the next 40 years and for its celebrations tonight. For more information about Pedal Power I encourage all members to visit its website at pedalpower.org.au.

Question resolved in the affirmative.

The Assembly adjourned at 5.38 pm until Tuesday, 8 March 2016, at 10am.

Schedule of amendments

Schedule 1

Powers of Attorney Amendment Bill 2015

Amendment moved by the Leader of the Opposition

1

Clause 13

Proposed new section 41A (1), definition of *medical research power of attorney*

Page 7, line 8—

omit the definition, substitute

medical research power of attorney, for a principal, means an enduring power of attorney under which the principal authorises an attorney to exercise power in relation to a medical research matter.

Answers to questions

Canberra Hospital—staff (Question No 518)

Mr Hanson asked the Minister for Health, upon notice, on 28 October 2015:

- (1) What was the number of staff positions broken down by full time/part time staff, by headcount for each staff employment classification (as used in the 2014-15 Health Annual Report page 110) on 1 July 2015 for (a) The Canberra Hospital, (b) the Intensive Care Unit of The Canberra Hospital and (c) the Emergency Department of The Canberra Hospital.
- (2) What was the number of staff resignations broken down by full time/part time staff, by headcount for each staff employment classification (as used in the 2014-15 Health Annual Report page 110) from 1 July to 30 September 2015 for (a) The Canberra Hospital, (b) the Intensive Care Unit of The Canberra Hospital and (c) the Emergency Department of The Canberra Hospital.
- (3) How many staff shifts between 1 July to 30 September 2015 for the (a) Intensive Care Unit of The Canberra Hospital and (b) Emergency Department of The Canberra Hospital, (i) occurred and (ii) were under staffed.

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

- (1) The data in the tables below is extracted from the ACT Health Workforce Profile for the pay period ending 17 June 2015, the last pay period in 2014-2015, and the same material used in preparing the ACT Health Annual Report. The headcount data provided is grouped by classification and employment category.

Canberra Hospital and Health Services

Classification group	Casual	Permanent Full Time	Permanent Part Time	Temporary Full Time	Temporary Part Time	Total
Administrative Officers	30	393	91	76	29	619
Dental	0	9	4	5	4	22
Executive Officers*	0	0	0	10	0	10
General Service Officers and Equivalent	29	143	38	17	12	239
Health Assistants	5	40	18	11	7	81
Health Professional Officers	17	588	258	139	49	1051
Information Technology Officers	0	1	0	0	0	1
Junior Medical Officers	1	1	0	521	28	551
Medical Officers	4	159	119	13	20	315
Nursing Staff	187	1212	1045	272	119	2835
Professional Officers	0	1	0	6	2	9
Senior Officers	0	79	10	6	2	97
Teacher	0	0	1	0	0	1
Technical Officers	28	82	43	10	5	168
Total	301	2,708	1,627	1,086	277	5,999

Note:

*Executive Officers are staff whose classification are Contract Executive.

*Professional Officers are Professional Officers, Research Officers and Senior Research Officers.

*Senior Officers are those who are Senior Officer Grade C, B or A.

Intensive Care Unit

Classification group	Casual	Permanent Full Time	Permanent Part Time	Temporary Full Time	Temporary Part Time	Total
General Service Officers and Equivalent	0	2	0	0	1	3
Junior Medical Officers	1	0	0	30	1	32
Medical Officers	0	9	3		1	13
Nursing Staff	0	69	60	23	7	159
Total	1	80	63	53	10	207

Emergency

Classification group	Casual	Permanent Full Time	Permanent Part Time	Temporary Full Time	Temporary Part Time	Total
Junior Medical Officers	0	0	0	20	0	20
Medical Officers	4	13	4	2	0	23
Nursing Staff	0	36	103	5	7	151
Technical Officers	0	1	0	0	0	1
Total	4	50	107	27	7	195

(2) The data in the tables below is extracted from the ACT Health Workforce Profile. The headcount data provided is for staff who resigned for the period of 1 July 2015 to 30 September 2015.

Canberra Hospital and Health Services

Classification group	Casual	Permanent Full Time	Permanent Part Time	Temporary Full Time	Temporary Part Time	Total
Administrative Officers	1	6	4	5	0	16
Allied Health Professional Officers	0	6	4	6	1	17
General Service Officers and Equivalent	0	1	0	0	0	1
Medical Officers	0	0	1	6	1	8
Nursing Staff	2	13	14	5	6	40
Technical Officers	0	0	0	1	0	1
Total	3	26	23	23	8	83

Intensive Care Unit

Classification group	Casual	Permanent Full Time	Permanent Part Time	Temporary Full Time	Temporary Part Time	Total
Medical Officers	0	0	0	1	0	1
Nursing Staff	0	3	2	1	0	6
Total	0	3	2	2	0	7

Emergency

Classification group	Casual	Permanent Full Time	Permanent Part Time	Temporary Full Time	Temporary Part Time	Total
Nursing Staff	0	1	4	1	1	7
Total	0	1	4	1	1	7

(3) How many staff shifts between 1 July to 30 September 2015 for the:

(a) Intensive Care Unit of Canberra Hospital

(i) occurred – 276 shifts

- (ii) were under staffed – none, all shifts were staffed at the required level.
- (b) Emergency Department of Canberra Hospital
 - (i) occurred – 276 shifts
 - (ii) were under staffed – none, all shifts were staffed at the required level.

Roads—resurfacing (Question No 527)

Mr Coe asked the Minister for Territory and Municipal Services, upon notice, on 28 October 2015 (*redirected to the Minister for Roads and Parking*):

- (1) How many square metres of road surface have been resurfaced in (a) 2014 2015 and (b) 2015-2016 to date using (i) hotmix, (ii) slurry seal and (iii) chip seal.
- (2) What was the cost per square metre for each of the methods in part (1).

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

- (1)
 - (a) 2014 2015
 - (i) Hotmix – 65,740m²
 - (ii) Slurry seal/ Micro surfacing – 8,000m²
 - (iii) Chip seal – 545,867m²
 - (b) 2015-2016 to date using

The 2015-16 resurfacing program commenced in October 2015 and will continue to April 2016. This is standard and due to weather constraints. Given the season commenced in October 2015 no hotmix or slurry seal / micro surfacing works have been undertaken by October.

The following information is provided for the 2015 achievements to-date:

 - (i) Hotmix – nil
 - (ii) Slurry seal/Micro surfacing – nil
 - (iii) Chip seal – 209,093 m²
- (2)
 - (i) Hotmix – \$30-80/m²
 - (ii) Chip seal – Territorial reseal \$14.50/m², Municipal reseal \$11.00/m²
 - (iii) Micro surfacing – \$16-20/m²

Alkira Community Childcare Centre (Question No 533)

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

- (1) Does the Government intend to re-open the former Alkira Community Childcare Centre in Charnwood.
- (2) Will the centre be run by government, community or commercial interests; if not by government, what process will the Government follow to appoint an independent operator.
- (3) What refurbishment works are planned and at what budgeted cost.
- (4) Has asbestos been found on this site; if so, what remediation works will be undertaken and will the Government undertake the refurbishment and remediation works or will the centre operator be required to undertake them.
- (5) What will be the place capacity of the refurbished centre upon commissioning into service.

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

- (1) No decision has been made on the future of the former Alkira Community Childcare Centre in Charnwood.
- (2) Refer to the response to question 1 above.
- (3) There are no immediate refurbishment works planned for the building.
- (4) Bonded asbestos has been identified in the ceiling of the rear enclosed veranda and the perimeter facade cement sheeting to the front section of the building. The materials have been classed as having a low potential for fibre release in its current state. Any future refurbishment of the building will include the removal of the bonded asbestos.
- (5) Refer to the response to question 1 above.

**Nurses—stomal nurses
(Question No 550)**

Mrs Dunne asked the Minister for Health, upon notice, on 18 November 2015:

- (1) How many stomal nurses are currently working in the ACT.
- (2) How many stomal nurses are employed by the ACT.
- (3) What is the level of unmet demand for stomal nurses.
- (4) What is the salary range for stomal nurses in the ACT.
- (5) What are the oncosts for stomal nurses.
- (6) What is the annual cost to the ACT Government of providing stomal nurses.

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

- (1) There are currently two Registered Nurses employed as Stomal Nurses - one of which is employed full time at Canberra Hospital and the other is employed full time at Phillip Health Centre.
 - (2) There are two Registered Nurses employed specifically in positions as Stomal Therapy nurses and eight other nurses that have Stomal Therapy qualifications employed, and paid, as general nurses at CHHS, Calvary and within Community Nursing.
 - (3) Currently there are sufficient numbers of stomal therapy nurses to meet the care requirements of the people of the ACT and surrounding region.
 - (4) As of 1 October 2015 the salary range for stomal nurses in the ACT is Registered Nurse 3.1 - \$96,756 to \$100,737.
 - (5) The on-costs for stomal nurses are 30 per cent of the annual salary cost.
 - (6) The annual cost of the two stomal nurses employed by ACT Health in stomal therapy roles is \$276,170.
-

Hospitals—peer group listing (Question No 551)

Mr Hanson asked the Minister for Health, upon notice, on 19 November 2015:

- (1) On 16 November 2015 did the Australian Institute of Health and Welfare produce a new listing for peer group hospitals in Australia showing The Canberra Hospital remains in the highest peer group in Australia while Calvary is now in the second tier.
- (2) What are the impacts on Commonwealth funding to the ACT that will flow from the fact that the ACT will only have one Tier 1 hospital
- (3) What are the impacts on Commonwealth funding to the ACT that will flow from the fact that in the ACT Calvary has shifted to a Tier 2 hospital
- (4) What are the impacts on Commonwealth funding to the ACT that will flow from the fact that several NSW hospitals in our region have been downgraded from Tier 1 to Tier 2 hospitals
- (5) What are the funding impacts for the ACT on the cross funding agreements between NSW and ACT.

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

- (1) Yes.
- (2) The Independent Hospital Pricing Authority (IPHA) does not use peer grouping to determine funding. A change in peer grouping will not change the type or quantum of activity generated in ACT public hospitals.
- (3) Please refer to answer provided to question two.

- (4) Please refer to answer provided to question two.
- (5) There are no impacts to cross boarder funding arrangements between the ACT and NSW. Funding is determined through activity, not through peer groupings.
-

**ACT Health Directorate—staff
(Question No 552)**

Mr Hanson asked the Minister for Health, upon notice, on 19 November 2015:

In the ACT Health Directorate what are the (a) average costs of employing a new permanent employee, including administration and staff costs in Health and Chief Ministers Directorates, (b) annual costs of bed management including administration and staff costs and (c) average cost of producing (researching, writing, editing printing) the Health Annual report including administration and staff costs in Health and Chief Ministers Directorates.

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

- (a) The average cost to Shared Services Human Resource Services for employing a new permanent employee to ACT Health is:
- \$136 per staff member for appointments, advertising and direct uploads.
 - \$815 per staff member for security access, ICT coordination and access to relevant systems, creation of records on relevant systems, ATO and Superannuation governance and compliance requirements.
- (b) It is not clear from the question what the term “bed management” is referring to. There is no national or local ACT Health definition of “bed management” costs. Further information in relation to the scope of what is referred to as “bed management” would be required before an answer could be provided.
- (c) Staff costs for researching and writing the Annual Report cannot be provided as they are not easily obtainable. The cost of producing the report was \$34,376. The Chief Minister, Treasury and Economic Development Directorate (CMTEDD) have no involvement in preparing the ACT Health Annual Report, therefore, no administration and staff costs were incurred by CMTEDD in relation to the preparation of the ACT Health Annual Report.
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**ACT Health—bed categories and operating costs
(Question No 553)**

Mr Hanson asked the Minister for Health, upon notice, on 19 November 2015:

- (1) What are the annual operating costs of one (a) palliative care bed, (b) operating theatre room/bed/space, (c) subacute bed, (d) acute bed, (e) intensive care bed, (f) emergency department bed, (g) hospital in the home bed and (h) Medihotel bed.

- (2) What is the annual administrative oncost used to budget for the provision of each bed or space for parts (1) (a) to (h).
- (3) What was the total bed count in ACT Health at the end of (a) 2013-2014 and (b) 2014-2015.
- (4) How many new beds were funded in ACT Health in 2014-2015 and delivered in 2014-2015.
- (5) How many new beds were funded in ACT Health in previous years and delivered in 2014-2015.
- (6) How many new beds were funded in 2014-2015 and were not delivered in 2014 2015.
- (7) What was the nature of the bed categories/types in parts (2) to (4).

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

- (1) The annual costs of part one is not obtainable as an annual operating cost. This is due to the nature of the Australian Hospital Patient Costing Standards Version 3.1, which requires costs to be aggregated on a per episode basis.

Equally, it is not possible to separate the costs of (b) an operating theatre room/bed/space, (e) intensive care bed or (g) a hospital in the home bed, as these costs are available as an aggregation within the acute care costs.

The average ACT direct operating cost as per the National Hospital Cost Data Collection Round 18 for the 2013-14 financial year, were as follows:

- (a) palliative care episode was \$11,942;
- (c) subacute care episode was \$13,772;
- (d) acute care episode was \$4,359; and
- (f) emergency episode was \$624.

The Medihotel (h) was not included in the National Hospital Cost Data Collection and therefore cannot be reported.

- (2) 'Administrative costs' are not available as an identifiable subset of an overall cost of a bed. However, on a per episode basis, the average ACT indirect costs, as defined by the Australian Hospital Patient Costing Standards Version 3.1, as per the National Hospital Cost Data Collection Round 18 for the 2013-14 financial year were as follows:

- (a) palliative care episode was \$8,550;
- (c) subacute care episode was \$7,778;
- (d) acute care episode was \$1,940; and
- (f) Emergency Department (ED) episode was \$240.

- (3) The total number of beds in ACT Health at the end of:
 - (a) 2013-14 – 1,030 were funded; and 1014 were fully operational; and
 - (b) 2014-15 – 1,068 were funded and fully operational.
- (4) The number of new beds that were funded in 2014-15 and were delivered in 2014-15 was 38.

- (5) The number of new beds that were funded in previous years and delivered in 2014-15 was 16. The opening of these 16 beds at the Canberra Hospital were delayed until September 2014 due to the refurbishment and decanting for level 5 of the tower block.
- (6) The number of new beds that were funded in 2014-15 and were not delivered in 2014-15 was zero.
- (7) The nature of the bed categories/types can be found in the budget papers.
 - a. 2014-15 http://apps.treasury.act.gov.au/__data/assets/pdf_file/0020/601067/Health-Directorate-Budget-Statement.pdf
 - b. 2013-14 http://apps.treasury.act.gov.au/__data/assets/pdf_file/0011/455987/5.2-Expenditure-Initiatives.pdf

ACT Health—bed categories and operating costs (Question No 554)

Mr Hanson asked the Minister for Health, upon notice, on 19 November 2015:

What is the average capital cost of constructing one new (a) palliative care bed, (b) operating theatre room/bed/space, (c) subacute bed, (d) acute bed, (e) intensive care bed, (f) general inpatient bed, (g) emergency department bed, (h) hospital in the home bed and (i) Medihotel bed.

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

- a – g) Providing a figure in relation to constructing one new (a) palliative care bed, (b) operating theatre room/bed/space, (c) subacute bed, (d) acute bed, (e) intensive care bed, (f) general inpatient bed and (g) emergency department bed, is difficult and would need to consider site specific circumstances and support spaces such as theatres, imaging, emergency, administration, ambulatory care, and other factors.
- h) The average capital cost of constructing one new hospital in the home bed is difficult to assess as every circumstance is different. The cost would depend on the nature of the existing space to be converted and the level of care required.
- i) The average capital cost of constructing one new Medihotel bed is difficult to assess as every circumstance is different. The cost would depend on the nature of the existing space to be converted and the level of care required. The proposed model of care would also influence the capital costs.

Hospitals—emergency presentations (Question No 555)

Mr Hanson asked the Minister for Health, upon notice, on 19 November 2015:

- (1) What is the number of (a) emergency department presentations and (b) patients who presented who were sent to/admitted to an emergency department, by each triage category per annum for (i) The Canberra Hospital and (ii) Calvary Hospital.

- (2) What is the number of (a) presentations and (b) patients referred to an emergency department, by each triage category (or similar) per annum for (i) Tuggeranong Walk-in Centre and (ii) Belconnen Walk-in Centre.

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

- (1) (a, i)

Canberra Hospital Emergency Department (ED) presentations by triage category in 2014-15 were:

	Number of presentations
Category 1	363
Category 2	8,338
Category 3	24,518
Category 4	30,726
Category 5	9,678
Total	73,623

- (b, i)

There are no patients admitted to EDs.

- (a, ii)

Calvary Hospital ED presentations by triage category in 2014-15 were:

	Number of presentations
Category 1	162
Category 2	3,798
Category 3	19,379
Category 4	23,569
Category 5	9,432
Total	56,340

- (b, ii)

No patients are admitted to the ED.

- (2) (a, i)

There were 18,669 presentations to the Tuggeranong Walk-in Centre (W - I - C) in 2014-15. There is no triaging or equivalent measure for the W - I - C.

- (b, i)

Of the 18,669 presentations to the Tuggeranong W - I - C in 2014-15, 1,280 were redirected to the ED.

- (a, ii)

There were 14,311 presentations to the Belconnen W - I - C in 2014-15. There is no triaging or equivalent measure for the W - I - C.

(b, ii) Of the 14,311 presentations to the Belconnen W - I - C in 2014-15, 573 were redirected to the ED.

Hospitals—procedural costs (Question No 556)

Mr Hanson asked the Minister for Health, upon notice, on 19 November 2015:

- (1) What is the average cost of a single procedure on one day, including staff, consumables, administration and overheads of (a) emergency department treatment, (b) elective surgery procedure, (c) dialysis outpatient procedure, (d) radiotherapy outpatient treatment, (e) breast screen outpatient screen, (f) cervical cancer outpatient screen, (g) ACAT assessment, (h) subacute outpatient treatment, (i) obesity outpatient clinic treatment, (j) outpatient dental treatment, (k) single Walk-in Centre treatment and (l) episode of health care at AMC.
- (2) What are the average costs, including staff, consumables, administration and overheads on a specified date for a (a) caesarean birth and (b) natural birth.

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

- (1) ACT Health costs in accordance with the Australian Hospital Patient Costing Standards Version 3.1. This indicates that costing is completed on a full episode basis and as such, it would be inaccurate to recognise these costs on a day by day or by procedure basis.

The average ACT cost as per the National Hospital Cost Data Collection Round 18 for the 2013-14 financial year for direct and indirect costs were as follows:

- (a) Emergency Department episode was \$864; and
- (b) Elective surgery inpatient episode was \$9,319.

In response to points (c) to (l) of question 1, the average cost to ACT Health for providing a single outpatient occasion of service based on the National Hospital Cost Data Collection Round 18 for the 2013-14 financial year was \$293.

- (2) The average ACT Health cost per the National Hospital Cost Data Collection Round 18 for the 2013 14 financial year for direct and indirect costs for a:
 - (a) caesarian birth assuming no complications was \$11,425; and
 - (b) vaginal birth assuming no complications was \$4,169.

ACT Health Directorate—staff (Question No 557)

Mr Hanson asked the Minister for Health, upon notice, on 19 November 2015:

- (1) What are the full annual costs (including salary, superannuation) of employing in the ACT Health Directorate (a) Enrolled Nurse (all grades), (b) Registered nurse (all grades), (c) Discharge Liaison nurse (all grades), (d) Community care nurse (all grades), (e) Nurse Practitioner (all grades), (f) Palliative care nurse (all grades), (g) Mental health nurse (all grades), (h) CNC nurse/Unit Managers (all grades), (i) Executive Director (all grades), (j) Midwife (all grades), (k) Dentists (all grades), (l)

Staff Doctors including Registrars/Juniors (all grades), (m) Health professional Officers (all grades), (n) Health Assistants (all grades), (o) Senior Officers, (p) Social workers (all grades), (q) Technical Officers, (r) Ward clerks (all grades), (s) Physiotherapists (all grades), (t) Administrative Officers (all grades) and (u) General Service Officers (all grades).

- (2) For each of the staff categories in part (1), what is the administrative oncost (office, supplies, utilities, comms etc) used to budget for the provision of their services.
- (3) What is the (a) head count and FTE and (b) number of staff for each of the staff categories (Nurse practitioner, Nurse in Charge, Nurse, Enrolled nurse, administrator, etc) engaged for (i) Tuggeranong Walk-in Centre and (ii) Belconnen Walk-in Centre.
- (4) How many of the 2014-2015 ACT Health staff (7,064), by classification, remain contributors to the (a) PSS super scheme which closed in 2005 and (b) CSS super scheme which closed in 1990.

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

- (1) The data in the tables below is extracted from the ACT Health Workforce Profile for the pay period ending 17 June 2015, the last pay period of 2014-2015, and is the same material used in preparing the ACT Health Annual Report.

Classification Group	Headcount	Total Annual Salary	Total Employer Super	Total	Avg Super%
Administration Officers	975	\$ 58,171,039.92	\$ 8,320,499.20	\$ 66,491,539.12	14.3%
Dental	22	\$ 2,150,455.29	\$ 280,384.00	\$ 2,430,839.29	13.0%
Executive Officers	23	\$ 4,516,522.00	\$ 888,401.02	\$ 5,404,923.02	19.7%
General Service Officers & Equivalent	495	\$ 22,335,008.07	\$ 4,015,550.24	\$ 26,350,558.31	18.0%
Health Assistants	81	\$ 4,028,862.21	\$ 510,507.66	\$ 4,539,369.87	12.7%
Health Professional Officers	1126	\$ 86,608,845.37	\$ 12,513,429.24	\$ 99,122,274.61	14.4%
Information Technology Officers	2	\$ 172,150.00	\$ 36,662.60	\$ 208,812.60	21.3%
Legal Officers	1	\$ 132,615.00	\$ 28,752.36	\$ 161,367.36	21.7%
Medical Officers	876	\$ 96,822,147.74	\$ 15,738,919.30	\$ 112,561,067.04	16.3%
Nursing Staff	2884	\$ 199,992,235.74	\$ 32,480,080.36	\$ 232,472,316.10	16.2%
Professional Officers	16	\$ 1,061,567.51	\$ 126,048.52	\$ 1,187,616.03	11.9%
Senior Officers	387	\$ 39,651,659.22	\$ 6,755,582.60	\$ 46,407,241.82	17.0%
Teacher	1	\$ 40,821.72	\$ 9,104.42	\$ 49,926.14	22.3%
Technical Officers	171	\$ 9,019,763.79	\$ 1,199,671.72	\$ 10,219,435.51	13.3%
Trainees and Apprentices	4	\$ 98,199.50	\$ 9,298.90	\$ 107,498.40	9.5%
TOTAL	7064	\$ 524,801,893.08	\$ 82,912,892.14	\$ 607,714,785.22	15.8%

While ACT Health has data covering the costs of the employment of staff, it maintains this material in broader categories than that being requested. That is, employment costs of medical officers, administrative officers, technical officers and the like are not generally costed and recorded at the particular grade and increment level applying to an individual employee. There are approximately 60 such classification grades and further increment levels within these classifications.

Additionally, the non-salary material such as superannuation, allowances and remuneration on-costs can vary considerably at an individual level. For example, superannuation costs vary depending on whether an individual is a member of the CSS, PSS schemes or has the minimum community entitlement.

Extracting the data, to the extent that it could be broken down in accordance with the request, would require significant resources to obtain the information and to ensure its accuracy. Therefore, ACT Health considers this to be resource intensive as per 12.28 in the Companion to the standing orders.

- (2) In accordance with ACT Treasury instructions, administrative on costs for 2014 15 Budget were \$16,356 per FTE.
- (3) The headcount and FTE for both the Belconnen Walk-in Centre and the Tuggeranong Walk-in Centre are:

(i)	(a) & (b)	Tuggeranong Walk-in Centre	Headcount	FTE
		Nurse Practitioner (RN4.2)	2	2.0
		Nurse in Charge - Clinical Nurse Consultant (RN3.2)	1	1.0
		Nurse Advanced Practice Nurse (RN3.1)	10	7.7
		Enrolled Nurse	0	0.0
		Administrative Service Officer 3	1	1.0
		Administrative Service Officer 2/3	2	2.0
(ii)	(a) & (b)	Belconnen Walk-in Centre	Headcount	FTE
		Nurse Practitioner (RN4.2)	1	1.0
		Nurse in Charge - Clinical Nurse Consultant (RN3.2)	1	1.0
		Nurse Advanced Practice Nurse (RN3.1)	11	8.5
		Enrolled Nurse	0	0.0
		Administrative Service Officer 3	2	2.0
		Administrative Service Officer 2/3	2	1.0

- (4) There is a total of 183 ACT Health staff who remain contributors to the Commonwealth Superannuation Scheme Defined Benefit (known as the CSS Super Scheme or CSSDB). This is 2.59 per cent of the total headcount of 7,064. There is a total of 1,978 ACT Health staff who remain contributors to the Public Sector Superannuation Scheme Defined Benefit (known as PSS Super Scheme or PSSDB). This is 28 per cent of the total headcount.

Classification Groups	CSSDB	PSSDB
Administrative Officers	22	255
Dental	3	16
Executive	3	14
General Service Officers and Equivalent	7	141
Health Assistants	2	2
Health Professional Officers	29	343
Information Technology Officers	1	1
Legal Officers	0	1
Medical Officers	8	121
Nursing Staff	89	840
Professional Officers	1	5
Senior Officers	15	187
Teacher	0	1
Technical Officers	3	51
Trainees and Apprentices	0	0
Grand Total	183	1,978

**ACT Policing—tasers
(Question No 559)**

Mr Hanson asked the Minister for Police and Emergency Services, upon notice, on 19 November 2015:

- (1) What model of taser is currently being used by ACT Policing and what is the cost of (a) a taser, (b) taser maintenance and (c) taser replacement cartridges.
- (2) What has ACT Policing spent on tasers from (a) 1 July 2014 to 30 June 2015, (b) 1 July 2013 to 30 June 2014, (c) 1 July 2012 to 30 June 2013, (d) 1 July 2011 to 30 June 2012 and (e) 1 July 2010 to 30 June 2011.
- (3) What has ACT Policing spent on taser maintenance from (a) 1 July 2014 to 30 June 2015, (b) 1 July 2013 to 30 June 2014, (c) 1 July 2012 to 30 June 2013, (d) 1 July 2011 to 30 June 2012 and (e) 1 July 2010 to 30 June 2011.
- (4) How many tasers has ACT Policing purchased overall to date.
- (5) How much does it cost to put a sergeant through a taser training course.
- (6) What has ACT Policing spent on taser training from (a) 1 July 2014 to 30 June 2015, (b) 1 July 2013 to 30 June 2014, (c) 1 July 2012 to 30 June 2013, (d) 1 July 2011 to 30 June 2012 and (e) 1 July 2010 to 30 June 2011.
- (7) What is the number of tasers required to roll out to all general duties (front line) ACT Policing officers.

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

- (1) ACT Policing uses the X2 Taser fitted with X2 Taser High Definition camera. Both items have a 12 month manufacturer warranty and an expected five year shelf life.
 - (a)

Taser X2: \$2064.89
Taser X2 High Definition camera: \$1070.04
Total \$3,134.93
 - (b) The maintenance of Conducted Electrical Weapons (CEW) assigned to ACT Policing is undertaken by the AFP, specifically the AFP Firearms Identification and Armoury Team (FIAT). It is not possible to break down costs specifically attributed to the maintenance of CEW devices issued to ACT Policing. The FIAT undertakes maintenance of the entire AFP CEW cache which incorporates AFP portfolios outside ACT Policing including AFP Aviation and AFP Protection.
 - (c) The cost of a Taser X2 operational or training cartridge is \$81.33 each.
The Taser X2 carries two cartridges.
- (2)
 - (a) No cost incurred.
 - (b) No cost incurred.

(c) No cost incurred.

(d) In October 2011, approximately \$43,000 was spent by ACT Policing on CEWs, operational and training cartridges and accessories for frontline operational sergeants.

In June 2012 the AFP replaced the Taser X26 with the newer X2 model Taser which incorporated a High Definition camera and dual cartridges. The upgrade of CEWs by the AFP saw the Taser X2 rolled out to ACT Policing and other AFP portfolios including the Specialist Response Group and Aviation.

(e) No cost incurred.

(3) The procurement, maintenance and repair of AFP CEWs including those deployed by ACT Policing is managed by the AFP Firearms Identification and Armoury Team (FIAT) under the ACT Policing Service Level Agreement.

It is not possible to break down costs of CEW maintenance specific to ACT Policing because the work undertaken by the FIAT in this regard is apportioned to the entire cache of AFP CEWs.

(4) In October 2011 ACT Policing purchased 15 Taser X2 devices for rollout to Sergeants in frontline roles. This allocation has since been replaced and expanded with Taser X26 devices purchased by the AFP for deployment to ACT Policing and other AFP portfolios.

ACT Policing currently has access to approximately 150 devices from the AFP cache. The CEW devices attributed to ACT Policing are deployed for operational issue, training and as replacement devices for existing devices undergoing maintenance cycles.

(5) The cost of the two-day training for AFP members in the use of CEWs is largely connected with the salary cost for Sergeants to attend training and the provision of instructors to deliver the training and assessment curriculum. The training package does incur some minor costs in relation to the deployment of training cartridges during the initial course and thereafter during annual Use-of-Force re-certification assessments.

The cost of training a Sergeant in the use of a CEW is not separately identifiable from the provision of other training and it is not administratively effective to separately identify.

(6) The cost of CEW training is not separately identifiable from the provision of other training and it is not administratively effective to separately identify

(7) As of 31 December 2015 there were 809 Full-Time Equivalent ACT Policing operational members able to perform frontline duties. Of this, 103 authorised officers, who are the rank of Sergeants, currently carry CEW's.

**Taxation—rates and concessions
(Question No 562)**

Mr Doszpot asked the Minister for Ageing, upon notice, on 19 November 2015
(*redirected to the Treasurer*):

- (1) What is the difference in general rates rebates received between capped and uncapped recipients in the current concession program.
- (2) What impact would ceasing the uncapped (grandfathered) arrangement have on the households of seniors.
- (3) Has the Government considered the financial capacity of our seniors to pay extra costs and the cost of living pressures they are under.
- (4) When will the final report be released to the public.
- (5) How much is currently spent on ACT concessions and discounts.

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

- (1) This is outlined on pages 14 to 17 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.
- (2) As per question (1).
- (3) Yes.
- (4) A discussion paper was released on 15 November 2015 to present the community with possible options to improve the fairness and targeting of the Concessions Program.
- (5) The current budget for the Concessions Program is outlined in the above mentioned discussion paper on page 2.

**Capital Metro—social media promotions
(Question No 587)**

Mr Coe asked the Minister for Capital Metro, upon notice, on 19 November 2015:

- (1) What has been the cost of promoting Capital Metro's social media profile on (a) Facebook and (b) Twitter to date.
- (2) Has the Capital Metro Agency paid to promote Capital Metro through internet search engines such as Google; if so, what has been the cost to date of this promotion.
- (3) What is the projected cost of Capital Metro Agency's social media and search engine promotion for the 2015-2016 financial year.

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

- (1) As at 12 November 2015 the cost of promoting Capital Metro on social media is as follows:
 - a) \$572.53; and
 - b) \$50.00
 - (2) Nil, as at 12 November 2015.
 - (3) The Capital Metro Agency has allocated budget of \$2,100 until the end of the 2015-16 financial year, however the actual spend is likely to be around \$700.
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**Sport—Belconnen aquatic centre
(Question No 600)**

Mrs Dunne asked the Minister for Sport and Recreation, upon notice, on 19 November 2015:

- (1) Since the closure of the private sector-owned and operated public swimming pool at Kippax, what representations has the Government received, and from whom, about the future provision of a public aquatic centre in West Belconnen.
- (2) What consideration has the government given to those representations.
- (3) Has the Government begun any process to assess the feasibility of construction of an aquatic centre in West Belconnen.
- (4) If so, what is the status of that process, including but not limited to, (a) what assessment has been made of the estimated cost of a construction project and (b) what locations are under consideration.
- (5) If not, does the Government plan to begin such a process; if so, when.

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

- (1) The ACT Government has received very few representations regarding the provision of a public aquatic centre in West Belconnen. Representations that have been received include:
 - Mrs Vicki Dunne, MLA;
 - A private citizen.
- (2) The provision of aquatic facilities continues to be at the forefront of ACT Government planning. To guide the provision of aquatic facilities, Sport and Recreation Services within the Chief Minister, Treasury and Economic Development Directorate developed the ACT Government Aquatic Facilities Planning Framework 2013-2033 (the Framework).

The Framework identified that there are currently four aquatic facilities in the Belconnen area (Canberra International Sports and Aquatic Centre in Belconnen, Big Splash in Macquarie, Australian Institute of Sport in Bruce and King Swim in Macgregor). Canberra International Sports and Aquatic Centre and the Australian

Institute of Sport provide year round swimming and both have 50 metre pools. Big Splash also has a 50 metre pool and is open from October – March. King Swim provides year round swimming, but is primarily a learn-to-swim facility. With four pools already in the region, each no further than 12 kilometres from the proposed new development area, the Framework shows the region is well catered for in comparison to other districts with the existing facilities having capacity to cater for any increased demand from the community.

In the circumstances, the ACT Government has no current plans to provide a public pool in the West Belconnen area.

Nevertheless, and with the development of West Belconnen still very much in its early stages, it is yet to be seen whether a commercial provider may see an opportunity to provide another aquatic facility in the region in the future. Noting the previous private aquatic facility located at Kippax closed and there are already four aquatic facilities located in Belconnen, a commercial decision would be guided by the market's assessment of how viable another facility would be.

(3) No.

(4) Not applicable.

(5) No.

Health—mobile intensive treatment team (Question No 603)

Mrs Jones asked the Minister for Health, upon notice, on 19 November 2015:

How many FTE, PTE and head count of staff are at each pay grade within the Mobile Intensive Treatment Team in the categories of (a) mental health nurse, (b) RN's, (c) enrolled nurse, (d) administrative staff, (e) nurse in charge, (f) staff doctor, (g) doctor, (h) psychiatrist, (i) social worker and (j) any other staff within the Mobile Intensive Treatment Team.

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

The data in the table below is extracted from the ACT Health Workforce Profile for the pay period ending 17 June 2015, the last pay period of 2014-15.

The headcount (HC) and full time equivalent (FTE) data is grouped by staff group, classification and employment category for each pay grade.

There is no classification of "mental health nurse"; the nursing classifications are either Registered Nurses or Enrolled Nurses.

The Mobile Intensive Treatment Team does not have staff that meet (f) staff doctor, (g) doctor, (h) psychiatrist, or (i) social worker categories.

Mobile Intensive Treatment Team

Staff Group	Classification	Casual	Permanent Full Time		Permanent Part Time		Temporary Full Time		Temporary Part Time		Total	
			HC	FTE	HC	FTE	HC	FTE	HC	FTE	HC	FTE
Allied Health Professional	HPO2	0	1	1	0	0	0	0	0	0	1	1
Enrolled Nurse	EN1	0	1	1	0	0	0	0	0	0	1	1
Enrolled Nurse	EN2	0	1	1	0	0	0	0	0	0	1	1
Registered Nurse	RN2	0	3	3	0	0	0	0	1	0.74	4	3.74
Registered Nurse	RN3	0	1	1	0	0	0	0	0	0	1	1
Registered Nurse	RN2	0	1	1	0	0	1	1	0	0	2	2
Medical Technician	TO2	0	2	2	0	0	0		0	0	2	2
Total		0	10	10	0	0	1	1	1	0.74	12	11.74

**Health—mental health staff
(Question No 604)**

Mrs Jones asked the Minister for Health, upon notice, on 19 November 2015:

How many FTE, PTE and head count of staff are at each pay grade within the Mental Health Consultation Liaison at Calvary Hospital in the categories of (a) mental health nurse, (b) RN's, (c) enrolled nurse, (d) administrative staff, (e) nurse in charge, (f) staff doctor, (g) doctor, (h) psychiatrist, (i) social worker and (j) any other staff within the Mental Health Consultation Liaison at Calvary Hospital.

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

The data in the table below is extracted from the ACT Health Workforce Profile for the pay period ending 17 June 2015, the last pay period of 2014-15.

The headcount (HC) and full time equivalent (FTE) data is grouped by staff group, classification and employment category for each pay grade.

There is no classification of "mental health nurse"; the nursing classifications are either Registered Nurses or Enrolled Nurses.

From December 2013, the following teams staffing salaries were combined into one cost centre, as the teams consist of very small numbers:

- Mental Health Consultation Liaison at Calvary Hospital;
- Mental Health Consultation Liaison at the Canberra Hospital;
- Neuropsychology;
- the Mental Health Comorbidity Clinician; and
- the Aboriginal and Torres Strait Islander Mental Health Service

The below data is a combination of all of those teams and is unable to be broken down into individual teams.

ACT Wide Mental Health Services Central

Staff Group	Classification	Casual	Permanent Full Time		Permanent Part Time		Temporary Full Time		Temporary Part Time		Total	
		HC	HC	FTE	HC	FTE	HC	FTE	HC	FTE	HC	FTE
Administrative Officers	ASO3	0	1	1.0	0	0	0	0.0	0	0.0	1	1.0
Administrative Officers	ASO4	0	1	1.0	1	0.8	0	0.0	0	0.0	2	1.8
Administrative Officers	ASO6	0	1	1.0	0	0	0	0.0	0	0.0	1	1.0
Allied Health Professional	HPO4	0	1	1.0	1	0.8	0	0.0	0	0.0	2	1.8
Allied Health Professional	HPO1	0	0	0.0	0	0	1	1.0	0	0.0	1	1.0
Allied Health Professional	HPO3	0	0	0.0	1	0.5	0	0.0	0	0.0	1	0.5
Allied Health Professional	HPO4	0	3	3.0	1	0.8	0	0.0	0	0.0	4	3.8
Social Worker	HPO4	0	1	1.0	0	0	0	0.0	0	0.0	1	1.0
Registered Nurse	RN3	0	2	2.0	0	0	0	0.0	0	0.0	2	2.0
Registered Nurse	RN3	0	2	2.0	0	0	0	0.0	0	0.0	2	2.0
Total		0	12	12	4	2.9	1	1	0	0	17	15.9

**Health—mental health staff
(Question No 605)**

Mrs Jones asked the Minister for Health, upon notice, on 19 November 2015:

How many FTE, PTE and head count of staff are at each pay grade within the Mental Health Consultation Liaison at The Canberra Hospital (TCH) in the categories of (a) mental health nurse, (b) RN's, (c) enrolled nurse, (d) administrative staff, (e) nurse in charge, (f) staff doctor, (g) doctor, (h) psychiatrist, (i) social worker and (j) any other staff within the Mental Health Consultation Liaison at TCH.

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

The data in the table below is extracted from the ACT Health Workforce Profile for the pay period ending 17 June 2015, the last pay period of 2014-15.

The headcount (HC) and full time equivalent (FTE) data is grouped by staff group, classification and employment category for each pay grade.

There is no classification of "mental health nurse"; the nursing classifications are either Registered Nurses or Enrolled Nurses.

From December 2013, the following teams staffing salaries were combined into one cost centre, as the teams consist of very small numbers:

- Mental Health Consultation Liaison at Calvary Hospital;
- Mental Health Consultation Liaison at the Canberra Hospital;
- Neuropsychology;
- the Mental Health Comorbidity Clinician; and
- the Aboriginal and Torres Strait Islander Mental Health Service

The below data is a combination of all of those teams and is unable to be broken down into individual teams.

ACT Wide Mental Health Services Central

Staff Group	Classification	Casual	Permanent Full Time		Permanent Part Time		Temporary Full Time		Temporary Part Time		Total	
		HC	HC	FTE	HC	FTE	HC	FTE	HC	FTE	HC	FTE
Administrative Officers	ASO3	0	1	1.0	0	0	0	0.0	0	0.0	1	1.0
Administrative Officers	ASO4	0	1	1.0	1	0.8	0	0.0	0	0.0	2	1.8
Administrative Officers	ASO6	0	1	1.0	0	0	0	0.0	0	0.0	1	1.0
Allied Health Professional	HPO4	0	1	1.0	1	0.8	0	0.0	0	0.0	2	1.8
Allied Health Professional	HPO1	0	0	0.0	0	0	1	1.0	0	0.0	1	1.0
Allied Health Professional	HPO3	0	0	0.0	1	0.5	0	0.0	0	0.0	1	0.5
Allied Health Professional	HPO4	0	3	3.0	1	0.8	0	0.0	0	0.0	4	3.8
Social Worker	HPO4	0	1	1.0	0	0	0	0.0	0	0.0	1	1.0
Registered Nurse	RN3	0	2	2.0	0	0	0	0.0	0	0.0	2	2.0
Registered Nurse	RN3	0	2	2.0	0	0	0	0.0	0	0.0	2	2.0
Total		0	12	12	4	2.9	1	1	0	0	17	15.9

Health—mental health staff (Question No 606)

Mrs Jones asked the Minister for Health, upon notice, on 19 November 2015:

How many FTE, PTE and head count of staff are at each pay grade within Neuropsychology in the categories of (a) mental health nurse, (b) RN's, (c) enrolled nurse, (d) administrative staff, (e) nurse in charge, (f) staff doctor, (g) doctor, (h) psychiatrist, (i) social worker and (j) any other staff within Neuropsychology.

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

The data in the table below is extracted from the ACT Health Workforce Profile for the pay period ending 17 June 2015, the last pay period of 2014-15.

The headcount (HC) and full time equivalent (FTE) data is grouped by staff group, classification and employment category for each pay grade.

There is no classification of "mental health nurse"; the nursing classifications are either Registered Nurses or Enrolled Nurses.

From December 2013, the following teams staffing salaries were combined into one cost centre, as the teams consist of very small numbers:

- Mental Health Consultation Liaison at Calvary Hospital;
- Mental Health Consultation Liaison at the Canberra Hospital;
- Neuropsychology;
- the Mental Health Comorbidity Clinician; and
- the Aboriginal and Torres Strait Islander Mental Health Service

The below data is a combination of all of those teams and is unable to be broken down into individual teams.

ACT Wide Mental Health Services Central

Staff Group	Classification	Casual	Permanent Full Time		Permanent Part Time		Temporary Full Time		Temporary Part Time		Total	
		HC	HC	FTE	HC	FTE	HC	FTE	HC	FTE	HC	FTE
Administrative Officers	ASO3	0	1	1.0	0	0	0	0.0	0	0.0	1	1.0
Administrative Officers	ASO4	0	1	1.0	1	0.8	0	0.0	0	0.0	2	1.8
Administrative Officers	ASO6	0	1	1.0	0	0	0	0.0	0	0.0	1	1.0
Allied Health Professional	HPO4	0	1	1.0	1	0.8	0	0.0	0	0.0	2	1.8
Allied Health Professional	HPO1	0	0	0.0	0	0	1	1.0	0	0.0	1	1.0
Allied Health Professional	HPO3	0	0	0.0	1	0.5	0	0.0	0	0.0	1	0.5
Allied Health Professional	HPO4	0	3	3.0	1	0.8	0	0.0	0	0.0	4	3.8
Social Worker	HPO4	0	1	1.0	0	0	0	0.0	0	0.0	1	1.0
Registered Nurse	RN3	0	2	2.0	0	0	0	0.0	0	0.0	2	2.0
Registered Nurse	RN3	0	2	2.0	0	0	0	0.0	0	0.0	2	2.0
Total		0	12	12	4	2.9	1	1	0	0	17	15.9

Health—mental health staff (Question No 607)

Mrs Jones asked the Minister for Health, upon notice, on 19 November 2015:

How many FTE, PTE and head count of staff are at each pay grade within the Older Persons Mental Health Team in the categories of (a) mental health nurse, (b) RN's, (c) enrolled nurse, (d) administrative staff, (e) nurse in charge, (f) staff doctor, (g) doctor, (h) psychiatrist, (i) social worker and (j) any other staff within the Older Persons Mental Health Team.

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

The data in the table below is extracted from the ACT Health Workforce Profile for the pay period ending 17 June 2015, the last pay period of 2014-15.

The headcount (HC) and full time equivalent (FTE) data is grouped by staff group, classification and employment category for each pay grade.

There is no classification of "mental health nurse"; the nursing classifications are either Registered Nurses or Enrolled Nurses.

Older Persons Mental Health Team

Staff Group	Classification	Casual	Permanent Full Time		Permanent Part Time		Temporary Full Time		Temporary Part Time		Total	
		HC	HC	FTE	HC	FTE	HC	FTE	HC	FTE	HC	FTE
Administrative Officers	ASO2	0	0	0.0	1	0.6	0	0.0	0	0.0	1	0.6
Administrative Officers	ASO3	0	1	1.0	0	0	0	0.0	0	0.0	1	1.0

	Classification	Casual	Permanent Full Time		Permanent Part Time		Temporary Full Time		Temporary Part Time		Total	
Allied Health Professional	HPO2	0	1	1.0	0	0	1	1.0	0	0.0	2	2.0
Allied Health Professional	HPO3	0	1	1.0	1	0.8	0	0.0	0	0.0	2	1.8
Allied Health Professional	HPO1	0	0	0.0	0	0	1	1.0	0	0.0	1	1.0
Allied Health Professional	HPO2	0	0	0.0	0	0	1	1.0	0	0.0	1	1.0
Allied Health Professional	HPO3	0	1	1.0	0	0	0	0.0	0	0.0	1	1.0
Social Worker	HPO3	0	1	1.0	0	0	0	0.0	0	0.0	1	1.0
Enrolled Nurse	EN1	0	2	2.0	0	0	0	0.0	0	0.0	2	2.0
Registered Nurse	RN2	0	1	1.0	0	0	0	0.0	0	0.0	1	1.0
Registered Nurse	RN3	0	3	3.0	0	0	0	0.0	0	0.0	3	3.0
Total		0	11	11	2	1.4	3	3	0	0	16	15.4

Health—mental health staff (Question No 608)

Mrs Jones asked the Minister for Health, upon notice, on 19 November 2015:

How many FTE, PTE and head count of staff are at each pay grade within the Mental Health Service for People with Intellectual Disabilities in the categories of (a) mental health nurse, (b) RN's, (c) enrolled nurse, (d) administrative staff, (e) nurse in charge, (f) staff doctor, (g) doctor, (h) psychiatrist, (i) social worker and (j) any other staff within the Mental Health Service for People with Intellectual Disabilities.

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

The data in the table below is extracted from the ACT Health Workforce Profile for the pay period ending 17 June 2015, the last pay period of 2014-15.

The headcount (HC) and full time equivalent (FTE) data is grouped by staff group, classification and employment category for each pay grade.

There is no classification of "mental health nurse"; the nursing classifications are either Registered Nurses or Enrolled Nurses.

Mental Health Service for People with Intellectual Disabilities

	Classification	Casual	Permanent Full Time		Permanent Part Time		Temporary Full Time		Temporary Part Time		Total	
Staff Group		HC	HC	FTE	HC	FTE	HC	FTE	HC	FTE	HC	FTE
Administrative Officers	ASO3	0	0	0.0	1	0.8	0	0.0	0	0	1	0.8
Allied Health Professional	HPO2	0	1	1.0	0	0.0	0	0.0	0	0	1	1.0
Social Worker	HPO3	0	1	1.0	0	0.0	0	0.0	0	0	1	1.0
Registered Nurse	RN3	0	1	1.0	0	0.0	0	0.0	0	0	1	1.0
Total		0	3	3	1	0.8	0	0	0	0	4	3.8

Health—mental health staff (Question No 609)

Mrs Jones asked the Minister for Health, upon notice, on 19 November 2015:

How many FTE, PTE and head count of staff are at each pay grade within the Mental Health Comorbidity Clinician in the categories of (a) mental health nurse, (b) RN's, (c) enrolled nurse, (d) administrative staff, (e) nurse in charge, (f) staff doctor, (g) doctor, (h) psychiatrist, (i) social worker and (j) any other staff within the Mental Health Comorbidity Clinician.

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

The data in the table below is extracted from the ACT Health Workforce Profile for the pay period ending 17 June 2015, the last pay period of 2014-15.

The headcount (HC) and full time equivalent (FTE) data is grouped by staff group, classification and employment category for each pay grade.

There is no classification of "mental health nurse"; the nursing classifications are either Registered Nurses or Enrolled Nurses.

From December 2013, the following teams staffing salaries were combined into one cost centre, as the teams consist of very small numbers:

- Mental Health Consultation Liaison at Calvary Hospital;
- Mental Health Consultation Liaison at the Canberra Hospital;
- Neuropsychology;
- the Mental Health Comorbidity Clinician; and
- the Aboriginal and Torres Strait Islander Mental Health Service

The below data is a combination of all of those teams and is unable to be broken down into individual teams.

ACT Wide Mental Health Services Central

Staff Group	Classification	Casual	Permanent Full Time		Permanent Part Time		Temporary Full Time		Temporary Part Time		Total	
			HC	FTE	HC	FTE	HC	FTE	HC	FTE	HC	FTE
Administrative Officers	ASO3	0	1	1.0	0	0	0	0.0	0	0.0	1	1.0
Administrative Officers	ASO4	0	1	1.0	1	0.8	0	0.0	0	0.0	2	1.8
Administrative Officers	ASO6	0	1	1.0	0	0	0	0.0	0	0.0	1	1.0
Allied Health Professional	HPO4	0	1	1.0	1	0.8	0	0.0	0	0.0	2	1.8
Allied Health Professional	HPO1	0	0	0.0	0	0	1	1.0	0	0.0	1	1.0
Allied Health Professional	HPO3	0	0	0.0	1	0.5	0	0.0	0	0.0	1	0.5
Allied Health Professional	HPO4	0	3	3.0	1	0.8	0	0.0	0	0.0	4	3.8
Social Worker	HPO4	0	1	1.0	0	0	0	0.0	0	0.0	1	1.0
Registered Nurse	RN3	0	2	2.0	0	0	0	0.0	0	0.0	2	2.0
Registered Nurse	RN3	0	2	2.0	0	0	0	0.0	0	0.0	2	2.0
Total		0	12	12	4	2.9	1	1	0	0	17	15.9

Health—mental health staff (Question No 610)

Mrs Jones asked the Minister for Health, upon notice, on 19 November 2015:

How many FTE, PTE and head count of staff are at each pay grade within the Crisis Assessment and Treatment Team in the categories of (a) mental health nurse, (b) RN's, (c) enrolled nurse, (d) administrative staff, (e) nurse in charge, (f) staff doctor, (g) doctor, (h) psychiatrist, (i) social worker and (j) any other staff within the Crisis Assessment and Treatment Team.

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

The data in the table below is extracted from the ACT Health Workforce Profile for the pay period ending 17 June 2015, the last pay period of 2014-15.

The headcount (HC) and full time equivalent (FTE) data is grouped by staff group, classification and employment category for each pay grade.

There is no classification of "mental health nurse"; the nursing classifications are either Registered Nurses or Enrolled Nurses.

Crisis Assessment and Treatment Team

Staff Group	Classification	Casual	Permanent Full Time		Permanent Part Time		Temporary Full Time		Temporary Part Time		Total	
		HC	HC	FTE	HC	FTE	HC	FTE	HC	FTE	HC	FTE
Administrative Officers	ASO3	0	1	1.0	0	0	0	0.0	0	0	1	1.0
Allied Health Professional	HPO2	0	0	0.0	0	0	1	1.0	1	0.9	2	1.9
Allied Health Professional	HPO3	0	5	5.0	2	1.3	0	0.0	0	0	7	6.3
Allied Health Professional	HPO3	0	2	2.0	2	1.6	0	0.0	0	0	4	3.6
Social Worker	HPO3	0	1	1.0	0	0	0	0.0	0	0	1	1.0
Registered Nurse	RN2	1	0	0.0	0	0	0	0.0	0	0	1	0.0
Registered Nurse	RN3	0	8	8.0	1	1.0	0	0.0	0	0	9	9.0
Total		1	17	17	5	3.9	1	1	1	0.9	25	22.8

Health—mental health staff (Question No 611)

Mrs Jones asked the Minister for Health, upon notice, on 19 November 2015:

How many FTE, PTE and head count of staff are at each pay grade within the Brian Hennessy Rehabilitation Centre in the categories of (a) mental health nurse, (b) RN's, (c) enrolled nurse, (d) administrative staff, (e) nurse in charge, (f) staff doctor, (g) doctor, (h) psychiatrist, (i) social worker and (j) any other staff within the Brian Hennessy Rehabilitation Centre.

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

The data in the table below is extracted from the ACT Health Workforce Profile for the pay period ending 17 June 2015, the last pay period of 2014-15.

The headcount (HC) and full time equivalent (FTE) data is grouped by staff group, classification and employment category for each pay grade.

There is no classification of “mental health nurse”; the nursing classifications are either Registered Nurses or Enrolled Nurses.

Brian Hennessy Rehabilitation Centre

Staff Group	Classification	Casual	Permanent Full Time		Permanent Part Time		Temporary Full Time		Temporary Part Time		Total	
		HC	HC	FTE	HC	FTE	HC	FTE	HC	FTE	HC	FTE
Administrative Officers	ASO5	0	1	1.0	0	0	0	0.0	0	0	1	1.0
Administrative Officers	ASO3	0	0	0.0	1	0.8	0	0.0	0	0	1	0.8
Allied Health Professional	HPO1	0	1	1.0	0	0	0	0.0	0	0	1	1.0
Allied Health Professional	HPO3	0	0	0.0	0	0	0	0.0	1	0.8	1	0.8
Allied Health Professional	HPO2	0	1	1.0	0	0	0	0.0	0	0	1	1.0
Allied Health Professional	HPO3	0	1	1.0	0	0	0	0.0	0	0	1	1.0
Social Worker	HPO3	0	0	0.0	1	0.2	0	0.0	0	0	1	0.2
Allied Health Professional	AHA2	0	1	1.0	0	0	0	0.0	0	0	1	1.0
General Service Officers And Equivalent	HS3	0	1	1.0	0	0	0	0.0	0	0	1	1.0
General Service Officers And Equivalent	HS4	1	8	8.0	0	0	2	2.0	0	0	11	10.0
Enrolled Nurse	EN	0	1	1.0	0	0	1	1.0	0	0	2	2.0
Enrolled Nurse	EN1	2	6	6.0	2	1.3	0	0.0	0	0	10	7.3
Enrolled Nurse	EN1	0	0	0.0	1	0.5	0	0.0	0	0	1	0.5
Registered Nurse	RN1	1	0	0.0	0	0	0	0.0	0	0	1	0.0
Registered Nurse (Mental Health)	RN1	3	7	7.0	2	1.6	1	1.0	0	0	13	9.6
Registered Nurse	RN2	0	7	7.0	1	0.7	0	0.0	0	0	8	7.7
Registered Nurse	RN3	0	1	1.0	0	0	0	0.0	0	0	1	1.0
Medical Technician	TO2	0	1	1.0	0	0	0	0.0	0	0	1	1.0
Total		7	37	37	8	5.1	4	4	1	0.8	57	46.9

Health—mental health staff (Question No 612)

Mrs Jones asked the Minister for Health, upon notice, on 19 November 2015:

How many FTE, PTE and head count of staff are at each pay grade within the Adult Mental Health Day Service in the categories of (a) mental health nurse, (b) RN's, (c) enrolled nurse, (d) administrative staff, (e) nurse in charge, (f) staff doctor, (g) doctor, (h) psychiatrist, (i) social worker and (j) any other staff within the Adult Mental Health Day Service.

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

The data in the table below is extracted from the ACT Health Workforce Profile for the pay period ending 17 June 2015, the last pay period of 2014-15.

The headcount (HC) and full time equivalent (FTE) data is grouped by staff group, classification and employment category for each pay grade.

There is no classification of “mental health nurse”; the nursing classifications are either Registered Nurses or Enrolled Nurses.

Mental Health Day Service

Staff Group	Classification	Casual	Permanent Full Time		Permanent Part Time		Temporary Full Time		Temporary Part Time		Total	
			HC	FTE	HC	FTE	HC	FTE	HC	FTE	HC	FTE
Allied Health Professional	HPO1	0	0	0.0	0	0	1	1.0	0	0	1	1.0
Allied Health Professional	HPO3	0	2	2.0	0	0	0	0.0	0	0	2	2.0
Registered Nurse	RN1	0	1	1.0	0	0	0	0.0	0	0	1	1.0
Registered Nurse	RN3	0	1	1.0	0	0	0	0.0	0	0	1	1.0
Total		0	4	4	0	0	1	1	0	0	5	5

Health—mental health staff (Question No 613)

Mrs Jones asked the Minister for Health, upon notice, on 19 November 2015:

How many FTE, PTE and head count of staff are at each pay grade within the Aboriginal and Torres Strait Islander Mental Health Service in the categories of (a) mental health nurse, (b) RN's, (c) enrolled nurse, (d) administrative staff, (e) nurse in charge, (f) staff doctor, (g) doctor, (h) psychiatrist, (i) social worker and (j) any other staff within the Aboriginal and Torres Strait Islander Mental Health Service.

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

The data in the table below is extracted from the ACT Health Workforce Profile for the pay period ending 17 June 2015, the last pay period of 2014-15.

The headcount (HC) and full time equivalent (FTE) data is grouped by staff group, classification and employment category for each pay grade.

There is no classification of “mental health nurse”; the nursing classifications are either Registered Nurses or Enrolled Nurses.

From December 2013, the following teams staffing salaries were combined into one cost centre, as the teams consist of very small numbers:

- Mental Health Consultation Liaison at Calvary Hospital;
- Mental Health Consultation Liaison at the Canberra Hospital;
- Neuropsychology;
- the Mental Health Comorbidity Clinician; and
- the Aboriginal and Torres Strait Islander Mental Health Service

The below data is a combination of all of those teams and is unable to be broken down into individual teams.

ACT Wide Mental Health Services Central

Staff Group	Classification	Casual	Permanent Full Time		Permanent Part Time		Temporary Full Time		Temporary Part Time		Total	
			HC	FTE	HC	FTE	HC	FTE	HC	FTE	HC	FTE
Administrative Officers	ASO3	0	1	1.0	0	0	0	0.0	0	0.0	1	1.0
Administrative Officers	ASO4	0	1	1.0	1	0.8	0	0.0	0	0.0	2	1.8
Administrative Officers	ASO6	0	1	1.0	0	0	0	0.0	0	0.0	1	1.0
Allied Health Professional	HPO4	0	1	1.0	1	0.8	0	0.0	0	0.0	2	1.8
Allied Health Professional	HPO1	0	0	0.0	0	0	1	1.0	0	0.0	1	1.0
Allied Health Professional	HPO3	0	0	0.0	1	0.5	0	0.0	0	0.0	1	0.5
Allied Health Professional	HPO4	0	3	3.0	1	0.8	0	0.0	0	0.0	4	3.8
Social Worker	HPO4	0	1	1.0	0	0	0	0.0	0	0.0	1	1.0
Registered Nurse	RN3	0	2	2.0	0	0	0	0.0	0	0.0	2	2.0
Registered Nurse	RN3	0	2	2.0	0	0	0	0.0	0	0.0	2	2.0
Total		0	12	12	4	2.9	1	1	0	0	17	15.9

**Health—mental health staff
(Question No 614)**

Mrs Jones asked the Minister for Health, upon notice, on 19 November 2015:

How many FTE, PTE and head count of staff are at each pay grade within the Woden Mental Health Team in the categories of (a) mental health nurse, (b) RN's, (c) enrolled nurse, (d) administrative staff, (e) nurse in charge, (f) staff doctor, (g) doctor, (h) psychiatrist, (i) social worker and (j) any other staff within the Woden Mental Health Team.

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

The data in the table below is extracted from the ACT Health Workforce Profile for the pay period ending 17 June 2015, the last pay period of 2014-15.

The headcount (HC) and full time equivalent (FTE) data is grouped by staff group, classification and employment category for each pay grade.

There is no classification of "mental health nurse"; the nursing classifications are either Registered Nurses or Enrolled Nurses.

Woden Mental Health Team

Staff Group	Classification	Casual	Permanent Full Time		Permanent Part Time		Temporary Full Time		Temporary Part Time		Total	
			HC	FTE	HC	FTE	HC	FTE	HC	FTE	HC	FTE
Administrative Officers	ASO2	0	1	1.0	0	0	0	0.0	1	0.4	2	1.4
Allied Health Professional	HPO3	0	1	1.0	0	0	0	0.0	0	0	1	1.0
Allied Health Professional	HPO2	0	1	1.0	1	0.8	0	0.0	0	0	2	1.8

	Classification	Casual	Permanent Full Time		Permanent Part Time		Temporary Full Time		Temporary Part Time		Total	
Allied Health Professional	HPO3	0	2	2.0	0	0	0	0.0	0	0	2	2.0
Social Worker	HPO1	0	0	0.0	0	0	1	1.0	0	0	1	1.0
Enrolled Nurse	EN1	0	1	1.0	0	0	0	0.0	0	0	1	1.0
Registered Nurse	RN2	0	1	1.0	0	0	0	0.0	0	0	1	1.0
Registered Nurse	RN3	0	5	5.0	0	0	0	0.0	0	0	5	5.0
Medical Technician	TO2	0	0	0.0	1	0.9	0	0.0	0	0	1	0.9
Total		0	12	12	2	1.6	1	1	1	0.4	16	15.1

Health—mental health staff (Question No 615)

Mrs Jones asked the Minister for Health, upon notice, on 19 November 2015:

How many FTE, PTE and head count of staff are at each pay grade within the Tuggeranong Mental Health Team in the categories of (a) mental health nurse, (b) RN's, (c) enrolled nurse, (d) administrative staff, (e) nurse in charge, (f) staff doctor, (g) doctor, (h) psychiatrist, (i) social worker and (j) any other staff within the Tuggeranong Mental Health Team.

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

The data in the table below is extracted from the ACT Health Workforce Profile for the pay period ending 17 June 2015, the last pay period of 2014-15.

The headcount (HC) and full time equivalent (FTE) data is grouped by staff group, classification and employment category for each pay grade.

There is no classification of "mental health nurse"; the nursing classifications are either Registered Nurses or Enrolled Nurses.

Tuggeranong Mental Health Team

	Classification	Casual	Permanent Full Time		Permanent Part Time		Temporary Full Time		Temporary Part Time		Total	
Staff Group		HC	HC	FTE	HC	FTE	HC	FTE	HC	FTE	HC	FTE
Allied Health Professional	HPO3	0	1	1.0	0	0	0	0.0	0	0	1	1.0
Allied Health Professional	HPO1	0	0	0.0	0	0	1	1.0	0	0	1	1.0
Allied Health Professional	HPO3	0	1	1.0	0	0	0	0.0	0	0	1	1.0
Allied Health Professional	HPO2	0	0	0.0	0	0	1	1.0	0	0	1	1.0
Social Worker	HPO3	0	1	1.0	0	0	0	0.0	0		1	1.0
Registered Nurse	RN2	0	1	1.0	0	0	0	0.0	1	0.8	2	1.8
Registered Nurse	RN3	0	1	1.0	1	0.8	0	0.0	0	0	2	1.8
Medical Technician	TO2	0	1	1.0	0	0	0	0.0	0	0	1	1.0
Total		0	6	6	1	0.8	2	2	1	0.8	10	9.6

**Health—mental health staff
(Question No 616)**

Mrs Jones asked the Minister for Health, upon notice, on 19 November 2015:

How many FTE, PTE and head count of staff are at each pay grade within the Gungahlin Mental Health Team in the categories of (a) mental health nurse, (b) RN's, (c) enrolled nurse, (d) administrative staff, (e) nurse in charge, (f) staff doctor, (g) doctor, (h) psychiatrist, (i) social worker and (j) any other staff within the Gungahlin Mental Health Team.

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

The data in the table below is extracted from the ACT Health Workforce Profile for the pay period ending 17 June 2015, the last pay period of 2014-15.

The headcount (HC) and full time equivalent (FTE) data is grouped by staff group, classification and employment category for each pay grade.

There is no classification of "mental health nurse"; the nursing classifications are either Registered Nurses or Enrolled Nurses.

There is no data for Gungahlin Mental Health Team in the pay period ending 17 June 2015. This team was not in operation in financial year 2014 15.

**Health—mental health staff
(Question No 617)**

Mrs Jones asked the Minister for Health, upon notice, on 19 November 2015:

How many FTE, PTE and head count of staff are at each pay grade within the City Mental Health Team in the categories of (a) mental health nurse, (b) RN's, (c) enrolled nurse, (d) administrative staff, (e) nurse in charge, (f) staff doctor, (g) doctor, (h) psychiatrist, (i) social worker and (j) any other staff within the City Mental Health Team.

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

The data in the table below is extracted from the ACT Health Workforce Profile for the pay period ending 17 June 2015, the last pay period of 2014-15.

The headcount (HC) and full time equivalent (FTE) data is grouped by staff group, classification and employment category for each pay grade.

There is no classification of "mental health nurse"; the nursing classifications are either Registered Nurses or Enrolled Nurses.

City Mental Health Team

Staff Group	Classification	Casual	Permanent Full Time		Permanent Part Time		Temporary Full Time		Temporary Part Time		Total	
			HC	FTE	HC	FTE	HC	FTE	HC	FTE	HC	FTE
Administrative Officers	ASO2	0	1	1.0	0	0	0	0.0	0	0	1	1.0
Allied Health Professional	HPO3	0	1	1.0	0	0	0	0.0	0	0	1	1.0
Allied Health Professional	HPO3	0	0	0.0	0	0	1	1.0	0	0	1	1.0
Allied Health Professional	HPO2	0	0	0.0	0	0	1	1.0	1	0.6	2	1.6
Social Worker	HPO3	0	2	2.0	1	0.8	0	0.0	0	0	3	2.8
Registered Nurse	RN2	0	1	1.0	0	0	3	2.0	1	0.6	5	3.6
Registered Nurse	RN3	0	2	2.0	1	0.7	0	0.0	0	0	3	2.7
Medical Technician	TO2	0	2	2.0	0	0	1	1.0	0	0	3	3.0
Total		0	9	9	2	1.5	6	6	2	1.2	19	16.7

**Health—mental health staff
(Question No 618)**

Mrs Jones asked the Minister for Health, upon notice, on 19 November 2015:

How many FTE, PTE and head count of staff are at each pay grade within the Belconnen Mental Health Team in the categories of (a) mental health nurse, (b) RN's, (c) enrolled nurse, (d) administrative staff, (e) nurse in charge, (f) staff doctor, (g) doctor, (h) psychiatrist, (i) social worker and (j) any other staff within the Belconnen Mental Health Team.

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

The data in the table below is extracted from the ACT Health Workforce Profile for the pay period ending 17 June 2015, the last pay period of 2014-15.

The headcount (HC) and full time equivalent (FTE) data is grouped by staff group, classification and employment category for each pay grade.

There is no classification of "mental health nurse"; the nursing classifications are either Registered Nurses or Enrolled Nurses.

Belconnen Mental Health Team

Staff Group	Classification	Casual	Permanent Full Time		Permanent Part Time		Temporary Full Time		Temporary Part Time		Total	
			HC	FTE	HC	FTE	HC	FTE	HC	FTE	HC	FTE
Administrative Officers	ASO2	0	1	1.0	0	0	0	0.0	0	0	1	1.0
Allied Health Professional	HPO3	0	1	1.0	0	0	0	0.0	0	0	1	1.0
Allied Health Professional	HPO1	0	0	0.0	0	0	1	1.0	0	0	1	1.0
Allied Health Professional	HPO2	0	1	1.0	0	0	1	1.0	0	0	2	2.0
Allied Health Professional	HPO3	0	1	1.0	0	0	0	0.0	0	0	1	1.0

	Classification	Casual	Permanent Full Time		Permanent Part Time		Temporary Full Time		Temporary Part Time		Total	
Social Worker	HPO3	0	2	2.0	0	0	1	1.0	0	0	3	3.0
Social Worker	HPO4	0	1	1.0	0	0	0	0.0	0	0	1	1.0
Registered Nurse	RN2	0	2	2.0	0	0	2	2.0	0	0	4	4.0
Registered Nurse	RN3	0	3	3.0	0	0	1	1.0	0	0	4	4.0
Medical Technician	TO2	0	1	1.0	0	0	0	0.0	1	0.6	2	1.6
Total		0	13	13	0	0	6	6	1	0.6	20	19.6

Health—mental health staff (Question No 619)

Mrs Jones asked the Minister for Health, upon notice, on 19 November 2015:

How many FTE, PTE and head count of staff are at each pay grade within the Adult Mental Health Unit in the categories of (a) mental health nurse, (b) RN's, (c) enrolled nurse, (d) administrative staff, (e) nurse in charge, (f) staff doctor, (g) doctor, (h) psychiatrist, (i) social worker and (j) any other staff within the Adult Mental Health Unit.

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

The data in the table below is extracted from the ACT Health Workforce Profile for the pay period ending 17 June 2015, the last pay period of 2014-15.

The headcount (HC) and full time equivalent (FTE) data is grouped by staff group, classification and employment category for each pay grade.

There is no classification of "mental health nurse"; the nursing classifications are either Registered Nurses or Enrolled Nurses.

Adult Mental Health Unit

	Classification	Casual	Permanent Full Time		Permanent Part Time		Temporary Full Time		Temporary Part Time		Total	
Staff Group		HC	HC	FTE	HC	FTE	HC	FTE	HC	FTE	HC	FTE
Administrative Officers	ASO2	0	0	0.0	0	0	1	1.0	0	0	1	1.0
Administrative Officers	ASO3	0	1	1.0	0	0	0	0.0	0	0	1	1.0
Administrative Officers	ASO4	0	2	2.0	1	0.9	0	0.0	0	0	3	2.9
Administrative Officers	ASO2	0	1	1.0	1	0.5	0	0.0	0	0	2	1.5
Allied Health Professional	HPO2	0	1	1.0	0	0	1	1.0	0	0	2	2.0
Allied Health Professional	HPO3	0	1	1.0	0	0	0	0.0	0	0	1	1.0
Allied Health Professional	HPO2	0	1	1.0	0	0	0	0.0	0	0	1	1.0
Allied Health Professional	HPO2	0	0	0.0	1	0.8	0	0.0	0	0	1	0.8
Allied Health Professional	HPO3	0	1	1.0	0	0	0	0.0	0	0	1	1.0
Allied Health Professional	HPO2	0	1	1.0	0	0	0	0.0	0	0	1	1.0
Allied Health Professional	HPO3	0	0	0.0	0	0	1	1.0	0	0	1	1.0
Allied Health Professional	HPO3	0	0	0.0	1	0.6	0	0.0	0	0	1	0.6

	Classification	Casual	Permanent Full Time		Permanent Part Time		Temporary Full Time		Temporary Part Time		Total	
Social Worker	HPO3	0	1	1.0	0	0	0	0.0	0	0	1	1.0
General Service Officers And	HS4	0	2	2.0	0	0	1	1.0	0	0	3	3.0
Enrolled Nurse	EN	0	1	1.0	0		0	0.0	0	0	1	1.0
Enrolled Nurse	EN1	0	7	7.0	3	2.5	0	0.0	0	0	10	9.5
Enrolled Nurse	EN2	0	0	0.0	1	0.8	0	0.0	0	0	1	0.8
Nurse Manager	RN4	0	2	2.0	0		0	0.0	0	0	2	2.0
Registered Nurse	RN1	0	8	8.0	1	0.8	4	4.0	1	0.8	14	13.7
Registered Nurse	RN2	0	9	9.0	2	1.2	0	0.0	0	0	11	10.2
Registered Nurse	RN3	0	2	2.0	1	1.0	0	0.0	0	0	3	3.0
Registered Nurse	RN1	0	3	3.0	0	0	2	2.0	0	0	5	5.0
Registered Nurse	RN1	0	1	1.0	1	1.0	2	2.0	0	0	4	4.0
Total		0	45	45	13	10	12	12	1	0.8	71	68

Health—mental health staff (Question No 620)

Mrs Jones asked the Minister for Health, upon notice, on 19 November 2015:

How many FTE, PTE and head count of staff are at each pay grade within the Mental Health Assessment Unit in the categories of (a) mental health nurse, (b) RN's, (c) enrolled nurse, (d) administrative staff, (e) nurse in charge, (f) staff doctor, (g) doctor, (h) psychiatrist, (i) social worker and (j) any other staff within the Mental Health Assessment Unit.

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

The data in the tables below is extracted from the ACT Health Workforce Profile for the pay period ending 17 June 2015, the last pay period of 2014-15.

The headcount (HC) and full time equivalent (FTE) data is grouped by staff group, classification and employment category for each pay grade.

There is no classification of "mental health nurse"; the nursing classifications are either Registered Nurses or Enrolled Nurses.

Mental Health Assessment Unit

	Classification	Casual	Permanent Full Time		Permanent Part Time		Temporary Full Time		Temporary Part Time		Total	
Staff Group		HC	HC	FTE	HC	FTE	HC	FTE	HC	FTE	HC	FTE
Administrative Officers	ASO3	0	2	2.0	0	0	0	0.0	0	0	2	2.0
Registered Nurse	RN1	0	0	0.0	0	0	1	1.0	0	0	1	1.0
Registered Nurse Health)	RN2	3	2	2.0	1	0.6	1	1.0	0	0	7	3.6
Registered Nurse	RN3	0	4	4.0	0	0	2	2.0	0	0	6	6.0

	Classification	Casual	Permanent Full Time		Permanent Part Time		Temporary Full Time		Temporary Part Time		Total	
Registered Nurse	RN1	0	1	1.0	0	0	0	0.0	0	0	1	1.0
Registered Nurse	RN2	0	1	1.0	0	0	0	0.0	0	0	1	1.0
Total		3	10	10	1	0.6	4	4	0	0	18	14.6

The doctors and specialists, including psychiatrist, that provide services to Mental Health, Justice Health and Alcohol and Drug Services (MHJHADS) (the mental health areas covered by questions 603 to 620) are located separately and not in the MHJHADS units or teams for administrative and organisational purposes. Consequently, as these doctors provide mental health services across MHJHADS the headcounts and FTE's for the pay period ending 17 June 2015 are provided in the following table:

Doctors and Psychiatrists in MHJHADS

	Classification	Casual	Permanent Full Time		Permanent Part Time		Temporary Full Time		Temporary Part Time		Total	
Staff Group		HC	HC	FTE	HC	FTE	HC	FTE	HC	FTE	HC	FTE
Doctor	SCMG	0	1	1	0	0	0	0	0	0	1	1
Doctor	SPEC	0	1	1	0	0	0	0	0	0	1	1
Doctor	SPEC	0	0	0	1	0.6	0	0	0	0	1	0.6
Doctor	SSPEC	0	1	1	1	0.3	1	1	0	0	3	2.3
Junior Medical Officer	REG	0	0	0	0	0	21	21	5	3.26	26	24.3
Junior Medical Officer	RMO	0	0	0	0	0	3	3	0	0	3	3
Junior Medical Officer	SREG	0	0	0	0	0	1	1	0	0	1	1
Junior Medical Officer	REG	0	0	0	0	0	1	1	0	0	1	1
Psychiatrist	SPEC	0	10	10	15	7.25	2	2	1	0.2	28	19.5
Psychiatrist	SSPEC	0	8	8	4	2.7	0	0	2	1.35	14	12.1
Total		0	21	21	21	10.85	29	29	8	4.81	79	65.8

Health—mental health beds (Question No 621)

Mrs Jones asked the Minister for Health, upon notice, on 19 November 2015:

- (1) How many beds in the Adult Mental Health Unit are for (a) subacute care and (b) acute care and what are the costs of these beds annually.
- (2) How many beds in ward 2N at Calvary Hospital are for (a) subacute care and (b) acute care and what are the costs of these beds annually.

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

- (1) (a) The Adult Mental Health Facility is an acute inpatient facility, and therefore has no designated sub-acute beds.
- (b) The Adult Mental Health Unit has a total of 35 available inpatient beds, with an annual operating budget of \$8.62 million.

(2) (a) Ward 2N at Calvary Hospital is an acute inpatient facility, and therefore has no designated sub-acute beds.

(b) Ward 2N at Calvary Hospital has a total of 19 available inpatient beds, with an annual operating budget of \$2.19 million.

Health—scholarships (Question No 622)

Mrs Jones asked the Minister for Health, upon notice, on 19 November 2015:

- (1) What is the total budget for the group of scholarships in Mental Health, Justice Health and Alcohol and Drug Services Postgraduate Scholarship Mental Health Nursing.
- (2) How much is awarded to each recipient.
- (3) What exact courses are approved for this scholarship program.
- (4) How many people have (a) applied for and (b) been awarded this scholarship program each year for the last 5 years.

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

- (1) The 2015-2016 financial year budget allocation for postgraduate nursing scholarships in Mental Health, Justice Health and Alcohol and Drug Services is \$349,000.
- (2) Scholarship recipients are awarded 100 per cent of their academic tuition fees.
- (3) There are a number of approved postgraduate courses relevant to the scopes of practice of the nurses who are working in Mental Health, Justice Health and Alcohol and Drug Services sector that currently include:
 - Graduate Certificate in Forensic Mental Health, Griffith University
 - Graduate Diploma of Nursing (Specialisation), University of Tasmania
 - Graduate Diploma in Psychology, Charles Sturt University
 - Postgraduate Diploma in Mental Health Nursing, University of Canberra
 - Master of Mental Health Nursing, University of Wollongong
 - Master of Nursing (Nurse Practitioner), University of Sydney
 - Master of Health Management, University of New South Wales
 - Master of Health Management (Forensic Mental Health), University of New South Wales
 - Master of Public Administration, University of Canberra.

In addition, a small number of enrolled nurses are upgrading their formal qualifications to complete an undergraduate degree in nursing, including:

- Bachelor of Nursing, Australian Catholic University
- Bachelor of Nursing (Mental Health), Australian Catholic University

- (4) The nurses who have (a) applied for scholarships and (b) been awarded scholarships over the past five years include:

Year	Applications for Scholarships (a)	Scholarships Awarded (b)
2015	44	40
2014	31	29
2013	18	15
2012	21	13
2011	24	21

**Planning—secure mental health unit
(Question No 623)**

Mrs Jones asked the Minister for Health, upon notice, on 19 November 2015:

- (1) Which Directorate previously had ownership of the parcel of land on which the Secure Mental Health Unit is to be built.
- (2) When was this parcel of land transferred and how was it transferred to the Health Directorate.
- (3) Which Directorate was responsible for the costs of demolishing the previous buildings and what were the costs.
- (4) What is the current estimated value of this site.

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

- (1) Justice and Community Safety Directorate (JACS) previously had ownership of the parcel of land on which the Secure Mental Health Unit (SMHU) is being built.
 - (2) The direct land transfer of the Symonston site from JACS to ACT Health was approved by the Minister for Environment on 10 December 2013.
 - (3) ACT Health was responsible for the costs of demolishing the previous buildings on the site of the SMHU. These works cost \$300,000, excluding GST.
 - (4) The current estimated value of the SMHU land is \$700,000.
-

**Motor vehicles—registration
(Question No 657)**

Mr Coe asked the Chief Minister, upon notice, on 11 February 2016:

- (1) How many privately registered vehicles have had their registration cancelled in the financial years (a) 2014-2015 and (b) 2015-2016 to date.

- (2) How many of the vehicles in part (1) have had their registration renewed after a gap of more than one month.
- (3) What is the administration fee to cancel a vehicle registration.
- (4) What is the fee to re-register vehicles in part (2).
- (5) From what date is the registration taken to have commenced for vehicles in part (2).
- (6) Are vehicles referred to in part (2) required to be inspected before registration.

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

- (1) (a) 10,832 and (b) 6,239 at 15 February 2016.
- (2) (a) 625 and (b) 169 at 15 February 2016.
- (3) There is no administration fee to cancel a vehicle registration.
- (4) The fee to re-register vehicles in part (2) is \$43.20.
- (5) The registration commences on the date the vehicle registration fees are paid.
- (6) Yes.

Waste disposal—Mugga Lane tip (Question No 665)

Ms Lawder asked the Chief Minister, upon notice, on 11 February 2016:

- (1) What is causing the putrid smell said to be emanating from the Mugga Lane tip recently.
- (2) What is the ACT Government doing to address this issue.
- (3) How many complaints about this issue have been received by (a) Access Canberra, (b) Environment and Planning Directorate, (c) Environment Protection Authority, (d) Territory and Municipal Services Directorate, (e) ACT NOWaste and (f) any other ACT Directorate or agency.
- (4) Is Environmental Authorisation No. 0375 the authorisation that the contracted operator of the Mugga Lane tip is required to comply with; if not, what is the correct authorisation.
- (5) Is the Environment Protection Authority responsible for monitoring the contracted operator's compliance with Environmental Authorisation No. 0375 or other, if not Environmental Authorisation No. 0375.
- (6) Has the Environment Protection Authority adopted the Victorian Environment Protection Authority's Best Environmental Practice Management for the Siting, Design, Operation and Rehabilitation of Landfills, and the latest version of that document; if the Victorian document is not the correct one, please advise what is, and provide a copy.

- (7) Since March 2015, has the contracted operator of the Mugga Lane tip covered and uncovered the compacted waste material on a daily basis, using a covering material approved by the Environment Protection Authority.
- (8) Since March 2015, has the contracted operator of the Mugga Lane tip applied the day cover at the end of each operational day and removed it before the commencement of the next day's operations.
- (9) Has an ACT Government representative conducted a site visit of the Mugga Lane tip in the past four weeks to monitor the contracted operator's compliance with Environmental Authorisation No. 0375 or other; if so, on what date(s).
- (10) How often does an ACT Government representative conduct a site visit of the Mugga Lane tip to monitor compliance with Environmental Authorisation No. 0375 and are these announced or unannounced site visits.
- (11) How is the smell assessed on a daily/weekly/other basis.
- (12) Is any monitoring equipment of the Mugga Lane tip set up, or is it "manual" monitoring.
- (13) Are there any plans to introduce new monitoring systems.
- (14) If the ACT Government does not agree that the odour is emanating from the Mugga Lane tip, where is it coming from and what is the cause.
- (15) What testing or analysis has been carried out to determine the cause of the odour.
- (16) What amelioration activities have been undertaken.
- (17) Is testing carried out at or near the methane plant and can the Minister provide details.
- (18) Can the Minister provide details of when drainage piping work was conducted at the Mugga Lane tip in November 2015, December 2015, January 2016 and February 2016.

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

- (1) Since December 2015 there has been an increase in complaints coming from the nearby suburbs, predominantly Fadden, alleging the smell was emanating from the Mugga landfill.

While odours are still being reported, investigations are continuing in order to discover the source of the odours.

As part of the on-going investigations it has been noted that some capital works have been undertaken at the tip which involved the excavation of old waste material which is far more odorous than more recently buried waste. These operations were monitored by capital works staff from Territory and Municipal Service Directorate (TaMS) who indicated that the works did not impact on the surrounding residential areas (see reply 18).

As odours are still being reported, investigations are continuing in order to discover the source.

- (2) The Environment Protection Authority (EPA) is continuing its investigation at the Mugga Lane Resource Management Centre (MLRMC) while ensuring that the various operators on site continue their compliance with their Environmental Authorisations (EA).
- (3) Complaints received were as follows:
- (a) Access Canberra see (c) below;
 - (b) Environment and Planning Directorate = 0;
 - (c) Environment Protection Authority, Access Canberra = 30 (includes complaints received via MLAs);
 - (d) (e) TaMS/ NoWaste= 14 (since March 2015 and many are duplicated in the EPA numbers. 5 of these complaints received were from the same individual);
 - (f) Any other Directorate/ Agency = 0
- (4) (5) The MLRMC is government owned and managed by the TaMS, via ACT NoWaste. The landfill operations are contracted out by ACT NoWaste and are currently undertaken by Remondis Australia Pty Ltd (Remondis).

In relation to the Environment Protection Act 1997 the operation of a commercial landfill facility that receives more than 5,000 tonnes of waste per year is a Class A activity and requires an EA to be issued and compliance monitored by the EPA.

Remondis Australia is authorised under EA 0375 to operate a commercial landfill on block 2114 which was granted on 5 March 2002. Prior to this the site operated under EA No 0141 which was granted on 30 December 1998.

It should be noted that the holder of the EA at the Mugga Site has significant responsibility for the proper operation of the waste facility, as does ACT NoWaste as contract and overall site manager.

- (6) EA 0375 is the document that Remondis must comply with for operation of the landfill. The EPA has only adopted the Victorian EPA *Best Environmental Practice Management (BEPM) for the Siting, design, operation and rehabilitation of landfills* for the design and capping of new landfill cells. As an example, the new landfill cells have been designed and constructed to the BEPM by ACT NoWaste and once they are handed to Remondis they will need to be capped in accordance with the standards in the BEPM. For your information, a copy of the BEPM can be downloaded for the Victorian EPA publications website at the following link:
<http://www.epa.vic.gov.au/our-work/publications/publication/2015/august/788-3>
- (7) (8) Under clause 24.3 of the EA, Remondis are required to cover and uncover the compacted waste material on a daily basis using a covering material approved by the EPA. The day cover shall be applied at the end of each operational day and removed prior to the commencement of the next day's operations.

Remondis is compliant with this clause with waste covered on a daily basis with either intermediate cover (soil) or removable covers.

However, in light of the increased odour complaints, Remondis were directed on 13 January 2016 to cease using the alternate cover (mats) and to cover the tip face at the end of each day with soil.

- (9) (10) Since the beginning of December 2015, EPA officers have visited Mugga Lane Landfill on 14, 15, 23 and 24 December 2015 and again on 11, 20 and 28 January and 5 and 15 February 2016. After undertaking the latest inspection on 15 February 2016, the EPA Officer also drove to Fadden, the predominant source of the complaints, with no unnatural odour detected.

Officers have also visited the surrounding residential areas on numerous occasions in relation to odour complaints with the most recent visit being undertaken on 8 February 2016, with the EPA officer unable to smell any odours. Complaints are often received by Access Canberra a day or more after the actual incident. Access Canberra acts on these complaints as soon as practical after they are received, which is often on the same day. This response is subject to the availability of EPA resources.

I understand ACT NoWaste officers have also inspected the Mugga site on 5, 16, 19 and 24 November 2015; 7, 10 and 21 December 2015; and 7 and 14 January 2016. ACT NoWaste has confirmed that on none of these visits were odour levels abnormal.

An officer from Capital Works, Design and Delivery, TaMS also visited both the site and surrounding suburbs on 4 and 5 January 2016 and reported that no odour was present at the landfill boundary, with the exception of a slight organics odour at the front entrance of the MLRMC on 5 January 2016 with and no putrescibles odour detected within the suburbs.

Site visits to the landfill in relation to complaints are unannounced. However for site safety purposes, Remondis are notified once EPA staff are on site. All other visits in relation to EA compliance are announced.

- (11) Under clause 2.1 of the EA, Remondis is required to undertake all practicable steps to minimise dust, noise and odour emissions from the landfill. Assessment against this clause is done using the human olfactory system (smell) which is done on a continuous basis as a staffed site.

Also by landfill standards, Mugga Lane Landfill would not be considered an odorous landfill as its waste stream only comprises approximately 35% putrescibles waste with the remainder being inert from the commercial and industrial or construction and demolition sectors.

- (12) (13) As above, all odour assessment is done using smell. There are no plans to introduce any odour monitoring system as human noses are the most sensitive instrument available to measure odour.
- (14) Odour is a very subjective matter and to date the EPA has yet to verify the source of the odour. The EPA is continuing to investigate complaints as they are received which can be complex since in some cases the locations and times of the complaints are contradictory.
- (15) All field testing undertaken by the EPA has been done using smell (see reply 12 and 13 above).
- (16) All rubbish received at the facility is covered as soon as operationally possible and certainly by the end of each operation day. Since 13 January 2016 the tip face has been covered at the end of each day with soil rather than an alternate cover on instruction by EPA.

(17) The EPA is not aware of any formal odour assessment being carried out at the methane plant. To date there have not been specific complaints about the plant and Remondis have not notified the EPA of any odour issues associated with the operation.

(18) Works for the A2AC leachate transfer pipe comprised excavating a trench with a width of approx 1m and to an approx depth of 0.5m. A clay capping layer was then backfilled/placed in the trench and the pipeline installed within the capping layer.

Works were completed in stages with excavation commencing 4 December 2015 and completed 18 December 2015 – works were progressively excavated and capped in 50 to 100m lengths. The majority of capping was completed on the 18 December 2015.

EPA visited the landfill on 23 December 2015 where it was discovered that some material was left uncovered. The landfill operator was immediately instructed by the EPA to cover up the old waste which was completed by 24 December 2015. Works during January/February 2016 comprised concrete headwall construction into the leachate dam and installation of flowmetres and inspection points along with final clay capping over the pipeline.

Odour monitoring was carried out at various times during December 2015 and January 2016. The monitoring was undertaken at the following locations: -

1. adjacent to the works,
2. at the Mugga Lane RMC boundaries,
3. along Mugga Lane/Long Gully Road; and
4. within the suburbs of Fadden / Macarthur / the surrounding “Hills” areas.

Whilst general “landfill/putrescible waste” odour was detected adjacent to the works (within a 100m radius), no odour was detected at locations 2, 3 and 4 above.

Canberra Olympic Pool—water leaks (Question No 670)

Mr Smyth asked the Minister for Sport and Recreation, upon notice, on 11 February 2016:

- (1) In what year was the Canberra Olympic Pool first opened.
- (2) When was the Canberra Olympic Pool first filled.
- (3) When were leaks at the pool first identified.
- (4) How much water has been lost over the life of the pool.
- (5) What effort have been made to identify structural damage caused by the leaks.

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

- (1) Construction of the Canberra Olympic Pool was completed in late 1955 and the facility was ‘officially’ opened on 28 January 1956.

- (2) Historical records indicate that the Canberra Olympic Pool[s] was first filled in November/December 1955.
 - (3) Records show the Canberra Olympic Pool has leaked periodically and to varying levels since 22 December 1955.
 - (4) The Territory does not have records of how much water has been lost at Canberra Olympic Pool since it was first filled in 1955.
 - (5) Numerous efforts have been made to identify structural damage at the Canberra Olympic Pool over the past four years including:
 - August-October 2012 – Investigation of expansion joints in dive pool, which included the removal of the stainless steel cover plates over the expansion joints and repairs to the hypalon flexible joint bandage.
 - July 2013 – Concrete coring of the 50m pool and dive pool shells whilst the facility was closed for repainting of the 50m pool. The report provided by the contractor concluded that the 50m pool and dive pool shells were in ‘excellent’ and ‘very good’ condition respectively.
 - 2013-15 – As part of each of the leak investigations undertaken between 2013 and 2015 the pool structures and associated plant (balance tank, etc) were all assessed with no visible signs of structural damage.
 - November 2014 – Engineer engaged to assess the condition of the balance tank. Report provided by the engineer concluded that the balance tank was in a ‘reasonable condition’ given its age and exposure to moisture.
 - May 2015 – Geotechnics contractor engaged to evaluate the content of the soil to eliminate any risk of sink holes caused by the leak. The report provided by the contractor concluded that there is ‘very little likelihood’ of sink holes having been present prior to the construction of the Canberra Olympic Pool or having developed as a result of water leakages from the pools and/or their buried pipe work.
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